

TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3994. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 3995. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 3996. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 3997. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 3896. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3999. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 4000. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4001. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, *supra*; which was ordered to lie on the table.

SA 4002. Mr. BLUMENTHAL (for himself, Mr. MARKEY, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TROSTER) to the bill H.R. 2577, which

SA 4003. Ms. COLLINS (for Mr. SULLIVAN (for himself, Mr. SCHATZ, and Mr. MARKEY)) proposed an amendment to the bill S. 1235, to

proposed an amendment to the bill S. 1335, to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012,

SA 4004. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the

bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3930. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment

intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of

TEXT OF AMENDMENTS

SA 3930. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of

Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 191 in title I of division A, add the following:

SEC. _____. No funds shall be transferred into the Sport Fish Restoration and Boating Trust Fund pursuant to section 9503(c)(3)(B) of the Internal Revenue Code of 1986 for use by the United States Fish and Wildlife Service if the Director of the United States Fish and Wildlife Service issues a compatibility determination to restrict motorized boats in Havasu Wildlife Refuge, Arizona.

SA 3931. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. (a) Notwithstanding section 102(h) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6032(h)) and section 910(b) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7209(b)), and except as provided in subsection (b), none of the funds appropriated or otherwise made available by this Act or by any other Act may be used to directly or indirectly prohibit the provision of technical services otherwise permitted under an international air transportation agreement in the United States for an aircraft of a foreign air carrier that is en route to or from Cuba based on the restrictions set forth in part 515 of title 31, Code of Federal Regulations (commonly known as the "Cuban Assets Control Regulations").

(b) This section shall not apply—

(1) if—

(A) the United States is at war with Cuba;

(B) armed hostilities between the United States and Cuba are in progress; or

(C) there is imminent danger to the public health or physical safety of United States citizens; or

(2) to foreign air carriers that are owned by the Government of Cuba or are based in Cuba.

SA 3932. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. INSPECTION OF KITCHENS AND FOOD SERVICE AREAS AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act,

and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall provide for the conduct of inspections of kitchens and food service areas at each medical facility of the Department of Veterans Affairs to ensure that the same standards for kitchens and food service areas at hospitals in the private sector are being met at kitchens and food service areas at medical facilities of the Department.

(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) ALTERNATE ORGANIZATION.—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) REMEDIATION PLAN.—

(1) INITIAL FAILURE.—If a kitchen or food service area of a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) not to meet the standards for kitchens and food service areas in hospitals in the private sector, that medical facility fails the inspection and the Secretary shall—

(A) implement a remediation plan for that medical facility within 48 hours; and

(B) Conduct a second inspection under subsection (a) at that medical facility within 7 days of the failed inspection.

(2) SECOND FAILURE.—If a medical facility of the Department fails the second inspection conducted under paragraph (1)(B), the Secretary shall close the kitchen or food service area at that medical facility that did not meet the standards for kitchens and food service areas in hospitals in the private sector until remediation is completed and all kitchens and food service areas at that medical facility meet such standards.

(3) PROVISION OF FOOD.—If a kitchen or food service area is closed at a medical facility of the Department pursuant to paragraph (2), the Director of the Veterans Integrated Service Network in which the medical facility is located shall enter into a contract with a vendor approved by the General Services Administration to provide food at the medical facility.

(d) REPORTS.—

(1) QUARTERLY.—Not less frequently than quarterly, the Director of each Veterans Integrated Service Network shall submit to Congress a report on inspections conducted under this section during that quarter at medical facilities of the Department under the jurisdiction of that Director.

(2) SUBSEQUENT PERIOD.—A Director of a Veterans Integrated Service Network may submit to Congress the report described in paragraph (1) not less frequently than semi-annually if the Director does not report any failed inspections for the one-year period preceding the submittal of the report.

SA 3933. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and

Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. _____. Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report that includes—

(1) a detailed description of the age and condition of the aircraft maintenance hangars of the Army's Combat Aviation Brigade;

(2) an identification of the most deficient such hangars;

(3) a plan to modernize or replace such hangars; and

(4) a description of the resources required to modernize or replace such hangars.

SA 3934. Mr. KING (for himself, Mr. COONS, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 223, line 9, after "interoperability:" insert the following: "Provided further, That, notwithstanding any other provision of law, \$300,000 shall be available to carry out a matching program with the Department of Education to identify veterans who are unemployable due to a service-connected disability and who are also borrowers of Federal student loans in order to streamline and expedite the process through which such veterans may discharge their Federal student loans."

SA 3935. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. (a) The Secretary of Veterans Affairs shall treat a marriage and family therapist described in subsection (b) as qualified to serve as a marriage and family therapist in the Department of Veterans Affairs, regardless of any requirements established by the Commission on Accreditation for Marriage and Family Therapy Education.

(b) A marriage and family therapist described in this subsection is a therapist who meets each of the following criteria:

(1) Has a masters or higher degree in marriage and family therapy, or a related field, from a regionally accredited institution.

(2) Is licensed as a marriage and family therapist in a State (as defined in section 101(20) of title 38, United States Code) and possesses the highest level of licensure offered from the State.

(3) Has passed the Association of Marital and Family Therapy Regulatory Board Examination in Marital and Family Therapy or a related examination for licensure administered by a State (as so defined).

SA 3936. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

CONSIDERATION OF CERTAIN TIME SPENT RECEIVING MEDICAL CARE FROM SECRETARY OF DEFENSE AS ACTIVE DUTY FOR PURPOSES OF ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSISTANCE

SEC. 251. Section 3301(1)(B) of title 38, United States Code, is amended by inserting “12301(h),” after “12301(g).”.

SA 3937. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

CONSIDERATION OF CERTAIN TIME SPENT RECEIVING MEDICAL CARE FROM SECRETARY OF DEFENSE AS ACTIVE DUTY FOR PURPOSES OF ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSISTANCE

SEC. 251. (a) IN GENERAL.—Section 3301(1)(B) of title 38, United States Code, is amended by inserting “12301(h),” after “12301(g).”.

(b) RETROACTIVE APPLICATION.—The amendment made by subsection (a) shall apply as if such amendment were enacted immediately after the enactment of the Post-9/11 Veterans Educational Assistance Act of 2008 (Public Law 110-252).

SA 3938. Mr. KIRK (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in title I of division B, insert the following:

SEC. _____. (a) Of the amounts appropriated by section 132 of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016 (division J of Public Law 114-13; 129 Stat. 2683), \$30,000,000 is hereby rescinded.

(b) Notwithstanding section 123 of this title, for an additional amount for fiscal year 2016 for “Military Construction, Army” in this title, \$30,000,000, to remain available until September 30, 2021, is provided for advances to the Federal Highway Administration, Department of Transportation, for construction of access roads as authorized by section 210 of title 23, United States Code.

(c) This section shall become effective immediately upon enactment of this Act.

SA 3939. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, add the following:

SEC. _____. (a) During the 3-year period beginning on the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall develop and carry out a scalable aerospace additive manufacturing demonstration initiative, which shall focus on developing research and training to support certification of a range of aircraft components that are representative of industry applications to address barriers to the use of additive manufacturing in United States civil aerospace.

(b) The demonstration initiative required by subsection (a) shall—

(1) promote and facilitate collaboration among institutions of higher education, the commercial aircraft industry (including manufacturers, suppliers, and commercial air carriers), Manufacturing Innovation Institutes of the National Network for Manufacturing Innovation administered by the Department of Commerce, and Manufacturing Innovation Institutes administered by the Federal Aviation Administration;

(2) identify and promote opportunities for collaboration and technical exchange among agencies involved in research related to scalable additive manufacturing, including the National Aeronautics and Space Administration, the National Science Foundation, the National Institute of Standards and Technology, and the Department of Energy;

(3) develop a research and training program for basic and applied technical advances related to additively manufactured aerospace components, including safety-critical applications; and

(4) develop and undertake research related to additive manufacturing processing supporting the certification of additively manufactured components with institutions of higher education, industry, non-profit research institutes, and the Manufacturing Innovation Institutes described in paragraph (1).

(c) The Administrator shall submit to Congress a report on the initiative required by subsection (a).

SA 3940. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. (a) The Secretary of Veterans Affairs shall use amounts appropriated or otherwise made available in this title to ensure that the ratio of veterans to full-time em-

ployment equivalents within any program of rehabilitation conducted under chapter 31 of title 38, United States Code, does not exceed 125 veterans to one full-time employment equivalent.

(b) Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the programs of rehabilitation conducted under chapter 31 of title 38, United States Code, including an assessment of the veteran-to-staff ratio for each such program.

SA 3941. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 50 of division A, strike line 7 and all that follows through “Code:” on line 10, and insert the following: “up to \$25,000,000 shall be available to carry out section 24407(c)(1) of title 49, United States Code; and not less than \$25,000,000 shall be available to carry out paragraphs (2), (5), (6), (7) and (10) of section 24407(c) of such title:”.

SA 3942. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 114, line 11, strike “\$10,501,000,000” and insert “\$10,301,000,000”.

SA 3943. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 80, line 10, strike “\$16,431,696,000” and insert “\$15,740,696,000”.

SA 3944. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. **AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.**

(a) FINDINGS.—Congress finds the following:

(1) The Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016, which was passed by the Senate on November 10, 2015, without a single vote cast against the bill, and the Consolidated Appropriations Act, 2016 include the following amounts to be appropriated to the Department of Veterans Affairs:

(A) \$35,000,000 to make seismic corrections to Building 208 at the West Los Angeles Medical Center of the Department in Los Angeles, California, which, according to the Department, is a building that is designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake.

(B) \$158,000,000 to provide for the construction of a new research building, site work, and demolition at the San Francisco Veterans Affairs Medical Center.

(C) \$161,000,000 to replace Building 133 with a new community living center at the Long Beach Veterans Affairs Medical Center, which, according to the Department, is a building that is designated as having an extremely high risk of sustaining major damage during an earthquake.

(D) \$468,800,000 for construction projects that are critical to the Department for ensuring health care access and safety at medical facilities in Louisville, Kentucky, Jefferson Barracks in St. Louis, Missouri, Perry Point, Maryland, American Lake, Washington, Alameda, California, and Livermore, California.

(2) The Department is unable to obligate or expend the amounts described in paragraph (1), other than for construction design, because the Department lacks an explicit authorization by an Act of Congress pursuant to section 8104(a)(2) of title 38, United States Code, to carry out the major medical facility projects described in such paragraph.

(3) Among the major medical facility projects described in paragraph (1), three are critical seismic safety projects in California.

(4) Every day that the critical seismic safety projects described in paragraph (3) are delayed increases the risk of a life-threatening building failure in the case of a major seismic event.

(5) According to the United States Geological Survey—

(A) California has more than a 99 percent chance of experiencing an earthquake of magnitude 6.7 or greater in the next 30 years;

(B) even earthquakes of less severity than magnitude 6.7 can cause life threatening damage to seismically unsafe buildings; and

(C) in California, earthquakes of magnitude 6.0 or greater occur on average once every 1.2 years.

(6) On January 20, 2016, the Senate passed this legislation by unanimous consent as S. 2422, 114th Congress.

(b) **AUTHORIZATION.**—The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed \$180,480,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed \$105,500,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed \$287,100,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed \$87,332,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed \$194,430,000.

(6) Construction of a medical center in Louisville, Kentucky, in an amount not to exceed \$150,000,000.

(7) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed \$92,700,000.

(8) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed \$16,260,000.

(c) **AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.**—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account, \$1,113,802,000 for the projects authorized in subsection (b).

(d) **LIMITATION.**—The projects authorized in subsection (b) may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (c);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

SA 3945. Mr. CORNYN (for himself and Mr. SCHUMER) proposed an amendment to the bill S. 2040, to deter terrorism, provide justice for victims, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Justice Against Sponsors of Terrorism Act”.

SEC. 2. FINDINGS AND PURPOSE.

(a) **FINDINGS.**—Congress finds the following:

(1) International terrorism is a serious and deadly problem that threatens the vital interests of the United States.

(2) International terrorism affects the interstate and foreign commerce of the United States by harming international trade and market stability, and limiting international travel by United States citizens as well as foreign visitors to the United States.

(3) Some foreign terrorist organizations, acting through affiliated groups or individuals, raise significant funds outside of the United States for conduct directed and targeted at the United States.

(4) It is necessary to recognize the substantive causes of action for aiding and abetting and conspiracy liability under chapter 113B of title 18, United States Code.

(5) The decision of the United States Court of Appeals for the District of Columbia in *Halberstam v. Welch*, 705 F.2d 472 (D.C. Cir. 1983), which has been widely recognized as the leading case regarding Federal civil aiding and abetting and conspiracy liability, including by the Supreme Court of the United States, provides the proper legal framework for how such liability should function in the

context of chapter 113B of title 18, United States Code.

(6) Persons, entities, or countries that knowingly or recklessly contribute material support or resources, directly or indirectly, to persons or organizations that pose a significant risk of committing acts of terrorism that threaten the security of nationals of the United States or the national security, foreign policy, or economy of the United States, necessarily direct their conduct at the United States, and should reasonably anticipate being brought to court in the United States to answer for such activities.

(7) The United States has a vital interest in providing persons and entities injured as a result of terrorist attacks committed within the United States with full access to the court system in order to pursue civil claims against persons, entities, or countries that have knowingly or recklessly provided material support or resources, directly or indirectly, to the persons or organizations responsible for their injuries.

(b) **PURPOSE.**—The purpose of this Act is to provide civil litigants with the broadest possible basis, consistent with the Constitution of the United States, to seek relief against persons, entities, and foreign countries, wherever acting and wherever they may be found, that have provided material support, directly or indirectly, to foreign organizations or persons that engage in terrorist activities against the United States.

SEC. 3. RESPONSIBILITY OF FOREIGN STATES FOR INTERNATIONAL TERRORISM AGAINST THE UNITED STATES.

(a) **IN GENERAL.**—Chapter 97 of title 28, United States Code, is amended by inserting after section 1605A the following:

“§ 1605B. Responsibility of foreign states for international terrorism against the United States

“(a) **DEFINITION.**—In this section, the term ‘international terrorism’—

“(1) has the meaning given the term in section 2331 of title 18, United States Code; and

“(2) does not include any act of war (as defined in that section).”

“(b) **RESPONSIBILITY OF FOREIGN STATES.**—A foreign state shall not be immune from the jurisdiction of the courts of the United States in any case in which money damages are sought against a foreign state for physical injury to person or property or death occurring in the United States and caused by—

“(1) an act of international terrorism in the United States; and

“(2) a tortious act or acts of the foreign state, or of any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency, regardless where the tortious act or acts of the foreign state occurred.

“(c) **CLAIMS BY NATIONALS OF THE UNITED STATES.**—Notwithstanding section 2337(2) of title 18, a national of the United States may bring a claim against a foreign state in accordance with section 2333 of that title if the foreign state would not be immune under subsection (b).

“(d) **RULE OF CONSTRUCTION.**—A foreign state shall not be subject to the jurisdiction of the courts of the United States under subsection (b) on the basis of an omission or a tortious act or acts that constitute mere negligence.”

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) The table of sections for chapter 97 of title 28, United States Code, is amended by inserting after the item relating to section 1605A the following:

“1605B. Responsibility of foreign states for international terrorism against the United States.”

(2) Subsection 1605(g)(1)(A) of title 28, United States Code, is amended by inserting

“or section 1605B” after “but for section 1605A”.

SEC. 4. AIDING AND ABETTING LIABILITY FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

(a) IN GENERAL.—Section 2333 of title 18, United States Code, is amended by adding at the end the following:

“(d) LIABILITY.—

“(1) DEFINITION.—In this subsection, the term ‘person’ has the meaning given the term in section 1 of title 1.

“(2) LIABILITY.—In an action under subsection (a) for an injury arising from an act of international terrorism committed, planned, or authorized by an organization that had been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), as of the date on which such act of international terrorism was committed, planned, or authorized, liability may be asserted as to any person who aids and abets, by knowingly providing substantial assistance, or who conspires with the person who committed such an act of international terrorism.”.

(b) EFFECT ON FOREIGN SOVEREIGN IMMUNITIES ACT.—Nothing in the amendment made by this section affects immunity of a foreign state, as that term is defined in section 1603 of title 28, United States Code, from jurisdiction under other law.

SEC. 5. STAY OF ACTIONS PENDING STATE NEGOTIATIONS.

(a) EXCLUSIVE JURISDICTION.—The courts of the United States shall have exclusive jurisdiction in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act.

(b) INTERVENTION.—The Attorney General may intervene in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act, for the purpose of seeking a stay of the civil action, in whole or in part.

(c) STAY.—

(1) IN GENERAL.—A court of the United States may stay a proceeding against a foreign state if the Secretary of State certifies that the United States is engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

(2) DURATION.—

(A) IN GENERAL.—A stay under this section may be granted for not more than 180 days.

(B) EXTENSION.—

(i) IN GENERAL.—The Attorney General may petition the court for an extension of the stay for additional 180-day periods.

(ii) RECERTIFICATION.—A court shall grant an extension under clause (i) if the Secretary of State recertifies that the United States remains engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

SEC. 6. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be invalid, the remainder of this Act and the amendments made by this Act, and the application of the provisions and amendments to any other person not similarly situated or to other circumstances, shall not be affected by the holding.

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall apply to any civil action—

(1) pending on, or commenced on or after, the date of enactment of this Act; and

(2) arising out of an injury to a person, property, or business on or after September 11, 2001.

SA 3946. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 10 of the amendment, line 1, strike “. The” and all that follows through the period on line 3, and insert the following: “: Provided, That such plans shall be updated and submitted to the Committee on Appropriations of the Senate every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.”.

SA 3947. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 219, line 25, strike the period and insert “: Provided, That the National Cemetery Administration shall complete the Rural Veterans Burial Initiative by not later than September 30, 2017.”

SA 3948. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 245, lines 23 through 24, strike “and (7) the number and results of Quality Review Team audits” and insert “(7) the number and results of Quality Review Team audits; (8) the number of claims completed by each Regional Office based on the Regional Office being the station of jurisdiction; and (9) the number of claims completed by each Regional Office based on the Regional Office being the station of origin”.

SA 3949. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other

purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. None of the funds made available in this title may be used to pay bonuses to employees within the Veterans Health Administration until the Secretary of Veterans Affairs certifies to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives that individuals eligible for health care from the Department of Veterans Affairs are allowed to choose the medical facility of the Department at which to receive care.

SA 3950. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. None of the funds made available in this title may be used to pay bonuses to employees within the Veterans Benefits Administration who perform work related to the processing of disability claims under the laws administered by the Secretary of Veterans Affairs until the nationwide backlog of such claims is at 10 percent or less of the pending workload for the Veterans Benefits Administration.

SA 3951. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

ANNUAL REPORT ON BONUSES

SEC. 251. Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report that contains, for the year preceding the submittal of the report, a description of the bonuses awarded to Regional Office Directors of the Department of Veterans Affairs, Directors of Medical Centers of the Department, and Directors of Veterans Integrated Service Networks, including the amount of each bonus and the name of the individual to whom the bonus was awarded.

SA 3952. Mr. BENNETT submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and

related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. MONTHLY ASSISTANCE ALLOWANCE FOR DISABLED VETERANS COMPETING ON OLYMPIC TEAMS.

Section 322(d)(1) of title 38, United States Code, is amended—

(1) by striking “allowance to a veteran” and inserting the following: “allowance to—
“(A) a veteran”;

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting “; and”; and

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

“(B) a veteran with a disability, as determined by the Secretary, who is selected by the United States Olympic Committee for the United States Olympic Team for any month in which the veteran is competing in any event sanctioned by the National Governing Bodies of the United States Olympic Sports.”.

SA 3953. Mrs. GILLIBRAND (for herself, Mr. BOOKER, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. (a) RESEARCH ON THERAPEUTIC USES OF CANNABIS PLANT.—The Secretary of Veterans Affairs may, in coordination with the National Center for Posttraumatic Stress Disorder, within the limits of statutory authorities and funding under other provisions of law, conduct clinical research on the potential benefits of therapeutic use of the cannabis plant by veterans—

(1) to treat serious health conditions, such as posttraumatic stress disorder (PTSD), chronic pain and neuropathies, sleep disorders, traumatic brain injury, seizures, Parkinson’s disease, cancer, spinal cord injuries, human immunodeficiency virus (HIV), and Crohn’s disease; and

(2) as a treatment to achieve and maintain abstinence from opioids and heroin.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report detailing any efforts of the Department of Veterans Affairs to expand the conduct of research described in subsection (a).

SA 3954. Ms. HEITKAMP (for herself, Ms. COLLINS, Mr. KING, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II of division B, add the following:

SEC. 251. (a) The Secretary of Veterans Affairs shall ensure that the Readjustment Counseling Service of the Department of Veterans Affairs coordinates directly with the Office of Rural Health of the Department on efforts to expand the capacity of Vet Centers (as defined in section 1712A(h) of title 38, United States Code) in order to ensure that the readjustment and psychological counseling needs of veterans in rural and highly rural communities are met.

(b) Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report detailing the number of Vet Centers (as so defined) operated by the Department and a strategic plan to increase the capacity of such Vet Centers to address unmet readjustment and psychological counseling needs of veterans in rural and highly rural communities.

SA 3955. Mr. LANKFORD (for himself and Mr. LEE) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1 of the amendment, strike line 3 and all that follows through line 20 on page 18, and insert the following:

TITLE

ZIKA RESPONSE AND PREPAREDNESS

CHAPTER 1

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES

ADMINISTRATION

PRIMARY HEALTH CARE

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to \$40,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds made available in this paragraph shall be used to expand the delivery of primary health services authorized by section 330 of the Public Health Service (“PHS”) Act in Puerto Rico and other territories.

HEALTH WORKFORCE

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to \$6,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds made available in this paragraph may, for purposes of providing primary health services in areas affected by Zika virus or other vector-borne diseases, be used to assign National Health Service Corps (“NHSC”) members to Puerto Rico and other Territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make NHSC Loan Repayment Program awards under section 338B of

such Act: *Provided further*, That for purposes of the previous proviso, section 331(a)(3)(D) of the PHS Act shall be applied as if the term “primary health services” included health services regarding pediatric subspecialists.

MATERNAL AND CHILD HEALTH

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to \$5,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds made available in this paragraph may be awarded for projects of regional and national significance in Puerto Rico and other Territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act.

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to \$449,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall not apply to the use of funds made available in this paragraph: *Provided further*, That funds made available in this paragraph may be used for grants for the construction, alteration, or renovation of non-federally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That of the amount made available in this paragraph, \$88,000,000 may be used to reimburse accounts administered by the Centers for Disease Control and Prevention for obligations incurred for Zika virus response prior to the enactment of this Act.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to \$200,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act.

OFFICE OF THE SECRETARY

**PUBLIC HEALTH AND SOCIAL SERVICES
EMERGENCY FUND**

(INCLUDING TRANSFER OF FUNDS)

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to \$150,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and

for additional payments for distribution as provided for under the “Social Services Block Grant Program”: *Provided*, That funds made available in this paragraph may be used to procure security countermeasures (as defined in section 319F-2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F-2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds made available in this paragraph: *Provided further*, That products purchased with funds made available in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That countermeasures related to the Zika virus procured with funds made available in this paragraph shall be deemed to be security countermeasures as defined in section 319F-2(c)(1) of the PHS Act, and paragraph (7)(C), but no other provision, of such section 319F-2(c) shall apply to procurements of such countermeasures: *Provided further*, That \$75,000,000 shall be transferred to “Social Services Block Grant” for health services, notwithstanding section 2005(a)(4) of the Social Security Act, in territories with active or local transmission cases of the Zika virus, as confirmed by the Centers for Disease Control and Prevention: *Provided further*, That the Secretary of Health and Human Services shall distribute funds transferred to the “Social Services Block Grant” in this paragraph to such territories in accordance with objective criteria that are made available to the public.

**GENERAL PROVISIONS—THIS CHAPTER
(INCLUDING TRANSFER OF FUNDS)**

SEC. _____. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this chapter to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries.

SEC. _____. Funds made available by this chapter may be used by the heads of the Department of Health and Human Services, Department of State, and the Agency for International Development to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to Zika response for which—

- (1) public notice has been given; and
- (2) the Secretary of Health and Human Services has determined that such a public health threat exists.

SEC. _____. Funds made available in this chapter may be transferred to, and merged with, other appropriation accounts under the headings “Centers for Disease Control and Prevention”, “Public Health and Social Services Emergency Fund”, “Health Resources and Services Administration”, and “National Institutes of Health” for the purposes specified in this chapter following consultation with the Office of Management and Budget: *Provided*, That the Committees on Appropriations shall be notified 10 days in advance of any such transfer: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts

may be transferred back to that appropriation: *Provided further*, That none of the funds made available by this chapter may be transferred pursuant to the authority in section 206 of division G of Public Law 113-325 or section 241(a) of the PHS Act.

SEC. _____. If there remains an insufficient amount of unobligated funds under any heading under this chapter, funds may be transferred from the unobligated balance of funds under other headings under this chapter: *Provided*, That the total amount of funds made available by this title shall not exceed \$850,000,000.

SEC. _____. Not later than 30 days after enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available in this chapter, including estimated personnel and administrative costs, to the Committees on Appropriations. The Secretary of Health and Human Services should also provide quarterly obligation updates to the Committees until all funds are expended or expire.

SEC. _____. Prior to the transfer or reprogramming of funds made available by this chapter, the director of the Office of Management and Budget shall certify to the appropriate Congressional committees that the net effect of all transfers shall not result in an increase in outlays over the period of fiscal years 2016 through 2021.

**CHAPTER 2
DEPARTMENT OF STATE**

**ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC AND CONSULAR PROGRAMS**

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to \$14,594,000, shall also be available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to \$4,000,000 may be made available for medical evacuation costs of any other Department or agency of the United States under Chief of Mission authority, and may be transferred to any other appropriation of such Department or agency for such costs.

**EMERGENCIES IN THE DIPLOMATIC AND
CONSULAR SERVICE**

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to \$4,000,000, shall also be available for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended.

REPATRIATION LOANS PROGRAM ACCOUNT

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to \$1,000,000, shall also be available to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases.

**UNITED STATES AGENCY FOR INTERNATIONAL
DEVELOPMENT**

**FUNDS MADE AVAILABLE TO THE PRESIDENT
OPERATING EXPENSES**

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to \$10,000,000, shall also be available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases.

BILATERAL ECONOMIC ASSISTANCE

**FUNDS MADE AVAILABLE TO THE PRESIDENT
GLOBAL HEALTH PROGRAMS**

Unobligated balances of amounts appropriated under this heading in previous fiscal

years, up to \$211,000,000, shall also be available for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such funds may be made available for multi-year funding commitments to incentivize the development of global health technologies, following consultation with the Committees on Appropriations: *Provided further*, That none of the funds made available in this chapter may be made available for the Grand Challenges for Development program.

**INTERNATIONAL SECURITY ASSISTANCE
DEPARTMENT OF STATE
NONPROLIFERATION, ANTI-TERRORISM,
DEMING AND RELATED PROGRAMS**

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to \$4,000,000, shall also be available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases.

MULTILATERAL ASSISTANCE

**FUNDS MADE AVAILABLE TO THE PRESIDENT
INTERNATIONAL ORGANIZATIONS AND PROGRAMS**

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to \$13,500,000, shall also be available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds made available under this heading.

**GENERAL PROVISIONS—THIS CHAPTER
(INCLUDING TRANSFER OF FUNDS)**

SEC. _____. (a) Funds made available by this chapter under the headings “Global Health Programs”, “Nonproliferation, Anti-terrorism, Demining and Related Programs”, “International Organizations and Programs”, and “Operating Expenses” may be transferred to, and merged with, funds made available by this chapter under such headings to carry out the purposes of this chapter.

(b) Funds made available by this chapter under the headings “Diplomatic and Consular Programs”, “Emergencies in the Diplomatic and Consular Service”, and “Repatriation Loans Program Account” may be transferred to, and merged with, funds made available by this chapter under such headings to carry out the purposes of this chapter.

(c) If there remains an insufficient amount of unobligated funds under any heading under this chapter, funds may be transferred from the unobligated balance of funds under other headings under this chapter: *Provided*, That the total amount of funds made available by this title shall not exceed \$258,094,000.

(d) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(e) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

(f) No funds shall be transferred pursuant to this section unless at least 15 days prior to making such transfer the Secretary of State or the Administrator of the United States Agency for International Development (USAID), as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

(g) Prior to the transfer or reprogramming of funds made available by this chapter, the director of the Office of Management and Budget shall certify to the appropriate Congressional committees that the net effect of all transfers and reprogramming shall not result in an increase in outlays over the period of fiscal years 2016 through 2021.

NOTIFICATION REQUIREMENT

SEC. _____. Funds made available by this chapter that are made available to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases shall not be available for obligation unless the Secretary of State or the USAID Administrator, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation.

SPEND PLAN REQUIREMENT

SEC. _____. Not later than 45 days after enactment of this Act and prior to the obligation of funds made available by this chapter to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases, the Secretary of State and the USAID Administrator, as appropriate, shall submit spend plans to the Committees on Appropriations on the anticipated uses of funds on a country and project basis, including estimated personnel and administrative costs: *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.

COMPTROLLER GENERAL OVERSIGHT

SEC. _____. Of the funds made available by this chapter, up to \$500,000 shall be made available to the Comptroller General of the United States, to remain available until expended, for oversight of activities supported pursuant to this chapter with funds made available by this chapter: *Provided*, That the Secretary of State and USAID Administrator, as appropriate, and the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

RESCISSION

SEC. _____. Of the unobligated balances available under the heading “Operating Expenses” in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), \$10,000,000 are rescinded: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 3

GENERAL PROVISIONS—THIS TITLE

EXTENSION OF AUTHORITIES AND PROVISIONS

SEC. _____. Unless otherwise provided for by this title, the additional amounts made available pursuant to this title for fiscal year 2016 are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114-113).

PERSONAL SERVICE CONTRACTORS

SEC. _____. Funds made available by this title to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)), within the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committees on Appropriations: *Provided*, That such individuals may not be deemed employees of the United States for the pur-

pose of any law administered by the Office of Personnel Management.

EFFECTIVE DATE

SEC. _____. This title shall become effective immediately upon enactment of this Act.

SA 3956. Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MURPHY, Mrs. MURRAY, Mr. REED, Ms. WARREN, Mr. CARPER, Mr. FRANKEN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. _____. (a) From amounts appropriated or otherwise made available under this title for the administration of educational assistance programs under the laws administered by the Secretary of Veterans Affairs, the Secretary of Veterans Affairs shall ensure that any online consumer tool offered or supported by the Department of Veterans Affairs that provides information to veterans regarding specific postsecondary educational institutions, such as the GI Bill Comparison Tool or any successor or similar program, includes for each such institution an accounting of pending investigations and civil or criminal actions against the institution by Federal agencies and State attorneys general, to the extent such information is publicly available.

(b) In gathering publicly available information on investigations and civil or criminal actions described in subsection (a), the Secretary of Veterans Affairs shall—

(1) consult the heads of other Federal agencies and, as practicable, State attorneys general; and

(2) review any reports required to be filed with the Securities and Exchange Commission under section 13 or section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m and 78o(d)), including Form 10-Q and Form 10-K.

(c) To ensure that the information required under subsection (a) is presented in the most useful and effective way possible for veterans, the Secretary of Veterans Affairs shall consult with the Secretary of Education, the Bureau of Consumer Financial Protection, and veteran and consumer advocates.

SA 3957. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

ADDITIONAL RESCISSIONS OF UNOBLIGATED EBOLA FUNDS

SEC. _____. (a) Of the unobligated balances made available under the heading “Public Health and Social Services Emergency Fund (Including Transfer of Funds)” in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113-235) for the purpose of other preparation and response, \$250,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Of the unobligated balances made available under the heading “CDC-Wide Activities and Program Support (Including Transfer of Funds)” in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113-235) for supporting national public health institutes and global health security, \$384,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) Of the unobligated balances made available under the heading “Funds Appropriated to the President” under the heading “Bilateral Economic Assistance” in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), \$466,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SA 3958. Mr. LEE (for himself and Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. Amounts provided for in this title shall, prior to appropriating any sums out of any money in the Treasury not otherwise appropriated, be transferred from the following:

(1) \$250,000,000 from the unobligated balances made available under the heading “Public Health and Social Services Emergency Fund (Including Transfer of Funds)” in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113-235) for the purpose of other preparation and response.

(2) \$384,000,000 from the unobligated balances made available under the heading “CDC-Wide Activities and Program Support (Including Transfer of Funds)” in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113-235) for supporting national public health institutes and global health security.

(3) \$466,000,000 from the unobligated balances made available under the heading

“Funds Appropriated to the President” under the heading “Bilateral Economic Assistance” in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235).

SA 3959. Mrs. SHAHEEN (for herself, Mr. KING, Ms. BALDWIN, Mr. MANCHIN, and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ . DEPARTMENT OF JUSTICE.

(a) **STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE.**—In addition to any amounts otherwise made available, there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2017, \$240,000,000, to remain available until expended, to the Department of Justice for State law enforcement initiatives (which shall include a 30 percent pass-through to localities) under the Edward Byrne Memorial Justice Assistance Grant program, as authorized by subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) (except that section 1001(c) of such Act (42 U.S.C. 3793(c)) shall not apply for purposes of this Act), to be used, notwithstanding such subpart 1, for a comprehensive program to combat the heroin and opioid crisis, and for associated criminal justice activities, including approved treatment alternatives to incarceration: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

(b) **COMMUNITY ORIENTED POLICING SERVICES PROGRAMS.**—In addition to any other amount for “Community Oriented Policing Services Programs” for competitive grants to State law enforcement agencies in States with high rates of primary treatment admissions for heroin or other opioids, there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2017, \$10,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SEC. ____ . DEPARTMENT OF HEALTH AND HUMAN SERVICES.

(a) **SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION.**—In addition to any amounts otherwise made available for “Substance Abuse Treatment”, there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2017, \$300,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)): *Provided further*, That of the amount provided—

(1) \$285,000,000 is for the Substance Abuse Prevention and Treatment block grant pro-

gram under subpart II of part B of title XIX of the Public Health Service Act;

(2) \$10,000,000 is for the Medication Assisted Treatment for Prescription Drug and Opioid Addiction program of the Programs of Regional and National Significance within the Center for Substance Abuse Treatment; and

(3) \$5,000,000 is for the Recovery Community Services program of the Programs of Regional and National Significance within the Center for Substance Abuse Treatment.

(b) **CENTERS FOR DISEASE CONTROL AND PREVENTION.**—In addition to any amounts otherwise made available, there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2017, \$50,000,000, to remain available until expended, to the Centers for Disease Control and Prevention of the Department of Health and Human Services, for prescription drug monitoring programs, community health system interventions, and rapid response projects: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SA 3960. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, line 24, strike “\$88,000,000” and insert “\$50,000,000 shall be transferred to the head of the Department of Health and Human Services to carry out programs that serve pregnant women, infants, toddlers, and preschoolers, and help families care for their children through early, comprehensive health services, in communities affected by water polluted by lead or a toxic pollutant as the result of an event for which the President has declared an emergency, and \$38,000,000”.

SA 3961. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ . (a) Subchapter I of chapter 471, as amended by this subtitle, is further amended by adding at the end the following:

“§ 47144. Use of funds for repairs for runway safety repairs

“(a) **IN GENERAL.**—The Secretary of Transportation may make project grants under this subchapter to an airport described in subsection (b) from funds under section 47114 apportioned to that airport or funds available for discretionary grants to that airport

under section 47115 to conduct airport development to repair the runway safety area of the airport damaged as a result of a natural disaster in order to maintain compliance with the regulations of the Federal Aviation Administration relating to runway safety areas, without regard to whether construction of the runway safety area damaged was carried out using amounts the airport received under this subchapter.

“(b) **AIRPORTS DESCRIBED.**—An airport is described in this subsection if—

“(1) the airport is a public-use airport;

“(2) the airport is listed in the National Plan of Integrated Airport Systems of the Federal Aviation Administration;

“(3) the runway safety area of the airport was damaged as a result of a natural disaster;

“(4) the airport was denied funding under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 4121 et seq.) with respect to the disaster;

“(5) the operator of the airport has exhausted all legal remedies, including legal action against any parties (or insurers thereof) whose action or inaction may have contributed to the need for the repair of the runway safety area;

“(6) there is still a demonstrated need for the runway safety area to accommodate current or imminent aeronautical demand; and

“(7) the cost of repairing or replacing the runway safety area is reasonable in relation to the anticipated operational benefit of repairing the runway safety area, as determined by the Administrator of the Federal Aviation Administration.”.

(b) The analysis for chapter 471, as amended by this subtitle, is further amended by inserting after the item relating to section 47143 the following:

“47144. Use of funds for repairs for runway safety repairs.”.

SA 3962. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 191 of title I of division A, add the following:

SEC. 1 ____ . Section 127 of title 23, United States Code, is amended by adding at the end the following:

“(u) **VEHICLES IN NORTH DAKOTA.**—A vehicle limited or prohibited under this section from operating on a segment of the Interstate System in the State of North Dakota may operate on such a segment if such vehicle—

“(1) has a gross vehicle weight of 129,000 pounds or less;

“(2) other than gross vehicle weight, complies with the single axle, tandem axle, and bridge formula limits set forth in subsection (a); and

“(3) is authorized to operate on such segment under North Dakota State law.”.

SA 3963. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and

related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ (a) None of the funds appropriated or otherwise made available by this Act may be obligated or expended to permit United States airspace to be used for a flight operated to transfer an individual detained at Guantanamo to a State, territory, or possession of the United States.

(b) In this section, the term “individual detained at Guantanamo” means any individual who—

(1) is in detention, on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba;

(2) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(3) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SA 3964. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 101, strike line 5 and all that follows through page 104, line 2, and insert the following:

(1) \$650,000,000 shall be available for the Indian Housing Block Grant program, as authorized under title I of NAHASDA: *Provided*, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That notwithstanding section 302(d) of NAHASDA, if on January 1, 2017, a recipient's total amount of undisbursed block grant funds in the Department's line of credit control system is greater than three times the formula allocation it would otherwise receive under the first proviso under this paragraph, the Secretary shall adjust that recipient's formula allocation down by the difference between its total amount of undisbursed block grant funds in the Department's line of credit control system on January 1, 2017, and three times the formula allocation it would otherwise receive: *Provided further*, That notwithstanding the previous two provisos, no Indian tribe shall receive an allocation amount greater than 10 percent of the total amount made available under this paragraph: *Provided further*, That grant amounts not allocated to a recipient pursuant to the previous two provisos shall be allocated under the need component of the formula proportionately among all other Indian tribes not subject to an adjustment under such provisos: *Provided further*, That the second and third provisos shall not apply to any Indian tribe that would otherwise receive a formula allocation of less than \$8,000,000:

Provided further, That to take effect, the four previous provisos do not require issuance or amendment of any regulation, and shall not be construed to confer hearing rights under any section of NAHASDA or its implementing regulations: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act;

(2) \$2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$17,857,142 to remain available until September 30, 2021;

(3) \$60,000,000 shall be for grants to Indian tribes for carrying out the Community Development Block Grant program as authorized under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, of which, up to \$4,000,000 may be used for emergencies that constitute imminent threats to health and safety notwithstanding any other provision of law (including section 204 of this title): *Provided*, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration; and

(4) \$2,000,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance needs in Indian country related to funding provided under this heading.

SA 3965. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. From the amount made available in this title under the heading “Medical Support and Compliance”, not less than \$18,000,000 shall be made available to Directors of Veterans Integrated Service Networks to contract with appropriate non-Department of Veterans Affairs entities to assess, evaluate, and improve the health care delivery by and business operations of medical centers of the Department under the jurisdiction of each such Director.

SA 3966. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. For each veteran seeking assistance from the Department of Veterans Affairs to purchase a home, for purposes of the veteran receiving a timely appraisal on a home, the Secretary of Veterans Affairs shall disclose to the veteran that the veteran may pay the entity conducting the appraisal an amount in excess of the amount provided on the Appraisal Fee Schedule issued by the Department.

SA 3967. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, strike lines 12 through 25 and insert the following:

“(89) United States Route 67 from Interstate 40 in North Little Rock, Arkansas, to United States Route 412.

“(90) The Edward T. Breathitt Parkway from Interstate 24 to Interstate 69.”.

(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended in the first sentence by striking “and subsection (c)(83)” and inserting “subsection (c)(83), subsection (c)(89), and subsection (c)(90)”.

(c) DESIGNATION.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by adding at the end the following: “The route referred to in subsection (c)(89) is designated as Interstate Route I-57. The route referred to in subsection (c)(90) is designated as Interstate Route I-169.”.

SA 3968. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ None of the funds appropriated or otherwise made available by this Act may be obligated or expended to regulate, either directly or indirectly and including by requiring an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the acquisition, use, transfer, or disposal of property at an airport for airfield or non-airfield development activities if—

(a) the property was not financed with Federal funding; and

(b) the acquisition, use, transfer, or disposal of the property does not impair the safety, utility, or efficiency of aircraft operations at the airport.

SA 3969. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr.

REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. From the amount made available in this title under the heading “Medical Support and Compliance”, up to \$18,000,000 shall be made available to Directors of Veterans Integrated Service Networks to contract with appropriate non-Department of Veterans Affairs entities to assess, evaluate, and improve the health care delivery by and business operations of medical centers of the Department under the jurisdiction of each such Director.

SA 3970. Ms. COLLINS (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled “Affirmatively Furthering Fair Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the notice entitled “Affirmatively Furthering Fair Housing Assessment Tool” (79 Fed. Reg. 57949 (September 26, 2014)).

SA 3971. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II of division B, add the following:

SEC. 251. MONTHLY ASSISTANCE ALLOWANCE FOR DISABLED VETERANS COMPETING ON OLYMPIC TEAMS.

Section 322(d)(1) of title 38, United States Code, is amended—

(1) by striking “allowance to a veteran” and inserting the following: “allowance to—
“(A) a veteran”;

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting “; and”;

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

“(B) a veteran with a service-connected disability rated as 30 percent or greater by the Department who is selected by the United States Olympic Committee for the United States Olympic Team for any month in which the veteran is competing in any event sanctioned by the National Governing Bodies of the United States Olympic Sports.”.

SA 3972. Mr. DURBIN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV of division B (before the short title), insert the following:

SEC. _____. (a) Section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking “and” after the semicolon;

(B) in subparagraph (E), by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(F) meets the requirements of paragraph (2).”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) REVENUE SOURCES.—

“(A) IN GENERAL.—In order to qualify as a proprietary institution of higher education under this subsection, an institution shall derive not less than 15 percent of the institution’s revenues from sources other than Federal funds, as calculated in accordance with subparagraphs (B) and (C).

“(B) FEDERAL FUNDS.—In this paragraph, the term ‘Federal funds’ means any Federal financial assistance provided, under this Act or any other Federal law, through a grant, contract, subsidy, loan, guarantee, insurance, or other means to a proprietary institution, including Federal financial assistance that is disbursed or delivered to an institution or on behalf of a student or to a student to be used to attend the institution, except that such term shall not include any monthly housing stipend provided under the Post-9/11 Veterans Educational Assistance Program under chapter 33 of title 38, United States Code.

“(C) IMPLEMENTATION OF NON-FEDERAL REVENUE REQUIREMENT.—In making calculations under subparagraph (A), an institution of higher education shall—

“(i) use the cash basis of accounting;

“(ii) consider as revenue only those funds generated by the institution from—

“(I) tuition, fees, and other institutional charges for students enrolled in programs eligible for assistance under title IV;

“(II) activities conducted by the institution that are necessary for the education and training of the institution’s students, if such activities are—

“(aa) conducted on campus or at a facility under the control of the institution;

“(bb) performed under the supervision of a member of the institution’s faculty; and

“(cc) required to be performed by all students in a specific educational program at the institution; and

“(III) a contractual arrangement with a Federal agency for the purpose of providing job training to low-income individuals who are in need of such training;

“(iii) presume that any Federal funds that are disbursed or delivered to an institution on behalf of a student or directly to a student will be used to pay the student’s tuition, fees, or other institutional charges, regardless of whether the institution credits such funds to the student’s account or pays such funds directly to the student, except to

the extent that the student’s tuition, fees, or other institutional charges are satisfied by—

“(I) grant funds provided by an outside source that—

“(aa) has no affiliation with the institution; and

“(bb) shares no employees with the institution; and

“(II) institutional scholarships described in clause (v);

“(iv) include no loans made by an institution of higher education as revenue to the school, except for payments made by students on such loans;

“(v) include a scholarship provided by the institution—

“(I) only if the scholarship is in the form of monetary aid based upon the academic achievements or financial need of students, disbursed to qualified student recipients during each fiscal year from an established restricted account; and

“(II) only to the extent that funds in that account represent designated funds, or income earned on such funds, from an outside source that—

“(aa) has no affiliation with the institution; and

“(bb) shares no employees with the institution; and

“(vi) exclude from revenues—

“(I) the amount of funds the institution received under part C of title IV, unless the institution used those funds to pay a student’s institutional charges;

“(II) the amount of funds the institution received under subpart 4 of part A of title IV;

“(III) the amount of funds provided by the institution as matching funds for any Federal program;

“(IV) the amount of Federal funds provided to the institution to pay institutional charges for a student that were refunded or returned; and

“(V) the amount charged for books, supplies, and equipment, unless the institution includes that amount as tuition, fees, or other institutional charges.

“(D) REPORT TO CONGRESS.—Not later than July 1, 2016, and by July 1 of each succeeding year, the Secretary shall submit to the authorizing committees a report that contains, for each proprietary institution of higher education that receives assistance under title IV and as provided in the audited financial statements submitted to the Secretary by each institution pursuant to the requirements of section 487(c)—

“(i) the amount and percentage of such institution’s revenues received from Federal funds; and

“(ii) the amount and percentage of such institution’s revenues received from other sources.”.

(b) Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

(1) in subsection (a)—

(A) by striking paragraph (24);

(B) by redesignating paragraphs (25) through (29) as paragraphs (24) through (28), respectively;

(C) in paragraph (24)(A)(ii) (as redesignated by subparagraph (B)), by striking “subsection (e)” and inserting “subsection (d)”;

and

(D) in paragraph (26) (as redesignated by subparagraph (B)), by striking “subsection (h)” and inserting “subsection (g)”;

(2) by striking subsection (d);

(3) by redesignating subsections (e) through (j) as subsections (d) through (i), respectively;

(4) in subsection (f)(1) (as redesignated by paragraph (3)), by striking “subsection (e)(2)” and inserting “subsection (d)(2)”;

(5) in subsection (g)(1) (as redesignated by paragraph (3)), by striking “subsection

(a)(27)" in the matter preceding subparagraph (A) and inserting "subsection (a)(26)".

(c) The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 152 (20 U.S.C. 1019a)—

(A) in subsection (a)(1)(A), by striking "subsections (a)(27) and (h) of section 487" and inserting "subsections (a)(26) and (g) of section 487"; and

(B) in subsection (b)(1)(B)(i)(I), by striking "section 487(e)" and inserting "section 487(d)";

(2) in section 153(c)(3) (20 U.S.C. 1019b(c)(3)), by striking "section 487(a)(25)" each place the term appears and inserting "section 487(a)(24)";

(3) in section 496(c)(3)(A) (20 U.S.C. 1099b(c)(3)(A)), by striking "section 487(f)" and inserting "section 487(e)"; and

(4) in section 498(k)(1) (20 U.S.C. 1099c(k)(1)), by striking "section 487(f)" and inserting "section 487(e)".

SA 3973. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. During fiscal year 2017, the Secretary of Veterans Affairs may not pay any bonus to an individual in a Senior Executive position (as defined in section 3132(a) of title 5, United States Code) in the Department of Veterans Affairs who is employed within Veterans Integrated Service Network 16.

SA 3974. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. _____. (a) DEFINITIONS.—In this section—

(1) the term "families" has the meaning given that term in section 3(b)(3) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3));

(2) the term "low-income families" has the meaning given that term in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2));

(3) the term "Secretary" means the Secretary of Housing and Urban Development; and

(4) the term "very low-income families" has the meaning given that term in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).

(b) PURPOSES.—The purposes of this section are—

(1) to give public housing agencies and the Secretary the flexibility to design and implement various approaches for providing and administering housing assistance that achieves greater cost effectiveness in using Federal housing assistance to address local housing needs for low-income families;

(2) to reduce administrative burdens on public housing agencies providing such assistance;

(3) to give incentives to assisted families to work and become economically self-sufficient;

(4) to increase housing choices for low-income families; and

(5) to enhance the ability of low-income elderly residents and persons with disabilities to live independently.

(c) MOVING TO WORK CHARTER PROGRAM AUTHORITY.—

(1) CONTRACT AUTHORITY.—

(A) IN GENERAL.—Subject to the phase-in requirements under subparagraph (B), the Secretary shall enter into charter contracts, beginning in fiscal year 2017, with not more than 250 public housing agencies administering the public housing program or assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(B) PHASE-IN.—The phase-in requirements under this subparagraph are as follows:

(i) By the end of fiscal year 2017, the Secretary shall have entered into charter contracts with not less than 80 public housing agencies described in subparagraph (A).

(ii) By the end of fiscal year 2018, the Secretary shall have entered into charter contracts with not less than 160 public housing agencies described in subparagraph (A).

(iii) By the end of fiscal year 2019, the Secretary shall have entered into charter contracts with not less than 250 public housing agencies described in subparagraph (A).

(2) CHARTER CONTRACTS.—A charter contract shall—

(A) supersede and have a term commensurate with any annual contributions contract between a public housing agency and the Secretary; and

(B) provide that a participating public housing agency shall receive—

(i) capital and operating assistance allocated to such agency under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g); and

(ii) assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(3) USE OF ASSISTANCE.—Any assistance provided under paragraph (2)(B)—

(A) may be combined; and

(B) shall be used to provide locally designed housing assistance for low-income families, including—

(i) services to facilitate the transition to work and self-sufficiency; and

(ii) any other activity which a public housing agency is authorized to undertake pursuant to State or local law.

(d) TERMS AND CONDITIONS OF ASSISTANCE.—

(1) APPLICABILITY OF UNITED STATES HOUSING ACT OF 1937.—Except as provided in this subsection, the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) shall not be applicable to any public housing agency participating in the Moving to Work Charter program established under this section.

(2) APPLICABLE 1937 ACT PROVISIONS.—The following provisions of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) are applicable to any public housing agency participating in the Moving to Work Charter program established under this section:

(A) Subsections (a) and (b) of section 12 (42 U.S.C. 1437) (a) and (b)) shall apply to housing assisted under a charter contract, other than housing assisted solely due to occupancy by families receiving tenant based rental assistance.

(B) Section 18 (42 U.S.C. 1437p) shall continue to apply to public housing developed under such Act notwithstanding any use of the housing under a charter contract.

(3) CHARTER CONTRACT TERMS.—A charter contract shall provide that a public housing agency—

(A) may—

(i) combine assistance received under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g), as described in subsection (c)(3); and

(ii) use such assistance to provide housing assistance and related services for activities authorized by this section, including those activities authorized by sections 8 and 9 of such Act;

(B) certify that in preparing its application for participation in the Moving to Work Charter program established under this section, such agency has—

(i) provided for citizen participation through a public hearing and, if appropriate, other means; and

(ii) taken into account comments from the public hearing and any other public comments on the proposed activities under this section, including comments from current and prospective residents who would be affected by such contract;

(C) shall ensure that not less than 75 percent of the families assisted under a charter contract shall be, at the time of such families' entry into the Moving to Work Charter program, very low-income families;

(D) shall establish a reasonable rent policy, which shall—

(i) be designed to encourage employment, self-sufficiency, and homeownership by participating families, consistent with the purposes of this section;

(ii) include transition and hardship provisions;

(iii) be included in the annual plan of such agency; and

(iv) be subject to the opportunities for public participation described in subsection (f)(1)(C)(iv);

(E) shall continue to assist not less than substantially the same total number of low-income families as would have been served had such agency not entered into such contract;

(F) shall maintain a comparable mix of families (by family size) as would have been provided had the agency not entered into such contract;

(G) shall ensure that housing assisted under such contract meets housing quality standards established or approved by the Secretary;

(H) shall receive training and technical assistance, upon request by such agency, to assist with the design and implementation of the activities described under this section;

(I) shall receive an amount of assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g) that is not diminished by the participation of such agency in the Moving to Work Charter program established under this section;

(J) shall be subject to the procurement procedures described in such contract;

(K) shall ensure that each family receiving housing assistance—

(i) is engaged in work activities that would count toward satisfying the monthly work participation rates applicable to the State in which such public housing agency is located for purposes of the State temporary assistance to needy families program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) if the family were receiving assistance or benefits under that program; or

(ii) would qualify under that program to an exception to engaging in such work activities; and

(L) shall provide housing assistance to families assisted under a charter contract for not more than 5 years.

(e) **SELECTION.**—In selecting among public housing agency applications to participate in the Moving to Work Charter program established under this section, the Secretary shall consider—

(1) the potential of each agency to plan and carry out activities under such program;

(2) the relative performance by an agency under section 6(j) of the United States Housing Act of 1937 (42 U.S.C. 1437d(j));

(3) the need for a diversity of participants in terms of size, location, and type of agency; and

(4) any other appropriate factor as determined by the Secretary.

(f) **CHARTER REPORT.**—

(1) **CONTENTS.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of law, and in place of all other planning and reporting requirements otherwise required, each public housing agency that is a party to a charter contract shall submit to the Secretary, on an annual basis, a single charter report, in a form and at a time specified by the Secretary.

(B) **SOLE MEANS OF REPORTING.**—A charter report submitted under subparagraph (A) shall be the sole means by which a public housing agency shall be required to provide information to the Secretary on the activities assisted under this section during a fiscal year, unless the Secretary has reason to believe that such agency has violated the charter contract between the Secretary and such agency.

(C) **REQUIREMENTS.**—Each charter report required under subparagraph (A) shall—

(i) document the use by a public housing agency of any assistance provided under a charter contract, including appropriate financial statements;

(ii) describe and analyze the effect of assisted activities in addressing the objectives of this section;

(iii) include a certification by such agency that such agency has prepared an annual plan which—

(I) states the goals and objectives of that agency under the charter contract for the past fiscal year;

(II) describes the proposed use of assistance by that agency for activities under the charter contract for the past fiscal year;

(III) explains how the proposed activities of that agency will meet the goals and objectives of that agency;

(IV) includes appropriate budget and financial statements of that agency; and

(V) was prepared in accordance with a public process as described in clause (iv);

(iv) describe and document how a public housing agency has provided residents assisted under a charter contract and the wider community with opportunities to participate in the development of and comment on the annual plan, which shall include not less than 1 public hearing; and

(v) include such other information as may be required by the Secretary pursuant to subsection (g)(2).

(2) **REVIEW.**—Any charter report submitted pursuant to paragraph (1) shall be deemed approved unless the Secretary, not later than 45 days after the date of submission of such report, issues a written disapproval because—

(A) the Secretary reasonably determines, based on information contained in the report, that a public housing agency is not in compliance with the provisions of this section or other applicable law; or

(B) such report is inconsistent with other reliable information available to the Secretary.

(g) **RECORDS AND AUDITS.**—

(1) **KEEPING OF RECORDS.**—Each public housing agency shall keep such records as

the Secretary may prescribe as reasonably necessary—

(A) to disclose the amounts and the disposition of amounts under the Moving to Work Charter program established under this section;

(B) to ensure compliance with the requirements of this section; and

(C) to measure performance.

(2) **ACCESS TO DOCUMENTS BY THE SECRETARY.**—

(A) **IN GENERAL.**—The Secretary shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of, this section.

(B) **LIMITATION.**—Access by the Secretary described under subparagraph (A) shall be limited to information obtained solely through the annual charter report submitted by a public housing agency under subsection (f), unless the Secretary has reason to believe that such agency is not in compliance with the charter contract between the Secretary and such agency.

(3) **ACCESS TO DOCUMENTS BY THE COMPTROLLER GENERAL.**—The Comptroller General of the United States, or any duly authorized representative of the Comptroller General, shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of the Moving to Work Charter program established under this section.

(h) **PROCUREMENT PREEMPTION.**—

(1) **IN GENERAL.**—Any State or local law which imposes procedures or standards for procurement which conflict with or are more burdensome than applicable Federal procurement requirements shall not apply to any public housing agency under the Moving to Work Charter program established under this section.

(2) **REDUCTION OF ADMINISTRATIVE BURDENS.**—The Secretary may approve procurement procedures for public housing agencies participating in the Moving to Work Charter program established under this section that reduce administrative burdens of procurement requirements imposed by Federal law.

(i) **SUBSEQUENT LAWS PREEMPTED.**—A public housing agency participating in the Moving to Work Charter program established under this section shall not be subject to any provision of law which conflicts with the provisions of this section and which is enacted subsequent to the date of execution of such agency's charter contract or Moving to Work program agreement, as described in subsection (j), unless such law expressly provides for such law's application to public housing agencies subject to this section.

(j) **EXISTING AGREEMENTS.**—Notwithstanding anything in this section or any other provision of law, any public housing agency which has an existing Moving to Work program agreement with the Secretary pursuant to section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (Public Law 104-134; 110 Stat. 1321-281) and which is not in default thereof, may, at the option of such agency—

(1) continue to operate under the terms and conditions of such agreement notwithstanding any limitation on the terms contained in such contract; or

(2) at any time, enter into a charter contract with the Secretary on terms and conditions which are not less favorable to the agency than such existing agreement.

(k) **PUBLIC HOUSING AGENCY EVALUATION.**—

(1) **IN GENERAL.**—Not later than the end of fiscal year 2017, the Secretary shall appoint a Federal advisory committee consisting of public housing agencies with charter con-

tracts, public housing industry organizations, resident organizations, other public housing and section 8 voucher stakeholders, and experts on accreditation systems in similar fields, to assess and develop a demonstration program to test standards, criteria, and practices for a national public housing agency accreditation system or other evaluation system.

(2) **REPORT.**—Not later than the end of fiscal year 2019, the committee established under paragraph (1) and the Secretary shall provide a report and recommendations to Congress with respect to the establishment of a national public housing agency accreditation system.

SA 3975. Mr. FLAKE (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. None of the funds made available under this division may be used by the Federal Government to interfere with State and local inspections of public housing dwelling units.

SA 3976. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. (a) In this section, the term "covered agency" means—

(1) the Department of Housing and Urban Development;

(2) the Department of Transportation;

(3) the Federal Maritime Commission;

(4) the National Railroad Passenger Corporation;

(5) the National Transportation Safety Board;

(6) the Neighborhood Reinvestment Corporation; and

(7) the United States Interagency Council on Homelessness.

(b) Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Director of the Office of Management and Budget shall submit to Congress and post on the website of the Office of Management and Budget a report on projects funded by a covered agency—

(1) that are more than 5 years behind schedule; or

(2) for which the amount spent on the project is not less than \$1,000,000,000 more than the original cost estimate for the project.

(c) Each report submitted and posted under subsection (b) shall include, for each project included in the report—

(1) a brief description of the project, including—

(A) the purpose of the project;

(B) each location in which the project is carried out;

(C) the year in which the project was initiated; and

(D) each primary contractor and grant recipient for the project;

(2) the original expected date for completion of the project;

(3) the current expected date for completion of the project;

(4) the original cost estimate for the project;

(5) the current cost estimate for the project;

(6) an explanation for a delay in completion or increase in the original cost estimate for the project; and

(7) recommendations to reduce the cost for the project that may require legislative action.

SA 3977. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division B, add the following:
SEC. 410. (a) None of the funds made available in this Act may be used to award a construction contract on behalf of the Federal Government—

(1) in any solicitation, bid specification, project agreement, or other controlling document to require or prohibit a bidder, offeror, contractor, or subcontractor to enter into or adhere to an agreement with a labor organization; or

(2) to discriminate against or give preference to such a bidder, offeror, contractor, or subcontractor based on their entering into or refusing to enter into an agreement with a labor organization.

(b) Subsection (a) does not apply to any construction contract awarded before the date of the enactment of this Act.

SA 3978. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. Notwithstanding any other provision of this Act, the Secretary of Veterans Affairs may not provide any allowance in connection with a permanent change of station to an individual in a Senior Executive Service position (as defined in section 3132(a) of title 5, United States Code) at the Department of Veterans Affairs.

SA 3979. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. Not later than September 30, 2017, the Secretary of Veterans Affairs shall—

(1) submit to the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives an itemized accounting of the use of Federal award GU1103 in the amount of \$3,265,487 that was awarded in 2013 to renovate a veteran's cemetery in Guam under the Veterans Cemetery Grants Program of the Department of Veterans Affairs; and

(2) publish such itemized accounting on a publicly available Internet website of the Department.

SA 3980. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. Not later than September 30, 2017, the Secretary of Veterans Affairs shall submit to Congress a plan on modernizing the system of the Veterans Health Administration for processing claims by non-Department of Veterans Affairs health care providers for reimbursement for health care provided to veterans under the laws administered by the Secretary.

SA 3981. Mr. FLAKE (for himself, Mr. TOOMEY, Mr. COATS, and Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. None of the funds made available in this division may be used to provide housing assistance under section 3 or section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437a and 1437f) to any family whose income for the most recent 2 consecutive years has exceeded 120 percent of the median income for the area in which the family resides.

SA 3982. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division A, insert the following:

SEC. _____. Not later than 90 days after the date of enactment of this Act, the Secretary

shall prepare and submit to Congress a report on the community development block grant program under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) that describes—

(1) how the Secretary could devise a system of consolidated reporting of expenditures and accomplishments by grant recipients under the program in an easily analyzable format, which would include—

(A) a cost-benefit analysis of each project that a grant recipient has funded using amounts provided under the program, including—

(i) the number of people the project was expected to help;

(ii) the number of people the project actually helped; and

(iii) the number of houses rehabilitated or removed due to blight;

(B) a description of how each grant recipient validated the self-reported information described in subparagraph (A); and

(C) a description of how to tie the outcome data described in clauses (ii) and (iii) of subparagraph (A) to census tract or block group data to enable independent researchers to validate the outcomes; and

(2) measures that the Secretary could adopt to identify viable urban communities that can serve as models for other communities trying to rehabilitate certain neighborhoods, which measures shall be tied to census tract or block group data, such as communities—

(A) in which not more than 10 percent of households have an income at or below the poverty level;

(B) in which the median wage is not less than 90 percent of the median wage for the metropolitan statistical area;

(C) in which the unemployment rate is not more than 8 percent; or

(D) that meet 2 of the 3 criteria under subparagraphs (A) through (C).

SA 3983. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division A, insert the following:

SEC. _____. None of the funds made available under this title may be used for the VelociRFTA bus rapid transit project in Roaring Fork Valley, Colorado.

SA 3984. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 64, line 21, strike “\$5,000,000” and insert “\$3,000,000”.

SA 3985. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr.

REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 152, line 13, insert “The Secretary may refuse to withdraw the Notice of Default upon receipt of a petition from the Governor of the State in which the deficient property is located.” after “Default.”.

SA 3986. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 10, insert “*Provided further,* That the Secretary may provide replacement vouchers for units operated by management or ownership that has been declared in default of a Housing Assistance Payments contract due to physical deficiencies:” after “funds:”.

SA 3987. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2806, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

CERTAIN SERVICE DEEMED TO BE ACTIVE
MILITARY SERVICE

SEC. 251. (a) IN GENERAL.—For purposes of section 401(a)(1)(A) of the GI Bill Improvement Act of 1977 (38 U.S.C. 106 note), the Secretary of Defense is deemed to have determined that qualified service of an individual constituted active military service.

(b) DETERMINATION OF DISCHARGE STATUS.—The Secretary of Defense shall issue an honorable discharge under section 401(a)(1)(B) of the GI Bill Improvement Act of 1977 to each person whose qualified service warrants an honorable discharge. Such discharge shall be issued before the end of the one-year period beginning on the date of the enactment of this Act.

(c) PROHIBITION OF RETROACTIVE BENEFITS.—No benefits may be paid to any individual as a result of the enactment of this Act for any period before the date of the enactment of this Act.

(d) QUALIFIED SERVICE DEFINED.—In this section, the term “qualified service” means service of an individual as a member of the organization known as the United States Cadet Nurse Corps during the period beginning on July 1, 1943, and ending on December 15, 1945.

SA 3988. Mr. MENENDEZ (for himself, Mr. SANDERS, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation,

and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 230.

SA 3989. Mr. MENENDEZ (for himself, Mr. BROWN, Mr. BOOKER, Ms. BALDWIN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. —. MILITARY FAMILIES CREDIT REPORTING ACT.

(a) SHORT TITLE.—This section may be cited as the “Military Families Credit Reporting Act”.

(b) NOTICE OF STATUS AS AN ACTIVE DUTY MILITARY CONSUMER.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) in section 605 (15 U.S.C. 1681c), by adding at the end the following:

“(1) NOTICE OF STATUS AS AN ACTIVE DUTY MILITARY CONSUMER.—

“(1) IN GENERAL.—With respect to an item of adverse information about a consumer that arises from the failure of the consumer to make any required payment on a debt or other obligation, if the action or inaction that gave rise to the item occurred while the consumer was an active duty military consumer, the consumer may provide appropriate proof, including official orders, to a consumer reporting agency that the consumer was an active duty military consumer at the time such action or inaction occurred, and any consumer report provided by the consumer reporting agency that includes the item shall clearly and conspicuously disclose that the consumer was an active duty military consumer when the action or inaction that gave rise to the item occurred.

“(2) MODEL FORM.—The Bureau shall prepare a model form, which shall be made publicly available, including in an electronic format, by which a consumer may—

“(A) notify, and provide appropriate proof to, a consumer reporting agency in a simple and easy manner, including electronically, that the consumer is or was an active duty military consumer; and

“(B) provide contact information of the consumer for the purpose of communicating with the consumer while the consumer is an active duty military consumer.

“(3) NO ADVERSE CONSEQUENCES.—Notice, whether provided by the model form described in paragraph (2) or otherwise, that a consumer is or was an active duty military consumer may not provide the sole basis for—

“(A) with respect to a credit transaction between the consumer and a creditor, a creditor—

“(i) denying an application of credit submitted by the consumer;

“(ii) revoking an offer of credit made to the consumer by the creditor;

“(iii) changing the terms of an existing credit arrangement with the consumer; or

“(iv) refusing to grant credit to the consumer in a substantially similar amount or on substantially similar terms requested by the consumer;

“(B) furnishing negative information relating to the creditworthiness of the consumer by or to a consumer reporting agency; or

“(C) except as otherwise provided in this title, a creditor or consumer reporting agency noting in the file of the consumer that the consumer is or was an active duty military consumer.”;

(2) in section 605A (15 U.S.C. 1681c-1)—

(A) in subsection (c)—

(i) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(ii) in the matter preceding subparagraph (A), as so redesignated, by striking “Upon” and inserting the following:

“(1) IN GENERAL.—Upon”; and

(iii) by adding at the end the following:

“(2) NEGATIVE INFORMATION NOTIFICATION.—

If a consumer reporting agency receives an item of adverse information about a consumer who has provided appropriate proof that the consumer is an active duty military consumer, the consumer reporting agency shall promptly notify the consumer, according to a frequency, manner, and timeliness determined by the Bureau or specified by the consumer—

“(A) that the consumer reporting agency has received the item of adverse information, along with a description of the item; and

“(B) the method by which the consumer may dispute the validity of the item.

“(3) CONTACT INFORMATION FOR ACTIVE DUTY MILITARY CONSUMERS.—

“(A) IN GENERAL.—If a consumer who has provided appropriate proof to a consumer reporting agency that the consumer is an active duty military consumer provides the consumer reporting agency with contact information for the purpose of communicating with the consumer while the consumer is an active duty military consumer, the consumer reporting agency shall use that contact information for all communications while the consumer is an active duty military consumer.

“(B) DIRECT REQUEST.—Unless the consumer directs otherwise, the provision of contact information by the consumer under subparagraph (A) shall be deemed to be a request for the consumer to receive an active duty alert under paragraph (1).

“(4) SENSE OF CONGRESS.—It is the sense of Congress that any person making use of a consumer report that contains an item of adverse information should, if the action or inaction that gave rise to the item occurred while the consumer was an active duty military consumer, take such fact into account when evaluating the creditworthiness of the consumer.”; and

(B) in subsection (e), by striking paragraph (3) and inserting the following:

“(3) subparagraphs (A) and (B) of subsection (c)(1), in the case of a referral under subsection (c)(1)(C).”; and

(3) in section 611(a)(1) (15 U.S.C. 1681i(a)(1)), by adding at the end the following:

“(D) NOTICE OF DISPUTE RELATED TO ACTIVE DUTY MILITARY CONSUMERS.—With respect to an item of information described under subparagraph (A) that is under dispute, if the consumer to whom the item relates has notified the consumer reporting agency, and has provided appropriate proof, that the consumer was an active duty military consumer at the time the action or inaction that gave rise to the disputed item occurred, the consumer reporting agency shall—

“(i) include that fact in the file of the consumer; and

“(ii) indicate that fact in each consumer report that includes the disputed item.”.

SA 3990. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

PROHIBITION ON RECOVERY OF OVERPAYMENT OF COMPENSATION PAID TO INCARCERATED INDIVIDUALS EXCEPT IN THE CASE OF FRAUD, MISREPRESENTATION, OR BAD FAITH

SEC. 251. Section 5313 of title 38, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) The Secretary may not recover from a person the amount of any compensation that should have been reduced under this section after the date that is 180 days after the date on which such amount should have been reduced under this section unless the Secretary determines that the person committed fraud, misrepresentation, or bad faith that resulted in such amount not being reduced.”.

SA 3991. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. PUBLICATION OF INFORMATION ON PROVISION OF HEALTH CARE BY DEPARTMENT OF VETERANS AFFAIRS.

(a) PUBLICATION OF INFORMATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Veterans Affairs shall publish on an Internet database of the Department of Veterans Affairs available to the public information on the provision of health care by the Department.

(2) ELEMENTS.—

(A) IN GENERAL.—Each publication required by paragraph (1) shall include, with respect to each medical facility of the Department during the 180-day period preceding such publication, the following:

(i) The average length of stay for inpatient care.

(ii) A description of any hospital-acquired condition acquired by a patient.

(iii) The rate of readmission of patients within 30 days of release.

(iv) The rate at which opioids are prescribed to each patient.

(v) The average wait time for emergency room treatment.

(vi) A description of any scheduling backlog with respect to patient appointments.

(vii) The average number of patients seen per month by each primary care physician.

(B) ADDITIONAL ELEMENTS.—The Secretary may include in each publication required by paragraph (1) such additional information on

the safety of medical facilities of the Department, health outcomes at such facilities, and quality of care at such facilities as the Secretary considers appropriate.

(3) SEARCHABILITY.—The Secretary shall ensure that the Internet database required by paragraph (1) is searchable by State, city, and facility.

(4) PERSONAL INFORMATION.—The Secretary shall ensure that personal information connected to information published under paragraph (1) is protected from disclosure as required by applicable law.

(b) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report setting forth recommendations for additional elements to be included with the information published under subsection (a) to improve the evaluation and assessment of the safety and health of individuals receiving health care under the laws administered by the Secretary and the quality of health care received by such individuals.

SA 3992. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SA 3993. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. _____. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SA 3994. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

TITLE _____—WHISTLEBLOWER PROTECTIONS

SEC. ____01. SHORT TITLE.

This title may be cited as the “Dr. Chris Kirkpatrick Whistleblower Protection Act of 2016”.

Subtitle A—Employees Generally

SEC. ____11. DEFINITIONS.

In this subtitle—

(1) the terms “agency” and “personnel action” have the meanings given such terms under section 2302 of title 5, United States Code; and

(2) the term “employee” means an employee (as defined in section 2105 of title 5, United States Code) of an agency.

SEC. ____12. STAYS; PROBATIONARY EMPLOYEES.

(a) REQUEST BY SPECIAL COUNSEL.—Section 1214(b)(1) of title 5, United States Code, is amended by adding at the end the following:

“(E) If the Merit Systems Protections Board grants a stay under this subsection, the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.”.

(b) INDIVIDUAL RIGHT OF ACTION FOR PROBATIONARY EMPLOYEES.—Section 1221 of title 5, United States Code, is amended by adding at the end the following:

“(k) If the Merit Systems Protection Board grants a stay to an employee in probationary status under subsection (c), the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.”.

(c) STUDY REGARDING RETALIATION AGAINST PROBATIONARY EMPLOYEES.—The Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate

and the Committee on Oversight and Government Reform of the House of Representatives a report discussing retaliation against employees in probationary status.

SEC. 13. ADEQUATE ACCESS OF SPECIAL COUNSEL TO INFORMATION.

Section 1212(b) of title 5, United States Code, is amended by adding at the end the following:

“(5) The Special Counsel, in carrying out this subchapter, is authorized to—

“(A) have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to the applicable agency which relate to a matter within the jurisdiction or authority of the Special Counsel; and

“(B) request from any agency such information or assistance as may be necessary for carrying out the duties and responsibilities of the Special Counsel under this subchapter.”.

SEC. 14. PROHIBITED PERSONNEL PRACTICES.

Section 2302(b) of title 5, United States Code, is amended—

(1) in paragraph (12), by striking “or” at the end;

(2) in paragraph (13), by striking the period at the end and inserting “; or”; and

(3) by inserting after paragraph (13) the following:

“(14) access the medical record of another employee for the purpose of retaliation for a disclosure or activity protected under paragraph (8) or (9).”.

SEC. 15. DISCIPLINE OF SUPERVISORS BASED ON RETALIATION AGAINST WHISTLEBLOWERS.

(a) IN GENERAL.—Subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

“§ 7515. Discipline of supervisors based on retaliation against whistleblowers

“(a) DEFINITIONS.—In this section—

“(1) the term ‘agency’ has the meaning given that term under section 2302;

“(2) the term ‘prohibited personnel action’ means taking or failing to take an action in violation of paragraph (8), (9), or (14) of section 2302(b) against an employee of an agency; and

“(3) the term ‘supervisor’ means a supervisor, as defined under section 7103(a), who is employed by an agency, as defined under paragraph (1) of this subsection.

“(b) PROPOSED ADVERSE ACTIONS.—

“(1) IN GENERAL.—In accordance with paragraph (2), the head of an agency shall propose against a supervisor whom the head of that agency, an administrative law judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the agency determines committed a prohibited personnel action the following adverse actions:

“(A) With respect to the first prohibited personnel action, an adverse action that is not less than a 12-day suspension.

“(B) With respect to the second prohibited personnel action, removal.

“(2) PROCEDURES.—

“(A) NOTICE.—A supervisor against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

“(B) ANSWER AND EVIDENCE.—

“(i) IN GENERAL.—A supervisor who is notified under subparagraph (A) that the supervisor is the subject of a proposed adverse action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

“(ii) NO EVIDENCE.—After the end of the 14-day period described in clause (i), if a supervisor does not furnish evidence as described

in clause (i) or if the head of the agency determines that such evidence is not sufficient to reverse the proposed adverse action, the head of the agency shall carry out the adverse action.

“(C) SCOPE OF PROCEDURES.—Paragraphs (1) and (2) of subsection (b) of section 7513, subsection (c) of such section, paragraphs (1) and (2) of subsection (b) of section 7543, and subsection (c) of such section shall not apply with respect to an adverse action carried out under this subsection.

“(c) LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action, if the head of the agency carries out an adverse action against a supervisor under another provision of law, the head of the agency may carry out an additional adverse action under this section based on the same prohibited personnel action.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

“7515. Discipline of supervisors based on retaliation against whistleblowers.”.

SEC. 16. SUICIDE BY EMPLOYEES.

(a) REFERRAL.—The head of an agency shall refer to the Office of Special Counsel, along with any information known to the agency regarding the circumstances described in paragraphs (2) and (3), any instance in which the head of the agency has information indicating—

(1) an employee of the agency committed suicide;

(2) prior to the death of the employee, the employee made any disclosure of information which reasonably evidences—

(A) any violation of any law, rule, or regulation; or

(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; and

(3) after a disclosure described in paragraph (2), a personnel action was taken against the employee.

(b) OFFICE OF SPECIAL COUNSEL REVIEW.—For any referral to the Office of Special Counsel under subsection (a), the Office of Special Counsel shall—

(1) examine whether any personnel action was taken because of any disclosure of information described in subsection (a)(2); and

(2) take any action the Office of Special Counsel determines appropriate under subchapter II of chapter 12 of title 5, United States Code.

SEC. 17. TRAINING FOR SUPERVISORS.

In consultation with the Office of Special Counsel and the Inspector General of the agency (or senior ethics official of the agency for an agency without an Inspector General), the head of each agency shall provide training regarding how to respond to complaints alleging a violation of whistleblower protections (as defined in section 2307 of title 5, United States Code, as added by this subtitle) available to employees of the agency—

(1) to employees appointed to supervisory positions in the agency who have not previously served as a supervisor; and

(2) on an annual basis, to all employees of the agency serving in a supervisory position.

SEC. 18. INFORMATION ON WHISTLEBLOWER PROTECTIONS.

(a) EXISTING PROVISION.—

(1) IN GENERAL.—Section 2302 of title 5, United States Code, is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) Section 4505a(b)(2) of title 5, United States Code, is amended by striking “section 2302(d)” and inserting “section 2302(c)”.

(B) Section 5755(b)(2) of title 5, United States Code, is amended by striking “section 2302(d)” and inserting “section 2302(c)”.

(C) Section 110(b)(2) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note) is amended by striking “section 2303(f)(1) or (2)” and inserting “section 2303(e)(1) or (2)”.

(D) Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 344) is amended by striking “2302(c)” each place it appears and inserting “2307”.

(E) Section 1217(d)(3) of the Panama Canal Act of 1979 (22 U.S.C. 3657(d)(3)) is amended by striking “section 2302(d)” and inserting “section 2302(c)”.

(F) Section 1233(b) of the Panama Canal Act of 1979 (22 U.S.C. 3673(b)) is amended by striking “section 2302(d)” and inserting “section 2302(c)”.

(b) PROVISION OF INFORMATION.—Chapter 23 of title 5, United States Code, is amended by adding at the end the following:

“§ 2307. Information on whistleblower protections

“(a) DEFINITIONS.—In this section—

“(1) the term ‘agency’ has the meaning given that term in section 2302;

“(2) the term ‘new employee’ means an individual—

“(A) appointed to a position as an employee of an agency on or after the date of enactment of the Dr. Chris Kirkpatrick Whistleblower Protection Act of 2016; and

“(B) who has not previously served as an employee; and

“(3) the term ‘whistleblower protections’ means the protections against and remedies for a prohibited personnel practice described in paragraph (8), subparagraph (A)(i), (B), (C), or (D) of paragraph (9), or paragraph (14) of section 2302(b).

“(b) RESPONSIBILITIES OF HEAD OF AGENCY.—The head of each agency shall be responsible for the prevention of prohibited personnel practices, for the compliance with and enforcement of applicable civil service laws, rules, and regulations, and other aspects of personnel management, and for ensuring (in consultation with the Special Counsel and the Inspector General of the agency) that employees of the agency are informed of the rights and remedies available to them under this chapter and chapter 12, including—

“(1) information regarding whistleblower protections available to new employees during the probationary period;

“(2) the role of the Office of Special Counsel and the Merit Systems Protection Board with regard to whistleblower protections; and

“(3) how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of an agency, Congress, or other agency employee designated to receive such disclosures.

“(c) TIMING.—The head of each agency shall ensure that the information required to be provided under subsection (b) is provided to each new employee of the agency not later than 6 months after the date the new employee is appointed.

“(d) INFORMATION ONLINE.—The head of each agency shall make available information regarding whistleblower protections applicable to employees of the agency on the public website of the agency, and on any online portal that is made available only to employees of the agency if one exists.

“(e) DELEGEES.—Any employee to whom the head of an agency delegates authority for personnel management, or for any aspect thereof, shall, within the limits of the scope of the delegation, be responsible for the activities described in subsection (b).”.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 23 of title 5, United States Code, is amended by adding at the end the following:

“2307. Information on whistleblower protections.”.

Subtitle B—Department of Veterans Affairs Employees

SEC. 21. PREVENTION OF UNAUTHORIZED ACCESS TO MEDICAL RECORDS OF EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) DEVELOPMENT OF PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) develop a plan to prevent access to the medical records of employees of the Department of Veterans Affairs by employees of the Department who are not authorized to access such records;

(B) submit to the appropriate committees of Congress the plan developed under subparagraph (A); and

(C) upon request, provide a briefing to the appropriate committees of Congress with respect to the plan developed under subparagraph (A).

(2) ELEMENTS.—The plan required under paragraph (1) shall include the following:

(A) A detailed assessment of strategic goals of the Department for the prevention of unauthorized access to the medical records of employees of the Department.

(B) A list of circumstances in which an employee of the Department who is not a health care provider or an assistant to a health care provider would be authorized to access the medical records of another employee of the Department.

(C) Steps that the Secretary will take to acquire new or implement existing technology to prevent an employee of the Department from accessing the medical records of another employee of the Department without a specific need to access such records.

(D) Steps the Secretary will take, including plans to issue new regulations, as necessary, to ensure that an employee of the Department may not access the medical records of another employee of the Department for the purpose of retrieving demographic information if that demographic information is available to the employee in another location or through another format.

(E) A proposed timetable for the implementation of such plan.

(F) An estimate of the costs associated with implementing such plan.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Homeland Security and Governmental Affairs and the Committee on Veterans’ Affairs of the Senate; and

(2) the Committee on Oversight and Government Reform and the Committee on Veterans’ Affairs of the House of Representatives.

SEC. 22. OUTREACH ON AVAILABILITY OF MENTAL HEALTH SERVICES AVAILABLE TO EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall conduct a program of outreach to employees of the Department of Veterans Affairs to inform those employees of any mental health services, including telemedicine options, that are available to them.

SEC. 23. PROTOCOLS TO ADDRESS THREATS AGAINST EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall ensure protocols are in effect to address threats from individuals receiving health care from the Department of Veterans Affairs directed towards employees of the Department who are providing such health care.

SEC. 24. COMPTROLLER GENERAL OF THE UNITED STATES STUDY ON ACCOUNTABILITY OF CHIEFS OF POLICE OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTERS.

The Comptroller General of the United States shall conduct a study to assess the reporting, staffing, accountability, and chain of command structure of the Department of Veterans Affairs police officers at medical centers of the Department.

SA 3995. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. (a) REPORT ON OPIOID ABUSE AND TREATMENT.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall publish on a publicly available Internet website of the Department of Veterans Affairs a report that includes the following information:

(1) A comprehensive list of all facilities of the Department offering an opioid abuse treatment program, including details on the types of services available at each facility.

(2) The number of veterans treated by a health care provider of the Department for opioid abuse during the year preceding the publication of the report.

(3) Of the veterans described in paragraph (2), the number treated for opioid abuse in conjunction with posttraumatic stress disorder, depression, or anxiety.

(4) With respect to veterans receiving treatment for opioid abuse—

(A) the average period of time veterans reported abusing opioids before beginning such treatment during the year preceding the publication of the report; and

(B) the main reasons reported to the Department by veterans as to how they came to receive such treatment, including self-referral or recommendation by a physician or family member.

(b) PROTECTION OF INFORMATION.—No information published under subsection (a) shall include any information that personally identifies a veteran.

SA 3996. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II in Division A, add the following:

SEC. ____ (a) DEFINITIONS.—In this section—

(1) the term “families” has the meaning given that term in section 3(b)(3) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3));

(2) the term “low-income families” has the meaning given that term in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2));

(3) the term “Secretary” means the Secretary of Housing and Urban Development; and

(4) the term “very low-income families” has the meaning given that term in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).

(b) PURPOSES.—The purposes of this section are—

(1) to give public housing agencies and the Secretary the flexibility to design and implement various approaches for providing and administering housing assistance that achieves greater cost effectiveness in using Federal housing assistance to address local housing needs for low-income families;

(2) to reduce administrative burdens on public housing agencies providing such assistance;

(3) to give incentives to assisted families to work and become economically self-sufficient;

(4) to increase housing choices for low-income families; and

(5) to enhance the ability of low-income elderly residents and persons with disabilities to live independently.

(c) MOVING TO WORK CHARTER PROGRAM AUTHORITY.—

(1) CONTRACT AUTHORITY.—

(A) IN GENERAL.—Subject to the phase-in requirements under subparagraph (B), the Secretary shall enter into charter contracts, beginning in fiscal year 2017, with not more than 250 public housing agencies administering the public housing program or assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(B) PHASE-IN.—The phase-in requirements under this subparagraph are as follows:

(i) By the end of fiscal year 2017, the Secretary shall have entered into charter contracts with not less than 80 public housing agencies described in subparagraph (A).

(ii) By the end of fiscal year 2018, the Secretary shall have entered into charter contracts with not less than 160 public housing agencies described in subparagraph (A).

(iii) By the end of fiscal year 2019, the Secretary shall have entered into charter contracts with not less than 250 public housing agencies described in subparagraph (A).

(2) CHARTER CONTRACTS.—A charter contract shall—

(A) supersede and have a term commensurate with any annual contributions contract between a public housing agency and the Secretary; and

(B) provide that a participating public housing agency shall receive—

(i) capital and operating assistance allocated to such agency under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g); and

(ii) assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(3) USE OF ASSISTANCE.—Any assistance provided under paragraph (2)(B)—

(A) may be combined; and

(B) shall be used to provide locally designed housing assistance for low-income families, including—

(i) services to facilitate the transition to work and self-sufficiency; and

(ii) any other activity which a public housing agency is authorized to undertake pursuant to State or local law.

(d) TERMS AND CONDITIONS OF ASSISTANCE.—

(1) APPLICABILITY OF UNITED STATES HOUSING ACT OF 1937.—Except as provided in this subsection, the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) shall not be applicable to any public housing agency participating in the Moving to Work Charter program established under this section.

(2) APPLICABLE 1937 ACT PROVISIONS.—The following provisions of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) are applicable to any public housing agency participating in the Moving to Work Charter program established under this section:

(A) Subsections (a) and (b) of section 12 (42 U.S.C. 1437j (a) and (b)) shall apply to housing assisted under a charter contract, other than housing assisted solely due to occupancy by families receiving tenant based rental assistance.

(B) Section 18 (42 U.S.C. 1437p) shall continue to apply to public housing developed under such Act notwithstanding any use of the housing under a charter contract.

(3) CHARTER CONTRACT TERMS.—A charter contract shall provide that a public housing agency—

(A) may—

(i) combine assistance received under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g), as described in subsection (c)(3); and

(ii) use such assistance to provide housing assistance and related services for activities authorized by this section, including those activities authorized by sections 8 and 9 of such Act;

(B) certify that in preparing its application for participation in the Moving to Work Charter program established under this section, such agency has—

(i) provided for citizen participation through a public hearing and, if appropriate, other means; and

(ii) taken into account comments from the public hearing and any other public comments on the proposed activities under this section, including comments from current and prospective residents who would be affected by such contract;

(C) shall ensure that not less than 75 percent of the families assisted under a charter contract shall be, at the time of such families' entry into the Moving to Work Charter program, very low-income families;

(D) shall establish a reasonable rent policy, which shall—

(i) be designed to encourage employment, self-sufficiency, and homeownership by participating families, consistent with the purposes of this section;

(ii) include transition and hardship provisions;

(iii) be included in the annual plan of such agency; and

(iv) be subject to the opportunities for public participation described in subsection (f)(1)(C)(iv);

(E) shall continue to assist not less than substantially the same total number of low-income families as would have been served had such agency not entered into such contract;

(F) shall maintain a comparable mix of families (by family size) as would have been provided had the agency not entered into such contract;

(G) shall ensure that housing assisted under such contract meets housing quality standards established or approved by the Secretary;

(H) shall receive training and technical assistance, upon request by such agency, to as-

sist with the design and implementation of the activities described under this section;

(I) shall receive an amount of assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g) that is not diminished by the participation of such agency in the Moving to Work Charter program established under this section;

(J) shall be subject to the procurement procedures described in such contract;

(K) shall ensure that each family receiving housing assistance—

(i) is engaged in work activities that would count toward satisfying the monthly work participation rates applicable to the State in which such public housing agency is located for purposes of the State temporary assistance to needy families program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) if the family were receiving assistance or benefits under that program; or

(ii) would qualify under that program to an exception to engaging in such work activities; and

(L) shall provide housing assistance to families assisted under a charter contract for not more than 5 years.

(e) SELECTION.—In selecting among public housing agency applications to participate in the Moving to Work Charter program established under this section, the Secretary shall consider—

(1) the potential of each agency to plan and carry out activities under such program;

(2) the relative performance by an agency under section 6(j) of the United States Housing Act of 1937 (42 U.S.C. 1437d(j));

(3) the need for a diversity of participants in terms of size, location, and type of agency; and

(4) any other appropriate factor as determined by the Secretary.

(f) CHARTER REPORT.—

(1) CONTENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, and in place of all other planning and reporting requirements otherwise required, each public housing agency that is a party to a charter contract shall submit to the Secretary, on an annual basis, a single charter report, in a form and at a time specified by the Secretary.

(B) SOLE MEANS OF REPORTING.—A charter report submitted under subparagraph (A) shall be the sole means by which a public housing agency shall be required to provide information to the Secretary on the activities assisted under this section during a fiscal year, unless the Secretary has reason to believe that such agency has violated the charter contract between the Secretary and such agency.

(C) REQUIREMENTS.—Each charter report required under subparagraph (A) shall—

(i) document the use by a public housing agency of any assistance provided under a charter contract, including appropriate financial statements;

(ii) describe and analyze the effect of assisted activities in addressing the objectives of this section;

(iii) include a certification by such agency that such agency has prepared an annual plan which—

(I) states the goals and objectives of that agency under the charter contract for the past fiscal year;

(II) describes the proposed use of assistance by that agency for activities under the charter contract for the past fiscal year;

(III) explains how the proposed activities of that agency will meet the goals and objectives of that agency;

(IV) includes appropriate budget and financial statements of that agency; and

(V) was prepared in accordance with a public process as described in clause (iv);

(iv) describe and document how a public housing agency has provided residents assisted under a charter contract and the wider community with opportunities to participate in the development of and comment on the annual plan, which shall include not less than 1 public hearing; and

(v) include such other information as may be required by the Secretary pursuant to subsection (g)(2).

(2) REVIEW.—Any charter report submitted pursuant to paragraph (1) shall be deemed approved unless the Secretary, not later than 45 days after the date of submission of such report, issues a written disapproval because—

(A) the Secretary reasonably determines, based on information contained in the report, that a public housing agency is not in compliance with the provisions of this section or other applicable law; or

(B) such report is inconsistent with other reliable information available to the Secretary.

(g) RECORDS AND AUDITS.—

(1) KEEPING OF RECORDS.—Each public housing agency shall keep such records as the Secretary may prescribe as reasonably necessary—

(A) to disclose the amounts and the disposition of amounts under the Moving to Work Charter program established under this section;

(B) to ensure compliance with the requirements of this section; and

(C) to measure performance.

(2) ACCESS TO DOCUMENTS BY THE SECRETARY.—

(A) IN GENERAL.—The Secretary shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of, this section.

(B) LIMITATION.—Access by the Secretary described under subparagraph (A) shall be limited to information obtained solely through the annual charter report submitted by a public housing agency under subsection (f), unless the Secretary has reason to believe that such agency is not in compliance with the charter contract between the Secretary and such agency.

(3) ACCESS TO DOCUMENTS BY THE COMPTROLLER GENERAL.—The Comptroller General of the United States, or any duly authorized representative of the Comptroller General, shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of the Moving to Work Charter program established under this section.

(h) PROCUREMENT PREEMPTION.—

(1) IN GENERAL.—Any State or local law which imposes procedures or standards for procurement which conflict with or are more burdensome than applicable Federal procurement requirements shall not apply to any public housing agency under the Moving to Work Charter program established under this section.

(2) REDUCTION OF ADMINISTRATIVE BURDENS.—The Secretary may approve procurement procedures for public housing agencies participating in the Moving to Work Charter program established under this section that reduce administrative burdens of procurement requirements imposed by Federal law.

(i) SUBSEQUENT LAWS PREEMPTED.—A public housing agency participating in the Moving to Work Charter program established under this section shall not be subject to any provision of law which conflicts with the provisions of this section and which is enacted subsequent to the date of execution of such agency's charter contract or Moving to Work program agreement, as described in

subsection (j), unless such law expressly provides for such law's application to public housing agencies subject to this section.

(j) **EXISTING AGREEMENTS.**—Notwithstanding anything in this section or any other provision of law, any public housing agency which has an existing Moving to Work program agreement with the Secretary pursuant to section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (Public Law 104-134; 110 Stat. 1321-281) and which is not in default thereof, may, at the option of such agency—

(1) continue to operate under the terms and conditions of such agreement notwithstanding any limitation on the terms contained in such contract; or

(2) at any time, enter into a charter contract with the Secretary on terms and conditions which are not less favorable to the agency than such existing agreement.

(k) **PUBLIC HOUSING AGENCY EVALUATION.**—

(1) **IN GENERAL.**—Not later than the end of fiscal year 2017, the Secretary shall appoint a Federal advisory committee consisting of public housing agencies with charter contracts, public housing industry organizations, resident organizations, other public housing and section 8 voucher stakeholders, and experts on accreditation systems in similar fields, to assess and develop a demonstration program to test standards, criteria, and practices for a national public housing agency accreditation system or other evaluation system.

(2) **REPORT.**—Not later than the end of fiscal year 2019, the committee established under paragraph (1) and the Secretary shall provide a report and recommendations to Congress with respect to the establishment of a national public housing agency accreditation system.

SA 3997. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. INSPECTION OF KITCHENS AND FOOD SERVICE AREAS AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall provide for the conduct of inspections of kitchens and food service areas at each medical facility of the Department of Veterans Affairs to ensure that the same standards for kitchens and food service areas at hospitals in the private sector are being met at kitchens and food service areas at medical facilities of the Department.

(b) **AGREEMENT.**—

(1) **IN GENERAL.**—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) **ALTERNATE ORGANIZATION.**—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Or-

ganizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) **REMEDATION PLAN.**—

(1) **INITIAL FAILURE.**—If a kitchen or food service area of a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) not to meet the standards for kitchens and food service areas in hospitals in the private sector, that medical facility fails the inspection and the Secretary shall—

(A) implement a remediation plan for that medical facility within 48 hours; and

(B) Conduct a second inspection under subsection (a) at that medical facility within 7 days of the failed inspection.

(2) **SECOND FAILURE.**—If a medical facility of the Department fails the second inspection conducted under paragraph (1)(B), the Secretary shall close the kitchen or food service area at that medical facility that did not meet the standards for kitchens and food service areas in hospitals in the private sector until remediation is completed and all kitchens and food service areas at that medical facility meet such standards.

(3) **PROVISION OF FOOD.**—If a kitchen or food service area is closed at a medical facility of the Department pursuant to paragraph (2), the Director of the Veterans Integrated Service Network in which the medical facility is located shall enter into a contract with a vendor approved by the General Services Administration to provide food at the medical facility.

(d) **REPORTS.**—

(1) **QUARTERLY.**—Not less frequently than quarterly, the Director of each Veterans Integrated Service Network shall submit to Congress a report on inspections conducted under this section during that quarter at medical facilities of the Department under the jurisdiction of that Director.

(2) **SUBSEQUENT PERIOD.**—A Director of a Veterans Integrated Service Network may submit to Congress the report described in paragraph (1) not less frequently than semi-annually if the Director does not report any failed inspections for the one-year period preceding the submittal of the report.

SEC. 252. INSPECTION OF MOLD ISSUES AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall provide for the inspection of mold issues at medical facilities of the Department of Veterans Affairs.

(b) **AGREEMENT.**—

(1) **IN GENERAL.**—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) **ALTERNATE ORGANIZATION.**—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) **REMEDATION PLAN.**—If a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) to have a mold issue, the Secretary shall—

(1) implement a remediation plan for that medical facility within 48 hours; and

(2) Conduct a second inspection under subsection (a) at that medical facility within 90 days of the initial inspection.

(d) **REPORTS.**—

(1) **QUARTERLY.**—Not less frequently than quarterly, the Director of each Veterans Integrated Service Network shall submit to the Secretary of Veterans Affairs and Congress a report on inspections conducted under this section during that quarter at medical facilities of the Department under the jurisdiction of that Director.

(2) **SUBSEQUENT PERIOD.**—A Director of a Veterans Integrated Service Network may submit to Congress the report described in paragraph (1) not less frequently than semi-annually if the Director does not report any mold issues for the one-year period preceding the submittal of the report.

SA 3998. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. COVERAGE UNDER DEPARTMENT OF VETERANS AFFAIRS BENEFICIARY TRAVEL PROGRAM OF TRAVEL IN CONNECTION WITH CERTAIN SPECIAL DISABILITIES REHABILITATION.

(a) **IN GENERAL.**—Section 111(b)(1) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(G) A veteran with vision impairment, a veteran with a spinal cord injury or disorder, or a veteran with double or multiple amputations whose travel is in connection with care provided through a special disabilities rehabilitation program of the Department (including programs provided by spinal cord injury centers, blind rehabilitation centers, and prosthetics rehabilitation centers) if such care is provided—

“(i) on an in-patient basis; or

“(ii) during a period in which the Secretary provides the veteran with temporary lodging at a facility of the Department to make such care more accessible to the veteran.”.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the beneficiary travel program under section 111 of title 38, United States Code, as amended by subsection (a), that includes the following:

(1) The cost of the program.

(2) The number of veterans served by the program.

(3) Such other matters as the Secretary considers appropriate.

(c) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

SA 3999. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, line 9, strike “\$5,000,000” and insert “\$500,000”.

SA 4000. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, strike lines 5 through 10.

SA 4001. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 27, line 9, strike “In addition” and all that follows through the end of line 12.

SA 4002. Mr. BLUMENTHAL (for himself, Mr. MARKEY, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 44 of division A, strike line 3 and all that follows through page 45, line 21, and insert the following:

SEC. 131. (a) Section 133 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016 (division L of Public Law 114-113) is repealed.

(b) Section 133 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2015 (division K of Public Law 113-235) is amended by striking subsections (a) and (b).

SA 4003. Ms. COLLINS (for Mr. SULIVAN (for himself, Mr. SCHATZ, and Mr. MARKEY)) proposed an amendment to the bill S. 1335, to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Ensuring Access to Fisheries Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—NORTH PACIFIC FISHERIES

Subtitle A—North Pacific Fisheries Convention Implementation Act

Sec. 101. Short title.

Sec. 102. Definitions.

Sec. 103. United States participation in the North Pacific Fisheries Convention.

Sec. 104. Authority and responsibility of the Secretary of State.

Sec. 105. Authority of the Secretary of Commerce.

Sec. 106. Enforcement.

Sec. 107. Prohibited acts.

Sec. 108. Cooperation in carrying out Convention.

Sec. 109. Territorial participation.

Sec. 110. Exclusive economic zone notification.

Sec. 111. Authorization of appropriations.

Subtitle B—Miscellaneous

Sec. 121. Funding for travel expenses.

Sec. 122. National Sea Grant College Program Reauthorization Act of 1998.

TITLE II—SOUTH PACIFIC FISHERIES CONVENTION IMPLEMENTATION ACT

Sec. 201. Short title.

Sec. 202. Definitions.

Sec. 203. Appointment of United States Commissioners.

Sec. 204. Authority and responsibility of the Secretary of State.

Sec. 205. Authority of the Secretary of Commerce.

Sec. 206. Enforcement.

Sec. 207. Prohibited acts.

Sec. 208. Cooperation in carrying out Convention.

Sec. 209. Territorial participation.

Sec. 210. Exclusive economic zone notification.

Sec. 211. Authorization of appropriations.

TITLE III—NORTHWEST ATLANTIC FISHERIES CONVENTION AMENDMENTS ACT

Sec. 301. Short title; references to the Northwest Atlantic Fisheries Convention Act of 1995.

Sec. 302. Representation of the United States under Convention.

Sec. 303. Requests for scientific advice.

Sec. 304. Authorities of Secretary of State with respect to Convention.

Sec. 305. Interagency cooperation.

Sec. 306. Prohibited acts and penalties.

Sec. 307. Consultative committee.

Sec. 308. Definitions.

Sec. 309. Authorization of appropriations.

Sec. 310. Quota allocation practice.

TITLE I—NORTH PACIFIC FISHERIES

Subtitle A—North Pacific Fisheries Convention Implementation Act

SEC. 101. SHORT TITLE.

This subtitle may be cited as the “North Pacific Fisheries Convention Implementation Act”.

SEC. 102. DEFINITIONS.

In this subtitle:

(1) ADVISORY COMMITTEE.—The term “Advisory Committee” means the advisory committee established under section 103.

(2) COMMISSION.—The term “Commission” means the North Pacific Fisheries Commission established pursuant to the North Pacific Fisheries Convention.

(3) COMMISSIONER.—The term “Commissioner” means a United States Commissioner appointed under section 103.

(4) CONVENTION AREA.—The term “Convention Area” —

(A) means the waters of the high seas areas of the North Pacific Ocean; and

(B) excludes—

(i) the high seas areas of the Bering Sea and other high seas areas that are surrounded by the exclusive economic zone of a single nation, which are bounded to the south by a continuous line beginning at the seaward limit of waters under the jurisdiction of the United States around the Commonwealth of the Northern Mariana Islands at 20 degrees North latitude, then proceeding East and connecting the coordinates: 20°00′00″N, 180°00′00″E/W; 10°00′00″N 180°00′00″E/W; 10°00′00″N, 140°00′00″W; 20°00′00″N, 140°00′00″W; and thence East to the seaward limit of waters under the fisheries jurisdiction of Mexico; and

(ii) the exclusive economic zone of the United States or of any other country.

(5) COUNCIL.—The term “Council” means the North Pacific Fishery Management Council, the Pacific Fishery Management Council, or the Western Pacific Fishery Management Council established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852).

(6) EXCLUSIVE ECONOMIC ZONE.—The term “exclusive economic zone” means—

(A) with respect to the United States, the zone established by Presidential Proclamation Numbered 5030 of March 10, 1983 (16 U.S.C. 1453 note), the inner boundary of which, for purposes of this subtitle, is a line coterminous with the seaward boundary of each of the coastal States; and

(B) with respect to a foreign country, a designated zone similar to the zone referred to in subparagraph (A) for that country.

(7) FISHERIES RESOURCES.—

(A) IN GENERAL.—The term “fisheries resources” means all fish, mollusks, crustaceans, and other marine species, including any products thereof, caught by a fishing vessel within the Convention Area.

(B) EXCLUSIONS.—The term “fisheries resources” does not include—

(i) sedentary species insofar as they are subject to the sovereign rights of coastal nations consistent with Article 77, paragraph 4 of the 1982 Convention and indicator species of vulnerable marine ecosystems as listed in, or adopted pursuant to, Article 13, paragraph 5 of the North Pacific Fisheries Convention;

(ii) catadromous species;

(iii) marine mammals, marine reptiles, or seabirds; or

(iv) other marine species already covered by pre-existing international fisheries management instruments within the area of competence of such instruments.

(8) FISHING ACTIVITIES.—

(A) IN GENERAL.—The term “fishing activities” means—

(i) the actual or attempted searching for, catching, taking, or harvesting of fisheries resources;

(ii) engaging in any activity that can reasonably be expected to result in the locating, catching, taking, or harvesting of fisheries resources for any purpose;

(iii) the processing of fisheries resources at sea;

(iv) the transshipment of fisheries resources at sea or in port; or

(v) any operation at sea in direct support of, or in preparation for, any activity described in clauses (i) through (iv), including transshipment.

(B) EXCLUSIONS.—The term “fishing activities” does not include any operation related to an emergency involving the health or safety of a crew member or the safety of a fishing vessel.

(9) **FISHING VESSEL.**—The term “fishing vessel” means any vessel used or intended for use for the purpose of engaging in fishing activities, including a processing vessel, a support ship, a carrier vessel, or any other vessel directly engaged in such fishing activities.

(10) **HIGH SEAS.**—The term “high seas” does not include an area that is within the exclusive economic zone of the United States or of any other country.

(11) **NORTH PACIFIC FISHERIES CONVENTION.**—The term “North Pacific Fisheries Convention” means the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean (including any annexes, amendments, or protocols that are in force, or have come into force) for the United States, which was adopted at Tokyo on February 24, 2012.

(12) **PERSON.**—The term “person” means—

(A) any individual, whether or not a citizen or national of the United States;

(B) any corporation, partnership, association, or other entity, whether or not organized or existing under the laws of any State; or

(C) any Federal, State, local, tribal, or foreign government or any entity of such government.

(13) **SECRETARY.**—Except as otherwise specifically provided, the term “Secretary” means the Secretary of Commerce.

(14) **STATE.**—The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and any other commonwealth, territory, or possession of the United States.

(15) **STRADDLING STOCK.**—The term “straddling stock” means a stock of fisheries resources which migrates between, or occurs in, the exclusive economic zone of 1 or more parties to the Convention and the Convention Area.

(16) **TRANSSHIPMENT.**—The term “transshipment” means the unloading of any fisheries resources taken in the Convention Area from 1 fishing vessel to another fishing vessel either at sea or in port.

(17) **1982 CONVENTION.**—The term “1982 Convention” means the United Nations Convention on the Law of the Sea of 10 December 1982.

SEC. 103. UNITED STATES PARTICIPATION IN THE NORTH PACIFIC FISHERIES CONVENTION.

(a) **UNITED STATES COMMISSIONERS.**—

(1) **NUMBER OF COMMISSIONERS.**—The United States shall be represented on the Commission by 5 United States Commissioners.

(2) **SELECTION OF COMMISSIONERS.**—The United States Commissioners shall be as follows:

(A) **APPOINTMENT BY THE PRESIDENT.**—

(i) **IN GENERAL.**—Two of the Commissioners shall be appointed by the President and shall be an officer or employee of—

(I) the Department of Commerce;

(II) the Department of State; or

(III) the United States Coast Guard.

(ii) **SELECTION CRITERIA.**—In making each appointment under clause (i), the President shall select a Commissioner from among individuals who are knowledgeable or experienced concerning fisheries resources in the North Pacific Ocean.

(B) **NORTH PACIFIC FISHERY MANAGEMENT COUNCIL.**—One Commissioner shall be the chairperson of the North Pacific Fishery Management Council or a designee of such chairperson.

(C) **PACIFIC FISHERY MANAGEMENT COUNCIL.**—One Commissioner shall be the chairperson of the Pacific Fishery Management Council or a designee of such chairperson.

(D) **WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL.**—One Commissioner shall be the chairperson of the Western Pacific Fishery Management Council or a designee of such chairperson.

(3) **CHAIRPERSON.**—The President shall designate 1 of the Commissioners appointed under paragraph (2) to serve as chairperson of the United States Commissioners.

(b) **ALTERNATE COMMISSIONERS.**—In the event of a vacancy in a Commissioner appointed under subsection (a), the Secretary of State, in consultation with the Secretary, may designate from time to time and for periods of time considered appropriate an alternate Commissioner to the Commission. An alternate Commissioner may exercise all powers and duties of a Commissioner in the absence of a Commissioner appointed under subsection (a), and shall serve the remainder of the term of the absent Commissioner for which designated.

(c) **ADMINISTRATIVE MATTERS.**—

(1) **EMPLOYMENT STATUS.**—An individual serving as a Commissioner, or an alternative Commissioner, other than an officer or employee of the United States Government, shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(2) **COMPENSATION.**—An individual serving as a Commissioner or an alternate Commissioner, although an officer of the United States while so serving, shall receive no compensation for the individual's services as such Commissioner or alternate Commissioner.

(3) **TRAVEL EXPENSES.**—

(A) **IN GENERAL.**—The Secretary of State shall pay the necessary travel expenses of a Commissioner or an alternate Commissioner in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(B) **REIMBURSEMENT.**—The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this paragraph.

(d) **ADVISORY COMMITTEE.**—

(1) **ESTABLISHMENT OF PERMANENT ADVISORY COMMITTEE.**—

(A) **MEMBERSHIP.**—There is established an advisory committee which shall be composed of 11 members appointed by the Secretary as follows:

(i) A member engaging in commercial fishing activities in the management area of the North Pacific Fishery Management Council.

(ii) A member engaging in commercial fishing activities in the management area of the Pacific Fishery Management Council.

(iii) A member engaging in commercial fishing activities in the management area of the Western Pacific Fishery Management Council.

(iv) 3 members from the indigenous population of the North Pacific, including an Alaska Native, Native Hawaiian, or a native-born inhabitant of any State of the United States in the Pacific, and an individual from a Pacific Coast tribe.

(v) A member that is a marine fisheries scientist that is a resident of a State the adjacent exclusive economic zone for which is bounded by the Convention Area.

(vi) A member nominated by the Governor of the State of Alaska.

(vii) A member nominated by the Governor of the State of Hawaii.

(viii) A member nominated by the Governor of the State of Washington.

(ix) A member nominated by the Governor of the State of California.

(B) **TERMS AND PRIVILEGES.**—Each member of the Advisory Committee shall serve for a term of 2 years and shall be eligible for re-

appointment for not more than 3 consecutive terms. The Commissioners shall notify the Advisory Committee in advance of each meeting of the Commissioners. The Advisory Committee shall attend each meeting and shall examine and be heard on all proposed programs, investigations, reports, recommendations, and regulations of the Commissioners.

(C) **PROCEDURES.**—

(i) **IN GENERAL.**—The Advisory Committee shall determine its organization and prescribe its practices and procedures for carrying out its functions under this subtitle, the North Pacific Fisheries Convention, and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(ii) **PUBLIC AVAILABILITY OF PROCEDURES.**—The Advisory Committee shall publish and make available to the public a statement of its organization, practices, and procedures.

(iii) **QUORUM.**—A majority of the members of the Advisory Committee shall constitute a quorum to conduct business.

(iv) **PUBLIC MEETINGS.**—Meetings of the Advisory Committee, except when in executive session, shall be open to the public. Prior notice of each non-executive meeting shall be made public in a timely fashion. The Advisory Committee shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(D) **PROVISION OF INFORMATION.**—The Secretary and the Secretary of State shall furnish the Advisory Committee with relevant information concerning fisheries resources and international fishery agreements.

(2) **ADMINISTRATIVE MATTERS.**—

(A) **SUPPORT SERVICES.**—The Secretary shall provide to the Advisory Committee in a timely manner such administrative and technical support services as are necessary to function effectively.

(B) **COMPENSATION; STATUS.**—An individual appointed to serve as a member of the Advisory Committee—

(i) shall serve without pay; and

(ii) shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(C) **TRAVEL EXPENSES.**—

(i) **IN GENERAL.**—The Secretary of State shall pay the necessary travel expenses of members of the Advisory Committee in carrying out the duties of the Advisory Committee in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(ii) **REIMBURSEMENT.**—The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this subparagraph.

(e) **UNITED STATES PARTICIPATION.**—In instances in which the United States is participating in any meeting of the parties to the North Pacific Fisheries Convention, the United States shall be represented by the Commissioners and the Advisory Committee.

SEC. 104. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF STATE.

The Secretary of State may—

(1) receive and transmit, on behalf of the United States, reports, requests, recommendations, proposals, decisions, and other communications of and to the Commission;

(2) in consultation with the Secretary, act upon, or refer to other appropriate authority, any communication under paragraph (1);

(3) with the concurrence of the Secretary, and in accordance with the provisions of the Convention, object to any decision of the Commission; and

(4) in the conduct of any program, including scientific and research programs, under this subtitle, request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies, foreign governments, foreign agencies, or international intergovernmental organizations.

SEC. 105. AUTHORITY OF THE SECRETARY OF COMMERCE.

(a) PROMULGATION OF REGULATIONS.—

(1) **AUTHORITY.**—The Secretary, in consultation with the Secretary of State and, with respect to enforcement measures, the Secretary of the department in which the Coast Guard is operating, is authorized to promulgate such regulations as may be necessary to carry out the United States international obligations under the North Pacific Fisheries Convention and this subtitle, including recommendations and decisions adopted by the Commission.

(2) REGULATIONS OF STRADDLING STOCKS.—

In the implementation of a measure adopted by the Commission that would govern a straddling stock under the authority of a Council, any regulation promulgated by the Secretary to implement such measure within the exclusive economic zone of the United States shall be approved by such Council.

(b) **RULE OF CONSTRUCTION.**—Regulations promulgated under subsection (a) shall be applicable only to a person or a fishing vessel that is or has engaged in fishing activities, or fisheries resources covered by the North Pacific Fisheries Convention under this subtitle.

(c) **ADDITIONAL AUTHORITY.**—The Secretary may conduct, and may request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in—

(1) scientific, research, and other programs under this subtitle;

(2) fishing operations and biological experiments for purposes of scientific investigation or other purposes necessary to implement the North Pacific Fisheries Convention;

(3) the collection, utilization, and disclosure of such information as may be necessary to implement the North Pacific Fisheries Convention, subject to sections 552 and 552a of title 5, United States Code, and section 402(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a(b));

(4) if recommended by the Commissioners, the assessment and collection of fees, not to exceed 3 percent of the ex-vessel value of fisheries resource harvested by vessels of the United States in fisheries conducted in the Convention Area, to recover the actual costs to the United States of management and enforcement under this subtitle, which shall be deposited as an offsetting collection in, and credited to, the account providing appropriations to carry out the functions of the Secretary under this subtitle; and

(5) the issuance of permits to owners and operators of United States vessels to engage in fishing activities in the Convention Area seaward of the exclusive economic zone of the United States, under such terms and conditions as the Secretary may prescribe, including the period of time that a permit is valid.

(d) **CONSISTENCY WITH OTHER LAWS.**—The Secretary shall ensure the consistency, to the extent practicable, of fishery management programs administered under this subtitle, the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.), the South Pacific Tuna Act of 1988 (16 U.S.C. 973 et seq.), section 401 of Public Law 108-219 (16 U.S.C. 1821

note) (relating to Pacific albacore tuna), the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.), the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102-567) and the amendments made by that Act, and Public Law 100-629 (102 Stat. 3286).

(e) JUDICIAL REVIEW OF REGULATIONS.—

(1) **IN GENERAL.**—Regulations promulgated by the Secretary under this subtitle shall be subject to judicial review to the extent authorized by, and in accordance with, chapter 7 of title 5, United States Code, if a petition for such review is filed not later than 30 days after the date on which the regulations are promulgated.

(2) **RESPONSES.**—Notwithstanding any other provision of law, the Secretary shall file a response to any petition filed in accordance with paragraph (1), not later than 30 days after the date the Secretary is served with that petition, except that the appropriate court may extend the period for filing such a response upon a showing by the Secretary of good cause for that extension.

(3) **COPIES OF ADMINISTRATIVE RECORD.**—A response of the Secretary under paragraph (2) shall include a copy of the administrative record for the regulations that are the subject of the petition.

(4) **EXPEDITED HEARINGS.**—Upon a motion by the person who files a petition under this subsection, the appropriate court shall assign the matter for hearing at the earliest possible date.

SEC. 106. ENFORCEMENT.

(a) **IN GENERAL.**—The Secretary and the Secretary of the department in which the Coast Guard is operating—

(1) shall administer and enforce this subtitle and any regulations issued under this subtitle; and

(2) may request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in the administration and enforcement of this subtitle.

(b) **SECRETARIAL ACTIONS.**—Except as provided under subsection (c), the Secretary and the Secretary of the department in which the Coast Guard is operating shall prevent any person from violating this subtitle in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though sections 308 through 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858, 1859, 1860, 1861) were incorporated into and made a part of this subtitle. Any person that violates any provision of this subtitle is subject to the penalties and entitled to the privileges and immunities provided in the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) in the same manner, by the same means, and with the same jurisdiction, power, and duties as though sections 308 through 311 of that Act (16 U.S.C. 1858, 1859, 1860, and 1861) were incorporated into and made a part of this subtitle.

(c) JURISDICTION OF THE COURTS.—

(1) **IN GENERAL.**—Subject to paragraphs (2) and (3), the district courts of the United States shall have exclusive jurisdiction over any case or controversy arising under the provisions of this subtitle, and any such court may at any time—

(A) enter restraining orders or prohibitions;

(B) issue warrants, process in rem, or other process;

(C) prescribe and accept satisfactory bonds or other security; and

(D) take such other actions as are in the interest of justice.

(2) **HAWAII AND PACIFIC INSULAR AREAS.**—In the case of Hawaii or any possession of the

United States in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that—

(A) in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam; and

(B) in the case of the Northern Mariana Islands, the appropriate court is the United States District Court for the District of the Northern Mariana Islands.

(3) **CONSTRUCTION.**—Each violation shall be a separate offense and the offense shall be deemed to have been committed not only in the district where the violation first occurred, but also in any other district authorized by law. Any offense not committed in any district is subject to the venue provisions of section 3238 of title 18, United States Code.

(d) CONFIDENTIALITY.—

(1) **IN GENERAL.**—Any information submitted in compliance with a requirement under this subtitle to the Secretary or to implement the Convention, including information submitted on or before the date of enactment of the Ensuring Access to Fisheries Act, shall be confidential and may not be disclosed, except—

(A) to a Federal employee who is responsible for administering, implementing, or enforcing this subtitle;

(B) to the Commission, in accordance with requirements in the North Pacific Fisheries Convention and decisions of the Commission, and, insofar as possible, in accordance with an agreement with the Commission that prevents public disclosure of the identity or business of any person;

(C) to State, Council, or Marine Fisheries Commission employees pursuant to an agreement with the Secretary that prevents public disclosure of the identity or business of any person;

(D) when required by court order; or

(E) when the Secretary has obtained written authorization from the person submitting such information to release such information to another person for a reason not otherwise provided for in this paragraph, and such release does not violate other requirements of this subtitle.

(2) USE OF INFORMATION.—

(A) **IN GENERAL.**—Except as provided under subparagraph (B), the Secretary shall promulgate regulations regarding the procedures the Secretary considers necessary to preserve the confidentiality of information submitted under this subtitle.

(B) **EXCEPTION.**—The Secretary may release or make public information submitted under this subtitle if the information is in any aggregate or summary form that does not directly or indirectly disclose the identity or business of any person.

(3) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be interpreted or construed to prevent the use for conservation and management purposes by the Secretary of any information submitted under this subtitle.

SEC. 107. PROHIBITED ACTS.

It is unlawful for any person—

(1) to violate any provision of this subtitle or any regulation or permit issued pursuant to this subtitle;

(2) to use any fishing vessel to engage in fishing activities without, or after the revocation or during the period of suspension of, an applicable permit issued pursuant to this subtitle;

(3) to refuse to permit any officer authorized to enforce the provisions of this subtitle to board a fishing vessel subject to such person's control for the purposes of conducting any search, investigation, or inspection in connection with the enforcement of this subtitle or any regulation, permit, or the North Pacific Fisheries Convention;

(4) to assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search, investigation, or inspection in connection with the enforcement of this subtitle or any regulation, permit, or the North Pacific Fisheries Convention;

(5) to resist a lawful arrest for any act prohibited by this subtitle or any regulation promulgated or permit issued under this subtitle;

(6) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of, any fisheries resources if the person knew or should have known in the exercise of due care that the fisheries resources were taken or retained in violation of this subtitle or any regulation or permit referred to in paragraph (1) or paragraph (2);

(7) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this section;

(8) to submit to the Secretary false information (including false information regarding the capacity and extent to which a United States fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Secretary is considering in the course of carrying out this subtitle if the person knew or should have known in the exercise of due care that the information was false;

(9) to assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with any observer on a vessel under this subtitle, or any data collector employed by or under contract to any person to carry out responsibilities under this subtitle;

(10) to engage in fishing activities in violation of any regulation adopted pursuant to this subtitle;

(11) to fail to make, keep, or furnish any catch returns, statistical records, or other reports required by regulations adopted pursuant to this subtitle to be made, kept, or furnished;

(12) to fail to stop a vessel upon being hailed and instructed to stop by a duly authorized official of the United States;

(13) to import, in violation of any regulation adopted pursuant to this subtitle, any fisheries resources in any form of those species subject to regulation pursuant to a recommendation, resolution, or decision of the Commission, or any fisheries resources in any form not under regulation but under investigation by the Commission, during the period such fisheries resources have been denied entry in accordance with the provisions of this subtitle;

(14) to make or submit any false record, account, or label for, or any false identification of, any fisheries resources which have been, or are intended to be imported, exported, transported, sold, offered for sale, purchased, or received in interstate or foreign commerce; or

(15) to refuse to authorize and accept boarding by a duly authorized inspector pursuant to procedures adopted by the Commission for the boarding and inspection of fishing vessels in the Convention Area.

SEC. 108. COOPERATION IN CARRYING OUT CONVENTION.

(a) **FEDERAL AND STATE AGENCIES; PRIVATE INSTITUTIONS AND ORGANIZATIONS.**—The Secretary may cooperate with departments and agencies of the United States Government, any public or private institutions or organizations within the United States or abroad, and, through the Secretary of State, the duly authorized officials of the government of any party to the North Pacific Fisheries

Convention, in carrying out responsibilities under this subtitle.

(b) **SCIENTIFIC AND OTHER PROGRAMS; FACILITIES AND PERSONNEL.**—Each Federal department and agency is authorized, upon the request of the Secretary, to cooperate in the conduct of scientific and other programs and to furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties under the North Pacific Fisheries Convention.

(c) **SANCTIONED FISHING OPERATIONS AND BIOLOGICAL EXPERIMENTS.**—Nothing in this subtitle, or in the laws of any State, prevents the Secretary or the Commission from—

(1) conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation; or

(2) discharging any other duties prescribed by the North Pacific Fisheries Convention.

(d) **STATE JURISDICTION NOT AFFECTED.**—Nothing in this subtitle shall be construed to diminish or to increase the jurisdiction of any State in the territorial sea of the United States.

SEC. 109. TERRITORIAL PARTICIPATION.

The Secretary of State shall ensure participation in the Commission and its subsidiary bodies by the Commonwealth of the Northern Mariana Islands to the same extent provided to the territories of other nations.

SEC. 110. EXCLUSIVE ECONOMIC ZONE NOTIFICATION.

Masters of commercial fishing vessels of countries fishing under the management authority of the North Pacific Fisheries Convention that do not carry vessel monitoring systems capable of communicating with United States enforcement authorities shall, prior to or as soon as reasonably possible after, entering and transiting the exclusive economic zone bounded by the Convention Area—

(1) notify the United States Coast Guard of the name, flag state, location, route, and destination of the vessel and of the circumstances under which it will enter United States waters;

(2) ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place it is normally used for fishing activities and placed where it is not readily available for fishing activities; and

(3) if requested by an enforcement officer, proceed to a specified location so that a vessel inspection can be conducted.

SEC. 111. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated out of funds made available to the Secretary and the Secretary of State \$500,000 for each of fiscal years 2017 through 2021 to carry out this subtitle and to pay the United States contribution to the Commission under Article 12 of the North Pacific Fisheries Convention.

Subtitle B—Miscellaneous

SEC. 121. FUNDING FOR TRAVEL EXPENSES.

(a) **NORTH PACIFIC BERING SEA FISHERIES ADVISORY BODY.**—Section 5 of the Act entitled “An Act to approve the governing international fishery agreement between the United States and the Union of Soviet Socialist Republics, and for other purposes”, approved November 7, 1988 (Public Law 100-629; 16 U.S.C. 1823 note), is amended by adding at the end the following:

“(e) **TRAVEL EXPENSES.**—

“(1) **IN GENERAL.**—The Secretary of State shall pay the necessary travel expenses of the members of the advisory body established pursuant to this section in carrying out their service as such members in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

“(2) **REIMBURSEMENT.**—The Secretary of Commerce may reimburse the Secretary of State for amounts expended by the Secretary of State under this subsection.”.

(b) **NORTH PACIFIC ANADROMOUS FISH COMMISSION.**—

(1) **UNITED STATES COMMISSIONERS.**—Section 804 of the North Pacific Anadromous Stocks Act of 1992 (16 U.S.C. 5003) is amended by adding at the end the following:

“(e) **TRAVEL EXPENSES.**—

“(1) **IN GENERAL.**—The Secretary shall pay the necessary travel expenses of the United States Commissioners and Alternate United States Commissioners in carrying out the duties of the Commission in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

“(2) **REIMBURSEMENT.**—The Secretary of Commerce may reimburse the Secretary for amounts expended by the Secretary under this subparagraph.”.

(2) **ADVISORY PANEL.**—Section 805 of the North Pacific Anadromous Stocks Act of 1992 (16 U.S.C. 5004) is amended by striking subsection (e) and inserting the following:

“(e) **COMPENSATION.**—The members of the Advisory Panel shall receive no compensation for their service as such members.

“(f) **TRAVEL EXPENSES.**—

“(1) **IN GENERAL.**—The Secretary shall pay the necessary travel expenses of the members of the Advisory Panel in carrying out their service as such members in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

“(2) **REIMBURSEMENT.**—The Secretary of Commerce may reimburse the Secretary for amounts expended by the Secretary under this subparagraph.”.

SEC. 122. NATIONAL SEA GRANT COLLEGE PROGRAM REAUTHORIZATION ACT OF 1998.

Section 10 of the National Sea Grant College Program Reauthorization Act of 1998 (15 U.S.C. 1541) is amended by striking “the United States Coast Guard” each place it appears and inserting “another Federal agency”.

TITLE II—SOUTH PACIFIC FISHERIES CONVENTION IMPLEMENTATION ACT

SEC. 201. SHORT TITLE.

This title may be cited as the “South Pacific Fisheries Convention Implementation Act”.

SEC. 202. DEFINITIONS.

In this title:

(1) **ADVISORY COMMITTEE.**—The term “Advisory Committee” means the advisory committee established under section 203.

(2) **COMMISSION.**—The term “Commission” means the South Pacific Fisheries Commission established under the South Pacific Fisheries Convention.

(3) **COMMISSIONER.**—The term “Commissioner” means a United States Commissioner appointed under section 203.

(4) **CONVENTION AREA.**—The term “Convention Area” means—

(A) the waters of the Pacific Ocean beyond areas of national jurisdiction and in accordance with international law, bounded by the 10° parallel of north latitude and the 20° parallel of south latitude and by the 135° meridian of east longitude and the 150° meridian of west longitude; and

(B) the waters of the Pacific Ocean beyond areas of national jurisdiction and in accordance with international law—

(i) east of a line extending south along the 120° meridian of east longitude from the outer limit of the national jurisdiction of Australia off the south coast of Western Australia to the intersection with the 55° parallel of south latitude; then due east along

the 55° parallel of south latitude to the intersection with the 150° meridian of east longitude; then due south along the 150° meridian of east longitude to the intersection with the 60° parallel of south latitude;

(ii) north of a line extending east along the 60° parallel of south latitude from the 150° meridian of east longitude to the intersection with the 67° 16' meridian of west longitude;

(iii) west of a line extending north along the 67° 16' meridian of west longitude from the 60° parallel of south latitude to its intersection with the outer limit of the national jurisdiction of Chile; then along the outer limits of the national jurisdictions of Chile, Peru, Ecuador and Colombia to the intersection with the 2° parallel of north latitude; and

(iv) south of a line extending west along the 2° parallel of north latitude (but not including the national jurisdiction of Ecuador (Galapagos Islands)) to the intersection with the 150° meridian of west longitude; then due north along the 150° meridian of west longitude to its intersection with 10° parallel of north latitude; then west along the 10° parallel of north latitude to its intersection with the outer limits of the national jurisdiction of the Marshall Islands; and then generally south and around the outer limits of the national jurisdictions of Pacific States and territories, New Zealand and Australia until it connects to the commencement of the line described in clause (i).

(5) COUNCIL.—The term “Council” means the Western Pacific Regional Fishery Management Council.

(6) EXCLUSIVE ECONOMIC ZONE OF THE UNITED STATES.—The term “exclusive economic zone of the United States” means the zone established by Presidential Proclamation Numbered 5030 of March 10, 1983 (16 U.S.C. 1453 note), the inner boundary of which, for purposes of this title, is a line coterminous with the seaward boundary of each of the coastal States.

(7) FISHERY RESOURCES.—

(A) IN GENERAL.—The term “fishery resources” means all fish within the Convention Area.

(B) INCLUSIONS.—The term “fishery resources” includes mollusks, crustaceans, and other living marine resources, including any products thereof, as may be decided by the Commission.

(C) EXCLUSIONS.—The term “fishery resources” does not include—

(i) sedentary species in so far as they are subject to the national jurisdiction of coastal States pursuant to Article 77 paragraph 4 of the 1982 Convention;

(ii) highly migratory species listed in Annex I of the 1982 Convention;

(iii) anadromous species;

(iv) catadromous species;

(v) marine mammals;

(vi) marine reptiles; or

(vii) sea birds.

(8) FISHING.—

(A) IN GENERAL.—The term “fishing” means—

(i) the actual or attempted searching for, catching, taking, or harvesting of fishery resources;

(ii) engaging in any activity that can reasonably be expected to result in the locating, catching, taking, or harvesting of fishery resources for any purpose;

(iii) transshipment and any operation at sea in direct support of, or in preparation for, any activity described in this subparagraph; or

(iv) the use of any vessel, vehicle, aircraft, or hovercraft, in relation to any activity described in clauses (i) through (iii).

(B) EXCLUSIONS.—The term “fishing” does not include any operation related to an

emergency involving the health or safety of a crew member or the safety of a fishing vessel.

(9) FISHING VESSEL.—The term “fishing vessel” means any vessel used or intended for use for the purpose of fishing, including a support ship, a carrier vessel, or any other vessel directly involved in such fishing operations.

(10) PANEL.—The term “Panel” means the Council’s Advisory Panel.

(11) PERSON.—The term “person” means—

(A) any individual, whether or not a citizen or national of the United States;

(B) any corporation, partnership, association, or other entity, whether or not organized or existing under the laws of any State; or

(C) any Federal, State, local, tribal, or foreign government, or any entity of such government.

(12) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(13) SOUTH PACIFIC FISHERIES CONVENTION.—The term “South Pacific Fisheries Convention” means the Convention on the Conservation and Management of the High Seas Fishery Resources in the South Pacific Ocean (including any annexes, amendments, or protocols that are in force, or have come into force, for the United States), which was adopted at Auckland on November 14, 2009.

(14) STATE.—The term “State” means each of the several States of the United States, the District of Columbia, American Samoa, Guam, and any other commonwealth, territory, or possession of the United States.

(15) STRADDLING STOCK.—The term “straddling stock” means a stock of fishery resources which migrates between, or occurs in, the exclusive economic zone of 1 or more parties to the South Pacific Fisheries Convention and the Convention Area.

(16) TRANSHIPMENT.—The term “transshipment” means the unloading of all or any of the fishery resources or fishery resources products derived from fishing in the Convention Area on board a fishing vessel to another fishing vessel either at sea or in port.

(17) 1982 CONVENTION.—The term “1982 Convention” means the United Nations Convention on the Law of the Sea of 10 December 1982.

SEC. 203. APPOINTMENT OF UNITED STATES COMMISSIONERS.

(a) APPOINTMENT.—

(1) IN GENERAL.—The United States shall be represented on the Commission by not more than 3 Commissioners. In making each appointment, the President shall select a Commissioner from among individuals who are knowledgeable or experienced concerning fishery resources in the South Pacific Ocean.

(2) REPRESENTATION.—At least 1 of the Commissioners shall be—

(A) serving at the pleasure of the President, an officer or employee of—

(i) the Department of Commerce;

(ii) the Department of State; or

(iii) the United States Coast Guard; and

(B) the chairperson or designee of the Council.

(b) ALTERNATE COMMISSIONERS.—The Secretary of State, in consultation with the Secretary, may designate from time to time and for periods of time considered appropriate an alternate Commissioner to the Commission. An alternate Commissioner may exercise all powers and duties of a Commissioner in the absence of a Commissioner appointed under subsection (a).

(c) ADMINISTRATIVE MATTERS.—

(1) EMPLOYMENT STATUS.—An individual serving as a Commissioner, or as an alternate Commissioner, other than an officer or employee of the United States Government, shall not be considered a Federal employee, except for the purposes of injury compensa-

tion or tort claims liability as provided in chapter 81 of title 5, United States Code and chapter 171 of title 28, United States Code.

(2) COMPENSATION.—An individual serving as a Commissioner or an alternate Commissioner, although an officer of the United States while so serving, shall receive no compensation for the individual’s services as such Commissioner or alternate Commissioner.

(3) TRAVEL EXPENSES.—

(A) IN GENERAL.—The Secretary of State shall pay the necessary travel expenses of a Commissioner or an alternate Commissioner in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(B) REIMBURSEMENT.—The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this paragraph.

(d) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT OF PERMANENT ADVISORY COMMITTEE.—

(A) MEMBERSHIP.—There is established an advisory committee which shall be composed of 7 members appointed by the Secretary as follows:

(i) A member engaging in commercial fishing in the management area of the Council.

(ii) 2 members from the indigenous population of the Pacific, including a Native Hawaiian and a native-born inhabitant of any State in the Pacific.

(iii) A member that is a marine fisheries scientist and a member of the Council’s Scientific and Statistical Committee.

(iv) A member representing a non-governmental organization active in fishery issues in the Pacific.

(v) A member nominated by the Governor of the State of Hawaii.

(vi) A member designated by the Council.

(B) TERMS AND PRIVILEGES.—Each member of the Advisory Committee shall serve for a term of 2 years and shall be eligible for reappointment for not more than 3 consecutive terms. The Commissioners shall notify the Advisory Committee in advance of each meeting of the Commissioners. The Advisory Committee may attend each meeting and may examine and be heard on all proposed programs, investigations, reports, recommendations, and regulations of the Commissioners.

(C) PROCEDURES.—

(i) IN GENERAL.—The Advisory Committee shall determine its organization and prescribe its practices and procedures for carrying out its functions under this title, the South Pacific Fisheries Convention, and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(ii) PUBLIC AVAILABILITY OF PROCEDURES.—The Advisory Committee shall publish and make available to the public a statement of its organization, practices, and procedures.

(iii) QUORUM.—A majority of the members of the Advisory Committee shall constitute a quorum to conduct business.

(iv) PUBLIC MEETINGS.—Meetings of the Advisory Committee, except when in executive session, shall be open to the public. Prior notice of each non-executive meeting shall be made public in a timely fashion. The Advisory Committee shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(D) PROVISION OF INFORMATION.—The Secretary and the Secretary of State shall furnish the Advisory Committee with relevant information concerning fishery resources and international fishery agreements.

(2) ADMINISTRATIVE MATTERS.—

(A) SUPPORT SERVICES.—The Secretary shall provide to the Advisory Committee in a timely manner such administrative and

technical support services as are necessary to function effectively.

(B) **COMPENSATION; STATUS; EXPENSES.**—An individual appointed to serve as a member of the Advisory Committee—

(i) shall serve without pay; and

(ii) shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(e) **MEMORANDUM OF UNDERSTANDING.**—For fishery resources in the Convention Area, the Secretary, in coordination with the Secretary of State, shall develop a memorandum of understanding with the Council that clarifies the role of the Council with respect to—

(1) participation in United States delegations to international fishery organizations in the Pacific Ocean, including government-to-government consultations;

(2) providing formal recommendations to the Secretary and the Secretary of State regarding necessary measures for both domestic and foreign fishing vessels;

(3) coordinating positions with the United States delegation for presentation to the appropriate international fishery organization; and

(4) recommending those domestic fishing regulations that are consistent with the actions of the international fishery organization, for approval and implementation under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 204. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF STATE.

The Secretary of State may—

(1) receive and transmit, on behalf of the United States, reports, requests, recommendations, proposals, decisions, and other communications of and to the Commission;

(2) in consultation with the Secretary, act upon, or refer to other appropriate authority, any communication under paragraph (1);

(3) with the concurrence of the Secretary, and in accordance with the provisions of the Convention, object to any decision of the Commission; and

(4) in the conduct of any program, including scientific and research programs, under this title, request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies, foreign governments, foreign agencies, or international intergovernmental organizations.

SEC. 205. AUTHORITY OF THE SECRETARY OF COMMERCE.

(a) **PROMULGATION OF REGULATIONS.**—

(1) **AUTHORITY.**—The Secretary, in consultation with the Secretary of State and, with respect to enforcement measures, the Secretary of the department in which the Coast Guard is operating, is authorized to promulgate such regulations as may be necessary to carry out United States international obligations under the South Pacific Fisheries Convention and this title, including recommendations and decisions adopted by the Commission.

(2) **REGULATIONS OF STRADDLING STOCKS.**—If the Secretary has discretion in the implementation of 1 or more measures adopted by the Commission that would govern a straddling stock under the authority of the Council, the Secretary shall promulgate, to the extent practicable within the implementation schedule of the South Pacific Fisheries Convention and any recommendations and decisions adopted by the Commission, such regulations in accordance with the procedures established by the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(b) **RULE OF CONSTRUCTION.**—Regulations promulgated under subsection (a) shall be applicable only to a person or a fishing vessel that is or has engaged in fishing, or fishery resources covered by the South Pacific Fisheries Convention under this title.

(c) **ADDITIONAL AUTHORITY.**—The Secretary may conduct, and may request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in—

(1) scientific, research, and other programs under this title;

(2) fishing operations and biological experiments for purposes of scientific investigation or other purposes necessary to implement the South Pacific Fisheries Convention;

(3) the collection, utilization, and disclosure of such information as may be necessary to implement the South Pacific Fisheries Convention, subject to sections 552 and 552a of title 5, United States Code, and section 402(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a(b));

(4) if recommended by the Commissioners, the assessment and collection of fees, not to exceed 3 percent of the ex-vessel value of fishery resources harvested by vessels of the United States in fisheries conducted in the Convention Area, to recover the actual costs to the United States of management and enforcement under this title, which shall be deposited as an offsetting collection in, and credited to, the account providing appropriations to carry out the functions of the Secretary under this title; and

(5) the issuance of permits to owners and operators of United States vessels to engage in fishing in the Convention Area seaward of the exclusive economic zone of the United States, under such terms and conditions as the Secretary may prescribe, including the period of time that a permit is valid.

(d) **CONSISTENCY WITH OTHER LAWS.**—The Secretary shall ensure the consistency, to the extent practicable, of fishery management programs administered under this title, the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.), the South Pacific Tuna Act of 1988 (16 U.S.C. 973 et seq.), section 401 of Public Law 108-219 (16 U.S.C. 1821 note) (relating to Pacific albacore tuna), the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971 et seq.), and the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.).

(e) **JUDICIAL REVIEW OF REGULATIONS.**—

(1) **IN GENERAL.**—Regulations promulgated by the Secretary under this title shall be subject to judicial review to the extent authorized by, and in accordance with, chapter 7 of title 5, United States Code, if a petition for such review is filed not later than 30 days after the date on which the regulations are promulgated.

(2) **RESPONSES.**—Notwithstanding any other provision of law, the Secretary shall file a response to any petition filed in accordance with paragraph (1), not later than 30 days after the date the Secretary is served with that petition, except that the appropriate court may extend the period for filing such a response upon a showing by the Secretary of good cause for that extension.

(3) **COPIES OF ADMINISTRATIVE RECORD.**—A response of the Secretary under paragraph (2) shall include a copy of the administrative record for the regulations that are the subject of the petition.

(4) **EXPEDITED HEARINGS.**—Upon a motion by the person who files a petition under this subsection, the appropriate court shall assign the matter for hearing at the earliest possible date.

SEC. 206. ENFORCEMENT.

(a) **IN GENERAL.**—The Secretary and the Secretary of the department in which the Coast Guard is operating—

(1) shall administer and enforce this title and any regulations issued under this title; and

(2) may request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in the administration and enforcement of this title.

(b) **SECRETARIAL ACTIONS.**—Except as provided under subsection (c), the Secretary and the Secretary of the department in which the Coast Guard is operating shall prevent any person from violating this title in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though sections 308 through 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858, 1859, 1860, 1861) were incorporated into and made a part of this title. Any person that violates any provision of this title is subject to the penalties and entitled to the privileges and immunities provided in the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) in the same manner, by the same means, and with the same jurisdiction, power, and duties as though sections 308 through 311 of that Act (16 U.S.C. 1858, 1859, 1860, 1861) were incorporated into and made a part of this title.

(c) **JURISDICTION OF THE COURTS.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) and (3), the district courts of the United States shall have exclusive jurisdiction over any case or controversy arising under the provisions of this title, and any such court may at any time—

(A) enter restraining orders or prohibitions;

(B) issue warrants, process in rem, or other process;

(C) prescribe and accept satisfactory bonds or other security; and

(D) take such other actions as are in the interest of justice.

(2) **HAWAII AND PACIFIC INSULAR AREAS.**—In the case of Hawaii or any other State in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that—

(A) in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam; and

(B) in the case of the Northern Mariana Islands, the appropriate court is the United States District Court for the District of the Northern Mariana Islands.

(3) **CONSTRUCTION.**—Each violation shall be a separate offense and the offense shall be deemed to have been committed not only in the district where the violation first occurred, but also in any other district authorized by law. Any offense not committed in any district is subject to the venue provisions of section 3238 of title 18, United States Code.

(d) **CONFIDENTIALITY.**—

(1) **IN GENERAL.**—Any information submitted in compliance with a requirement under this title to the Secretary or to implement the Convention, including information submitted on or before the date of enactment of the Ensuring Access to Fisheries Act, shall be confidential and may not be disclosed, except—

(A) to a Federal employee who is responsible for administering, implementing, or enforcing this title;

(B) to the Commission, in accordance with requirements in the South Pacific Fisheries Convention and decisions of the Commission, and, insofar as possible, in accordance with

an agreement with the Commission that prevents public disclosure of the identity or business of any person;

(C) to a State or Council employee pursuant to an agreement with the Secretary that prevents public disclosure of the identity or business of any person;

(D) when required by court order; or

(E) when the Secretary has obtained written authorization from the person submitting such information to release such information to another person for a reason not otherwise provided for in this paragraph, and such release does not violate other requirements of this title.

(2) USE OF INFORMATION.—

(A) **IN GENERAL.**—Except as provided under subparagraph (B), the Secretary shall promulgate regulations regarding the procedures the Secretary considers necessary to preserve the confidentiality of information under this title.

(B) **EXCEPTION.**—The Secretary may release or make public information submitted under this title if the information is in any aggregate or summary form that does not directly or indirectly disclose the identity or business of any person.

(3) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be interpreted or construed to prevent the use for conservation and management purposes by the Secretary of any information submitted under this title.

SEC. 207. PROHIBITED ACTS.

It is unlawful for any person—

(1) to violate any provision of this title or any regulation or permit issued under this title;

(2) to use any fishing vessel to engage in fishing without, or after the revocation or during the period of suspension of, an applicable permit issued under this title;

(3) to refuse to permit any officer authorized to enforce the provisions of this title to board a fishing vessel subject to such person's control for the purposes of conducting any search, investigation, or inspection in connection with the enforcement of this title or the South Pacific Fisheries Convention;

(4) to assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search, investigation, or inspection in connection with the enforcement of this title or the South Pacific Fisheries Convention;

(5) to resist a lawful arrest for any act prohibited by this title or any regulation promulgated or permit issued under this title;

(6) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of any fisheries resources if the person knew or should have known in the exercise of due care that the fisheries resources were taken or retained in violation of this title or any regulation or permit referred to in paragraph (1) or paragraph (2);

(7) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this section;

(8) to submit to the Secretary false information (including false information regarding the capacity and extent to which a United States fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Secretary is considering in the course of carrying out this title if the person knew or should have known in the exercise of due care that the information was false;

(9) to assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with any observer on a vessel under this

title, or any data collector employed by or under contract to any person to carry out responsibilities under this title;

(10) to engage in fishing in violation of any regulation adopted under this title;

(11) to fail to make, keep, or furnish any catch returns, statistical records, or other reports required to be made, kept, or furnished under this title;

(12) to fail to stop a vessel upon being hailed and instructed to stop by a duly authorized official of the United States;

(13) to import, in violation of any regulation promulgated under this title, any fishery resources in any form of those species subject to regulation pursuant to a recommendation, resolution, or decision of the Commission, or any fishery resources in any form not under regulation but under investigation by the Commission, during the period the fishery resources have been denied entry in accordance with the provisions of this title;

(14) to make or submit any false record, account, or label for, or any false identification of, any fishery resources which have been, or are intended to be imported, exported, transported, sold, offered for sale, purchased, or received in interstate or foreign commerce; or

(15) to refuse to authorize and accept boarding by a duly authorized inspector pursuant to procedures adopted by the Commission for the boarding and inspection of fishing vessels in the Convention Area.

SEC. 208. COOPERATION IN CARRYING OUT CONVENTION.

(a) **FEDERAL AND STATE AGENCIES; PRIVATE INSTITUTIONS AND ORGANIZATIONS.**—The Secretary may cooperate with departments and agencies of the United States Government, any public or private institutions or organizations within the United States or abroad, and, through the Secretary of State, the duly authorized officials of the government of any party to the South Pacific Fisheries Convention, in carrying out responsibilities under this title.

(b) **SCIENTIFIC AND OTHER PROGRAMS; FACILITIES AND PERSONNEL.**—Each Federal department and agency is authorized, upon the request of the Secretary, to cooperate in the conduct of scientific and other programs and to furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties under the South Pacific Fisheries Convention.

(c) **SANCTIONED FISHING OPERATIONS AND BIOLOGICAL EXPERIMENTS.**—Nothing in this title, or in the laws of any State, prevents the Secretary or the Commission from—

(1) conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation; or

(2) discharging any other duties prescribed by the South Pacific Fisheries Convention.

(d) **STATE JURISDICTION NOT AFFECTED.**—Nothing in this title shall be construed to diminish or to increase the jurisdiction of any State in the territorial sea of the United States.

SEC. 209. TERRITORIAL PARTICIPATION.

The Secretary of State shall ensure participation in the Commission and its subsidiary bodies by American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands to the same extent provided to the territories of other nations.

SEC. 210. EXCLUSIVE ECONOMIC ZONE NOTIFICATION.

Masters of commercial fishing vessels of nations fishing under the management authority of the South Pacific Fisheries Convention that do not carry vessel monitoring systems capable of communicating with United States enforcement authorities shall,

prior to, or as soon as reasonably possible after, entering and transiting the exclusive economic zone of the United States seaward of the Convention Area—

(1) notify the United States Coast Guard of the name, flag state, location, route, and destination of the vessel and of the circumstances under which it will enter the exclusive economic zone of the United States seaward of the Convention Area;

(2) ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place it is normally used for fishing and placed where it is not readily available for fishing; and

(3) if requested by an enforcement officer, proceed to a specified location so that a vessel inspection can be conducted.

SEC. 211. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated out of funds made available to the Secretary and the Secretary of State \$500,000 for each of fiscal years 2017 through 2021 to carry out this title and to pay the United States contribution to the Commission under Article 15 of the South Pacific Fisheries Convention.

(b) INTERNATIONAL COOPERATION AND ASSISTANCE.—

(1) **IN GENERAL.**—Subject to the limits of available appropriations and consistent with applicable law, the Secretary or the Secretary of State shall provide appropriate assistance, including grants, to developing nations and international organizations of which such nations are members to assist those nations in meeting their obligations under the South Pacific Fisheries Convention.

(2) **TRANSFER OF FUNDS.**—Subject to the limits of available appropriations and consistent with other applicable law, the Secretary and the Secretary of State are authorized to transfer funds to any foreign government, international, non-governmental, or international organization, including the Commission, for purposes of carrying out the international responsibilities under paragraph (1).

TITLE III—NORTHWEST ATLANTIC FISHERIES CONVENTION AMENDMENTS ACT

SEC. 301. SHORT TITLE; REFERENCES TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.

(a) **SHORT TITLE.**—This title may be cited as the “Northwest Atlantic Fisheries Convention Amendments Act”.

(b) **REFERENCES TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.**—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5601 et seq.).

SEC. 302. REPRESENTATION OF THE UNITED STATES UNDER CONVENTION.

Section 202 (16 U.S.C. 5601) is amended—

(1) in subsection (a)(1), by striking “General Council and the Fisheries”;

(2) in subsection (b)(1), by striking “at a meeting of the General Council or the Fisheries Commission”;

(3) in subsection (b)(2), by striking “, at any meeting of the General Council or the Fisheries Commission for which the Alternate Commissioner is designated”;

(4) in subsection (d)(1), by striking “at a meeting of the Scientific Council”;

(5) in subsection (d)(2), by striking “, at any meeting of the Scientific Council for which the Alternative Representative is designated”; and

(6) in subsection (f)(1)(A), by striking “Magnuson Act” and inserting “Magnuson-

Stevens Fishery Conservation and Management Act”.

SEC. 303. REQUESTS FOR SCIENTIFIC ADVICE.

Section 203 (16 U.S.C. 5602) is amended—

(1) in subsection (a)—

(A) by striking “The Representatives may” and inserting “A Representative may”;

(B) by striking “described in subsection (b)(1) or (2)” and inserting “described in paragraph (1) or (2) of subsection (b)”;

(C) by striking “the Representatives have” and inserting “the Representative has”;

(2) by striking “VII(1)” each place it appears and inserting “VII(10)(b)”;

(3) in subsection (b)(2), by striking “VIII(2)” and inserting “VII(11)”.

SEC. 304. AUTHORITIES OF SECRETARY OF STATE WITH RESPECT TO CONVENTION.

Section 204 (16 U.S.C. 5603) is amended by striking “Fisheries Commission” each place it appears and inserting “Commission consistent with the procedures detailed in Articles XIV and XV of the Convention”.

SEC. 305. INTERAGENCY COOPERATION.

Section 205(a) (16 U.S.C. 5604(a)) is amended to read as follows:

“(a) **AUTHORITIES OF THE SECRETARY.**—In carrying out the provisions of the Convention and this title, the Secretary may arrange for cooperation with—

“(1) any department, agency, or instrumentality of the United States;

“(2) a State;

“(3) a Council; or

“(4) a private institution or an organization.”.

SEC. 306. PROHIBITED ACTS AND PENALTIES.

Section 207 (16 U.S.C. 5606) is amended—

(1) by striking “Magnuson Act” each place it appears and inserting “Magnuson-Stevens Fishery Conservation and Management Act”; and

(2) by striking “fish” each place it appears and inserting “fishery resources”.

SEC. 307. CONSULTATIVE COMMITTEE.

Section 208 (16 U.S.C. 5607) is amended—

(1) in subsection (b)(2), by striking “two” and inserting “2”; and

(2) in subsection (c), by striking “General Council or the Fisheries” each place it appears.

SEC. 308. DEFINITIONS.

Section 210 (16 U.S.C. 5609) is amended to read as follows:

“SEC. 210. DEFINITIONS.

“In this title:

“(1) **1982 CONVENTION.**—The term ‘1982 Convention’ means the United Nations Convention on the Law of the Sea of 10 December 1982.

“(2) **AUTHORIZED ENFORCEMENT OFFICER.**—The term ‘authorized enforcement officer’ means a person authorized to enforce this title, any regulation issued under this title, or any measure that is legally binding on the United States under the Convention.

“(3) **COMMISSION.**—The term ‘Commission’ means the body provided for by Articles V, VI, XIII, XIV, and XV of the Convention.

“(4) **COMMISSIONER.**—The term ‘Commissioner’ means a United States Commissioner to the Northwest Atlantic Fisheries Organization appointed under section 202.

“(5) **CONVENTION.**—The term ‘Convention’ means the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, done at Ottawa on October 24, 1978, and as amended on September 28, 2007.

“(6) **CONVENTION AREA.**—The term ‘Convention Area’ means the waters of the Northwest Atlantic Ocean north of 35°00’ N and west of a line extending due north from 35°00’ N and 42°00’ W to 59°00’ N, thence due west to 44°00’ W, and thence due north to the coast of Greenland, and the waters of the Gulf of St. Lawrence, Davis Strait and Baffin Bay south of 78°10’ N.

“(7) **COUNCIL.**—The term ‘Council’ means the New England Fishery Management Council or the Mid-Atlantic Fishery Management Council.

“(8) **FISHERY RESOURCES.**—

“(A) **IN GENERAL.**—The term ‘fishery resources’ means all fish, mollusks, and crustaceans, including any products thereof, within the Convention Area.

“(B) **EXCLUSIONS.**—The term ‘fishery resources’ does not include—

“(i) sedentary species over which coastal States may exercise sovereign rights consistent with Article 77 of the 1982 Convention; or

“(ii) in so far as they are managed under other international treaties, anadromous and catadromous stocks and highly migratory species listed in Annex I of the 1982 Convention.

“(9) **FISHING ACTIVITIES.**—

“(A) **IN GENERAL.**—The term ‘fishing activities’ means harvesting or processing fishery resources, or transshipping of fishery resources or products derived from fishery resources, or any other activity in preparation for, in support of, or related to the harvesting of fishery resources.

“(B) **INCLUSIONS.**—The term ‘fishing activities’ includes—

“(i) the actual or attempted searching for or catching or taking of fishery resources;

“(ii) any activity that can reasonably be expected to result in locating, catching, taking, or harvesting of fishery resources for any purpose; and

“(iii) any operation at sea in support of, or in preparation for, any activity described in this paragraph.

“(C) **EXCLUSIONS.**—The term ‘fishing activities’ does not include any operation related to emergencies involving the health and safety of crew members or the safety of a vessel.

“(10) **FISHING VESSEL.**—

“(A) **IN GENERAL.**—The term ‘fishing vessel’ means a vessel that is or has been engaged in fishing activities.

“(B) **INCLUSIONS.**—The term ‘fishing vessel’ includes a fish processing vessel or a vessel engaged in transshipment or any other activity in preparation for or related to fishing activities, or in experimental or exploratory fishing activities.

“(11) **ORGANIZATION.**—The term ‘Organization’ means the Northwest Atlantic Fisheries Organization provided for by Article V of the Convention.

“(12) **PERSON.**—The term ‘person’ means any individual (whether or not a citizen or national of the United States), and any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State).

“(13) **REPRESENTATIVE.**—The term ‘Representative’ means a United States Representative to the Northwest Atlantic Fisheries Scientific Council appointed under section 202.

“(14) **SCIENTIFIC COUNCIL.**—The term ‘Scientific Council’ means the Scientific Council provided for by Articles V, VI, and VII of the Convention.

“(15) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Commerce.

“(16) **STATE.**—The term ‘State’ means each of the several States of the United States, the District of Columbia, and any other commonwealth, territory, or possession of the United States.

“(17) **TRANSHIPMENT.**—The term ‘transshipment’ means the unloading of all or any of the fishery resources on board a fishing vessel to another fishing vessel either at sea or in port.”.

SEC. 309. AUTHORIZATION OF APPROPRIATIONS.

Section 211 (16 U.S.C. 5610) is amended to read as follows:

“SEC. 211. CONTRIBUTIONS TO ORGANIZATION.

“There is authorized to be appropriated out of funds made available to the Secretary and the Secretary of State \$500,000 for each of fiscal years 2017 through 2021 to carry out this title and to pay the United States contribution to the Organization as provided in Article IX of the Convention.”.

SEC. 310. QUOTA ALLOCATION PRACTICE.

Section 213 (16 U.S.C. 5612) is repealed.

SA 4004. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 225 and insert the following:

SEC. 225. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”), and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

(b) The Secretary shall take action under subsection (c) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance—

(1) receives a Uniform Physical Condition Standards (UPCS) score of 30 or less;

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies identified by the inspector at the project have been corrected; or

(3) receives a UPCS score between 31 and 59 and has received consecutive scores of less than 60 on UPCS inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c) **CORRECTIONS OF DEFICIENCIES.**—

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days and must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

(A) require immediate replacement of project management with a management agent approved by the Secretary;

(B) impose civil money penalties, which shall be used solely for the purpose of supporting safe and sanitary conditions at applicable properties, as designated by the Secretary, with priority given to the tenants of the property affected by the penalty;

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered;

(E) transfer the existing section 8 contract to another project or projects and owner or owners;

(F) pursue exclusionary sanctions, including suspensions or debarments from Federal programs;

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(e) The Secretary shall report quarterly on all properties covered by this section that are assessed through the Real Estate Assessment Center and have UPCS physical inspection scores of less than 60 or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—

(1) the enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times;

(2) actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

(3) any administrative or legislative recommendations to further improve the living conditions at properties covered under a housing assistance payment contract.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 17, 2016, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 17, 2016, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Integrating the Corporate and Individual Tax Systems: The Dividends Paid Deduction Considered."

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

COMMITTEE ON FOREIGN RELATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 17, 2016, 11 a.m., to conduct a hearing entitled "War in Syria: Next Steps to Mitigate the Crisis."

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 17, 2016, at 2:30 p.m., to conduct a hearing entitled "America's Insatiable Demand for Drugs: Assessing the Federal Response."

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

COMMITTEE ON THE JUDICIARY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 17, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "National Foster Care Month: Supporting Youth in the Foster Care and Juvenile Justice Systems."

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 17, 2016, at 2:30 p.m., in room SH-219 of the Hart Senate Office Building.

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

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBER SECURITY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Sub-

committee on East Asia, the Pacific, and International Cyber Security be authorized to meet during the session of the Senate on May 17, 2016, 4 p.m., to conduct a hearing entitled "International Cybersecurity Strategy."

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

SUBCOMMITTEE ON FISHERIES, WATER, AND WILDLIFE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Subcommittee on Fisheries, Water, and Wildlife of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 17, 2016, at 10 a.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled "Marine Debris and Wildlife: Impacts, Sources, and Solutions."

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

SUBCOMMITTEE ON WATER AND POWER

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources' Subcommittee on Water and Power be authorized to meet during the session of the Senate on May 17, 2016, at 2 p.m., in room SD-366 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Ms. COLLINS. Mr. President, I ask unanimous consent that Christopher Banks, a congressional detailee to the Appropriations Committee, be given floor privileges for the remainder of this session.

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

NATIONAL POLICE WEEK

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 468, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 468) designating the week of May 15 through May 21, 2016, as "National Police Week."

There being no objection, the Senate proceeded to consider the resolution.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be added as a cosponsor to S. Res. 468.

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

Ms. COLLINS. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 468) was agreed to.