

activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## AMENDMENT NO. 4143

At the request of Mr. MORAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 4143 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## AMENDMENT NO. 4146

At the request of Mr. CASSIDY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of amendment No. 4146 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## AMENDMENT NO. 4155

At the request of Mr. BOOZMAN, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Delaware (Mr. COONS) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of amendment No. 4155 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## AMENDMENT NO. 4157

At the request of Mr. BOOZMAN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 4157 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## AMENDMENT NO. 4165

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 4165 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## AMENDMENT NO. 4172

At the request of Mr. KIRK, the name of the Senator from California (Mrs.

BOXER) was added as a cosponsor of amendment No. 4172 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## AMENDMENT NO. 4175

At the request of Mr. REID, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of amendment No. 4175 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## AMENDMENT NO. 4204

At the request of Mr. INHOFE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 4204 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## AMENDMENT NO. 4215

At the request of Mr. REID, the names of the Senator from California (Mrs. BOXER) and the Senator from Florida (Mr. NELSON) were added as cosponsors of amendment No. 4215 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## AMENDMENT NO. 4217

At the request of Ms. AYOTTE, the names of the Senator from Georgia (Mr. PERDUE), the Senator from Utah (Mr. HATCH) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of amendment No. 4217 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## AMENDMENT NO. 4235

At the request of Mr. HELLER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 4235 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. CANTWELL (for herself, Mr. BOOKER, and Mr. SCHUMER):

S. 2997. A bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. BOOKER. Mr. President, I am pleased to have worked with Senator CANTWELL and Senator SCHUMER to introduce the SANDY Act today which would provide much needed certainty and resiliency to our communications networks during times of natural disaster or emergency.

Severe weather and emergencies can have devastating effects on communities, as New Jersey knows all too well. In the aftermath of Superstorm Sandy, we experienced loss in our communications networks including phone and Internet services. Natural disasters are one of the most important times to maintain access to 9-1-1 in order to obtain lifesaving services.

Just this week, this legislation passed the House with overwhelming bipartisan support, including from the New Jersey delegation led by Congressman PALLONE's efforts. I hope the Senate will now turn its attention to this important matter and move this initiative forward to the benefit of New Jerseyans and people across the country.

I am further pleased that phone service providers entered into a voluntary agreement last month in order to provide service to consumers during times of emergency, regardless of the network the consumer subscribes to in that area.

The SANDY Act expresses the Sense of Congress that this agreement should continue to be adhered to in order to best serve 9-1-1 professionals, first responders, and local governments in accessing communications services during times of emergency.

Further, the legislation collects additional data on network security during times of disaster and the resiliency of telecommunications networks power utility during times of emergency. With additional information and data, we can better prepare for disasters and ensure our networks operate at the best of their ability when severe storms strike.

Finally, the legislation provides authority to FEMA to reimburse costs associated with restoring and repairing critical communications services to first responders and communities.

The SANDy Act is an important step toward better protecting and preserving vital communications networks when disaster strikes. I urge my colleagues to support this legislation.

By Mr. DAINES:

S. 3014. A bill to improve the management of Indian forest land, and for other purposes; to the Committee on Indian Affairs.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3014

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Tribal Forestry Participation and Protection Act of 2016”.

#### SEC. 2. PROTECTION OF TRIBAL FOREST ASSETS THROUGH USE OF STEWARDSHIP END RESULT CONTRACTING AND OTHER AUTHORITIES.

(a) PROMPT CONSIDERATION OF TRIBAL REQUESTS.—Section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)) is amended—

(1) in paragraph (1), by striking “Not later than 120 days after the date on which an Indian tribe submits to the Secretary” and inserting “In response to the submission by an Indian tribe to the Secretary of”; and

(2) by adding at the end the following:

“(4) TIME PERIODS FOR CONSIDERATION.—

“(A) INITIAL RESPONSE.—Not later than 90 days after the date on which the Secretary receives a tribal request under paragraph (1), the Secretary shall provide an initial response to the Indian tribe regarding whether the request may meet the selection criteria described in subsection (c).

“(B) NOTICE OF DENIAL.—A notice under subsection (d) of the denial of a tribal request under paragraph (1) shall be provided to the Indian tribe by not later than 1 year after the date on which the Secretary receives the request.

“(C) COMPLETION.—Not later than 2 years after the date on which the Secretary receives a tribal request under paragraph (1), other than a tribal request denied under subsection (d), the Secretary shall—

“(i) complete all environmental reviews necessary in connection with the agreement or contract and proposed activities under the agreement or contract; and

“(ii) enter into the agreement or contract with the Indian tribe in accordance with paragraph (2).”

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 2 of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a) is amended—

(1) in subsections (b)(1) and (f)(1), by striking “section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105-277) (as amended by section 323 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (117 Stat. 275))” each place it appears and inserting “section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c)”; and

(2) in subsection (d), in the matter preceding paragraph (1), by striking “subsection (b)(1), the Secretary may” and inserting “paragraphs (1) and (4)(B) of subsection (b), the Secretary shall”.

#### SEC. 3. PILOT AUTHORITY FOR RESTORATION OF FEDERAL FOREST LAND BY INDIAN TRIBES.

(a) IN GENERAL.—Section 305 of the National Indian Forest Resources Management Act (25 U.S.C. 3104) is amended by adding at the end the following:

“(c) INCLUSION OF CERTAIN NATIONAL FOREST SYSTEM LAND AND PUBLIC LAND.—

“(1) PURPOSES.—The purposes of this subsection are—

“(A) to maximize the effective management of Federal forest land and to assist in the restoration of that land in accordance with the principles of sustained yield; and

“(B) to reduce insect, disease, or wildfire risk to communities, municipal water supplies, and other at-risk Federal land by providing for the implementation by Indian tribes of forest restoration projects.

“(2) DEFINITIONS.—In this subsection:

“(A) FEDERAL FOREST LAND.—

“(i) IN GENERAL.—The term ‘Federal forest land’ means—

“(I) National Forest System land; and

“(II) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), including—

“(aa) Coos Bay Wagon Road Grant land reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179, chapter 47); and

“(bb) Oregon and California Railroad Grant land.

“(ii) EXCLUSIONS.—The term ‘Federal forest land’ does not include—

“(I) a component of the National Wilderness Preservation System;

“(II) a component of the National Wild and Scenic Rivers System;

“(III) a congressionally designated wilderness study area; or

“(IV) an inventoried roadless area within the National Forest System.

“(B) FOREST LAND MANAGEMENT ACTIVITIES.—The term ‘forest land management activities’ means activities performed in the management of Indian forest land described in subparagraphs (C), (D), and (E) of section 304(4).

“(C) SECRETARY CONCERNED.—The term ‘Secretary concerned’ means—

“(i) the Secretary of Agriculture, with respect to the Federal forest land referred to in subparagraph (A)(i)(I); and

“(ii) the Secretary of the Interior, with respect to the Federal forest land referred to in subparagraph (A)(i)(II).

“(3) AUTHORITY.—

“(A) IN GENERAL.—At the request of an Indian tribe, the Secretary concerned may treat Federal forest land as Indian forest land for purposes of planning and conducting forest land management activities under this section if the Federal forest land is located within, or mostly within, a geographical area that presents a feature or involves circumstances principally relevant to that Indian tribe, such as Federal forest land—

“(i) ceded to the United States by treaty or other agreement with that Indian tribe;

“(ii) within the boundaries of a current or former reservation of that Indian tribe; or

“(iii) adjudicated by the Indian Claims Commission or a Federal court to be the tribal homeland of that Indian tribe.

“(B) MANAGEMENT.—Federal forest land treated as Indian forest land for purposes of planning and conducting management activities pursuant to subparagraph (A) shall—

“(i) be managed exclusively under this Act; and

“(ii) remain under the ownership of the Federal agency that owned the Federal forest land on the day before the date of enactment of this subsection.

“(4) REQUIREMENTS.—As part of an agreement to treat Federal forest land as Indian

forest land under paragraph (3), the Secretary concerned and the Indian tribe making the request shall—

“(A) provide for continued public access and recreation applicable to the Federal forest land as in existence prior to the agreement, except that the Secretary concerned may limit or prohibit that access only for the purpose of—

“(i) protecting human safety; or

“(ii) preventing harm to natural resources;

“(B) continue sharing revenue generated by the Federal forest land with State and local governments on the terms applicable to the Federal forest land prior to the agreement, including, as applicable—

“(i) 25-percent payments under the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.); or

“(ii) 50-percent payments under the Act of August 28, 1937 (43 U.S.C. 1181a et seq.);

“(C) comply with applicable prohibitions on the export of unprocessed logs harvested from the Federal forest land;

“(D) recognize all right-of-way agreements in place on Federal forest land as in existence prior to the commencement of tribal management activities;

“(E) ensure that any county road within the Federal forest land as in existence prior to the agreement is not adversely impacted; and

“(F) ensure that all commercial timber removed from the Federal forest land is sold on a competitive bid basis.

“(5) PROMPT CONSIDERATION OF TRIBAL REQUESTS.—Not later than 180 days after the date on which the Secretary receives a request from an Indian tribe under paragraph (3)(A), the Secretary shall—

“(A) approve or deny the request; and

“(B) if the Secretary approves the request, begin exercising the authority under that paragraph.

“(6) CONSULTATION.—To the extent consistent with the laws governing the administration of public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), the Secretary concerned shall consult with each State and unit of local government within which Federal forest land is located—

“(A) before entering into an agreement to treat the Federal forest land as Indian forest land under paragraph (3); and

“(B) with respect to an agreement described in subparagraph (A), in planning and conducting forest land management activities under this section.

“(7) FOREST MANAGEMENT PLANS.—All forest land management activities under this subsection on National Forest System land shall be consistent with the applicable forest plan.

“(8) LIMITATIONS.—The treatment of Federal forest land as Indian forest land for purposes of planning and conducting management activities pursuant to paragraph (3)—

“(A) shall not be considered to designate the Federal forest land as Indian forest land for any other purpose; and

“(B) shall be in accordance with all relevant Federal laws applicable to Federal forest land, including—

“(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

“(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

“(iv) the Clean Air Act (42 U.S.C. 7401 et seq.).

“(9) APPLICABILITY OF NEPA.—The execution of, but not the decision to enter into, an agreement to treat Federal forest land as Indian forest land under paragraph (3) shall constitute a Federal action for purposes of

the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(10) TERMINATION OF AUTHORITY.—The authority provided by this subsection terminates on the date that is 10 years after the date of enactment of this subsection.”.

(b) EFFECT.—Nothing in this section or an amendment made by this section—

(1) prohibits, restricts, or otherwise adversely affects any permit, lease, or similar agreement in effect on or after the date of enactment of this Act for the use of Federal land for the purpose of recreation, utilities, logging, mining, oil, gas, grazing, water rights, or any other purpose;

(2) negatively impacts private land; or

(3) prohibits, restricts, or otherwise adversely affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate under State law fish and wildlife on land or in water in the State, including on Federal public land.

#### SEC. 4. TRIBAL FOREST MANAGEMENT DEMONSTRATION PROJECT.

The Secretary of the Interior and the Secretary of Agriculture may carry out demonstration projects pursuant to which federally recognized Indian tribes or tribal organizations may enter into contracts to carry out administrative, management, and other functions under the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.), through contracts entered into under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

#### SEC. 5. FUNDING.

The Secretary of the Interior and the Secretary of Agriculture shall use to carry out this Act and amendments made by this Act such amounts as are necessary from other amounts available to the Secretary of the Interior or the Secretary of Agriculture, respectively, that are not otherwise obligated.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 479—URGING THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO COMPLY WITH CONSTITUTIONAL LIMITS ON PRESIDENTIAL TERMS AND FULFILL ITS CONSTITUTIONAL MANDATE FOR A DEMOCRATIC TRANSITION OF POWER IN 2016

Mr. MARKEY (for himself, Mr. DURBIN, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

##### S. RES. 479

Whereas the United States and the Democratic Republic of the Congo (“DRC”) have a history of partnership grounded in economic investment and mutual interests in security and stability, and marked by efforts to address the protracted humanitarian crisis facing the country;

Whereas in 2006, DRC adopted a new constitution with a provision limiting the President to 2 consecutive terms;

Whereas in 2006, Joseph Kabila was elected President in what was widely viewed as a free and fair election;

Whereas many respected international observers concluded that President Kabila’s reelection in 2011 was deeply flawed;

Whereas President Kabila’s second term and constitutional mandate to serve as President of DRC ends on December 19, 2016;

Whereas, for the past 2 years, President Kabila has used administrative and technical

means to try to delay the presidential election, including—

(1) by trying unsuccessfully to persuade the Parliament of DRC—

(A) to change the Constitution of DRC to allow him to run for a third term; and

(B) to pass a law requiring a multiyear census in advance of the presidential election, which was widely seen as an attempt to delay elections to allow President Kabila to remain in power.

(2) by failing to pass timely election laws or release authorized election funding to the Independent National Elections Commission;

(3) by declaring that it will take the Government of DRC between 16 and 18 months to revise the voter rolls; and

(4) by enforcing nondemocratic and nonparticipatory restrictions that limit the ability of the political opposition to participate in the political process and the role of civil society in DRC;

Whereas mass popular demonstrations convinced President Kabila to drop efforts to pass a law requiring a census in January 2015, but not before security forces had killed at least 36 protesters and jailed hundreds more;

Whereas Congolese security and intelligence officials have arrested, harassed, and detained peaceful activists, members of civil society, political leaders, and others who oppose President Kabila’s effort to unconstitutionally remain in power after the expiration of his current term;

Whereas President Obama spoke with President Kabila on March 15, 2015, and “emphasized the importance of timely, credible, and peaceful elections that respect the Constitution of DRC and protect the rights of all DRC citizens”;

Whereas observers view President Kabila’s renewed call for a National Dialogue as another attempt to delay the elections and distract from the constitutional requirement for a democratic succession of the presidency later this year;

Whereas international and domestic human rights groups have consistently reported on the worsening of the human rights situation in DRC, including—

(1) the use of excessive force by security forces against peaceful demonstrators; and

(2) an increase in politically motivated trials;

Whereas the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo has registered more than 312 human rights violations committed by officials of the Government of DRC between January 2015 and January 2016, most of which targeted political opponents, civil society, and journalists;

Whereas the Government of DRC issued an arrest warrant for what appear to be politically motivated charges against a leading opposition figure the week after he declared his intent to run for President, and other political activists remain in jail;

Whereas on March 30, 2016, the United Nations Security Council unanimously adopted Resolution 2277, which—

(1) expresses deep concern with—

(A) “the delays in the preparation of the presidential elections” in DRC; and

(B) “increased restrictions of the political space in the DRC”; and

(2) calls for ensuring “the successful and timely holding of elections, in particular presidential and legislative elections on November 2016, in accordance with the Constitution”;

Whereas President Kabila’s refusal to publicly affirm that he will step down when his constitutional mandate expires has caused growing political tension, unrest, and violence across DRC: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns—

(A) actions by the Government of DRC to subvert the Constitution of DRC and undermine democracy, including the arrest and detention of civil society activists (such as Fred Bauma and Yves Makwambala), the harassment of political opponents, and its efforts to close political space and punish peaceful dissent;

(B) the failure of the Government of DRC to take timely necessary measures to organize free and fair national elections; and

(C) violations of human rights and international humanitarian law committed by security forces of the Government of DRC;

(2) reaffirms its support for democracy and good-governance in sub-Saharan Africa that are free from political repression and abuses of human rights;

(3) calls on President Kabila’s government—

(A) to publicly and unequivocally commit to complete a peaceful transfer of presidential power upon the expiration of his mandate on December 19, 2016; and

(B) to adhere to the Constitution of DRC and relinquish power at the end of his term on December 19, 2016;

(4) calls on the President of the United States—

(A) in coordination with regional and international partners and the United Nations, to impose targeted sanctions on those officials of the Government of DRC who are responsible for violence and human rights violations and undermining the democratic processes or institutions in DRC, including visa bans and asset freezes under Executive Order 13671 (79 Fed. Reg. 39947), based on actions that “undermine democratic processes or institutions,” or that “threaten the peace, security, or stability” of DRC; and

(B) to consider lifting the sanctions described in subparagraph (A) when the President determines that—

(i) President Kabila—

(I) has publicly and unequivocally stated that he will complete a peaceful transfer of presidential power upon the expiration of his mandate on December 19, 2016;

(II) has made verified progress toward organizing and holding timely free and fair national elections in accordance with the Constitution of DRC; and

(III) is respecting human and political rights for the opposition and civil society; or

(ii) a free and fair presidential election has been held in DRC, in accordance with the Constitution of DRC, and a new President has been sworn into office in DRC;

(5) calls on the Secretary of State, the Secretary of Defense, and the Administrator of the United States Agency for International Development to review all United States assistance to DRC, including security and economic assistance, to ensure that such assistance is not being used to support President Kabila’s efforts to remain in power; and

(6) calls on the Secretary of State and the Administrator of the United States Agency for International Development—

(A) to continue providing financial and technical assistance to support the organizing of free, fair, and peaceful national elections, and support the inclusion and civic education of youth, women, and rural populations; and

(B) to ensure the continuance of United States assistance that is delivered through national and international nongovernmental organizations, particularly assistance in support of improved democracy and governance and humanitarian needs.