

S. 877. A bill to amend the Family Educational Rights and Privacy Act of 1974 to ensure that student data handled by private companies is protected, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, Ms. WARREN, Mr. SANDERS, Mr. MERKLEY, Mr. HEINRICH, Mr. UDALL, Mr. LEAHY, Ms. BALDWIN, Mr. VAN HOLLEN, and Mr. FRANKEN):

S. 878. A bill to establish privacy protections for customers of broadband Internet access service and other telecommunications services; to the Committee on Commerce, Science, and Transportation.

By Mr. BARRASSO (for himself, Mr. FLAKE, Mr. MCCAIN, and Mr. ENZI):

S. 879. A bill to expedite and prioritize forest management activities to achieve ecosystem restoration objectives, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. BALDWIN (for herself, Mr. BROWN, Mr. SANDERS, Mr. FRANKEN, Ms. WARREN, Mr. WHITEHOUSE, Ms. STABENOW, and Mrs. MCCASKILL):

S. 880. A bill to ensure the use of American iron and steel in public water systems, and for other purposes; to the Committee on Environment and Public Works.

By Ms. WARREN (for herself, Mr. MCCAIN, Ms. CANTWELL, and Mr. KING):

S. 881. A bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROUNDS (for himself, Mr. MANCHIN, Ms. WARREN, and Mr. KAINE):

S. 882. A bill to amend title 38, United States Code, to provide for the entitlement to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs for members of the Armed Forces awarded the Purple Heart, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 883. A bill to provide for reforms of the administration of the outer Continental Shelf of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 884. A bill to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself and Mr. CARDIN):

S. 885. A bill to amend the Internal Revenue Code of 1986 to include foster care transition youth as members of targeted groups for purposes of the work opportunity credit; to the Committee on Finance.

By Mr. DAINES (for himself and Mrs. MCCASKILL):

S. 886. A bill to amend the Homeland Security Act of 2002 to establish an Acquisition Review Board in the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DAINES (for himself and Mrs. MCCASKILL):

S. 887. A bill to amend the Homeland Security Act of 2002 to require a multiyear acquisition strategy for the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MURPHY (for himself, Mr. PAUL, Mr. DURBIN, and Mr. FRANKEN):

S.J. Res. 40. A joint resolution to provide limitations on the transfer of air-to-ground munitions from the United States to Saudi Arabia; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GARDNER (for himself and Mr. PETERS):

S. Res. 119. A resolution requiring authorizing committees to hold annual hearings on Government Accountability Office investigative reports on the identification, consolidation, and elimination of duplicative Government programs; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MANCHIN (for himself and Mrs. CAPITO):

S. Res. 120. A resolution designating April 20, 2017, as "National Alternative Fuel Vehicle Day."; to the Committee on the Judiciary.

By Mr. MURPHY (for himself and Mr. BLUMENTHAL):

S. Res. 121. A resolution designating April 11, 2017, as the "National Birthday of the U.S. Navy Submarine Force"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 57

At the request of Mr. CASSIDY, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 57, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 59

At the request of Mr. CRAPO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 59, a bill to provide that silencers be treated the same as long guns.

S. 74

At the request of Mr. SCHATZ, his name was added as a cosponsor of S. 74, a bill to improve the ability of the National Oceanic and Atmospheric Administration, the Coast Guard, and coastal States to sustain healthy ocean and coastal ecosystems by maintaining and sustaining their capabilities relating to oil spill preparedness, prevention, response, and for other purposes.

S. 108

At the request of Mr. HATCH, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 108, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 203

At the request of Mr. BURR, the name of the Senator from Colorado (Mr.

GARDNER) was added as a cosponsor of S. 203, a bill to reaffirm that the Environmental Protection Agency may not regulate vehicles used solely for competition, and for other purposes.

S. 236

At the request of Mr. WYDEN, the names of the Senator from Maine (Mr. KING) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 260

At the request of Mr. CORNYN, the names of the Senator from Alabama (Mr. STRANGE) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 260, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

S. 266

At the request of Mr. HATCH, the names of the Senator from Colorado (Mr. BENNET) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 283

At the request of Mr. FRANKEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 283, a bill to amend title 38, United States Code, to provide for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs, and for other purposes.

S. 293

At the request of Mr. SCOTT, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 293, a bill to amend the Internal Revenue Code of 1986 to provide for the deferral of inclusion in gross income for capital gains reinvested in opportunity zones.

S. 322

At the request of Mr. PETERS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 324

At the request of Ms. HIRONO, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 393

At the request of Mr. SCOTT, the name of the Senator from Minnesota

(Ms. KLOBUCHAR) was added as a cosponsor of S. 393, a bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs.

S. 413

At the request of Mrs. CAPITO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 413, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 479

At the request of Mr. BROWN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 545

At the request of Mr. PAUL, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 545, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 548

At the request of Ms. CANTWELL, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 548, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 568

At the request of Mr. BROWN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 568, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 583

At the request of Mr. CORNYN, the names of the Senator from Indiana (Mr. DONNELLY) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 583, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes.

S. 594

At the request of Mr. CORNYN, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 594, a bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes.

S. 655

At the request of Mr. RISCH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 655, a bill to exempt certain 16- and 17-year-old individuals employed in logging operations from child labor laws.

S. 697

At the request of Mr. DAINES, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 697, a bill to amend the Internal Revenue Code of 1986 to lower the mileage threshold for deduction in determining adjusted gross income of certain expenses of members of reserve components of the Armed Forces, and for other purposes.

S. 722

At the request of Mr. CORKER, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 722, a bill to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

S. 792

At the request of Mr. TILLIS, the names of the Senator from Arizona (Mr. FLAKE) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 792, a bill to amend the Immigration and Nationality Act to establish an H-2B temporary non-agricultural work visa program, and for other purposes.

S. 796

At the request of Mr. WARNER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 796, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 808

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 808, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 811

At the request of Mr. ENZI, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 811, a bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children.

S. 818

At the request of Mr. CASEY, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 818, a bill to amend the Internal Revenue Code of 1986 to allow individuals with disabilities to save additional amounts in their ABLE accounts above the current annual maximum contribution if they work and earn income.

S. 829

At the request of Mr. MCCAIN, the names of the Senator from Connecticut

(Mr. BLUMENTHAL) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 829, a bill to reauthorize the Assistance to Firefighters Grants program, the Fire Prevention and Safety Grants program, and the Staffing for Adequate Fire and Emergency Response grant program, and for other purposes.

S. 835

At the request of Mr. MURPHY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 835, a bill to require the Supreme Court of the United States to promulgate a code of ethics.

S. 845

At the request of Mr. BLUMENTHAL, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 845, a bill to protect sensitive community locations from harmful immigration enforcement action, and for other purposes.

S. RES. 59

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 59, a resolution expressing the support for the designation of February 12, 2017, as "Darwin Day" and recognizing the importance of science in the betterment of humanity.

S. RES. 87

At the request of Mr. KAINE, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Oregon (Mr. MERKLEY), the Senator from New Jersey (Mr. BOOKER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. Res. 87, a resolution expressing the sense of the Senate concerning the ongoing conflict in Syria as it reaches its six-year mark in March, the ensuing humanitarian crisis in Syria and neighboring countries, the resulting humanitarian and national security challenges, and the urgent need for a political solution to the crisis.

S. RES. 106

At the request of Mr. WICKER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 106, a resolution expressing the sense of the Senate to support the territorial integrity of Georgia.

S. RES. 114

At the request of Mr. YOUNG, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. Res. 114, a resolution expressing the sense of the Senate on humanitarian crises in Nigeria, Somalia, South Sudan, and Yemen.

S. RES. 116

At the request of Mr. CARDIN, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from New Jersey (Mr. BOOKER), the Senator from Oregon (Mr. MERKLEY) and the Senator from Massachusetts (Mr. MARKEY) were

added as cosponsors of S. Res. 116, a resolution condemning the Assad regime for its continued use of chemical weapons against the Syrian people.

S. RES. 118

At the request of Ms. DUCKWORTH, her name was added as a cosponsor of S. Res. 118, a resolution condemning hate crime and any other form of racism, religious or ethnic bias, discrimination, incitement to violence, or animus targeting a minority in the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself and Mrs. MCCASKILL):

S. 886. A bill to amend the Homeland Security Act of 2002 to establish an Acquisition Review Board in the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DAINES. Mr. President, the Department of Homeland Security, DHS, is tasked with keeping Americans safe in the homeland. To carry out this mission, DHS spends over \$7 billion on acquisition programs annually. DHS and its agencies are held to a high standard for keeping our Nation safe. We also must hold it to a high standard of fiscal responsibility. DHS must be good stewards of taxpayer resources.

DHS's acquisition process has long faced problems resulting in waste, delays, and under delivery of performance objectives. Since the inception of DHS, the Government Accountability Office, GAO, has highlighted challenges and offered recommendations to improve the acquisition process. There has been progress; however, there continues to be room for improvement. According to a GAO report released today, DHS's acquisition process remains a high-risk issue, susceptible to cost overruns and schedules delays. These issues reduce buying power and force security employees to wait for new capabilities. This is not fair to those on the front lines tasked with keeping us safe and it is not fair to the American taxpayers.

I spent 28 years in the private sector. I know when tough business decisions need to be made, you convene a board that brings with it a breadth of experience and a deep understanding of strategic objectives and goals.

That is why I am introducing the OHS Acquisition Review Board Act of 2017. This legislation will create a review board within the Department to strengthen accountability and uniformity across all agencies and the entire acquisition process, ensure long term strategic objectives are met, and ensure the use of industry-proven best practices.

I thank Senator MCCASKILL for being an original cosponsor of this bill and Representatives THOMAS GARRETT and MICHAEL MCCAUL for leading introduction of companion legislation in the

House of Representatives. I ask my Senate colleagues to join us in support of this important legislation.

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. 886

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 "DHS Acquisition Review Board Act of 2017".

SEC. 2. ACQUISITION REVIEW BOARD.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following:

"SEC. 836. ACQUISITION REVIEW BOARD.

"(a) DEFINITIONS.—In this section:

"(1) ACQUISITION.—The term 'acquisition' has the meaning given the term in section 131 of title 41, United States Code.

"(2) ACQUISITION DECISION AUTHORITY.—The term 'acquisition decision authority' means the authority, held by the Secretary acting through the Deputy Secretary or Under Secretary for Management to—

"(A) ensure compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives;

"(B) review (including approving, pausing, modifying, or cancelling) an acquisition program through the life cycle of the program;

"(C) ensure that acquisition program managers have the resources necessary to successfully execute an approved acquisition program;

"(D) ensure good acquisition program management of cost, schedule, risk, and system performance of the acquisition program at issue, including assessing acquisition program baseline breaches and directing any corrective action for such breaches; and

"(E) ensure that acquisition program managers, on an ongoing basis, monitor cost, schedule, and performance against established baselines and use tools to assess risks to an acquisition program at all phases of the life cycle of such program to avoid and mitigate acquisition program baseline breaches.

"(3) ACQUISITION DECISION EVENT.—The term 'acquisition decision event', with respect to an acquisition program, means a predetermined point within each of the acquisition phases at which the acquisition decision authority determines whether the acquisition program shall proceed to the next acquisition phase.

"(4) ACQUISITION DECISION MEMORANDUM.—The term 'acquisition decision memorandum', with respect to an acquisition, means the official acquisition decision event record that includes a documented record of decisions, exit criteria, and assigned actions for the acquisition, as determined by the person exercising acquisition decision authority for the acquisition.

"(5) ACQUISITION PROGRAM.—The term 'acquisition program' means the process by which the Department acquires, with any appropriated amounts, by contract for purchase or lease, property or services (including construction) that support the missions and goals of the Department.

"(6) ACQUISITION PROGRAM BASELINE.—The term 'acquisition program baseline', with respect to an acquisition program, means a summary of the cost, schedule, and performance parameters, expressed in standard,

measurable, quantitative terms, which must be met in order to accomplish the goals of such program.

"(7) BEST PRACTICES.—The term 'best practices', with respect to acquisition, means a knowledge-based approach to capability development that includes—

"(A) identifying and validating needs;

"(B) assessing alternatives to select the most appropriate solution;

"(C) clearly establishing well-defined requirements;

"(D) developing realistic cost assessments and schedules;

"(E) securing stable funding that matches resources to requirements;

"(F) demonstrating technology, design, and manufacturing maturity;

"(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

"(H) adopting and executing standardized processes with known success across programs;

"(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

"(J) integrating the capabilities described in subparagraphs (A) through (I) into the mission and business operations of the Department.

"(8) BOARD.—The term 'Board' means the Acquisition Review Board required to be established under subsection (b).

"(9) MAJOR ACQUISITION PROGRAM.—The term 'major acquisition program' means a Department acquisition program that is estimated by the Secretary to require an eventual total expenditure of not less than \$300,000,000 (based on fiscal year 2017 constant dollars) over the life cycle cost of the acquisition program.

"(b) ESTABLISHMENT OF BOARD.—The Secretary shall establish an Acquisition Review Board to—

"(1) strengthen accountability and uniformity within the Department acquisition review process;

"(2) review major acquisition programs; and

"(3) review the use of best practices.

"(c) COMPOSITION.—

"(1) CHAIRPERSON.—The Under Secretary for Management shall serve as chairperson of the Board.

"(2) OTHER MEMBERS.—The Secretary shall ensure participation by other relevant Department officials, including not fewer than 2 component heads or their designees, as permanent members of the Board.

"(d) MEETINGS.—

"(1) REGULAR MEETINGS.—The Board shall meet regularly for purposes of ensuring all acquisitions processes proceed in a timely fashion to achieve mission readiness.

"(2) OTHER MEETINGS.—The Board shall convene—

"(A) at the discretion of the Secretary; and

"(B) at any time—

"(i) a major acquisition program—

"(I) requires authorization to proceed from one acquisition decision event to another throughout the acquisition life cycle;

"(II) is in breach of the approved requirements of the major acquisition program; or

"(III) requires additional review, as determined by the Under Secretary for Management; or

"(ii) a non-major acquisition program requires review, as determined by the Under Secretary for Management.

"(e) RESPONSIBILITIES.—The responsibilities of the Board are as follows:

"(1) Determine whether a proposed acquisition has met the requirements of key phases of the acquisition life cycle framework and is able to proceed to the next phase and eventual full production and deployment.