



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, THURSDAY, DECEMBER 10, 2015

No. 179

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. JENKINS of West Virginia).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 10, 2015.

I hereby appoint the Honorable EVAN H. JENKINS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of Janu-

ary 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

NOTICE

If the 114th Congress, 1st Session, adjourns sine die on or before December 24, 2015, a final issue of the *Congressional Record* for the 114th Congress, 1st Session, will be published on Thursday, December 31, 2015, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-59 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Wednesday, December 30. The final issue will be dated Thursday, December 31, 2015, and will be delivered on Monday, January 4, 2016.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event, that occurred after the sine die date.

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Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at <https://housenet.house.gov/legislative/research-and-reference/transcripts-and-records/electronic-congressional-record-inserts>. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT-59.

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By order of the Joint Committee on Printing.

GREGG HARPER, *Chairman.*

BOOKS 'N FRIENDS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, it is always a joy for me to kick off the holiday season in Sparta, North Carolina, at the annual Christmas parade down Main Street.

As I visited with folks at this year's parade, I was reminded again how special Alleghany County and its people are. The pride that they take in their community is apparent in everything they do. It is especially evident in the

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H9209

hardworking volunteers who donate so much time because they love their hometown and fellow citizens.

A great example of this generosity is seen at Books 'n Friends, a nonprofit used bookstore owned by the friends of the Allegheny County Library. Since 2003, volunteers like Alice Keighton, Joyce Speas, and many others have donated their time at the bookstore, whose profits provide funding for activities and necessities at the library.

This support makes quite a difference and helps the library inform and educate the citizens of Allegheny County.

My deepest appreciation to all of the friends of the library and all the wonderful volunteers in Allegheny County, who do so much to make it such a special place to live, work, and visit.

CUSTOMS ENFORCEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, there has been a great deal of discussion about trade agreements, but there is another important piece of legislation that deals with Customs. This is an often obscure element, but it makes a huge difference to be able to manage the hundreds of billions of dollars of products that leave the United States and those that are imported.

The Customs bill represents important work by our Ways and Means Committee and our colleagues in the Senate Finance Committee finally reaching conclusion. I am pleased with many of the key results. It includes items that are not in the headlines, but are very important to the people that I represent.

For example, the legislation will help our growing outdoor industry by creating new definitions and tariff classifications for recreational performance outerwear.

It reduces costly taxes on outdoor footwear, which both supports the outdoor recreation industry and makes it more affordable for people to get outside and enjoy our beautiful parks and trails.

It includes the full ENFORCE Act, requiring immediate action to investigate and address trade cheaters and take measures to stop those who continually attempt to circumvent the penalties already imposed upon them.

As our trade agreements become more complex, so, too, has trade enforcement. We can no longer rely on a handful of agencies to effectively protect our market from tax cheaters. It requires a whole government approach, and this is why it is critical to see the bill permanently establish the Interagency Trade Enforcement Center to centralize and enhance trade enforcement efforts.

It finally puts into law a ban on the import of goods made with child and forced labor. This will reshape markets and provide additional tools to con-

front horrific work conditions around the world.

Very important for me, it will help ensure our trade agreements actually are enforced. A lack of enforcement is a justifiable criticism of people who are skeptical of trade agreements, who wonder is it worth the paper that it is printed on to have labor and environmental protections.

Well, the greatest obstacle to enforcement has been lack of resources. Enforcing trade agreements is expensive, time consuming, and highly complex. That is why I fought hard to include in this legislation elements that I have introduced, along with Senator MARIA CANTWELL, the Trade STRONGER Act, which creates a trade enforcement and capacity-building fund which would not only provide more resources for the enforcement of labor and environment violations, but helps the fund managed by the USTR be accessible government-wide, not only for enforcement, but for in-country capacity building, helping our current and future trading partners implement the labor and environmental provisions they have committed to.

This is an important step forward because, regardless of what one feels about a particular trade treaty, I think everyone agrees they ought to be enforced.

This Customs bill, in addition to promoting the trade process more effectively and providing relief for some inequitable treatment for products so important to my constituents, establishes more resources to make sure our trade agreements are, in fact, enforced.

This has been the result of long and arduous negotiations, but done in a spirit of cooperation and goodwill.

I particularly want to thank the efforts of Speaker PAUL RYAN and Ways and Means Committee Chair KEVIN BRADY, who have worked with me in a spirit of cooperation to make sure the enforcement provisions are effective. I appreciate this.

I think this will be an achievement that we all should support because we will all benefit from it.

E-FREE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise to tell the story of Kathryn Frederickson of Maryland. Kathryn is one of the tens of thousands of women that have been harmed by a permanent sterilization device, the medical device known as Essure.

Essure was recommended as the optimal birth control solution for Kathryn, despite a pre-existing autoimmune condition and a known nickel allergy. After the procedure, she felt severe pain, extreme bleeding, vomiting, and rashes, caused by the nickel-based device.

After 3 weeks of pain and discomfort, Kathryn paid \$7,000 out of pocket to re-

move the device. One coil was found in her uterus. She lost 2 months of work and of her life. Kat's health has never been the same.

I rise as a voice for the Essure Sisters to tell this Chamber that their stories are real, their pain is real, and that their fight is real.

Mr. Speaker, my bill, the E-Free Act, can halt this tragedy by removing this dangerous device from the market. Too many women have been harmed.

So I urge my colleagues to join this fight and to join the bill because stories like Kathryn's are too important to ignore.

THE MOST EFFECTIVE DEFENSE AGAINST AN ARMED TERRORIST IS AN ARMED AMERICAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, ever since the terrorist attack in San Bernardino, leftist politicians have called for more restrictions on gun ownership for Americans. These are the same politicians who have worked for years to open our Nation to unprecedented and indiscriminate immigration from hotbeds of Islamic extremism.

The most effective defense against an armed terrorist is an armed American. If one person in that room in San Bernardino had been able to return fire, many innocent lives would have been saved. But Californians are subject to the most restrictive gun laws in the country, making it very difficult for law-abiding citizens to exercise their Second Amendment right to defend themselves. In a society denied its right of self-defense, the gunman is king.

I repeat: the most effective defense against an armed terrorist is an armed American. Yet, the President and his followers seek to increase the number of terrorists entering through porous borders and lax immigration laws while, at the same time, seeking to decrease the number of armed Americans.

Their latest ploy was announced by the President on Sunday and has been parroted by his Congressional allies this week, to the point of disrupting the work of the House.

In the President's words, "Congress should act to make sure no one on a no-fly list is able to buy a gun." He asked: What could possibly be the argument against that?

Well, while serving in the California State Senate a decade ago, I discovered suddenly I couldn't check in for a flight. When I asked why, I was told I was on this government list. The experience was absolutely Kafkaesque.

My first reaction was to ask, "Well, why am I on that list?"

"Well, we can't tell you."

"Well, what criteria do you use?"

"That is classified."

"How do I get off that list?"

"You can't."

I soon discovered that another California State Senator had been placed on that list. A few months later, U.S. Senator Edward Kennedy found himself on that list.

I at least had the Office of the Sergeant at Arms of the State Senate to work through, something an ordinary American would not. Even so, it took months of working through that office with repeated petitions to the government to get my name removed from that list.

The farce of it all was this: I was advised, in the meantime, just to fly under my middle name, which I did without incident.

In my case, it turns out it was a case of mistaken identity with an IRA activist the British Government was mad at. This could happen to any American.

The fine point of it is this: During this administration, the IRS has been used extensively to harass and intimidate ordinary Americans for exercising their First Amendment rights.

What the President proposes is that, on the whim of any Federal bureaucrat, an American can be denied their Second Amendment rights as well with no opportunity to confront their accuser, contest the evidence, or avail themselves of any of their other due process rights under the Constitution.

The concept that the left is seeking to instill in our law is that mere suspicion by a bureaucrat is sufficient to deny law-abiding American citizens their constitutional rights under the law. Given the left's demonstrated hostility to freedom of speech and due process of law, it is not hard to see where this is leading us.

I would support the President's proposal if it established a judicial process where an individual could only be placed on this list once he had been accorded his constitutional rights to be informed of the charges, to be given his day in court, to be accorded the right to confront his accuser and contest the evidence against him and submit himself to a decision by a jury of his peers. But that is the farthest thing from the left's agenda.

The President's proposal would have done nothing to stop the carnage in San Bernardino, where the terrorists were not on any watch list. Indeed, one was admitted from Saudi Arabia after the vetting that the President keeps assuring us is rigorous and thorough. And several of the guns used in this massacre weren't even acquired directly but, rather, through a third party.

Of course the American people don't want terrorists to have guns. The American people don't want terrorists in our country in the first place. But the President's policies have left our Nation's gate wide open while he seeks to take from Americans their means of self-defense.

So I leave off as I began. The best defense against an armed terrorist is an armed American. That is what the Second Amendment is all about. It is an

absolutely essential pillar of our security.

Our Constitution is our best defense of all. It must be defended against all enemies, foreign and domestic.

FRENCH RAIL/HOLOCAUST SETTLEMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to raise awareness about Holocaust survivors' continued quest for justice, an ever-elusive goal still nearly three-quarters of a century after living through the crimes of modern humanity's darkest period.

Though it is said that the moral universe's arc bends toward justice, time is not a luxury we can afford any longer for elderly Holocaust survivors.

□ 1015

Of the approximately half a million Holocaust survivors, around half of them live at or near poverty. Can you imagine that? Holocaust survivors should be able to live out the remaining days in comfort and with the knowledge that their long-sought justice has finally been achieved.

Recently, Mr. Speaker, an agreement was reached between the Government of France and the United States regarding victims of Holocaust-related deportations during the Nazi era. The French rail company, SNCF, knowingly and willfully transported tens of thousands of Holocaust victims to concentration camps and near certain death during the Second World War. They were paid to do this.

For over 70 years, SNCF, the French rail company and the French Government eluded any and all responsibility for these actions. For years, I have been fighting for justice for all victims of the Holocaust.

On this issue in particular, I have joined Representative CAROLYN B. MALONEY of New York as she attempted to shepherd the Holocaust Rail Justice Act through Congress over the past few sessions. I want to thank the gentlewoman from New York for her leadership and her unyielding effort to hold SNCF accountable for its heinous actions.

While the agreement reached over SNCF's—remember, that is the French rail company—culpability in the deaths of tens of thousands of Jews is not the optimal solution, it is imperative that we do hold these perpetrators accountable and that we win justice for as many Holocaust survivors and their heirs as possible.

However, Mr. Speaker, it is important that Holocaust survivors and their families are made aware of this agreement and the claims process. Many do not know of this.

For more information, questions, and to file a claim, the State Department has set up a Web site at www.state.gov/

deportationclaims.com. I know that is very difficult. Or you can call 202-776-8385, or send an email to deportationclaims@state.gov.

That is a lot to take in.

Or contact your congressional Representative, and we can help.

Mr. Speaker, I urge everyone to spread the word to make sure that every Holocaust survivor eligible gets an opportunity to file a claim. I want to thank the continued efforts and the support of the many Holocaust survivors that I am blessed to have in my congressional district who have been at the forefront in the fight for justice for survivors and their heirs.

My good friends, David Mermelstein, David Schaefer, Joe Sachs, Alex Gross, Herbie Karliner, Jack Rubin, and so many others—they have seen the unforgettable, and they have lived through the unthinkable. Yet, they continue steadfast in the fight for justice against those who have committed the unforgivable and the unthinkable.

I, also, want to thank the others who have pursued justice for these individuals at every turn, like my good friend and long-time constituent, Sam Dubbin. Sam has been instrumental in highlighting fraud at the Claims Conference, that we know now, very clearly, occurred over decades and deprived Holocaust survivors of at least tens of millions of dollars, and the real numbers are likely even higher.

Next year, Mr. Speaker, I plan to introduce my bill, once again, to allow survivors to have their day in court. That is all the bill does, to have their day in court, because we now know that the Claims Conference process has failed so many of the Holocaust survivors.

Mr. Speaker, time is of the essence. We owe survivors and their heirs every opportunity to achieve justice. I urge my colleagues to continue this fight on behalf of the remaining Holocaust survivors and their heirs to get the word out to their constituents and their local community leaders.

If you know someone who may be eligible to receive compensation under this incredibly horrific act done by the French rail company to transport victims to certain death, please direct them to the State Department Web site. The deadline is May 31 next year. Let's get the word out as soon and as far as possible.

IRAN IS UNTRUSTWORTHY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Mr. Speaker, I certainly want to start by thanking my good friend and colleague from Florida for her efforts in trying to make sure we are doing all we can for the Holocaust survivors.

Mr. Speaker, there is no doubt that these are very turbulent and fast-moving times. As we train our focus on ISIS, however, I think it would be a

very foolish mistake if we lose sight of the terror threat from Iran, the world's greatest state sponsor of terror.

In the past week, two alarming developments have exposed why Iran cannot be trusted:

First, a December 2 report from the International Atomic Energy Agency revealed that Iran had previously been working on nuclear weapons.

That is right, Mr. Speaker. Despite Iran's repeated insistence that its nuclear program had only been for peaceful purposes, the IAEA report makes clear that Iran had an active nuclear weapons program.

In short, Iran lied, and it has been telling a very big lie for some time. This deceit is precisely why we must not close the book on uncovering Iran's past nuclear efforts.

Second, Mr. Speaker, it has now been reported that on November 21, Iran tested a ballistic missile, one capable of carrying a nuclear warhead. This is a breach of multiple United Nations Security Council resolutions and is in obvious defiance of the 8-year ban on ballistic missile work that was part of the nuclear agreement.

This is Iran's second such launch of a ballistic missile since the conclusion of the nuclear agreement. Regrettably, no such action has been taken against Iran for that first test in October. Instead, the U.N. Security Council is still debating on how to respond. They are still debating. What message does that send?

Mr. Speaker, Iran cannot be given a pass for these flagrant provocations. A failure to forcibly respond now with repercussions will only encourage Iran to incrementally cheat in the future again and again, as it already has.

The unavoidable truth is that simply looking the other way so as not to ruffle any feathers in Tehran will neither bring peace nor an end to belligerent behavior from the Iranians. We know that Iran cannot be trusted, plain and simple. We know that Iran will continue to test the world's resolve.

The real question now, Mr. Speaker, is whether the world will even be interested in responding. It is time for our voices to be heard loud and clear. The United States must step forward and lead.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 22 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at noon.

PRAYER

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

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

As the two parties negotiate the funding of government in these waning days of the first session, grant them a surfeit of wisdom and a spirit of cooperation in ongoing negotiations.

Continue to bless our Nation with a sense of peace and healing as the victims of San Bernardino are being laid to rest. During this holy season, continue to be with us.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Minnesota (Mr. PAULSEN) come forward and lead the House in the Pledge of Allegiance.

Mr. PAULSEN led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

THE PRESIDENT SHOULD CHANGE COURSE

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

Mr. WILSON of South Carolina. Mr. Speaker, it is sad to me that it took the President 5 days to identify the attack in San Bernardino as terrorism. After I heard the tragic news last Wednesday, I knew in 5 seconds it was a terrorist attack.

The President needs to revisit the 9/11 Memorial in New York City, which clearly establishes the timeline of the global war on terrorism. He can see copies of fatwas by Islamic extremists declaring war on modern civilization dated in 1996. The war has never stopped.

The Second Amendment's right to bear arms has never been more important for citizens to protect their families. The thought that gun control can stop terrorism is a diversion from the real threats. This was revealed by the

mass murders in Paris, despite French strict gun control.

In the past weeks, the terrorists' mass murders have been horrifying, of Lebanese, Russians, and French, along with Americans in Iraq, Israel, Paris, and San Bernardino, of Muslims, Christians, and Jews.

The President should change course to actually destroy ISIL, not just give pathetic political lectures. We are facing an enemy that requires us to set aside partisanship to protect American families.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

SOLAR INVESTMENT TAX CREDIT

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

Mr. HIGGINS. Mr. Speaker, notably absent from the tax extenders bill released this week is a provision on which 174,000 American jobs depend.

The solar investment tax credit, a 30 percent credit for the installation of solar on residential and commercial properties, was implemented in 2006. The result has been an annual growth of 73 percent.

That growth allowed the industry to develop panels that have soared in efficiency and plummeted in price. Solar is our fastest growing energy source and is responsible for 40 percent of all new generating capacity brought online this year. Solar employment is growing at a rate 20 times higher than the overall economy.

If the solar investment tax credit is not extended, that growth will stop, demand will drop by 71 percent, and 100,000 jobs will be lost; but a 5-year extension would create 60,000 jobs and allow the industry to come to maturity.

Mr. Speaker, tax legislation that does not include the solar investment tax credit is not serious about creating American jobs. I urge its inclusion.

HONORING THE LIFE OF MARY CALDWELL PLUMER

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor and celebrate the life of a patriot and dear friend, Mary Caldwell Plumer, known as Mere.

Mere accomplished so much throughout her long and rewarding life and did it with a constant smile and positive outlook. We treasured the moments we had with Mere because we knew we could not have her forever.

As per her wish, I will not stand by her grave and cry but adhere to the standards she established and always maintained of loving life and each other. Her friends, family, and loved ones admired her, and we were blessed to have known her.

Mr. Speaker, Mere is now reunited with her husband of 45 years, Dick, and two of her children, Penny and Christopher. Though Heaven has gained her, we have not lost her; and we will never lose her, for she is rooted in our hearts and in our memories now and forever.

Mere is survived by her daughter and son-in-law, Patience and Charles Flick; her son, Richard; and her three loving grandchildren, Penny, Bonnie, and Willis Flick.

May God bless and keep Mary Caldwell Plumer in His bosom.

TERRORIST WATCH LIST LOOPHOLE

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

Mr. YARMUTH. Mr. Speaker, I rise today to call on my Republican colleagues to approve the Denying Firearms and Explosives to Dangerous Terrorists Act, which would prevent individuals on the terrorist watch list from buying weapons here in the U.S. This legislation has been blocked from coming to the floor for a vote nearly a dozen times over the past 2 weeks.

Most Americans find it mind-boggling that we continue to allow individuals deemed too dangerous to fly to buy weapons in the U.S., guns designed to kill as many people as possible, as quickly as possible.

Mr. Speaker, I urge my Republican colleagues to fix this loophole and protect our citizens, to find some courage and put the safety of the American people before the politics of the gun lobby.

Mr. Speaker, if Republicans truly have concerns over how the terrorist watch list is constructed, then they should offer an amendment to fix it. But more than 2,000 suspects on the terrorist watch list have already bought guns in our country. We don't need to add to that list. We need to act right now.

WEST VIRGINIA HIGH SCHOOL FOOTBALL

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

Mr. MCKINLEY. Mr. Speaker, I rise today to recognize the outstanding accomplishments of three West Virginia State football champions, all of which are from the First District of West Virginia: Head Coach Josh Nicewarner and the Indians of Bridgeport High School on their third straight Class AA championship title; and from Magnolia High School, Head Coach Josh Sims and the Blue Eagles on their single A championship title; and for the first time in school history, Chris Daugherty and the Wheeling Park Patriots on the Class AAA championship.

Now, Mr. Speaker, I am told by my astute research staff that, except for States with one Representative, this is the first time in American history that

all three high school champions have come in a single year from one district. So I challenge my esteemed colleagues, Mr. JENKINS and Mr. MOONEY, from the other districts of West Virginia, to match that title next year.

INTERNATIONAL HUMAN RIGHTS DAY

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to commemorate International Human Rights Day.

This year we celebrate the 50th anniversary of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

Mr. Speaker, the United States of America was founded upon freedom, democracy, and liberty, and America must perform its role as an advocate and as a defender of these values.

Today, more than 140 prisoners of conscience are currently imprisoned in Vietnam due to their political views and activities. These activists are victims of constant mental and physical harassment and oftentimes are forced to endure unsanitary prison conditions.

Activists, including Tran Huynh Duy Thuc, Dang Xuan Dieu, and Ho Duc Hoa, were falsely tried and imprisoned simply for practicing their right to assemble.

This year, in November, Burma, a country known for its horrendous human rights record, held its first free election, yet Vietnam continues to function as a single-party system. Today, on International Human Rights Day, I urge Vietnam to finally open up its society and to empower its people.

TRIBUTE TO THOMAS GALLAGHER

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

Mr. KATKO. Mr. Speaker, I rise today to pay tribute to the life of Thomas Gallagher, an honorable public servant who passed away earlier this week.

Following his service in the United States Air Force during the Korean war, Thomas earned an undergraduate and master's degree while simultaneously pursuing his career in law enforcement and raising a family.

Thomas joined the New York City Police Department in 1957 and went on to serve the city for 37 years, rising all the way to the rank of assistant chief.

Mr. Speaker, Thomas Gallagher was the son of Irish immigrants. From a very early age, he learned the importance of hard work and selfless dedication to his family and the community. Though he endured many tragedies in his life, including the loss of all three of his wives to various diseases, he never lost his zeal for life. He was often

buoyed by the great pride he held for all three of his children, who rose to become great successes in law, business, and the Secret Service.

Thomas personifies the great American spirit. Not only did he persevere through trying times, he prospered. His was a life well lived, and I feel truly blessed to have known him and his great family.

May God now hold Thomas in the palm of His hand.

RECOGNIZING THE LIFE OF PRO- FESSOR JOHN ARTHUR RASSIAS

(Ms. KUSTER asked and was given permission to address the House for 1 minute.)

Ms. KUSTER. Mr. Speaker, today I rise to recognize the life of a truly extraordinary Granite Stater, Professor John Rassias, who passed away last week in New Hampshire at the age of 90.

Professor Rassias was a lifelong Granite Stater, a World War II veteran, and an internationally renowned language professor at my alma mater, Dartmouth College. He developed the Rassias method, a revolutionary way of teaching languages that includes rapid-fire drills and dramatic flair, allowing students to be immersed in the language and culture.

He was an extraordinary mentor. His teaching style has been widely adopted at universities and institutions around the world, including in the Peace Corps, where Dr. Rassias was the first director of language programs in 1964.

His legacy extends far beyond simply teaching language. Dr. Rassias' deep commitment to cultural dialogue and understanding shaped the perspective of countless students and inspired them to make the world a better place. He will be truly missed by the entire Granite State and members of the Dartmouth community throughout the world.

PINKY SWEAR FOUNDATION

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

Mr. PAULSEN. Mr. Speaker, the pinky swear promise is a universal symbol to keep one's promise and one's word. For the Pinky Swear Foundation, keeping that promise means helping children who are battling cancer and their families.

The foundation's work was actually started 12 years ago, after 9-year-old Mitch Chepokas of Chanhassen, Minnesota, had been diagnosed with terminal bone cancer and, while in his hospital room, overheard others discussing that there would not be enough money for Christmas that year.

Mitch decided that he would give away all of his money to those families so they could celebrate the holidays, and he made his father pinky swear to continue to make sure that they will

help children with cancer after he was gone.

Today the Chepokas family has been joined by others in the community and around the country who have agreed to help keep this promise and help in the fight against cancer. The Pinky Swear Foundation has raised millions of dollars for different events for this cause.

Mr. Speaker, tomorrow is Pinky Swear Day and a great time to recognize the wonderful work of this foundation. Mitch's bravery, selflessness, and heart continue to live on to help others.

MAUI FAMILY SUPPORT SERVICES

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, for 35 years, Maui Family Support Services has been helping to build strong, healthy families on Maui, Molokai, and Lanai.

Last year alone, the organization assisted over 5,000 people in need, which included: making 4,466 home visits; helping 136 people access mental health, substance abuse, or domestic violence services; and providing developmental screenings for 953 children.

Additionally, thousands of people have gone through the organization's programs for early childhood development, teen substance abuse prevention, and fatherhood involvement, helping to build and strengthen local families and communities.

One in eight children in Hawaii lives in poverty, and it is organizations like Maui Family Support Services that play a critical role in making sure that our keiki and local families get the support and services they need.

Mr. Speaker, I want to say thank you to this great organization for the service that they have provided for over 35 years.

□ 1215

RECOGNIZING DANIEL LYONS

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

Mr. REICHERT. Mr. Speaker, you may know, and others may know, and may have heard about the wildfires that swept through central Washington this past summer, destroying many homes, lives, wildstock, and livestock across Washington State. Tragically, they also took the lives of three brave firefighters.

On August 19, 25-year-old Daniel Lyons, who is also a firefighter, was with his friends and partners, Richard Wheeler, Andrew Zajac, and Tom Zbyszewski, when their vehicle was overcome by flames. Daniel made it out of the fire truck alive but suffered burns over 60 percent of his body.

A few weeks ago, I had the opportunity to meet with Daniel. After he

had spent 3 months undergoing treatment at Harborview Medical Center in Seattle, he has a positive attitude about life, and is excited about his opportunity to continue to serve.

This young man still wants to be a police officer. He lost his fingertips in this fire. He still believes that he—and I know he can do this, and I want to be there for him—can accomplish his goal of continuing to serve as a police officer in the State of Washington.

As a former cop of 33 years, I could not be more proud of Daniel. He is a real-life hero. I will always remember his friends and partners.

LET'S HAVE A MOMENT OF ACTION

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

Ms. SPEIER. Mr. Speaker, Faisal Shahzad was already on the no-fly list when he attempted to bomb Times Square in May of 2010. If he had decided to walk into a gun store that day, he would have walked out with a gun in hand. Fortunately, Shahzad's bomb failed to go off. But had he, instead, purchased a military-style weapon that day, it could have been very different.

It is absolutely against common sense that suspected terrorists can walk into a gun store and purchase any firearm that they would like. They can't walk onto a plane, mind you, but they can purchase a military-style assault weapon and wreak havoc on a community.

Seventy-seven percent of the American people believe we should close this loophole. The Republicans have an option. A bill by their Republican colleague from New York (Mr. KING) would close that loophole.

I ask my colleagues on the Republican side to listen to Mr. KING and the American people and not to the NRA and the gun manufacturers. We have had enough moments of silence. For once, let's have a moment of action.

STUDENT VISA SECURITY IMPROVEMENT ACT

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

Mr. BILIRAKIS. Mr. Speaker, I rise today to discuss important legislation that will help keep our country safe.

In light of recent tragedies across the globe, our national security has been at the forefront of our minds. As elected officials, we have a responsibility to do everything we can to protect our Nation. That is why I reintroduced H.R. 4089, the Student Visa Security Improvement Act, to further address potential threats to our national security.

It is clear there are significant gaps of vulnerabilities that must be addressed in our student visa program.

This bill would provide additional scrutiny for foreign students and exchange applicants, and put mechanisms into place to ensure students are in this country for their intended purpose, rather than to do us harm.

My legislation will safeguard our universities, communities, and our Nation. I urge my colleagues to support this very important piece of legislation.

CLOSE THE TERRORIST GUN LOOPHOLE

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

Mr. HUFFMAN. Mr. Speaker, yesterday, the House passed bipartisan legislation to better protect our Nation by making our Visa Waiver Program more rigorous. That is because we recognized, on a bipartisan basis, that legal loopholes that make Americans less safe must be closed.

Why can't we bring that same spirit to commonsense gun violence legislation? That is a rhetorical question because I think we all know that the gun manufacturing and sales industry and their puppet, the NRA, have a stranglehold on the Republican majority in this Congress that has kept Congress silent for years on this issue, but that silence will no longer be tolerated.

More than 2,000 suspects on the FBI terrorist watch list have legally purchased guns in the United States in recent years. Thankfully, one brave Republican has dared to confront the gun lobby by introducing a bill to close this loophole. I demand a vote on that bill.

Americans are tired of hearing thoughts and prayers in response to mass shootings. They are sick of our regularly scheduled moments of silence. Our silence has become the problem.

Americans want action to address the gun violence epidemic in this country. There is no better way to start than the bipartisan bill prohibiting suspected terrorists on the terrorist watch list from stockpiling assault weapons.

Let's have a vote on H.R. 1076. It is time to end Congress' shameful silence on this critical national security issue.

RECOGNIZING VALOR CHRISTIAN'S STATE CHAMPION FOOTBALL TEAM

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

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the Valor Christian High School football team.

On Saturday night, the Eagles rallied to a 29-26 victory over Pomona to capture the State title for the sixth time in seven seasons.

The comeback victory achieved by the team is a testament to their character and tenacity. The players stood

strong, and their victory in the final minutes is a credit to the determination and commitment of the entire team and Coach Rod Sherman.

It is an honor to highlight the accomplishments of these young men, who finished the season 12–2 and established an impressive 30–1 playoff record.

I would also like to recognize the championship game MVP, junior quarterback Dylan McCaffrey, who led the team on two touchdown drives in the final minutes to win the comeback victory.

Again, congratulations to the Valor Christian High School football team on their impressive season.

GUN VIOLENCE

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I rise today to stop the silence and to encourage and stress that my colleagues need to take action to expand background checks and to close the loopholes. I will continue to stand here and fight, and I will not be silent.

While many of my colleagues have spoken about the loophole that allows terrorist suspects to purchase guns, we have many other loopholes that present a danger to the safety of Americans and our homeland.

Since the enactment of the Brady Act in 1994, the law has stopped nearly 2.5 million guns from being transferred to individuals legally disqualified. However, despite the success of this law, it does not apply to 40 percent of all gun purchases.

Mr. Speaker, 92 percent of Americans favor universal background checks. It is well past time for us, as Congress, to reflect the will of the people that we represent, to pass legislation to expand background checks, and to close the loopholes.

Stop the silence. We must do what the people sent us here to do, and that is to take action.

HUMAN RIGHTS DAY

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

Mr. PITTS. Mr. Speaker, I rise today in honor of Human Rights Day.

Sixty-seven years ago today, December 10, 1948, the U.N. General Assembly proclaimed the Universal Declaration of Human Rights. The Universal Declaration set out a common understanding of the fundamental human rights that were to be universally protected.

Today, we recall the inalienable rights intrinsic to every human being. In many regions of the world, people continue to struggle to attain the most basic rights and respect for their basic human dignity. In several regions of the world, defenseless civilians face at-

tacks by terrorist organizations and networks that seek to intimidate, maim, and kill in the name of a distorted theology.

I join my distinguished colleague from Massachusetts (Mr. MCGOVERN) and people everywhere in reaffirming our commitment to the fundamental rights and freedoms contained in the Universal Declaration, and urge all leaders to redouble their efforts to promote and guarantee them.

I also want to thank the human rights defenders everywhere, who so often carry out their work at great risk to themselves and their families.

NO GUNS FOR SUSPECTED TERRORISTS

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I come here today to speak about weapons of murder and terror.

Mr. Speaker, suspected terrorists should not be able to walk into a gun store and come out with weapons of murder and terror.

As Members of Congress, we have an obligation to keep American families safe. To not bring the bipartisan bill, H.R. 1076, to the floor for a vote is to deny us the opportunity to keep our families safer.

This bill, H.R. 1076, is sensible and straightforward. If you are a suspected terrorist, you should not be able to buy a gun. If you are a suspected terrorist, you should not, Mr. Speaker, be able to buy a gun. I will say it today and tomorrow and repeatedly: if you are a suspected terrorist, you should not be able to buy a gun. We should not have guns and weapons of murder and terror.

I will no longer be silent. Mr. Speaker, we should no longer be silent. Let's transcend partisan politics and uphold our promise to keep American families safe.

SAN BERNARDINO VICTIM, SHANNON JOHNSON

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Shannon Johnson.

On December 2, our country witnessed the worst terrorist attack on American soil since 9/11. On this horrific day in San Bernardino, California, 14 people were tragically killed.

Mr. Shannon Johnson was one of the people whose life was cut short that day. His friends and family say he enjoyed laughter, conversation, and music. He believed in the greatness of love, equality, and kindness, and treated others accordingly.

On December 2, Mr. Johnson, who was a native of Jesup, Georgia, in the First Congressional District, displayed the ultimate act of heroism and sacrifice by shielding fellow coworkers

from a hail of bullets. His last words were: 'I got you.'

Mr. Johnson died a hero. My thoughts and prayers go out to his friends and family. I hope we may all recognize and never forget the acts of sacrifice that Mr. Johnson and others have made to protect the ones we love.

THANKS TO THE SPEAKER

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I would like to express my profound appreciation to the Speaker for his recent acknowledgment that he expects the James Zadroga 9/11 Health and Compensation Reauthorization Act to be part of the omnibus bill.

I thank Leader PELOSI for her steadfast commitment and leadership in support of this important lifesaving legislation.

I am grateful to every single Democratic Member of this Congress, all of whom are cosponsors of this important legislation, and the many Republicans who are sponsors of this bill. All of them have helped us to live up to our commitment that: "We will never forget."

Heroic first responders and survivors of 9/11—men and women from all 50 States and nearly every Congressional District—will now be able to breathe a little easier, and will certainly have a much happier holiday season when this bill is finally across the finish line. This is how Congress can, and should, work in a bipartisan way, doing the right thing more often.

Happy holidays and Happy New Year. Now, when do we vote on this important lifesaving legislation.

□ 1230

REESTABLISHING DIPLOMATIC RELATIONS WITH BELARUS

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

Mr. ROHRBACHER. Mr. Speaker, I rise today to introduce a resolution calling for reestablishing full diplomatic relations between the United States and the nation of Belarus with the focus of exchanging ambassadors between our countries. This resolution recognizes that the Government of Belarus has reached out to the West and has improved political conditions in their own country.

For example, the Organization for Security Cooperation in Europe monitored the recent Presidential election in Belarus and noted the progress made in establishing a more democratic and open system.

Another example of Belarus' positive action is that it played a significant role in bringing about a cease-fire in Ukraine. It did this by hosting immense diplomatic talks between all

parties to the conflict. This was a major contribution toward restoring peace to that region.

Furthermore, on October 22 of this year, Belarus released all of its very few political prisoners.

In response, the European Union and the United States have temporarily lifted economic sanctions. Hopefully, that temporary suspension of economic sanctions will become permanent as Belarus continues to improve its standing.

Exchanging ambassadors, as my resolution calls for, is a major step forward in the right direction. I ask my colleagues to join me in supporting this resolution, which I will submit to the Congress right now.

COMMONSENSE GUN REFORM

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise today because passing commonsense gun legislation should really not be a partisan issue. What our country needs is commonsense gun reform, but many in this Chamber won't even take the first step: taking guns out of the hands of terrorists.

Time and time again, Republicans have voted to block debate. Let me say that again: a debate. They won't even let us discuss Congressman PETER KING's Denying Firearms and Explosives to Dangerous Terrorists Act, otherwise known as H.R. 1076. That is simply outrageous. We should debate, yes, and we should vote up or down on this important bill.

This bill, which I am proud to co-sponsor, would close a dangerous loophole that allows individuals on the government's no-fly list to legally purchase guns. Let me emphasize this. These are people who are deemed too dangerous to fly on planes, but they can and do purchase guns. If they are too dangerous to fly on an airplane, why aren't they too dangerous to have a weapon that fires 800 rounds per minute?

My Democratic colleagues and I remain committed to blocking dangerous individuals from buying guns, and we remain committed to stopping the senseless violence that has already taken too many lives in this country. It is past time to listen to the American people and not to the NRA.

REFORMING AMERICA'S EDUCATION SYSTEM

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, just a few minutes ago I returned from the White House, where President Barack Obama signed historic reforms for elementary and secondary education into law.

I was proud to serve on the conference committee that was respon-

sible for settling the differences between the House and the Senate versions of the Every Student Succeeds Act, which has replaced No Child Left Behind.

This is legislation which has been years in the making and which will finally put the control of education back into the hands of our States, our schools, and, of course, our parents and teachers across the Nation.

It also calls for the U.S. Department of Education to study how title I funds are distributed. I have long been concerned that children are put at a disadvantage based on the populations of their school districts rather than on a concentration of poverty. I am hopeful that this study will make the argument for a more equitable method of distributing these funds to areas that are deeply affected by poverty.

This is a bill that I believe will make a real difference for students across the Nation. I was proud to see it gain overwhelming bipartisan support in both the House and the Senate.

AMERICA'S GUN VIOLENCE EPIDEMIC

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

Mr. JEFFRIES. Mr. Speaker, we were elected to protect and serve the American people against all enemies, foreign and domestic. One of the best ways that we can uphold this sacred duty is to deal with the gun violence epidemic that we have in America, which claims the lives of more than 11,000 people each year.

One of the things that we should be doing is passing legislation to prevent individuals who are on the FBI's terrorist watch list, because they are suspected terrorists, from being able to purchase guns. To me, this seems to be a no-brainer.

If you are not able to fly because you are a suspected terrorist, you should not be able to purchase an AK-47, an AR-15, or another weapon of mass destruction which is not used to hunt deer, but is used to hunt human beings.

It is time for House Republicans to stop functioning as wholly owned subsidiaries of the NRA. It is time to cut the puppet strings from the gun lobby. It is time to do the business of the American people and pass sensible gun violence prevention legislation.

EVERY STUDENT SUCCEEDS ACT IS NOW LAW

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

Mr. ALLEN. Mr. Speaker, I applaud the enactment of the Every Student Succeeds Act.

This legislation passed the House and the Senate with overwhelming bipartisan support and was signed into law today by the President. Education is

not a partisan issue. At a time of political gridlock, I am proud to see both bodies and both parties come together to improve our education system.

The Every Student Succeeds Act repeals No Child Left Behind, gets rid of 49 wasteful and ineffective programs, and eliminates the Secretary of Education's coercion of States into adopting Common Core standards.

Most importantly, this legislation gets Washington out of our local classrooms and it restores control back to the school districts, teachers, and parents. These are the folks who know what our children need to succeed, not bureaucrats who are thousands of miles away.

As the son of two educators, I know that the future of Georgia's 12th District education system belongs in Georgia, not in Washington. As a member of the House Education and the Workforce Committee, I am proud to see the Every Student Succeeds Act as the law of the land.

UPHOLDING THE SECOND AMENDMENT

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

Mr. YOUNG of Alaska. Mr. Speaker, given the challenges we face today with the economy and the labor force, I have watched since December 2 so much dishonesty on this floor concerning the actions on December 2 and the ability for terrorists to purchase weapons automatically.

FBI Director James Comey told the Senate Judiciary Committee that every time someone buys a weapon it is run through the FBI and they are notified if someone is on the no-fly list.

I am a little concerned with the other side of the aisle as they keep talking about having to protect our public when, in turn, they are taking away the Constitution of our Nation.

If the FBI is sent this information, it is reviewed. If the terrorists are actually buying weapons and walking the streets, they should be arrested, but they are not.

You can get on the no-fly list. I personally have been on the no-fly list. It took me 6 months to get off of it. They didn't tell me who put me on it, why I was put on it, and what it was the result from. Six months.

Yes, I am an NRA board member. But to have people say that terrorists are running around buying guns is an outright lie. I will say that on the floor. It is not true. It is part of the Constitution. We should uphold the Constitution.

When coming into office, I swore to uphold the Constitution. What they are talking about doing is against the Constitution. I will fight until my dying breath to make sure that we have the ability to retain the Second Amendment.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 10, 2015.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 10, 2015 at 9:15 a.m.:

That the Senate passed with an amendment H.R. 2820.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 39 minutes p.m.), the House stood in recess.

□ 1445

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LOUDERMILK) at 2 o'clock and 48 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

SECURING FAIRNESS IN
REGULATORY TIMING ACT OF 2015

Mr. TIBERI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3831) to amend title XVIII of the Social Security Act to extend the annual comment period for payment rates under Medicare Advantage, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3831

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 "Securing Fairness in Regulatory Timing Act of 2015".

SEC. 2. EXTENDING THE ANNUAL COMMENT PERIOD FOR PAYMENT RATES UNDER MEDICARE ADVANTAGE.

Section 1853(b)(2) of the Social Security Act (42 U.S.C. 1395w-23(b)(2)) is amended—

(1) by inserting "(or, in 2017 and each subsequent year, at least 60 days)" after "45 days"; and

(2) by inserting "(in 2017 and each subsequent year, of no less than 30 days)" after "opportunity".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. TIBERI) and the gentleman from California (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

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

Mr. Speaker, today I rise in support of H.R. 3831, the Securing Fairness in Regulatory Timing Act of 2015. This is a small but really important piece of legislation. I am pleased to have the gentleman from California (Mr. THOMPSON), my friend, here to discuss this important measure.

The House passed this measure earlier this year, in June, by unanimous consent. Now, we return to the bill to add the technical corrections asked for by the Centers for Medicare and Medicaid Services and the Senate so we can send this bill to the President's desk before the end of the year.

Today, the Medicare Advantage program, known by many as the MA program, serves more than 16 million seniors across the United States of America, including my mom and dad. Enrollment has increased more than threefold in the past 10 years and is expected to nearly double in the next 10 years.

To ensure that seniors in MA plans across the country are able to continue to receive the high-quality care that they deserve, CMS is expected to pay about \$156 billion to more than 3,600 MA plans this year alone. That amounts to nearly 30 percent of overall Medicare spending.

Typically, every year CMS sends out what it calls a rate notice to plans and Medicare Advantage companies that details the various payment rates, as well as benefit changes that the agency intends to make for the following plan year that impacts people like my mom and dad. This notice follows the standard process of a draft notice. It gets published; then the public has a certain amount of time to submit comments and questions; and then the agency publishes a final notice based on that feedback that they receive.

However, MA and Part D aren't treated the same as the other major payment systems within Medicare itself. Right now, the current process takes about 45 days, but only 15 of those days are allotted for the commenting portion; 15 days for thousands of plans, millions of stakeholders to submit comments on proposed changes to a program that amounts to one-third of all Medicare spending.

I could almost understand this if the rate notice were a short and concise document, if it were easy to understand and simple to implement. But it is not. In fact, the rate notice has grown from around 16 pages in 2006 to

nearly 150 pages this year. That is over a 900 percent increase. All the while, the time for the public comment period has remained static, exactly the same.

This means less and less time for the plans and Congress to conduct the necessary review in order to provide CMS with the kind of feedback that would better help the agency assess the impact of their proposed changes to consumers. This is important because without accurate feedback, CMS could inadvertently move forward with a proposed change to the Medicare Advantage program that might negatively impact those seniors—again, like my mom and dad—who depend on these plans for access to their providers, to their doctors.

The legislation before us is simple, and it is straightforward. It extends the public notice period from 45 days to 60 days. Therefore, it would double the extension of the comment period from 15 days to 30 days. This is a common-sense, good-government fix we can make that will give plans more time to understand the changes that CMS proposes and other constructive feedback in order to make the Medicare Advantage program, overall, more responsive to senior citizens' needs.

I encourage my colleagues on both sides of the aisle to pass this legislation again and send it to the Senate so we can get it to the President's desk.

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

Mr. THOMPSON of California. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3831, the Securing Fairness in Regulatory Timing Act of 2015. Every year, the Centers for Medicare and Medicaid Services publishes its Medicare Advantage call letter and rate notice, which outlines payment rates and changes for the nearly 2,000 plans that serve our most vulnerable population.

Nearly 10 years ago, the call letter and rate notice were less than 20 pages long. However, since then, enrollment in Medicare Advantage has nearly tripled, from 5.4 million to 16 million. Medicare Advantage policies have become more complex, and the call letter and rate notice has grown nearly tenfold, sometimes up to over 200 pages long.

At the same time, the time between the publishing of these draft notices and the final notices, which is currently 45 days, has remained unchanged. During this 45-day period, in which there are only 15 days to comment on the proposed changes in the program, plans, stockholders, members, and staff, are expected to review 150 pages of regulatory changes and understand the impacts of those proposed policy changes on a program that provides essential medical care to over a third of Medicare beneficiaries.

We know from our experience, every February and March, that this does not lend itself to an efficient, effective, nor transparent process. Moreover, it

shortchanges CMS of thoughtful, constructive feedback that is necessary to improve a program that our seniors enjoy and rely on.

H.R. 3831 is a simple, straightforward bill that will improve the current process by expanding the cycle from 45 to 60 days, and that gives plans, stakeholders, Members, and our staff 30 full days—double the current time allowed—to analyze and provide feedback on the draft call letter and rate notice.

This is a no-cost, good-government, bipartisan bill that will make the process more transparent, fair, and advantageous for the beneficiaries we serve. As my good friend from Ohio pointed out, we have already passed this bill. It is only coming back for some technical changes. I would ask, and strongly recommend, that all our colleagues vote in favor of this bill so we can pass it to the Senate and get on with our work.

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

GENERAL LEAVE

Mr. TIBERI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3831, as amended.

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

There was no objection.

Mr. TIBERI. Mr. Speaker, just to close, I agree 100 percent with my friend from California. I urge all our colleagues to support this important piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TIBERI) that the House suspend the rules and pass the bill, H.R. 3831, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SURFACE TRANSPORTATION BOARD REAUTHORIZATION ACT OF 2015

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 808) to establish the Surface Transportation Board as an independent establishment, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 808

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Surface Transportation Board Reauthorization Act of 2015”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References to title 49, United States Code.

Sec. 3. Establishment of Surface Transportation Board as an independent establishment.

Sec. 4. Surface Transportation Board membership.

Sec. 5. Nonpublic collaborative discussions.

Sec. 6. Reports.

Sec. 7. Authorization of appropriations.

Sec. 8. Agent in the District of Columbia.

Sec. 9. Department of Transportation Inspector General authority.

Sec. 10. Amendment to table of sections.

Sec. 11. Procedures for rate cases.

Sec. 12. Investigative authority.

Sec. 13. Arbitration of certain rail rates and practices disputes.

Sec. 14. Effect of proposals for rates from multiple origins and destinations.

Sec. 15. Reports.

Sec. 16. Criteria.

Sec. 17. Construction.

SEC. 2. REFERENCES TO TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, wherever in this Act 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 title 49, United States Code.

SEC. 3. ESTABLISHMENT OF SURFACE TRANSPORTATION BOARD AS AN INDEPENDENT ESTABLISHMENT.

(a) REDESIGNATION OF CHAPTER 7 OF TITLE 49, UNITED STATES CODE.—Title 49 is amended—

(1) by moving chapter 7 after chapter 11 in subtitle II;

(2) by redesignating chapter 7 as chapter 13;

(3) by redesignating sections 701 through 706 as sections 1301 through 1306, respectively;

(4) by striking sections 725 and 727;

(5) by redesignating sections 721 through 724 as sections 1321 through 1324, respectively; and

(6) by redesignating section 726 as section 1325.

(b) INDEPENDENT ESTABLISHMENT.—Section 1301, as redesignated by subsection (a)(3), is amended by striking subsection (a) and inserting the following:

“(a) ESTABLISHMENT.—The Surface Transportation Board is an independent establishment of the United States Government.”

(c) CONFORMING AMENDMENTS.—

(1) ADMINISTRATIVE PROVISIONS.—Section 1303, as redesignated by subsection (a)(3), is amended—

(A) by striking subsections (a), (c), (f), and (g);

(B) by redesignating subsections (b), (d), and (e) as subsections (a), (b), and (c), respectively; and

(C) by adding at the end the following:

“(d) SUBMISSION OF CERTAIN DOCUMENTS TO CONGRESS.—

“(1) IN GENERAL.—If the Board submits any budget estimate, budget request, supplemental budget estimate, or other budget information, legislative recommendation, prepared testimony for a congressional hearing, or comment on legislation to the President or to the Office of Management and Budget, the Board shall concurrently submit a copy of such document to—

“(A) the Committee on Commerce, Science, and Transportation of the Senate; and

“(B) the Committee on Transportation and Infrastructure of the House of Representatives.

“(2) NO APPROVAL REQUIRED.—No officer or agency of the United States has any authority to require the Board to submit budget estimates or requests, legislative recommenda-

tions, prepared testimony for congressional hearings, or comments on legislation to any officer or agency of the United States for approval, comments, or review before submitting such recommendations, testimony, or comments to Congress.”

SEC. 4. SURFACE TRANSPORTATION BOARD MEMBERSHIP.

(a) IN GENERAL.—Section 1301(b), as redesignated by subsection 3(a), is amended—

(1) in paragraph (1)—

(A) by striking “3 members” and inserting “5 members”; and

(B) by striking “2 members” and inserting “3 members”; and

(2) by striking paragraph (2) and inserting the following:

“(2) At all times—

“(A) at least 3 members of the Board shall be individuals with professional standing and demonstrated knowledge in the fields of transportation, transportation regulation, or economic regulation; and

“(B) at least 2 members shall be individuals with professional or business experience (including agriculture) in the private sector.”

(b) REPEAL OF OBSOLETE PROVISION.—Section 1301(b), as amended by this section, is further amended—

(1) by striking paragraph (4);

(2) by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively; and

(3) in paragraph (4), as redesignated, by striking “who becomes a member of the Board pursuant to paragraph (4), or an individual”.

SEC. 5. NONPUBLIC COLLABORATIVE DISCUSSIONS.

Section 1303(a), as redesignated by subsections (a) and (c) of section 3, is amended to read as follows:

“(a) OPEN MEETINGS.—

“(1) IN GENERAL.—The Board shall be deemed to be an agency for purposes of section 552b of title 5.

“(2) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

“(A) IN GENERAL.—Notwithstanding section 552b of title 5, a majority of the members may hold a meeting that is not open to public observation to discuss official agency business if—

“(i) no formal or informal vote or other official agency action is taken at the meeting;

“(ii) each individual present at the meeting is a member or an employee of the Board; and

“(iii) the General Counsel of the Board is present at the meeting.

“(B) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Except as provided under subparagraph (C), not later than 2 business days after the conclusion of a meeting under subparagraph (A), the Board shall make available to the public, in a place easily accessible to the public—

“(i) a list of the individuals present at the meeting; and

“(ii) a summary of the matters discussed at the meeting, except for any matters the Board properly determines may be withheld from the public under section 552b(c) of title 5.

“(C) SUMMARY.—If the Board properly determines matters may be withheld from the public under section 555b(c) of title 5, the Board shall provide a summary with as much general information as possible on those matters withheld from the public.

“(D) ONGOING PROCEEDINGS.—If a discussion under subparagraph (A) directly relates to an ongoing proceeding before the Board, the Board shall make the disclosure under subparagraph (B) on the date of the final Board decision.

“(E) PRESERVATION OF OPEN MEETINGS REQUIREMENTS FOR AGENCY ACTION.—Nothing in this paragraph may be construed to limit the applicability of section 552b of title 5 with respect to a meeting of the members other than that described in this paragraph.

“(F) STATUTORY CONSTRUCTION.—Nothing in this paragraph may be construed—

“(i) to limit the applicability of section 552b of title 5 with respect to any information which is proposed to be withheld from the public under subparagraph (B)(ii); or

“(ii) to authorize the Board to withhold from any individual any record that is accessible to that individual under section 552a of title 5, United States Code.”.

SEC. 6. REPORTS.

(a) REPORTS.—Section 1304, as amended by section 3, is further amended—

(1) by striking the section heading and inserting the following:

“§ 1304. Reports”;

(2) by inserting “(a) ANNUAL REPORT.—” before “The Board”;

(3) by striking “on its activities.” and inserting “on its activities, including each instance in which the Board has initiated an investigation on its own initiative under this chapter or subtitle IV.”; and

(4) by adding at the end the following:

“(b) RATE CASE REVIEW METRICS.—

“(1) QUARTERLY REPORTS.—The Board shall post a quarterly report of rail rate review cases pending or completed by the Board during the previous quarter that includes—

“(A) summary information of the case, including the docket number, case name, commodity or commodities involved, and rate review guideline or guidelines used;

“(B) the date on which the rate review proceeding began;

“(C) the date for the completion of discovery;

“(D) the date for the completion of the evidentiary record;

“(E) the date for the submission of closing briefs;

“(F) the date on which the Board issued the final decision; and

“(G) a brief summary of the final decision;

“(2) WEBSITE POSTING.—Each quarterly report shall be posted on the Board’s public website.”.

(b) COMPILATION OF COMPLAINTS AT SURFACE TRANSPORTATION BOARD.—

(1) IN GENERAL.—Section 1304, as amended by subsection (a), is further amended by adding at the end the following:

“(c) COMPLAINTS.—

“(1) IN GENERAL.—The Board shall establish and maintain a database of complaints received by the Board.

“(2) QUARTERLY REPORTS.—The Board shall post a quarterly report of formal and informal service complaints received by the Board during the previous quarter that includes—

“(A) the date on which the complaint was received by the Board;

“(B) a list of the type of each complaint;

“(C) the geographic region of each complaint; and

“(D) the resolution of each complaint, if appropriate.

“(3) WRITTEN CONSENT.—The quarterly report may identify a complainant that submitted an informal complaint only upon the written consent of the complainant.

“(4) WEBSITE POSTING.—Each quarterly report shall be posted on the Board’s public website.”.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

Section 1305, as redesignated by section 3, is amended by striking paragraphs (1) through (3) and inserting the following:

“(1) \$33,000,000 for fiscal year 2016;

“(2) \$35,000,000 for fiscal year 2017;

“(3) \$35,500,000 for fiscal year 2018;

“(4) \$35,500,000 for fiscal year 2019; and

“(5) \$36,000,000 for fiscal year 2020.”.

SEC. 8. AGENT IN THE DISTRICT OF COLUMBIA.

(a) DESIGNATION OF AGENT AND SERVICE OF NOTICE.—Section 1323, as redesignated by section 3(a), is amended—

(1) in subsection (a), by striking “in the District of Columbia,”; and

(2) in subsection (c), by striking “in the District of Columbia”.

(b) SERVICE OF PROCESS IN COURT PROCEEDINGS.—Section 1324(a), as redesignated by section 3(a), is amended by striking “in the District of Columbia” each place such phrase appears.

SEC. 9. DEPARTMENT OF TRANSPORTATION INSPECTOR GENERAL AUTHORITY.

Subchapter II of chapter 13, as redesignated by section 3(a)(2), is amended by inserting after section 1325, as redesignated by section 3(a)(6), the following:

“§ 1326. Authority of the Inspector General

“(a) IN GENERAL.—The Inspector General of the Department of Transportation, in accordance with the mission of the Inspector General to prevent and detect fraud and abuse, shall have authority to review only the financial management, property management, and business operations of the Surface Transportation Board, including internal accounting and administrative control systems, to determine the Board’s compliance with applicable Federal laws, rules, and regulations.

“(b) DUTIES.—In carrying out this section, the Inspector General shall—

“(1) keep the Chairman of the Board, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives fully and currently informed about problems relating to administration of the internal accounting and administrative control systems of the Board;

“(2) issue findings and recommendations for actions to address the problems referred to in paragraph (1); and

“(3) submit periodic reports to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that describe any progress made in implementing actions to address the problems referred to in paragraph (1).

“(c) ACCESS TO INFORMATION.—In carrying out this section, the Inspector General may exercise authorities granted to the Inspector General under subsections (a) and (b) of section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).

“(d) AUTHORIZATION OF APPROPRIATIONS.—

“(1) FUNDING.—There are authorized to be appropriated to the Secretary of Transportation for use by the Inspector General of the Department of Transportation such sums as may be necessary to cover expenses associated with activities pursuant to the authority exercised under this section.

“(2) REIMBURSABLE AGREEMENT.—In the absence of an appropriation under this subsection for an expense referred to in paragraph (1), the Inspector General and the Board shall have a reimbursement agreement to cover such expense.”.

SEC. 10. AMENDMENT TO TABLE OF SECTIONS.

The table of sections for chapter 13, as redesignated by section 3(a), is amended to read as follows:

“CHAPTER 13—SURFACE TRANSPORTATION BOARD

“I—ESTABLISHMENT

“Sec.

“1301. Establishment of Board

“1302. Functions.

“1303. Administrative provisions.

“1304. Reports.

“1305. Authorization of appropriations.

“1306. Reporting official action.

“II—ADMINISTRATIVE

“1321. Powers.

“1322. Board action.

“1323. Service of notice in Board proceedings.

“1324. Service of process in court proceedings.

“1325. Railroad-Shipper Transportation Advisory Council.

“1326. Authority of the Inspector General.”.

SEC. 11. PROCEDURES FOR RATE CASES.

(a) SIMPLIFIED PROCEDURE.—Section 10701(d)(3) is amended to read as follows:

“(3) The Board shall maintain 1 or more simplified and expedited methods for determining the reasonableness of challenged rates in those cases in which a full stand-alone cost presentation is too costly, given the value of the case.”.

(b) EXPEDITED HANDLING; RATE REVIEW TIMELINES.—Section 10704(d) is amended—

(1) by striking “(d) Within 9 months” and all that follows through “railroad rates.” and inserting the following:

“(d)(1) The Board shall maintain procedures to ensure the expeditious handling of challenges to the reasonableness of railroad rates.”; and

(2) by adding at the end the following:

“(2)(A) Except as provided under subparagraph (B), in a stand-alone cost rate challenge, the Board shall comply with the following timeline:

“(i) Discovery shall be completed not later than 150 days after the date on which the challenge is initiated.

“(ii) The development of the evidentiary record shall be completed not later than 155 days after the date on which discovery is completed under clause (i).

“(iii) The closing brief shall be submitted not later than 60 days after the date on which the development of the evidentiary record is completed under clause (ii).

“(iv) A final Board decision shall be issued not later than 180 days after the date on which the evidentiary record is completed under clause (ii).

“(B) The Board may extend a timeline under subparagraph (A) after a request from any party or in the interest of due process.”.

(c) PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Surface Transportation Board shall initiate a proceeding to assess procedures that are available to parties in litigation before courts to expedite such litigation and the potential application of any such procedures to rate cases.

(d) EXPIRED RAIL SERVICE CONTRACT LIMITATION.—Section 10709 is amended by striking subsection (h).

SEC. 12. INVESTIGATIVE AUTHORITY.

(a) AUTHORITY TO INITIATE INVESTIGATIONS.—Section 11701(a) is amended—

(1) by striking “only on complaint” and inserting “on the Board’s own initiative or upon receiving a complaint pursuant to subsection (b)”;

(2) by adding at the end the following: “If the Board finds a violation of this part in a proceeding brought on its own initiative, any remedy from such proceeding may only be applied prospectively.”.

(b) LIMITATIONS ON INVESTIGATIONS OF THE BOARD’S INITIATIVE.—Section 11701, as amended by subsection (a), is further amended by adding at the end the following:

“(d) In any investigation commenced on the Board’s own initiative, the Board shall—

“(1) not later than 30 days after initiating the investigation, provide written notice to the parties under investigation, which shall state the basis for such investigation;

“(2) only investigate issues that are of national or regional significance;

“(3) permit the parties under investigation to file a written statement describing any or all facts and circumstances concerning a matter which may be the subject of such investigation;

“(4) make available to the parties under investigation and Board members—

“(A) any recommendations made as a result of the investigation; and

“(B) a summary of the findings that support such recommendations;

“(5) to the extent practicable, separate the investigative and decisionmaking functions of staff;

“(6) dismiss any investigation that is not concluded by the Board with administrative finality within 1 year after the date on which it was commenced; and

“(7) not later than 90 days after receiving the recommendations and summary of findings under paragraph (4)—

“(A) dismiss the investigation if no further action is warranted; or

“(B) initiate a proceeding to determine if a provision under this part has been violated.

“(e)(1) Any parties to an investigation against whom a violation is found as a result of an investigation begun on the Board’s own initiative may, not later than 60 days after the date of the order of the Board finding such a violation, institute an action in the United States court of appeals for the appropriate judicial circuit for de novo review of such order in accordance with chapter 7 of title 5.

“(2) The court—

“(A) shall have jurisdiction to enter a judgment affirming, modifying, or setting aside, in whole or in part, the order of the Board; and

“(B) may remand the proceeding to the Board for such further action as the court may direct.”.

(c) RULEMAKINGS FOR INVESTIGATIONS OF THE BOARD’S INITIATIVE.—Not later than 1 year after the date of the enactment of this Act, the Board shall issue rules, after notice and comment rulemaking, for investigations commenced on its own initiative that—

(1) comply with the requirements of section 11701(d) of title 49, United States Code, as added by subsection (b);

(2) satisfy due process requirements; and

(3) take into account ex parte constraints.

SEC. 13. ARBITRATION OF CERTAIN RAIL RATES AND PRACTICES DISPUTES.

(a) IN GENERAL.—Chapter 117 is amended by adding at the end the following:

“§ 11708. Voluntary arbitration of certain rail rates and practices disputes

“(a) IN GENERAL.—Not later than 1 year after the date of the enactment of the Surface Transportation Board Reauthorization Act of 2015, the Board shall promulgate regulations to establish a voluntary and binding arbitration process to resolve rail rate and practice complaints subject to the jurisdiction of the Board.

“(b) COVERED DISPUTES.—The voluntary and binding arbitration process established pursuant to subsection (a)—

“(1) shall apply to disputes involving—

“(A) rates, demurrage, accessorial charges, misrouting, or mishandling of rail cars; or

“(B) a carrier’s published rules and practices as applied to particular rail transportation;

“(2) shall not apply to disputes—

“(A) to obtain the grant, denial, stay, or revocation of any license, authorization, or exemption;

“(B) to prescribe for the future any conduct, rules, or results of general, industry-wide applicability;

“(C) to enforce a labor protective condition; or

“(D) that are solely between 2 or more rail carriers; and

“(3) shall not prevent parties from independently seeking or utilizing private arbitration services to resolve any disputes the parties may have.

“(c) ARBITRATION PROCEDURES.—

“(1) IN GENERAL.—The Board—

“(A) may make the voluntary and binding arbitration process established pursuant to subsection (a) available only to the relevant parties;

“(B) may make the voluntary and binding arbitration process available only—

“(i) after receiving the written consent to arbitrate from all relevant parties; and

“(ii)(I) after the filing of a written complaint; or

“(II) through other procedures adopted by the Board in a rulemaking proceeding;

“(C) with respect to rate disputes, may make the voluntary and binding arbitration process available only to the relevant parties if the rail carrier has market dominance (as determined under section 10707); and

“(D) may initiate the voluntary and binding arbitration process not later than 40 days after the date on which a written complaint is filed or through other procedures adopted by the Board in a rulemaking proceeding.

“(2) LIMITATION.—Initiation of the voluntary and binding arbitration process shall preclude the Board from separately reviewing a complaint or dispute related to the same rail rate or practice in a covered dispute involving the same parties.

“(3) RATES.—In resolving a covered dispute involving the reasonableness of a rail carrier’s rates, the arbitrator or panel of arbitrators, as applicable, shall consider the Board’s methodologies for setting maximum lawful rates, giving due consideration to the need for differential pricing to permit a rail carrier to collect adequate revenues (as determined under section 10704(a)(2)).

“(d) ARBITRATION DECISIONS.—Any decision reached in an arbitration process under this section—

“(1) shall be consistent with sound principles of rail regulation economics;

“(2) shall be in writing;

“(3) shall contain findings of fact and conclusions;

“(4) shall be binding upon the parties; and

“(5) shall not have any precedential effect in any other or subsequent arbitration dispute.

“(e) TIMELINES.—

“(1) SELECTION.—An arbitrator or panel of arbitrators shall be selected not later than 14 days after the date of the Board’s decision to initiate arbitration.

“(2) EVIDENTIARY PROCESS.—The evidentiary process of the voluntary and binding arbitration process shall be completed not later than 90 days after the date on which the arbitration process is initiated unless—

“(A) a party requests an extension; and

“(B) the arbitrator or panel of arbitrators, as applicable, grants such extension request.

“(3) DECISION.—The arbitrator or panel of arbitrators, as applicable, shall issue a decision not later than 30 days after the date on which the evidentiary record is closed.

“(4) EXTENSIONS.—The Board may extend any of the timelines under this subsection upon the agreement of all parties in the dispute.

“(f) ARBITRATORS.—

“(1) IN GENERAL.—Unless otherwise agreed by all of the parties, an arbitration under this section shall be conducted by an arbitrator or panel of arbitrators, which shall be selected from a roster, maintained by the Board, of persons with rail transportation, economic regulation, professional or busi-

ness experience, including agriculture, in the private sector.

“(2) INDEPENDENCE.—In an arbitration under this section, the arbitrators shall perform their duties with diligence, good faith, and in a manner consistent with the requirements of impartiality and independence.

“(3) SELECTION.—

“(A) IN GENERAL.—If the parties cannot mutually agree on an arbitrator, or the lead arbitrator of a panel of arbitrators, the parties shall select the arbitrator or lead arbitrator from the roster by alternately striking names from the roster until only 1 name remains meeting the criteria set forth in paragraph (1).

“(B) PANEL OF ARBITRATORS.—If the parties agree to select a panel of arbitrators, instead of a single arbitrator, the panel shall be selected under this subsection as follows:

“(i) The parties to a dispute may mutually select 1 arbitrator from the roster to serve as the lead arbitrator of the panel of arbitrators.

“(ii) If the parties cannot mutually agree on a lead arbitrator, the parties shall select a lead arbitrator using the process described in subparagraph (A).

“(iii) In addition to the lead arbitrator selected under this subparagraph, each party to a dispute shall select 1 additional arbitrator from the roster, regardless of whether the other party struck out the arbitrator’s name under subparagraph (A).

“(4) COST.—The parties shall share the costs incurred by the Board and arbitrators equally, with each party responsible for paying its own legal and other associated arbitration costs.

“(g) RELIEF.—

“(1) IN GENERAL.—Subject to the limitations set forth in paragraphs (2) and (3), an arbitral decision under this section may award the payment of damages or rate prescriptive relief.

“(2) PRACTICE DISPUTES.—The damage award for practice disputes may not exceed \$2,000,000.

“(3) RATE DISPUTES.—

“(A) MONETARY LIMIT.—The damage award for rate disputes, including any rate prescription, may not exceed \$25,000,000.

“(B) TIME LIMIT.—Any rate prescription shall be limited to not longer than 5 years from the date of the arbitral decision.

“(h) BOARD REVIEW.—If a party appeals a decision under this section to the Board, the Board may review the decision under this section to determine if—

“(1) the decision is consistent with sound principles of rail regulation economics;

“(2) a clear abuse of arbitral authority or discretion occurred;

“(3) the decision directly contravenes statutory authority; or

“(4) the award limitation under subsection (g) was violated.”.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 117 is amended by adding at the end the following:

“11708. Voluntary arbitration of certain rail rates and practice disputes.”.

SEC. 14. EFFECT OF PROPOSALS FOR RATES FROM MULTIPLE ORIGINS AND DESTINATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study of rail transportation contract proposals containing multiple origin-to-destination movements.

(b) REPORT.—Not later than 1 year after commencing the study required under subsection (a), the Comptroller General shall submit a report containing the results of the study to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 15. REPORTS.

(a) REPORT ON RATE CASE METHODOLOGY.—Not later than 1 year after the date of the enactment of this Act, the Surface Transportation Board shall submit a report to the congressional committees referred to in section 14(b) that—

(1) indicates whether current large rate case methodologies are sufficient, not unduly complex, and cost effective;

(2) indicates whether alternative methodologies exist, or could be developed, to streamline, expedite, and address the complexity of large rate cases; and

(3) only includes alternative methodologies, which exist or could be developed, that are consistent with sound economic principles.

(b) QUARTERLY REPORTS.—Beginning not later than 60 days after the date of the enactment of this Act, the Surface Transportation Board shall submit quarterly reports to the congressional committees referred to in section 14(b) that describes the Surface Transportation Board's progress toward addressing the issues raised in each unfinished regulatory proceeding, regardless of whether the proceeding is subject to a statutory or regulatory deadline.

SEC. 16. CRITERIA.

Section 10704(a)(2) is amended by inserting "for the infrastructure and investment needed to meet the present and future demand for rail services and" after "management,".

SEC. 17. CONSTRUCTION.

Nothing in this Act may be construed to affect any suit commenced by or against the Surface Transportation Board, or any proceeding or challenge pending before the Surface Transportation Board, before the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Massachusetts (Mr. CAPUANO) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on S. 808.

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

There was no objection.

Mr. SHUSTER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DENHAM), the chairman of the Subcommittee on Railroads, Pipelines, and Hazardous Materials.

Mr. DENHAM. Mr. Speaker, I thank the chairman for giving me time to speak on the Surface Transportation Board Reauthorization Act of 2015.

This is an important piece of legislation that will reform the STB to work more efficiently to better regulate the railroads. This year is the 35th anniversary of the passage of the Staggers Rail Act of 1980, which saved the railroad industry from bankruptcy.

Earlier this year, my subcommittee held a hearing on the successes of the railroad deregulation. We heard how railroads were freed to act more like

true businesses by charging market-driven rates and being able to right-size their operations along rail lines, which made economic sense.

This deregulation effort culminated in the creation of the STB in the Interstate Commerce Commission Termination Act of 1995. The STB is a small but significant agency that conducts the economic regulation of the railroads and has not been reauthorized since its creation.

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The bill we consider today would streamline and simplify regulatory activities, a hallmark of this Congress.

While the STB has successfully overseen a stronger railroad industry, this bill will help the rail industry better serve its customers:

First, it streamlines dispute resolution procedures and sets hard deadlines for completion of rate cases to reduce litigation costs;

Second, it provides greater transparency into complaints received by the STB and requires enhanced reporting by the agency;

Third, it rejects Big Government regulatory action that has been proposed in the past. Instead, it makes necessary reforms to the agency to improve its processes and procedures;

Finally, the bill has broad support from shipper groups across the country, including the National Grain and Feed Association, the American Chemistry Council, The Fertilizer Institute, and the American Farm Bureau Federation.

I am pleased to stand here today and support the STB Reauthorization Act. It is only fitting that we are considering this bill just over 35 years since Congress passed the Staggers Rail Act, which allowed the railroads to thrive. I believe this bill will continue to make the STB and the rail industry better for the Nation's rail shippers, and I urge my colleagues to support this critical legislation.

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

Mr. Speaker, I am getting sick and tired of agreeing with my colleagues. This is the way transportation issues are supposed to be: bipartisan, thoughtful, and relatively easy to pass.

Mr. Speaker, I rise to support S. 808, which reauthorizes the STB, as you have already heard. This Board has not been reauthorized since it was created by the Interstate Commerce Commission Termination Act of 1995. That is ridiculous. It is about time we do it, and I am happy that I am here today to participate in that.

For those who don't know, the Surface Transportation Board is currently a three-member, bipartisan agency within the Department of Transportation. They have regulatory jurisdiction over the rates freight railroads charge their customers, mergers between railroad companies, new rail line construction, abandonment and conversion of existing rail lines, and other such matters.

Though an agency very few Americans know about, the STB has a profound impact on the availability and cost of goods across our Nation. This bill makes a number of commonsense reforms to the Board.

It establishes the STB as an independent entity, rather than as part of the Department of Transportation, and expands Board membership from three to five. I know that sounds like a small matter, but by doing so, it allows members to actually talk to each other without breaking certain laws of members being unable to talk for obvious open government purposes.

The bill requires the STB to streamline their processes for certain rate cases; sets rate review timelines for full, standalone cost rate challenges; and requires the STB to initiate a proceeding to develop other methods to expedite rate cases.

For the first time, the STB will be able to initiate their own investigations on different allegations. Right now, current law requires someone to bring a complaint before they can initiate a review. This is a major improvement.

The bill requires the STB to establish a voluntary and binding arbitration process to resolve rail rate and service complaints, and it requires the STB to evaluate whether current large rate case methodologies are sufficient, cost-effective, and are not unduly complex.

S. 808 is an important step forward on an important, if not widely known, issue. I urge Members to support this bill.

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

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

Mr. Speaker, I just want to thank Mr. CAPUANO, Mr. DENHAM, Mr. DEFAZIO, and, of course, our colleagues in the Senate for bringing this bill forward.

I think Mr. CAPUANO said it accurately: Transportation and infrastructure bills should come to the floor in a bipartisan way, figuring these things out, because this is good for America. It has nothing to do with Republicans or Democrats. It has to do with what is good for the American people, what is good for the American economy.

The Surface Transportation Board is the Federal economic regulator of the Nation's freight system, and that has been a real success story. Since the Staggers Rail Act was passed, I believe, as the gentleman from Massachusetts mentioned, in 1980, our freight rail system is the envy of the world. It is strong. It is vibrant. It does a great job. But I know the STB reauthorization and making some of these significant changes is going to be beneficial to everybody.

I think the gentleman from California ticked off a list of different outside groups or stakeholders and people that utilize rail that are in favor of this. Again, they sat down and worked it out. This will allow the STB to run

more efficiently and, ultimately, again, as I said, improve the Nation's economy.

I am not going to go through all the description—Mr. CAPUANO did a great job of that—of the changes that it makes and the authorities it gives them. It is going to streamline this and get these rate cases to the STB faster and get us through that process quicker. That is extremely important. So I believe this legislation is a crucial step for the railroad industry, the folks that use it on a day-to-day basis, and the American economy.

As mentioned, the Senate passed this bill with broad support, and I am pleased that we are moving this forward today.

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

Mr. CAPUANO. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO), my friend, the ranking member of the Transportation and Infrastructure Committee.

Mr. DEFAZIO. Mr. Speaker, I thank the ranking member of the subcommittee for yielding. He has already explained in detail what is important about this legislation: the first reauthorization since the creation of the agency, the streamlining of rate dispute processes, the potential of arbitration in the future, and enlarging the Board so they can be more facile in terms of making decisions without violating public meetings laws. All those things are very important. I am just going to add a little bit of what this means to me kind of stuff for anybody who might be interested.

When I was a relatively junior Member of Congress—I think I am probably the only Member of Congress who has testified twice before the Surface Transportation Board—we had a huge crisis in the West—I think it was after the UP-SP merger—where my Christmas tree growers couldn't get railcars. So I famously made the "How the Grinch Stole Christmas" presentation to the Surface Transportation Board. We did, not too long thereafter, get some railcars delivered and got those trees to families all across the Western United States. That was important to an important little industry that we have in Oregon.

More importantly, I went to the Surface Transportation Board again. We had something called RailAmerica, which was an accumulation of many, many short line railroads across the country. It was bought by and being managed by one of those wonderful Wall Street hedge funds, who were driving both our rail line and other rail lines into the ground. They didn't have the slightest bit of interest in being in the rail business. They were just trying to drain what money they could out of those railroads.

One bright, sunny day, they decided to abandon the Coos Bay Railroad. It runs from the Willamette Valley all the way down to Coos Bay, Oregon, and

back up to Coquille. It covers about 150 miles. It was the only rail to the coast and to a major port in Oregon, the Port of Coos Bay, North Bend.

They managed to get their equipment back, but they stranded railcars full of lumber and other goods by saying: "Sorry, it is done. We are done." They didn't notify anybody. No proper procedures were filed. "We are abandoning the line, and we are going to rip it up, and we are going to sell the rails to the Chinese for scrap."

Well, that didn't come to pass. I got together with the then-Governor and we brought some legal clout to the table. We partnered with the Port of Coos Bay, North Bend, and said what if we can get Federal and State money and buy this railroad? The hedge fund said they weren't interested. They thought they could make more money by ripping it up, selling the right-of-way, and selling the scrap steel to China.

So I went to the Surface Transportation Board. The Surface Transportation Board made the hedge fund sell the railroad as a railroad. As decrepit as it was, it was an incredibly critical piece of infrastructure.

I took one of those horrible earmarks that we don't do around here anymore that I had gotten to improve the rail bridge over the harbor and got that converted in a technical correction to money to help purchase the railroad from this rotten hedge fund. The State partnered. The port became the operator.

Last year, the Coos Bay Rail Link got the Short Line Operator of the Year award. It is providing a tremendous economic benefit and future for the south coast of my district. And absent the regulators—we all want to carry on about how bad regulators are, but when you have abusers out there like hedge funds that buy up critical infrastructure and couldn't give a damn about them—we need people like the Surface Transportation Board to preserve critical assets for our communities.

So I am thrilled to be here today to reauthorize, for the first time, the Surface Transportation Board, streamline them, and enhance their capabilities so that in the future, other aggrieved communities or business sectors can go to the STB and get a quick judgment when they need and deserve it.

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

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

Mr. Speaker, I include in the RECORD a list of over 160 organizations that support S. 808. They are users of the railroad system, from agriculture interests to chemical, auto, pipe manufacturers, and energy companies.

Agribusiness Association of Iowa, Agribusiness Council of Indiana, Agricultural Retailers Association, Agriculture Transportation Coalition, Alabama Crop Management Association, Alliance for Rail Competition, Alliance of Automobile Manufacturers,

American Chemistry Council, American Farm Bureau Federation, American Forest & Paper Association, American Fuel & Petrochemical Manufacturers, American Fuel & Petrochemical Manufacturers Association, American Iron and Steel Institute, American Malting Barley Association, Inc., American Public Power Association, American Soybean Association, Auto Care Association, Chemical Industry Council of Delaware, Chemical Industry Council of Illinois, Chemistry Council of Missouri.

Chemistry Council of New Jersey, Colorado Association of Wheat Growers, Connecticut Business & Industry Association, Corn Refiners Association, Edison Electric Institute, Florida Fertilizer & Agricultural Association, Foundry Association of Michigan, Freight Rail Customer Alliance, Georgia Agribusiness Council, Georgia Chemistry Council, Glass Packaging Institute, Grain and Feed Association of Illinois, Green Coffee Association, Grocery Manufacturers Association, Growth Energy, Idaho Barley Commission, Idaho Grain Producers Association.

Idaho Wheat Commission, Illinois Fertilizer & Chemical Association, Indiana Corn Growers Association, Indiana Farm Bureau, Indiana Soybean Alliance, Institute of Makers of Explosives, Institute of Scrap Recycling Industries, Inc., Institute of Shortening and Edible Oils, International Liquid Terminals Association, International Warehouse Logistics Association, Kansas Grain and Feed Association, Louisiana Chemical Association, Manufacture Alabama, Manufacturers Association of Florida, Massachusetts Chemistry & Technology Alliance, Michigan Agri-Business Association, Michigan Bean Shippers, Michigan Chemistry Council.

Midwest Food Processors Association, Minnesota AgriGrowth Council, Minnesota Crop Production Retailers, Minnesota Grain and Feed Association, Mississippi Manufacturers Association, Missouri Agribusiness Association, Missouri Forest Products Association, Montana Agricultural Business Association, Montana Farmers Union, Montana Grain Elevators Association, Motorcycle Industry Council, National Association of Chemical Distributors, National Association of State Departments of Agriculture, National Association of Wheat Growers, National Barley Growers Association, National Corn Growers Association, National Cotton Council of America, National Council of Farmer Cooperatives, National Farmers Union.

National Grain and Feed Association, National Industrial Transportation League, National Oilseed Processors Association, National Onion Association, National Pasta Association, National Retail Federation, National Rural Electric Cooperative Association, National Shippers Strategic Transportation Council, National Sunflower Association, Nebraska Agri-Business Association, Inc., Nebraska Grain and Feed Association, Nebraska Soybean Association, Nebraska Wheat Board, Nebraska Wheat Growers Association, New York State Agribusiness Association, New York State Chemistry Council, North American Millers' Association, North Carolina Manufacturers Alliance.

North Dakota Grain Dealers Association, Northeast Agribusiness and Feed Alliance, Ohio Agribusiness Association, Ohio Chemistry Technology Council, Oklahoma Agribusiness Retailers Association, Oklahoma Grain and Feed Association, Oregon Wheat Growers League, Outdoor Power Equipment Association, Inc., Pennsylvania Chemical Industry Council, Plastic Pipe and Fittings Association, Plastics Pipe and Fittings Association, Portland Cement Association, Promotional Products Association International, PVC Pipe Association, Rail Customer Coalition, Renewable Fuels Association, Rocky Mountain Agribusiness Association.

Society of Chemical Manufacturers and Affiliates, South Carolina Fertilizer and Agrichemicals Association, South Carolina Manufacturers Alliance, South Dakota Farmers Union, South Dakota Grain & Feed Association, South Dakota Wheat Inc., SPI: The Plastics Industry Trade Association, Steel Manufacturers Association, Texas Ag Industries Association, Texas Chemical Council, Texas Grain & Feed Association, Texas Wheat Producers Association, The Chlorine Institute, The Fertilizer Institute, The National Industrial Transportation League, The Sulphur Institute, The Vinyl Institute.

United States Fashion Industry Association, US Canola Association, US Dry Bean Council, US Dry Pea & Lentil Council, USA Rice Federation, Vinyl Building Council, Vinyl Siding Institute, Inc., Washington Association of Wheat Growers, Washington Grain Commission, West Virginia Manufacturers Association, Western Fuels Association, Western Governors' Association, Western Plant Health Association, Wisconsin Agri-Business Association, Wisconsin Corn Growers Association, Wisconsin Electric Cooperative Association, Wyoming Ag Business Association, Wyoming Wheat Marketing Commission.

Mr. SHUSTER. Again, I would just urge all my colleagues to support this important reauthorization and reform to the Surface Transportation Board.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the bill, S. 808.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2250. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes.

COAST GUARD AUTHORIZATION ACT OF 2015

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4188) to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 4188

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 "Coast Guard Authorization Act of 2015".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—AUTHORIZATIONS

- Sec. 101. Authorizations.
Sec. 102. Conforming amendments.
TITLE II—COAST GUARD
Sec. 201. Vice Commandant.
Sec. 202. Vice admirals.
Sec. 203. Coast Guard remission of indebtedness.
Sec. 204. Acquisition reform.
Sec. 205. Auxiliary jurisdiction.
Sec. 206. Coast Guard communities.
Sec. 207. Polar icebreakers.
Sec. 208. Air facility closures.
Sec. 209. Technical corrections to title 14, United States Code.
Sec. 210. Discontinuance of an aid to navigation.
Sec. 211. Mission performance measures.
Sec. 212. Communications.
Sec. 213. Coast Guard graduate maritime operations education.
Sec. 214. Professional development.
Sec. 215. Senior enlisted member continuation boards.
Sec. 216. Coast Guard member pay.
Sec. 217. Transfer of funds necessary to provide medical care.
Sec. 218. Participation of the Coast Guard Academy in Federal, State, or other educational research grants.
Sec. 219. National Coast Guard Museum.
Sec. 220. Investigations.
Sec. 221. Clarification of eligibility of members of the Coast Guard for combat-related special compensation.
Sec. 222. Leave policies for the Coast Guard.

TITLE III—SHIPPING AND NAVIGATION

- Sec. 301. Survival craft.
Sec. 302. Vessel replacement.
Sec. 303. Model years for recreational vessels.
Sec. 304. Merchant mariner credential expiration harmonization.
Sec. 305. Safety zones for permitted marine events.
Sec. 306. Technical corrections.
Sec. 307. Recommendations for improvements of marine casualty reporting.
Sec. 308. Recreational vessel engine weights.
Sec. 309. Merchant mariner medical certification reform.
Sec. 310. Atlantic Coast port access route study.
Sec. 311. Certificates of documentation for recreational vessels.
Sec. 312. Program guidelines.
Sec. 313. Repeals.
Sec. 314. Maritime drug law enforcement.
Sec. 315. Examinations for merchant mariner credentials.
Sec. 316. Higher volume port area regulatory definition change.
Sec. 317. Recognition of port security assessments conducted by other entities.
Sec. 318. Fishing vessel and fish tender vessel certification.
Sec. 319. Interagency Coordinating Committee on Oil Pollution Research.
Sec. 320. International port and facility inspection coordination.

TITLE IV—FEDERAL MARITIME COMMISSION

- Sec. 401. Authorization of appropriations.
Sec. 402. Duties of the Chairman.
Sec. 403. Prohibition on awards.

TITLE V—CONVEYANCES

Subtitle A—Miscellaneous Conveyances

- Sec. 501. Conveyance of Coast Guard property in Point Reyes Station, California.

- Sec. 502. Conveyance of Coast Guard property in Tok, Alaska.
Subtitle B—Pribilof Islands
Sec. 521. Short title.
Sec. 522. Transfer and disposition of property.
Sec. 523. Notice of certification.
Sec. 524. Redundant capability.
Subtitle C—Conveyance of Coast Guard Property at Point Spencer, Alaska
Sec. 531. Findings.
Sec. 532. Definitions.
Sec. 533. Authority to convey land in Point Spencer.
Sec. 534. Environmental compliance, liability, and monitoring.
Sec. 535. Easements and access.
Sec. 536. Relationship to Public Land Order 2650.
Sec. 537. Archeological and cultural resources.
Sec. 538. Maps and legal descriptions.
Sec. 539. Chargeability for land conveyed.
Sec. 540. Redundant capability.
Sec. 541. Port Coordination Council for Point Spencer.

TITLE VI—MISCELLANEOUS

- Sec. 601. Modification of reports.
Sec. 602. Safe vessel operation in the Great Lakes.
Sec. 603. Use of vessel sale proceeds.
Sec. 604. National Academy of Sciences cost assessment.
Sec. 605. Penalty wages.
Sec. 606. Recourse for noncitizens.
Sec. 607. Coastwise endorsements.
Sec. 608. International Ice Patrol.
Sec. 609. Assessment of oil spill response and cleanup activities in the Great Lakes.
Sec. 610. Report on status of technology detecting passengers who have fallen overboard.
Sec. 611. Venue.
Sec. 612. Disposition of infrastructure related to E-LORAN.
Sec. 613. Parking.

TITLE I—AUTHORIZATIONS

SEC. 101. AUTHORIZATIONS.

(a) IN GENERAL.—Title 14, United States Code, is amended by adding at the end the following:

“PART III—COAST GUARD AUTHORIZATIONS AND REPORTS TO CONGRESS

“Chap.
“27. Authorizations 2701
“29. Reports 2901

“CHAPTER 27—AUTHORIZATIONS

- “Sec.
“2702. Authorization of appropriations.
“2704. Authorized levels of military strength and training.

“§ 2702. Authorization of appropriations

“Funds are authorized to be appropriated for each of fiscal years 2016 and 2017 for necessary expenses of the Coast Guard as follows:

“(1) For the operation and maintenance of the Coast Guard, not otherwise provided for—

- “(A) \$6,981,036,000 for fiscal year 2016; and
“(B) \$6,981,036,000 for fiscal year 2017.

“(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment—

- “(A) \$1,945,000,000 for fiscal year 2016; and
“(B) \$1,945,000,000 for fiscal year 2017.

“(3) For the Coast Guard Reserve program, including operations and maintenance of the program, personnel and training costs, equipment, and services—

“(A) \$140,016,000 for fiscal year 2016; and
“(B) \$140,016,000 for fiscal year 2017.

“(4) For the environmental compliance and restoration functions of the Coast Guard under chapter 19 of this title—

“(A) \$16,701,000 for fiscal year 2016; and
“(B) \$16,701,000 for fiscal year 2017.

“(5) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, and for maintenance, rehabilitation, lease, and operation of facilities and equipment—

“(A) \$19,890,000 for fiscal year 2016; and
“(B) \$19,890,000 for fiscal year 2017.

“§ 2704. Authorized levels of military strength and training

“(a) ACTIVE DUTY STRENGTH.—The Coast Guard is authorized an end-of-year strength for active duty personnel of 43,000 for each of fiscal years 2016 and 2017.

“(b) MILITARY TRAINING STUDENT LOADS.—The Coast Guard is authorized average military training student loads for each of fiscal years 2016 and 2017 as follows:

“(1) For recruit and special training, 2,500 student years.

“(2) For flight training, 165 student years.

“(3) For professional training in military and civilian institutions, 350 student years.

“(4) For officer acquisition, 1,200 student years.

“CHAPTER 29—REPORTS

“Sec.

“2904. Manpower requirements plan.

“§ 2904. Manpower requirements plan

“(a) IN GENERAL.—On the date on which the President submits to the Congress a budget for fiscal year 2017 under section 1105 of title 31, on the date on which the President submits to the Congress a budget for fiscal year 2019 under such section, and every 4 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a manpower requirements plan.

“(b) SCOPE.—A manpower requirements plan submitted under subsection (a) shall include for each mission of the Coast Guard—

“(1) an assessment of all projected mission requirements for the upcoming fiscal year and for each of the 3 fiscal years thereafter;

“(2) the number of active duty, reserve, and civilian personnel assigned or available to fulfill such mission requirements—

“(A) currently; and

“(B) as projected for the upcoming fiscal year and each of the 3 fiscal years thereafter;

“(3) the number of active duty, reserve, and civilian personnel required to fulfill such mission requirements—

“(A) currently; and

“(B) as projected for the upcoming fiscal year and each of the 3 fiscal years thereafter;

“(4) an identification of any capability gaps between mission requirements and mission performance caused by deficiencies in the numbers of personnel available—

“(A) currently; and

“(B) as projected for the upcoming fiscal year and each of the 3 fiscal years thereafter; and

“(5) an identification of the actions the Commandant will take to address capability gaps identified under paragraph (4).

“(c) CONSIDERATION.—In composing a manpower requirements plan for submission under subsection (a), the Commandant shall consider—

“(1) the marine safety strategy required under section 2116 of title 46;

“(2) information on the adequacy of the acquisition workforce included in the most recent report under section 2903 of this title; and

“(3) any other Federal strategic planning effort the Commandant considers appropriate.”

(b) REQUIREMENT FOR PRIOR AUTHORIZATION OF APPROPRIATIONS.—Section 662 of title 14, United States Code, is amended—

(1) by redesignating such section as section 2701;

(2) by transferring such section to appear before section 2702 of such title (as added by subsection (a) of this section); and

(3) by striking paragraphs (1) through (5) and inserting the following:

“(1) For the operation and maintenance of the Coast Guard, not otherwise provided for.

“(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment.

“(3) For the Coast Guard Reserve program, including operations and maintenance of the program, personnel and training costs, equipment, and services.

“(4) For the environmental compliance and restoration functions of the Coast Guard under chapter 19 of this title.

“(5) For research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard.

“(6) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Alteration of Bridges Program.”

(c) AUTHORIZATION OF PERSONNEL END STRENGTHS.—Section 661 of title 14, United States Code, is amended—

(1) by redesignating such section as section 2703; and

(2) by transferring such section to appear before section 2704 of such title (as added by subsection (a) of this section).

(d) REPORTS.—

(1) TRANSMISSION OF ANNUAL COAST GUARD AUTHORIZATION REQUEST.—Section 662a of title 14, United States Code, is amended—

(A) by redesignating such section as section 2901;

(B) by transferring such section to appear before section 2904 of such title (as added by subsection (a) of this section); and

(C) in subsection (b)—

(i) in paragraph (1) by striking “described in section 661” and inserting “described in section 2703”; and

(ii) in paragraph (2) by striking “described in section 662” and inserting “described in section 2701”.

(2) CAPITAL INVESTMENT PLAN.—Section 663 of title 14, United States Code, is amended—

(A) by redesignating such section as section 2902; and

(B) by transferring such section to appear after section 2901 of such title (as so redesignated and transferred by paragraph (1) of this subsection).

(3) MAJOR ACQUISITIONS.—Section 569a of title 14, United States Code, is amended—

(A) by redesignating such section as section 2903;

(B) by transferring such section to appear after section 2902 of such title (as so redesignated and transferred by paragraph (2) of this subsection); and

(C) in subsection (c)(2) by striking “of this subchapter”.

(e) ICEBREAKERS.—

(1) ICEBREAKING ON THE GREAT LAKES.—For fiscal years 2016 and 2017, the Commandant of the Coast Guard may use funds made available pursuant to section 2702(2) of title 14, United States Code (as added by subsection (a) of this section), for the selection of a design for and the construction of an icebreaker that is capable of buoy tending to enhance icebreaking capacity on the Great Lakes.

(2) POLAR ICEBREAKING.—Of the amounts authorized to be appropriated under section 2702(2) of title 14, United States Code, as amended by subsection (a), there is authorized to be appropriated to the Coast Guard \$4,000,000 for fiscal year 2016 and \$10,000,000 for fiscal year 2017 for preacquisition activities for a new polar icebreaker, including initial specification development and feasibility studies.

(f) ADDITIONAL SUBMISSIONS.—The Commandant of the Coast Guard shall submit to the Committee on Homeland Security of the House of Representatives—

(1) each plan required under section 2904 of title 14, United States Code, as added by subsection (a) of this section;

(2) each plan required under section 2903(e) of title 14, United States Code, as added by section 206 of this Act;

(3) each plan required under section 2902 of title 14, United States Code, as redesignated by subsection (d) of this section; and

(4) each mission need statement required under section 569 of title 14, United States Code.

SEC. 102. CONFORMING AMENDMENTS.

(a) ANALYSIS FOR TITLE 14.—The analysis for title 14, United States Code, is amended by adding after the item relating to part II the following:

“III. Coast Guard Authorizations and Reports to Congress 2701”.

(b) ANALYSIS FOR CHAPTER 15.—The analysis for chapter 15 of title 14, United States Code, is amended by striking the item relating to section 569a.

(c) ANALYSIS FOR CHAPTER 17.—The analysis for chapter 17 of title 14, United States Code, is amended by striking the items relating to sections 661, 662, 662a, and 663.

(d) ANALYSIS FOR CHAPTER 27.—The analysis for chapter 27 of title 14, United States Code, as added by section 101(a) of this Act, is amended by inserting—

(1) before the item relating to section 2702 the following:

“2701. Requirement for prior authorization of appropriations.”;

and

(2) before the item relating to section 2704 the following:

“2703. Authorization of personnel end strengths.”.

(e) ANALYSIS FOR CHAPTER 29.—The analysis for chapter 29 of title 14, United States Code, as added by section 101(a) of this Act, is amended by inserting before the item relating to section 2904 the following:

“2901. Transmission of annual Coast Guard authorization request.

“2902. Capital investment plan.

“2903. Major acquisitions.”.

(f) MISSION NEED STATEMENT.—Section 569(b) of title 14, United States Code, is amended—

(1) in paragraph (2) by striking “in section 569a(e)” and inserting “in section 2903”; and

(2) in paragraph (3) by striking “under section 663(a)(1)” and inserting “under section 2902(a)(1)”.

TITLE II—COAST GUARD

SEC. 201. VICE COMMANDANT.

(a) GRADES AND RATINGS.—Section 41 of title 14, United States Code, is amended by striking “an admiral,” and inserting “admirals (two);”.

(b) VICE COMMANDANT; APPOINTMENT.—Section 47 of title 14, United States Code, is amended by striking “vice admiral” and inserting “admiral”.

(c) CONFORMING AMENDMENT.—Section 51 of title 14, United States Code, is amended—

(1) in subsection (a) by inserting “admiral or” before “vice admiral.”;

(2) in subsection (b) by inserting “admiral or” before “vice admiral,” each place it appears; and

(3) in subsection (c) by inserting “admiral or” before “vice admiral.”.

SEC. 202. VICE ADMIRALS.

Section 50 of title 14, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) The President may—

“(A) designate, within the Coast Guard, no more than five positions of importance and responsibility that shall be held by officers who, while so serving—

“(i) shall have the grade of vice admiral, with the pay and allowances of that grade; and

“(ii) shall perform such duties as the Commandant may prescribe, except that if the President designates five such positions, one position shall be the Chief of Staff of the Coast Guard; and

“(B) designate, within the executive branch, other than within the Coast Guard or the National Oceanic and Atmospheric Administration, positions of importance and responsibility that shall be held by officers who, while so serving, shall have the grade of vice admiral, with the pay and allowances of that grade.”; and

(B) in paragraph (3)(A) by striking “under paragraph (1)” and inserting “under paragraph 1(A)”;

(2) in subsection (b)(2)—

(A) in subparagraph (B) by striking “and” at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

“(C) at the discretion of the Secretary, while awaiting orders after being relieved from the position, beginning on the day the officer is relieved from the position, but not for more than 60 days; and”.

SEC. 203. COAST GUARD REMISSION OF INDEBTEDNESS.

(a) EXPANSION OF AUTHORITY TO REMIT INDEBTEDNESS.—Section 461 of title 14, United States Code, is amended to read as follows:

“§ 461. Remission of indebtedness

“The Secretary may have remitted or cancelled any part of a person’s indebtedness to the United States or any instrumentality of the United States if—

“(1) the indebtedness was incurred while the person served on active duty as a member of the Coast Guard; and

“(2) the Secretary determines that remitting or cancelling the indebtedness is in the best interest of the United States.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 13 of title 14, United States Code, is amended by striking the item relating to section 461 and inserting the following:

“461. Remission of indebtedness.”.

SEC. 204. ACQUISITION REFORM.

(a) MINIMUM PERFORMANCE STANDARDS.—Section 572(d)(3) of title 14, United States Code, is amended—

(1) by redesignating subparagraphs (C) through (H) as subparagraphs (E) through (J), respectively;

(2) by redesignating subparagraph (B) as subparagraph (C);

(3) by inserting after subparagraph (A) the following:

“(B) the performance data to be used to determine whether the key performance parameters have been resolved;”;

(4) by inserting after subparagraph (C), as redesignated by paragraph (2) of this subsection, the following:

“(D) the results during test and evaluation that will be required to demonstrate that a capability, asset, or subsystem meets performance requirements;”.

(b) CAPITAL INVESTMENT PLAN.—Section 2902 of title 14, United States Code, as redesignated and otherwise amended by this Act, is further amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking “completion;” and inserting “completion based on the proposed appropriations included in the budget;”;

(B) in subparagraph (D), by striking “at the projected funding levels;” and inserting “based on the proposed appropriations included in the budget;”;

(2) by redesignating subsection (b) as subsection (c), and inserting after subsection (a) the following:

“(b) NEW CAPITAL ASSETS.—In the fiscal year following each fiscal year for which appropriations are enacted for a new capital asset, the report submitted under subsection (a) shall include—

“(1) an estimated life-cycle cost estimate for the new capital asset;

“(2) an assessment of the impact the new capital asset will have on—

“(A) delivery dates for each capital asset;

“(B) estimated completion dates for each capital asset;

“(C) the total estimated cost to complete each capital asset; and

“(D) other planned construction or improvement projects; and

“(3) recommended funding levels for each capital asset necessary to meet the estimated completion dates and total estimated costs included in the such asset’s approved acquisition program baseline.”;

(3) by amending subsection (c), as so redesignated, to read as follows:

“(c) DEFINITIONS.—In this section—

“(1) the term ‘unfunded priority’ means a program or mission requirement that—

“(A) has not been selected for funding in the applicable proposed budget;

“(B) is necessary to fulfill a requirement associated with an operational need; and

“(C) the Commandant would have recommended for inclusion in the applicable proposed budget had additional resources been available or had the requirement emerged before the budget was submitted; and

“(2) the term ‘new capital asset’ means—

“(A) an acquisition program that does not have an approved acquisition program baseline; or

“(B) the acquisition of a capital asset in excess of the number included in the approved acquisition program baseline.”.

(c) DAYS AWAY FROM HOMEPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant of the Coast Guard shall—

(1) implement a standard for tracking operational days at sea for Coast Guard cutters that does not include days during which such cutters are undergoing maintenance or repair; and

(2) notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the standard implemented under paragraph (1).

(d) FIXED WING AIRCRAFT FLEET MIX ANALYSIS.—Not later than September 30, 2016, the Commandant of the Coast Guard shall submit to the Committee on Transportation and

Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a revised fleet mix analysis of Coast Guard fixed wing aircraft.

(e) LONG-TERM MAJOR ACQUISITIONS PLAN.—Section 2903 of title 14, United States Code, as redesignated and otherwise amended by this Act, is further amended—

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

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

“(e) LONG-TERM MAJOR ACQUISITIONS PLAN.—Each report under subsection (a) shall include a plan that describes for the upcoming fiscal year, and for each of the 20 fiscal years thereafter—

“(1) the numbers and types of cutters and aircraft to be decommissioned;

“(2) the numbers and types of cutters and aircraft to be acquired to—

“(A) replace the cutters and aircraft identified under paragraph (1); or

“(B) address an identified capability gap; and

“(3) the estimated level of funding in each fiscal year required to—

“(A) acquire the cutters and aircraft identified under paragraph (2);

“(B) acquire related command, control, communications, computer, intelligence, surveillance, and reconnaissance systems; and

“(C) acquire, construct, or renovate shore-side infrastructure.

(f) QUARTERLY UPDATES ON RISKS OF PROGRAMS.—

“(1) IN GENERAL.—Not later than 15 days after the end of each fiscal year quarter, the Commandant of the Coast Guard shall submit to the committees of Congress specified in subsection (a) an update setting forth a current assessment of the risks associated with all current major acquisition programs.

“(2) ELEMENTS.—Each update under this subsection shall set forth, for each current major acquisition program, the following:

“(A) The top five current risks to such program.

“(B) Any failure of such program to demonstrate a key performance parameter or threshold during operational test and evaluation conducted during the fiscal year quarter preceding such update.

“(C) Whether there has been any decision during such fiscal year quarter to order full-rate production before all key performance parameters or thresholds are met.

“(D) Whether there has been any breach of major acquisition program cost (as defined by the Major Systems Acquisition Manual) during such fiscal year quarter.

“(E) Whether there has been any breach of major acquisition program schedule (as so defined) during such fiscal year quarter.”.

SEC. 205. AUXILIARY JURISDICTION.

(a) IN GENERAL.—Section 822 of title 14, United States Code, is amended—

(1) by striking “The purpose” and inserting the following:

“(a) IN GENERAL.—The purpose”; and

(2) by adding at the end the following:

“(b) LIMITATION.—The Auxiliary may conduct a patrol of a waterway, or a portion thereof, only if—

“(1) the Commandant has determined such waterway, or portion thereof, is navigable for purposes of the jurisdiction of the Coast Guard; or

“(2) a State or other proper authority has requested such patrol pursuant to section 141 of this title or section 13109 of title 46.”.

(b) NOTIFICATION.—The Commandant of the Coast Guard shall—

(1) review the waterways patrolled by the Coast Guard Auxiliary in the most recently

completed fiscal year to determine whether such waterways are eligible or ineligible for patrol under section 822(b) of title 14, United States Code (as added by subsection (a)); and (2) not later than 180 days after the date of the enactment of this Act, provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written notification of—

(A) any waterways determined ineligible for patrol under paragraph (1); and

(B) the actions taken by the Commandant to ensure Auxiliary patrols do not occur on such waterways.

SEC. 206. COAST GUARD COMMUNITIES.

Section 409 of the Coast Guard Authorization Act of 1998 (14 U.S.C. 639 note) is amended in the second sentence by striking “90 days” and inserting “30 days”.

SEC. 207. POLAR ICEBREAKERS.

(a) INCREMENTAL FUNDING AUTHORITY FOR POLAR ICEBREAKERS.—In fiscal year 2016 and each fiscal year thereafter, the Commandant of the Coast Guard may enter into a contract or contracts for the acquisition of polar icebreakers and associated equipment using incremental funding.

(b) “POLAR SEA” MATERIEL CONDITION ASSESSMENT AND SERVICE LIFE EXTENSION.—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112-213; 126 Stat. 1560) is amended—

(1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—Not later than 1 year after the date of the enactment of the Coast Guard Authorization Act of 2015, the Secretary of the department in which the Coast Guard is operating shall—

“(1) complete a materiel condition assessment with respect to the Polar Sea;

“(2) make a determination of whether it is cost effective to reactivate the Polar Sea compared with other options to provide icebreaking services as part of a strategy to maintain polar icebreaking services; and

“(3) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

“(A) the assessment required under paragraph (1); and

“(B) written notification of the determination required under paragraph (2).”;

(2) in subsection (b) by striking “analysis” and inserting “written notification”;

(3) by striking subsection (c);

(4) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively;

(5) in subsection (c) (as redesignated by paragraph (4) of this section)—

(A) in paragraph (1)—

(i) in subparagraph (A) by striking “based on the analysis required”; and

(ii) in subparagraph (C) by striking “analysis” and inserting “written notification”;

(B) in paragraph (2)—

(i) by striking “analysis” each place it appears and inserting “written notification”;

(ii) by striking “subsection (a)” and inserting “subsection (a)(3)(B)”;

(iii) by striking “subsection (c)” each place it appears and inserting “that subsection”;

(iv) by striking “under subsection (a)(5)”;

(C) in paragraph (3)—

(i) by striking “in the analysis submitted under this section”;

(ii) by striking “(a)(5)” and inserting “(a)”;

(iii) by striking “then” and all that follows through “(A)” and inserting “then”;

(iv) by striking “; or” and inserting a period; and

(v) by striking subparagraph (B); and

(6) in subsection (d) (as redesignated by paragraph (4) of this subsection) by striking “in subsection (d)” and inserting “in subsection (c)”.

SEC. 208. AIR FACILITY CLOSURES.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by inserting after section 676 the following:

“§ 676a. Air facility closures

“(a) PROHIBITION.—

“(1) IN GENERAL.—The Coast Guard may not—

“(A) close a Coast Guard air facility that was in operation on November 30, 2014; or

“(B) retire, transfer, relocate, or deploy an aviation asset from an air facility described in subparagraph (A) for the purpose of closing such facility.

“(2) SUNSET.—Paragraph (1) shall have no force or effect beginning on the later of—

“(A) January 1, 2018; or

“(B) the date on which the Secretary submits to the Committee on Transportation and Infrastructure of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, rotary wing strategic plans prepared in accordance with section 208(b) of the Coast Guard Authorization Act of 2015.

“(b) CLOSURES.—

“(1) IN GENERAL.—Beginning on January 1, 2018, the Secretary may not close a Coast Guard air facility, except as specified by this section.

“(2) DETERMINATIONS.—The Secretary may not propose closing or terminating operations at a Coast Guard air facility unless the Secretary determines that—

“(A) remaining search and rescue capabilities maintain the safety of the maritime public in the area of the air facility;

“(B) regional or local prevailing weather and marine conditions, including water temperatures or unusual tide and current conditions, do not require continued operation of the air facility; and

“(C) Coast Guard search and rescue standards related to search and response times are met.

“(3) PUBLIC NOTICE AND COMMENT.—Prior to closing an air facility, the Secretary shall provide opportunities for public comment, including the convening of public meetings in communities in the area of responsibility of the air facility with regard to the proposed closure or cessation of operations at the air facility.

“(4) NOTICE TO CONGRESS.—Prior to closure, cessation of operations, or any significant reduction in personnel and use of a Coast Guard air facility that is in operation on or after December 31, 2015, the Secretary shall—

“(A) submit to the Congress a proposal for such closure, cessation, or reduction in operations along with the budget of the President submitted to Congress under section 1105(a) of title 31 for the fiscal year in which the action will be carried out; and

“(B) not later than 7 days after the date a proposal for an air facility is submitted pursuant to subparagraph (A), provide written notice of such proposal to each of the following:

“(i) Each member of the House of Representatives who represents a district in which the air facility is located.

“(ii) Each member of the Senate who represents a State in which the air facility is located.

“(iii) Each member of the House of Representatives who represents a district in which assets of the air facility conduct search and rescue operations.

“(iv) Each member of the Senate who represents a State in which assets of the air facility conduct search and rescue operations.

“(v) The Committee on Appropriations of the House of Representatives.

“(vi) The Committee on Transportation and Infrastructure of the House of Representatives.

“(vii) The Committee on Appropriations of the Senate.

“(viii) The Committee on Commerce, Science, and Transportation of the Senate.

“(c) OPERATIONAL FLEXIBILITY.—The Secretary may implement any reasonable management efficiencies within the air station and air facility network, such as modifying the operational posture of units or reallocating resources as necessary to ensure the safety of the maritime public nationwide.”.

(b) ROTARY WING STRATEGIC PLANS.—

(1) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall prepare the plans specified in paragraph (2) to adequately address contingencies arising from potential future aviation casualties or the planned or unplanned retirement of rotary wing airframes to avoid to the greatest extent practicable any substantial gap or diminishment in Coast Guard operational capabilities.

(2) ROTARY WING STRATEGIC PLANS.—

(A) ROTARY WING CONTINGENCY PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall develop and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a contingency plan—

(i) to address the planned or unplanned losses of rotary wing airframes;

(ii) to reallocate resources as necessary to ensure the safety of the maritime public nationwide; and

(iii) to ensure the operational posture of Coast Guard units.

(B) ROTARY WING REPLACEMENT CAPITAL INVESTMENT PLAN.—

(i) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall develop and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a capital investment plan for the acquisition of new rotary wing airframes to replace the Coast Guard’s legacy helicopters and fulfil all existing mission requirements.

(ii) REQUIREMENTS.—The plan developed under this subparagraph shall provide—

(I) a total estimated cost for completion;

(II) a timetable for completion of the acquisition project and phased in transition to new airframes; and

(III) projected annual funding levels for each fiscal year.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) ANALYSIS FOR CHAPTER 17.—The analysis for chapter 17 of title 14, United States Code, is amended by inserting after the item relating to section 676 the following: “676a. Air facility closures.”.

(2) REPEAL OF PROHIBITION.—Section 225 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113-281; 128 Stat. 3022) is amended—

(A) by striking subsection (b); and

(B) by striking “(a) IN GENERAL.—”.

SEC. 209. TECHNICAL CORRECTIONS TO TITLE 14, UNITED STATES CODE.

Title 14, United States Code, as amended by this Act, is further amended—

(1) in the analysis for part I, by striking the item relating to chapter 19 and inserting the following:

“19. Environmental Compliance and Restoration Program 690”;

(2) in section 46(a), by striking “subsection” and inserting “section”;

(3) in section 47, in the section heading by striking “commandant” and inserting “Commandant”;

(4) in section 93(f), by striking paragraph (2) and inserting the following:

“(2) LIMITATION.—The Commandant may lease submerged lands and tidelands under paragraph (1) only if—

“(A) the lease is for cash exclusively;

“(B) the lease amount is equal to the fair market value of the use of the leased submerged lands or tidelands for the period during which such lands are leased, as determined by the Commandant;

“(C) the lease does not provide authority to or commit the Coast Guard to use or support any improvements to such submerged lands and tidelands, or obtain goods and services from the lessee; and

“(D) proceeds from the lease are deposited in the Coast Guard Housing Fund established under section 687.”;

(5) in the analysis for chapter 9, by striking the item relating to section 199 and inserting the following:

“199. Marine safety curriculum.”;

(6) in section 427(b)(2), by striking “this chapter” and inserting “chapter 61 of title 10”;

(7) in the analysis for chapter 15 before the item relating to section 571, by striking the following:

“Sec.”;

(8) in section 581(5)(B), by striking “\$300,000,000,” and inserting “\$300,000,000.”;

(9) in section 637(c)(3), in the matter preceding subparagraph (A) by inserting “it is” before “any”;

(10) in section 641(d)(3), by striking “Guard, installation” and inserting “Guard installation”;

(11) in section 691(c)(3), by striking “state” and inserting “State”;

(12) in the analysis for chapter 21—

(A) by striking the item relating to section 709 and inserting the following:

“709. Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade.”;

and

(B) by striking the item relating to section 740 and inserting the following:

“740. Failure of selection and removal from an active status.”;

(13) in section 742(c), by striking “subsection” and inserting “subsections”;

(14) in section 821(b)(1), by striking “Chapter 26” and inserting “Chapter 171”; and

(15) in section 823a(b)(1), by striking “Chapter 26” and inserting “Chapter 171”.

SEC. 210. DISCONTINUANCE OF AN AID TO NAVIGATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process for the discontinuance of an aid to navigation (other than a seasonal or temporary aid) established, maintained, or operated by the Coast Guard.

(b) REQUIREMENT.—The process established under subsection (a) shall include procedures to notify the public of any discontinuance of an aid to navigation described in that subsection.

(c) CONSULTATION.—In establishing a process under subsection (a), the Secretary shall consult with and consider any recommendations of the Navigation Safety Advisory Council.

(d) NOTIFICATION.—Not later than 30 days after establishing a process under subsection (a), the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the

Committee on Commerce, Science, and Transportation of the Senate of the process established.

SEC. 211. MISSION PERFORMANCE MEASURES.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of the efficacy of the Coast Guard’s Standard Operational Planning Process with respect to annual mission performance measures.

SEC. 212. COMMUNICATIONS.

(a) IN GENERAL.—If the Secretary of Homeland Security determines that there are at least two communications systems described under paragraph (1)(B) and certified under paragraph (2), the Secretary shall establish and carry out a pilot program across not less than three components of the Department of Homeland Security to assess the effectiveness of a communications system that—

(1) provides for—

(A) multiagency collaboration and interoperability; and

(B) wide-area, secure, and peer-invitation- and acceptance-based multimedia communications;

(2) is certified by the Department of Defense Joint Interoperability Test Center; and

(3) is composed of commercially available, off-the-shelf technology.

(b) ASSESSMENT.—Not later than 6 months after the date on which the pilot program is completed, the Secretary shall submit to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of the pilot program, including the impacts of the program with respect to interagency and Coast Guard response capabilities.

(c) STRATEGY.—The pilot program shall be consistent with the strategy required by the Department of Homeland Security Interoperable Communications Act (Public Law 114–29).

(d) TIMING.—The pilot program shall commence within 90 days after the date of the enactment of this Act or within 60 days after the completion of the strategy required by the Department of Homeland Security Interoperable Communications Act (Public Law 114–29), whichever is later.

SEC. 213. COAST GUARD GRADUATE MARITIME OPERATIONS EDUCATION.

Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish an education program, for members and employees of the Coast Guard, that—

(1) offers a master’s degree in maritime operations;

(2) is relevant to the professional development of such members and employees;

(3) provides resident and distant education options, including the ability to utilize both options; and

(4) to the greatest extent practicable, is conducted using existing academic programs at an accredited public academic institution that—

(A) is located near a significant number of Coast Guard, maritime, and other Department of Homeland Security law enforcement personnel; and

(B) has an ability to simulate operations normally conducted at a command center.

SEC. 214. PROFESSIONAL DEVELOPMENT.

(a) MULTIRATER ASSESSMENT.—

(1) IN GENERAL.—Chapter 11 of title 14, United States Code, is amended by inserting after section 428 the following:

“§ 429. Multirater assessment of certain personnel

“(a) MULTIRATER ASSESSMENT OF CERTAIN PERSONNEL.—

“(1) IN GENERAL.—Commencing not later than one year after the date of the enactment of the Coast Guard Authorization Act of 2015, the Commandant of the Coast Guard shall develop and implement a plan to conduct every two years a multirater assessment for each of the following:

“(A) Each flag officer of the Coast Guard.

“(B) Each member of the Senior Executive Service of the Coast Guard.

“(C) Each officer of the Coast Guard nominated for promotion to the grade of flag officer.

“(2) POST-ASSESSMENT ELEMENTS.—Following an assessment of an individual pursuant to paragraph (1), the individual shall be provided appropriate post-assessment counseling and leadership coaching.

“(b) MULTIRATER ASSESSMENT DEFINED.—In this section, the term ‘multirater assessment’ means a review that seeks opinion from members senior to the reviewee and the peers and subordinates of the reviewee.”.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by inserting after the item related to section 428 the following:

“429. Multirater assessment of certain personnel.”.

(b) TRAINING COURSE ON WORKINGS OF CONGRESS.—

(1) IN GENERAL.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

“§ 60. Training course on workings of Congress

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the Coast Guard Authorization Act of 2015, the Commandant, in consultation with the Superintendent of the Coast Guard Academy and such other individuals and organizations as the Commandant considers appropriate, shall develop a training course on the workings of the Congress and offer that training course at least once each year.

“(b) COURSE SUBJECT MATTER.—The training course required by this section shall provide an overview and introduction to the Congress and the Federal legislative process, including—

“(1) the history and structure of the Congress and the committee systems of the House of Representatives and the Senate, including the functions and responsibilities of the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate;

“(2) the documents produced by the Congress, including bills, resolutions, committee reports, and conference reports, and the purposes and functions of those documents;

“(3) the legislative processes and rules of the House of Representatives and the Senate, including similarities and differences between the two processes and rules, including—

“(A) the congressional budget process;

“(B) the congressional authorization and appropriation processes;

“(C) the Senate advice and consent process for Presidential nominees; and

“(D) the Senate advice and consent process for treaty ratification;

“(4) the roles of Members of Congress and congressional staff in the legislative process; and

“(5) the concept and underlying purposes of congressional oversight within our governance framework of separation of powers.

“(c) LECTURERS AND PANELISTS.—

“(1) OUTSIDE EXPERTS.—The Commandant shall ensure that not less than 60 percent of the lecturers, panelists, and other individuals providing education and instruction as part of the training course required by this section are experts on the Congress and the Federal legislative process who are not employed by the executive branch of the Federal Government.

“(2) AUTHORITY TO ACCEPT PRO BONO SERVICES.—In satisfying the requirement under paragraph (1), the Commandant shall seek, and may accept, educational and instructional services of lecturers, panelists, and other individuals and organizations provided to the Coast Guard on a pro bono basis.

“(d) COMPLETION OF REQUIRED TRAINING.—

“(1) CURRENT FLAG OFFICERS AND EMPLOYEES.—A Coast Guard flag officer appointed or assigned to a billet in the National Capital Region on the date of the enactment of this section, and a Coast Guard Senior Executive Service employee employed in the National Capital Region on the date of the enactment of this section, shall complete a training course that meets the requirements of this section within 60 days after the date on which the Commandant completes the development of the training course.

“(2) NEW FLAG OFFICERS AND EMPLOYEES.—A Coast Guard flag officer who is newly appointed or assigned to a billet in the National Capital Region, and a Coast Guard Senior Executive Service employee who is newly employed in the National Capital Region, shall complete a training course that meets the requirements of this section not later than 60 days after reporting for duty.”.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

“60. Training course on workings of Congress.”.

(c) REPORT ON LEADERSHIP DEVELOPMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on Coast Guard leadership development.

(2) CONTENTS.—The report shall include the following:

(A) An assessment of the feasibility of—

(i) all officers (other than officers covered by section 429(a) of title 14, United States Code, as amended by this section) completing a multirater assessment;

(ii) all members (other than officers covered by such section) in command positions completing a multirater assessment;

(iii) all enlisted members in a supervisory position completing a multirater assessment; and

(iv) members completing periodic multirater assessments.

(B) Such recommendations as the Commandant considers appropriate for the implementation or expansion of a multirater assessment in the personnel development programs of the Coast Guard.

(C) An overview of each of the current leadership development courses of the Coast Guard, an assessment of the feasibility of the expansion of any such course, and a description of the resources, if any, required to expand such courses.

(D) An assessment on the state of leadership training in the Coast Guard, and recommendations on the implementation of a policy to prevent leadership that has adverse effects on subordinates, the organization, or mission performance, including—

(i) a description of methods that will be used by the Coast Guard to identify, mon-

itor, and counsel individuals whose leadership may have adverse effects on subordinates, the organization, or mission performance;

(ii) the implementation of leadership recognition training to recognize such leadership in one's self and others;

(iii) the establishment of procedures for the administrative separation of leaders whose leadership may have adverse effects on subordinates, the organization, or mission performance; and

(iv) a description of the resources needed to implement this section.

SEC. 215. SENIOR ENLISTED MEMBER CONTINUATION BOARDS.

(a) IN GENERAL.—Section 357 of title 14, United States Code, is amended—

(1) by striking subsections (a) through (h) and subsection (j); and

(2) in subsection (i), by striking “(i)”.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

“§ 357. Retirement of enlisted members: increase in retired pay”.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of chapter 11 of such title is amended by striking the item relating to such section and inserting the following:

“357. Retirement of enlisted members: increase in retired pay.”.

SEC. 216. COAST GUARD MEMBER PAY.

(a) ANNUAL AUDIT OF PAY AND ALLOWANCES OF MEMBERS UNDERGOING PERMANENT CHANGE OF STATION.—

(1) IN GENERAL.—Chapter 13 of title 14, United States Code, is amended by adding at the end the following:

“§ 519. Annual audit of pay and allowances of members undergoing permanent change of station

“The Commandant shall conduct each calendar year an audit of member pay and allowances for the members who transferred to new units during such calendar year. The audit for a calendar year shall be completed by the end of the calendar year.”.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

“519. Annual audit of pay and allowances of members undergoing permanent change of station.”.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on alternative methods for notifying members of the Coast Guard of their monthly earnings. The report shall include—

(1) an assessment of the feasibility of providing members a monthly notification of their earnings, categorized by pay and allowance type; and

(2) a description and assessment of mechanisms that may be used to provide members with notification of their earnings, categorized by pay and allowance type.

SEC. 217. TRANSFER OF FUNDS NECESSARY TO PROVIDE MEDICAL CARE.

(a) TRANSFER REQUIRED.—In lieu of the reimbursement required under section 1085 of title 10, United States Code, the Secretary of Homeland Security shall transfer to the Secretary of Defense an amount that represents the actuarial valuation of treatment or care—

(1) that the Department of Defense shall provide to members of the Coast Guard, former members of the Coast Guard, and dependents of such members and former mem-

bers (other than former members and dependents of former members who are a Medicare-eligible beneficiary or for whom the payment for treatment or care is made from the Medicare-Eligible Retiree Health Care Fund) at facilities under the jurisdiction of the Department of Defense or a military department; and

(2) for which a reimbursement would otherwise be made under section 1085.

(b) AMOUNT.—The amount transferred under subsection (a) shall be—

(1) in the case of treatment or care to be provided to members of the Coast Guard and their dependents, derived from amounts appropriated for the operating expenses of the Coast Guard;

(2) in the case of treatment or care to be provided former members of the Coast Guard and their dependents, derived from amounts appropriated for retired pay;

(3) determined under procedures established by the Secretary of Defense;

(4) transferred during the fiscal year in which treatment or care is provided; and

(5) subject to adjustment or reconciliation as the Secretaries determine appropriate during or promptly after such fiscal year in cases in which the amount transferred is determined excessive or insufficient based on the services actually provided.

(c) NO TRANSFER WHEN SERVICE IN NAVY.—No transfer shall be made under this section for any period during which the Coast Guard operates as a service in the Navy.

(d) RELATIONSHIP TO TRICARE.—This section shall not be construed to require a payment for, or the transfer of an amount that represents the value of, treatment or care provided under any TRICARE program.

SEC. 218. PARTICIPATION OF THE COAST GUARD ACADEMY IN FEDERAL, STATE, OR OTHER EDUCATIONAL RESEARCH GRANTS.

Section 196 of title 14, United States Code, is amended—

(1) by inserting “(a) IN GENERAL.—” before the first sentence; and

(2) by adding at the end the following:

“(b) QUALIFIED ORGANIZATIONS.—

“(1) IN GENERAL.—The Commandant of the Coast Guard may—

“(A) enter into a contract, cooperative agreement, lease, or licensing agreement with a qualified organization;

“(B) allow a qualified organization to use, at no cost, personal property of the Coast Guard; and

“(C) notwithstanding section 93, accept funds, supplies, and services from a qualified organization.

“(2) SOLE-SOURCE BASIS.—Notwithstanding chapter 65 of title 31 and chapter 137 of title 10, the Commandant may enter into a contract or cooperative agreement under paragraph (1)(A) on a sole-source basis.

“(3) MAINTAINING FAIRNESS, OBJECTIVITY, AND INTEGRITY.—The Commandant shall ensure that contributions under this subsection do not—

“(A) reflect unfavorably on the ability of the Coast Guard, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

“(B) compromise the integrity or appearance of integrity of any program of the Coast Guard, or any individual involved in such a program.

“(4) LIMITATION.—For purposes of this subsection, employees or personnel of a qualified organization shall not be employees of the United States.

“(5) QUALIFIED ORGANIZATION DEFINED.—In this subsection the term ‘qualified organization’ means an organization—

“(A) described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt

from taxation under section 501(a) of that Code; and

“(B) established by the Coast Guard Academy Alumni Association solely for the purpose of supporting academic research and applying for and administering Federal, State, or other educational research grants on behalf of the Coast Guard Academy.”.

SEC. 219. NATIONAL COAST GUARD MUSEUM.

Section 98(b) of title 14, United States Code, is amended—

(1) in paragraph (1), by striking “any appropriated Federal funds for” and insert “any funds appropriated to the Coast Guard on”; and

(2) in paragraph (2), by striking “artifacts,” and inserting “artifacts, including the design, fabrication, and installation of exhibits or displays in which such artifacts are included.”.

SEC. 220. INVESTIGATIONS.

(a) IN GENERAL.—Chapter 11 of title 14, United States Code, is further amended by adding at the end the following:

“§ 430. Investigations of flag officers and Senior Executive Service employees

“In conducting an investigation into an allegation of misconduct by a flag officer or member of the Senior Executive Service serving in the Coast Guard, the Inspector General of the Department of Homeland Security shall—

“(1) conduct the investigation in a manner consistent with Department of Defense policies for such an investigation; and

“(2) consult with the Inspector General of the Department of Defense.”.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is further amended by inserting after the item related to section 429 the following:

“430. Investigations of flag officers and Senior Executive Service employees.”.

SEC. 221. CLARIFICATION OF ELIGIBILITY OF MEMBERS OF THE COAST GUARD FOR COMBAT-RELATED SPECIAL COMPENSATION.

(a) CONSIDERATION OF ELIGIBILITY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue procedures and criteria to use in determining whether the disability of a member of the Coast Guard is a combat-related disability for purposes of the eligibility of such member for combat-related special compensation under section 1413a of title 10, United States Code. Such procedures and criteria shall include the procedures and criteria prescribed by the Secretary of Defense pursuant to subsection (e)(2) of such section. Such procedures and criteria shall apply in determining whether the disability of a member of the Coast Guard is a combat-related disability for purposes of determining the eligibility of such member for combat-related special compensation under such section.

(2) DISABILITY FOR WHICH A DETERMINATION IS MADE.—For the purposes of this section, and in the case of a member of the Coast Guard, a disability under section 1413a(e)(2)(B) of title 10, United States Code, includes a disability incurred during aviation duty, diving duty, rescue swimmer or similar duty, and hazardous service duty on-board a small vessel (such as duty as a surfman)—

(A) in the performance of duties for which special or incentive pay was paid pursuant to section 301, 301a, 304, 307, 334, or 351 of title 37, United States Code;

(B) in the performance of duties related to—

(i) law enforcement, including drug or migrant interdiction;

(ii) defense readiness; or

(iii) search and rescue; or

(C) while engaged in a training exercise for the performance of a duty described in subparagraphs (A) and (B).

(b) APPLICABILITY OF GUIDANCE.—The guidance issued pursuant to subsection (a) shall apply to disabilities described in that subsection that are incurred on or after the effective date provided in section 636(a)(2) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 116 Stat. 2574; 10 U.S.C. 1413a note).

(c) REAPPLICATION FOR COMPENSATION.—Any member of the Coast Guard who was denied combat-related special compensation under section 1413a of title 10, United States Code, during the period beginning on the effective date specified in subsection (b) and ending on the date of the issuance of the guidance required by subsection (a) may reapply for combat-related special compensation under such section on the basis of such guidance in accordance with such procedures as the Secretary of the department in which the Coast Guard is operating shall specify.

SEC. 222. LEAVE POLICIES FOR THE COAST GUARD.

(a) IN GENERAL.—Chapter 11 of title 14, United States Code, is further amended by inserting after section 430 the following:

“§ 431. Leave policies for the Coast Guard

“Not later than 1 year after the date on which the Secretary of the Navy promulgates a new rule, policy, or memorandum pursuant to section 704 of title 10, United States Code, with respect to leave associated with the birth or adoption of a child, the Secretary of the department in which the Coast Guard is operating shall promulgate a similar rule, policy, or memorandum that provides leave to officers and enlisted members of the Coast Guard that is equal in duration and compensation to that provided by the Secretary of the Navy.”.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is further amended by inserting after the item related to section 430 the following:

“431. Leave policies for the Coast Guard.”.

TITLE III—SHIPPING AND NAVIGATION

SEC. 301. SURVIVAL CRAFT.

(a) IN GENERAL.—Section 3104 of title 46, United States Code, is amended to read as follows:

“§ 3104. Survival craft

“(a) REQUIREMENT TO EQUIP.—The Secretary shall require that a passenger vessel be equipped with survival craft that ensures that no part of an individual is immersed in water, if—

“(1) such vessel is built or undergoes a major conversion after January 1, 2016; and

“(2) operates in cold waters as determined by the Secretary.

“(b) HIGHER STANDARD OF SAFETY.—The Secretary may revise part 117 or part 180 of title 46, Code of Federal Regulations, as in effect before January 1, 2016, if such revision provides a higher standard of safety than is provided by the regulations in effect on or before the date of the enactment of the Coast Guard Authorization Act of 2015.

“(c) INNOVATIVE AND NOVEL DESIGNS.—The Secretary may, in lieu of the requirements set out in part 117 or part 180 of title 46, Code of Federal Regulations, as in effect on the date of the enactment of the Coast Guard Authorization Act of 2015, allow a passenger vessel to be equipped with a life-saving appliance or arrangement of an innovative or novel design that—

“(1) ensures no part of an individual is immersed in water; and

“(2) provides an equal or higher standard of safety than is provided by such requirements

as in effect before such date of the enactment.

“(d) BUILT DEFINED.—In this section, the term ‘built’ has the meaning that term has under section 4503(e).”.

(b) REVIEW; REVISION OF REGULATIONS.—

(1) REVIEW.—Not later than December 31, 2016, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a review of—

(A) the number of casualties for individuals with disabilities, children, and the elderly as a result of immersion in water, reported to the Coast Guard over the preceding 30-year period, by vessel type and area of operation;

(B) the risks to individuals with disabilities, children, and the elderly as a result of immersion in water, by passenger vessel type and area of operation;

(C) the effect that carriage of survival craft that ensure that no part of an individual is immersed in water has on—

(i) passenger vessel safety, including stability and safe navigation;

(ii) improving the survivability of individuals, including individuals with disabilities, children, and the elderly; and

(iii) the costs, the incremental cost difference to vessel operators, and the cost effectiveness of requiring the carriage of such survival craft to address the risks to individuals with disabilities, children, and the elderly;

(D) the efficacy of alternative safety systems, devices, or measures in improving survivability of individuals with disabilities, children, and the elderly; and

(E) the number of small businesses and nonprofit vessel operators that would be affected by requiring the carriage of such survival craft on passenger vessels to address the risks to individuals with disabilities, children, and the elderly.

(2) REVISION.—Based on the review conducted under paragraph (1), the Secretary may revise regulations concerning the carriage of survival craft pursuant to section 3104(c) of title 46, United States Code.

SEC. 302. VESSEL REPLACEMENT.

(a) LOANS AND GUARANTEES.—Chapter 537 of title 46, United States Code, is amended—

(1) in section 53701—

(A) by redesignating paragraphs (8) through (14) as paragraphs (9) through (15), respectively; and

(B) by inserting after paragraph (7) the following:

“(8) HISTORICAL USES.—The term ‘historical uses’ includes—

“(A) refurbishing, repairing, rebuilding, or replacing equipment on a fishing vessel, without materially increasing harvesting capacity;

“(B) purchasing a used fishing vessel;

“(C) purchasing, constructing, expanding, or reconditioning a fishery facility;

“(D) refinancing existing debt;

“(E) reducing fishing capacity; and

“(F) making upgrades to a fishing vessel, including upgrades in technology, gear, or equipment, that improve—

“(i) collection and reporting of fishery-dependent data;

“(ii) bycatch reduction or avoidance;

“(iii) gear selectivity;

“(iv) adverse impacts caused by fishing gear; or

“(v) safety.”; and

(2) in section 53702(b), by adding at the end the following:

“(3) MINIMUM OBLIGATIONS AVAILABLE FOR HISTORIC USES.—Of the direct loan obligations issued by the Secretary under this

chapter, the Secretary shall make a minimum of \$59,000,000 available each fiscal year for historic uses.

“(4) USE OF OBLIGATIONS IN LIMITED ACCESS FISHERIES.—In addition to the other eligible purposes and uses of direct loan obligations provided for in this chapter, the Secretary may issue direct loan obligations for the purpose of—

“(A) financing the construction or reconstruction of a fishing vessel in a fishery managed under a limited access system; or

“(B) financing the purchase of harvesting rights in a fishery that is federally managed under a limited access system.”.

(b) LIMITATION ON APPLICATION TO CERTAIN FISHING VESSELS OF PROHIBITION UNDER VESSEL CONSTRUCTION PROGRAM.—Section 302(b)(2) of the Fisheries Financing Act (title III of Public Law 104–297; 46 U.S.C. 53706 note) is amended—

(1) in the second sentence—

(A) by striking “or in” and inserting “, in”; and

(B) by inserting before the period the following: “, in fisheries that are under the jurisdiction of the North Pacific Fishery Management Council and managed under a fishery management plan issued under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or in the Pacific whiting fishery that is under the jurisdiction of the Pacific Fishery Management Council and managed under a fishery management plan issued under that Act”; and

(2) by adding at the end the following: “Any fishing vessel operated in fisheries under the jurisdiction of the North Pacific Fishery Management Council and managed under a fishery management plan issued under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or in the Pacific whiting fishery under the jurisdiction of the Pacific Fishery Management Council and managed under a fishery management plan issued under that Act, and that is replaced by a vessel that is constructed or rebuilt with a loan or loan guarantee provided by the Federal Government may not be used to harvest fish in any fishery under the jurisdiction of any regional fishery management council, other than a fishery under the jurisdiction of the North Pacific Fishery Management Council or the Pacific Fishery Management Council.”.

SEC. 303. MODEL YEARS FOR RECREATIONAL VESSELS.

(a) IN GENERAL.—Section 4302 of title 46, United States Code, is amended by adding at the end the following:

“(e)(1) If in prescribing regulations under this section the Secretary establishes a model year for recreational vessels and associated equipment, such model year shall, except as provided in paragraph (2)—

“(A) begin on June 1 of a year and end on July 31 of the following year; and

“(B) be designated by the year in which it ends.

“(2) Upon the request of a recreational vessel manufacturer to which this chapter applies, the Secretary may alter a model year for a model of recreational vessel of the manufacturer and associated equipment, by no more than 6 months from the model year described in paragraph (1).”.

(b) APPLICATION.—This section shall only apply with respect to recreational vessels and associated equipment constructed or manufactured, respectively, on or after June 1, 2015.

(c) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall publish guidance to implement section 4302(d)(2) of title 46, United States Code.

SEC. 304. MERCHANT MARINER CREDENTIAL EXPIRATION HARMONIZATION.

(a) IN GENERAL.—Except as provided in subsection (c) and not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process to harmonize the expiration dates of merchant mariner credentials, mariner medical certificates, and radar observer endorsements for individuals applying to the Secretary for a new merchant mariner credential or for renewal of an existing merchant mariner credential.

(b) REQUIREMENTS.—The Secretary shall ensure that the process established under subsection (a)—

(1) does not require an individual to renew a merchant mariner credential earlier than the date on which the individual’s current credential expires; and

(2) results in harmonization of expiration dates for merchant mariner credentials, mariner medical certificates, and radar observer endorsements for all individuals by not later than 6 years after the date of the enactment of this Act.

(c) EXCEPTION.—The process established under subsection (a) does not apply to individuals—

(1) holding a merchant mariner credential with—

(A) an active Standards of Training, Certification, and Watchkeeping endorsement; or

(B) Federal first-class pilot endorsement; or

(2) who have been issued a time-restricted medical certificate.

SEC. 305. SAFETY ZONES FOR PERMITTED MARINE EVENTS.

Not later than 6 months after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish and implement a process to—

(1) account for the number of safety zones established for permitted marine events;

(2) differentiate whether the event sponsor who requested a permit for such an event is—

(A) an individual;

(B) an organization; or

(C) a government entity; and

(3) account for Coast Guard resources utilized to enforce safety zones established for permitted marine events, including for—

(A) the number of Coast Guard or Coast Guard Auxiliary vessels used; and

(B) the number of Coast Guard or Coast Guard Auxiliary patrol hours required.

SEC. 306. TECHNICAL CORRECTIONS.

(a) TITLE 46.—Title 46, United States Code, is amended—

(1) in section 103, by striking “(33 U.S.C. 151).” and inserting “(33 U.S.C. 151(b)).”;

(2) in section 2118—

(A) in subsection (a), in the matter preceding paragraph (1), by striking “title,” and inserting “subtitle,”; and

(B) in subsection (b), by striking “title” and inserting “subtitle”;

(3) in the analysis for chapter 35—

(A) by adding a period at the end of the item relating to section 3507; and

(B) by adding a period at the end of the item relating to section 3508;

(4) in section 3715(a)(2), by striking “; and” and inserting a semicolon;

(5) in section 4506, by striking “(a)”;

(6) in section 8103(b)(1)(A)(iii), by striking “Academy.” and inserting “Academy; and”;

(7) in section 11113(c)(1)(A)(i), by striking “under this Act”;

(8) in the analysis for chapter 701—

(A) by adding a period at the end of the item relating to section 70107A;

(B) in the item relating to section 70112, by striking “security advisory committees.” and inserting “Security Advisory Committees.”; and

(C) in the item relating to section 70122, by striking “watch program.” and inserting “Watch Program.”;

(9) in section 70105(c)—

(A) in paragraph (1)(B)(xv)—

(i) by striking “18, popularly” and inserting “18 (popularly)”;

(ii) by striking “Act” and inserting “Act”;

(B) in paragraph (2), by striking “(D) paragraph” and inserting “(D) of paragraph”;

(10) in section 70107—

(A) in subsection (b)(2), by striking “5121(j)(8),” and inserting “5196(j)(8),”;

(B) in subsection (m)(3)(C)(iii), by striking “that is” and inserting “that the applicant”;

(11) in section 70122, in the section heading, by striking “watch program” and inserting “Watch Program”;

(12) in the analysis for chapter 705, by adding a period at the end of the item relating to section 70508.

(b) GENERAL BRIDGE STATUTES.—

(1) ACT OF MARCH 3, 1899.—The Act of March 3, 1899, popularly known as the Rivers and Harbors Appropriations Act of 1899, is amended—

(A) in section 9 (33 U.S.C. 401), by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”;

(B) in section 18 (33 U.S.C. 502), by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”;

(2) ACT OF MARCH 23, 1906.—The Act of March 23, 1906, popularly known as the Bridge Act of 1906, is amended—

(A) in the first section (33 U.S.C. 491), by striking “Secretary of Transportation” and inserting “Secretary of the department in which the Coast Guard is operating”;

(B) in section 4 (33 U.S.C. 494), by striking “Secretary of Homeland Security” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”;

(C) in section 5 (33 U.S.C. 495), by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”;

(3) ACT OF AUGUST 18, 1894.—Section 5 of the Act entitled “An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved August 18, 1894 (33 U.S.C. 499), is amended by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”.

(4) ACT OF JUNE 21, 1940.—The Act of June 21, 1940, popularly known as the Truman-Hobbs Act, is amended—

(A) in section 1 (33 U.S.C. 511), by striking “Secretary of Transportation” and inserting “Secretary of the department in which the Coast Guard is operating”;

(B) in section 4 (33 U.S.C. 514), by striking “Secretary of Transportation” and inserting “Secretary of the department in which the Coast Guard is operating”;

(C) in section 7 (33 U.S.C. 517), by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”;

(D) in section 13 (33 U.S.C. 523), by striking “Secretary of Transportation” and inserting “Secretary of the department in which the Coast Guard is operating”.

(5) GENERAL BRIDGE ACT OF 1946.—The General Bridge Act of 1946 is amended—

(A) in section 502(b) (33 U.S.C. 525(b)), by striking “Secretary of Transportation” and inserting “Secretary of the department in which the Coast Guard is operating”; and

(B) in section 510 (33 U.S.C. 533), by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”.

(6) INTERNATIONAL BRIDGE ACT OF 1972.—The International Bridge Act of 1972 is amended—

(A) in section 5 (33 U.S.C. 535c), by striking “Secretary of Transportation” and inserting “Secretary of the department in which the Coast Guard is operating”; and

(B) in section 8 (33 U.S.C. 535e), by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”; and

(C) by striking section 11 (33 U.S.C. 535h).

SEC. 307. RECOMMENDATIONS FOR IMPROVEMENTS OF MARINE CASUALTY REPORTING.

Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the actions the Commandant will take to implement recommendations on improvements to the Coast Guard’s marine casualty reporting requirements and procedures included in—

(1) the Department of Homeland Security Office of Inspector General report entitled “Marine Accident Reporting, Investigations, and Enforcement in the United States Coast Guard”, released on May 23, 2013; and

(2) the Towing Safety Advisory Committee report entitled “Recommendations for Improvement of Marine Casualty Reporting”, released on March 26, 2015.

SEC. 308. RECREATIONAL VESSEL ENGINE WEIGHTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue regulations amending table 4 to subpart H of part 183 of title 33, Code of Federal Regulations (relating to Weights (Pounds) of Outboard Motor and Related Equipment for Various Boat Horsepower Ratings), as appropriate to reflect “Standard 30-Outboard Engine and Related Equipment Weights” published by the American Boat and Yacht Council, as in effect on the date of the enactment of this Act.

SEC. 309. MERCHANT MARINER MEDICAL CERTIFICATION REFORM.

(a) IN GENERAL.—Chapter 75 of title 46, United States Code, is amended by adding at the end the following:

“§ 7509. Medical certification by trusted agents

“(a) IN GENERAL.—Notwithstanding any other provision of law and pursuant to regulations prescribed by the Secretary, a trusted agent may issue a medical certificate to an individual who—

“(1) must hold such certificate to qualify for a license, certificate of registry, or merchant mariner’s document, or endorsement thereto under this part; and

“(2) is qualified as to sight, hearing, and physical condition to perform the duties of such license, certificate, document, or endorsement, as determined by the trusted agent.

“(b) PROCESS FOR ISSUANCE OF CERTIFICATES BY SECRETARY.—A final rule implementing this section shall include a process for—

“(1) the Secretary of the department in which the Coast Guard is operating to issue medical certificates to mariners who submit applications for such certificates to the Secretary; and

“(2) a trusted agent to defer to the Secretary the issuance of a medical certificate.

“(c) TRUSTED AGENT DEFINED.—In this section the term ‘trusted agent’ means a medical practitioner certified by the Secretary to perform physical examinations of an individual for purposes of a license, certificate of registry, or merchant mariner’s document under this part.”.

(b) DEADLINE.—Not later than 5 years after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue a final rule implementing section 7509 of title 46, United States Code, as added by this section.

(c) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

“7509. Medical certification by trusted agents.”.

SEC. 310. ATLANTIC COAST PORT ACCESS ROUTE STUDY.

(a) ATLANTIC COAST PORT ACCESS ROUTE STUDY.—Not later than April 1, 2016, the Commandant of the Coast Guard shall conclude the Atlantic Coast Port Access Route Study and submit the results of such study to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) NANTUCKET SOUND.—Not later than December 1, 2016, the Commandant of the Coast Guard shall complete and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a port access route study of Nantucket Sound using the standards and methodology of the Atlantic Coast Port Access Route Study, to determine whether the Coast Guard should revise existing regulations to improve navigation safety in Nantucket Sound due to factors such as increased vessel traffic, changing vessel traffic patterns, weather conditions, or navigational difficulty in the vicinity.

SEC. 311. CERTIFICATES OF DOCUMENTATION FOR RECREATIONAL VESSELS.

Not later than one year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue regulations that—

(1) make certificates of documentation for recreational vessels effective for 5 years; and

(2) require the owner of such a vessel—

(A) to notify the Coast Guard of each change in the information on which the issuance of the certificate of documentation is based, that occurs before the expiration of the certificate; and

(B) apply for a new certificate of documentation for such a vessel if there is any such change.

SEC. 312. PROGRAM GUIDELINES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall—

(1) develop guidelines to implement the program authorized under section 304(a) of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109-241), including specific actions to ensure the future availability of able and credentialed United States licensed and unlicensed seafarers including—

(A) incentives to encourage partnership agreements with operators of foreign-flag vessels that carry liquefied natural gas, that provide no less than one training billet per vessel for United States merchant mariners in order to meet minimum mandatory sea service requirements;

(B) development of appropriate training curricula for use by public and private maritime training institutions to meet all United States merchant mariner license, certification, and document laws and requirements under the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978; and

(C) steps to promote greater outreach and awareness of additional job opportunities for sea service veterans of the United States Armed Forces; and

(2) submit such guidelines to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 313. REPEALS.

(a) REPEALS, MERCHANT MARINE ACT, 1936.—Sections 601 through 606, 608 through 611, 613 through 616, 802, and 809 of the Merchant Marine Act, 1936 (46 U.S.C. 53101 note) are repealed.

(b) CONFORMING AMENDMENTS.—Chapter 575 of title 46, United States Code, is amended—

(1) in section 57501, by striking “titles V and VI” and inserting “title V”; and

(2) in section 57531(a), by striking “titles V and VI” and inserting “title V”.

(c) TRANSFER FROM MERCHANT MARINE ACT, 1936.—

(1) IN GENERAL.—Section 801 of the Merchant Marine Act, 1936 (46 U.S.C. 53101 note)—

(A) is redesignated as section 57522 of title 46, United States Code, and transferred to appear after section 57521 of such title; and

(B) as so redesignated and transferred, is amended—

(i) by striking so much as precedes the first sentence and inserting the following:

“§ 57522. Books and records, balance sheets, and inspection and auditing”;

(ii) by striking “the provision of title VI or VII of this Act” and inserting “this chapter”; and

(iii) by striking “: Provided, That” and all that follows through “Commission”.

(2) CLERICAL AMENDMENT.—The analysis for chapter 575, of title 46, United States Code, is amended by inserting after the item relating to section 57521 the following:

“57522. Books and records, balance sheets, and inspection and auditing.”.

(d) REPEALS, TITLE 46, U.S.C.—Section 8103 of title 46, United States Code, is amended in subsections (c) and (d) by striking “or operating” each place it appears.

SEC. 314. MARITIME DRUG LAW ENFORCEMENT.

(a) PROHIBITIONS.—Section 70503(a) of title 46, United States Code, is amended to read as follows:

“(a) PROHIBITIONS.—While on board a covered vessel, an individual may not knowingly or intentionally—

“(1) manufacture or distribute, or possess with intent to manufacture or distribute, a controlled substance;

“(2) destroy (including jettisoning any item or scuttling, burning, or hastily cleaning a vessel), or attempt or conspire to destroy, property that is subject to forfeiture under section 511(a) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 881(a)); or

“(3) conceal, or attempt or conspire to conceal, more than \$100,000 in currency or other monetary instruments on the person of such individual or in any conveyance, article of luggage, merchandise, or other container, or compartment of or aboard the covered vessel if that vessel is outfitted for smuggling.”.

(b) COVERED VESSEL DEFINED.—Section 70503 of title 46, United States Code, is amended by adding at the end the following:

“(e) COVERED VESSEL DEFINED.—In this section the term ‘covered vessel’ means—

“(1) a vessel of the United States or a vessel subject to the jurisdiction of the United States; or

“(2) any other vessel if the individual is a citizen of the United States or a resident alien of the United States.”.

(C) PENALTIES.—Section 70506 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “A person violating section 70503” and inserting “A person violating paragraph (1) of section 70503(a)”; and

(2) by adding at the end the following:

“(d) PENALTY.—A person violating paragraph (2) or (3) of section 70503(a) shall be fined in accordance with section 3571 of title 18, imprisoned not more than 15 years, or both.”.

(d) SEIZURE AND FORFEITURE.—Section 70507(a) of title 46, United States Code, is amended by striking “section 70503” and inserting “section 70503 or 70508”.

(e) CLERICAL AMENDMENTS.—

(1) The heading of section 70503 of title 46, United States Code, is amended to read as follows:

“§ 70503. Prohibited acts”.

(2) The analysis for chapter 705 of title 46, United States Code, is further amended by striking the item relating to section 70503 and inserting the following:

“70503. Prohibited acts.”.

SEC. 315. EXAMINATIONS FOR MERCHANT MARINER CREDENTIALS.

(a) DISCLOSURE.—

(1) IN GENERAL.—Chapter 75 of title 46, United States Code, is further amended by adding at the end the following:

“§ 7510. Examinations for merchant mariner credentials

“(a) DISCLOSURE NOT REQUIRED.—Notwithstanding any other provision of law, the Secretary is not required to disclose to the public—

“(1) a question from any examination for a merchant mariner credential;

“(2) the answer to such a question, including any correct or incorrect answer that may be presented with such question; and

“(3) any quality or characteristic of such a question, including—

“(A) the manner in which such question has been, is, or may be selected for an examination;

“(B) the frequency of such selection; and

“(C) the frequency that an examinee correctly or incorrectly answered such question.”.

“(b) EXCEPTION FOR CERTAIN QUESTIONS.—Notwithstanding subsection (a), the Secretary may, for the purpose of preparation by the general public for examinations required for merchant mariner credentials, release an examination question and answer that the Secretary has retired or is not presently on or part of an examination, or that the Secretary determines is appropriate for release.

“(c) EXAM REVIEW.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the Coast Guard Authorization Act of 2015, and once every two years thereafter, the Commandant of the Coast Guard shall commission a working group to review new questions for inclusion in examinations required for merchant mariner credentials, composed of—

“(A) 1 subject matter expert from the Coast Guard;

“(B) representatives from training facilities and the maritime industry, of whom—

“(i) one-half shall be representatives from approved training facilities; and

“(ii) one-half shall be representatives from the appropriate maritime industry;

“(C) at least 1 representative from the Merchant Marine Personnel Advisory Committee;

“(D) at least 2 representatives from the State maritime academies, of whom one shall be a representative from the deck training track and one shall be a representative of the engine license track;

“(E) representatives from other Coast Guard Federal advisory committees, as appropriate, for the industry segment associated with the subject examinations;

“(F) at least 1 subject matter expert from the Maritime Administration; and

“(G) at least 1 human performance technology representative.

“(2) INCLUSION OF PERSONS KNOWLEDGEABLE ABOUT EXAMINATION TYPE.—The working group shall include representatives knowledgeable about the examination type under review.

“(3) LIMITATION.—The requirement to convene a working group under paragraph (1) does not apply unless there are new examination questions to review.

“(4) BASELINE REVIEW.—

“(A) IN GENERAL.—Within 1 year after the date of the enactment of the Coast Guard Authorization Act of 2015, the Secretary shall convene the working group to complete a baseline review of the Coast Guard’s Merchant Mariner Credentialing Examination, including review of—

“(i) the accuracy of examination questions;

“(ii) the accuracy and availability of examination references;

“(iii) the length of merchant mariner examinations; and

“(iv) the use of standard technologies in administering, scoring, and analyzing the examinations.

“(B) PROGRESS REPORT.—The Coast Guard shall provide a progress report to the appropriate congressional committees on the review under this paragraph.

“(5) FULL MEMBERSHIP NOT REQUIRED.—The Coast Guard may convene the working group without all members present if any non-Coast-Guard representative is present.

“(6) NONDISCLOSURE AGREEMENT.—The Secretary shall require all members of the working group to sign a nondisclosure agreement with the Secretary.

“(7) TREATMENT OF MEMBERS AS FEDERAL EMPLOYEES.—A member of the working group who is not a Federal Government employee shall not be considered a Federal employee in the service or the employment of the Federal Government, except that such a member shall be considered a special government employee, as defined in section 202(a) of title 18 for purposes of sections 203, 205, 207, 208, and 209 of such title and shall be subject to any administrative standards of conduct applicable to an employee of the department in which the Coast Guard is operating.

“(8) FORMAL EXAM REVIEW.—The Secretary shall ensure that the Coast Guard Performance Technology Center—

“(A) prioritizes the review of examinations required for merchant mariner credentials; and

“(B) not later than 3 years after the date of enactment of the Coast Guard Authorization Act of 2015, completes a formal review, including an appropriate analysis, of the topics and testing methodology employed by the National Maritime Center for merchant seamen licensing.

“(9) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any working group created under this section to review the Coast Guard’s merchant mariner credentialing examinations.

“(d) MERCHANT MARINER CREDENTIAL DEFINED.—In this section, the term ‘merchant mariner credential’ means a merchant seaman license, certificate, or document that the Secretary is authorized to issue pursuant to this title.”.

(2) CLERICAL AMENDMENT.—The analysis for such chapter is further amended by adding at the end the following:

“7510. Examinations for merchant mariner credentials.”.

(b) EXAMINATIONS FOR MERCHANT MARINER CREDENTIALS.—

(1) IN GENERAL.—Chapter 71 of title 46, United States Code, is amended by adding at the end the following:

“§ 7116. Examinations for merchant mariner credentials

“(a) REQUIREMENT FOR SAMPLE EXAMS.—The Secretary shall develop a sample merchant mariner credential examination and outline of merchant mariner examination topics on an annual basis.

“(b) PUBLIC AVAILABILITY.—Each sample examination and outline of topics developed under subsection (a) shall be readily available to the public.

“(c) MERCHANT MARINER CREDENTIAL DEFINED.—In this section, the term ‘merchant mariner credential’ has the meaning that term has in section 7510.”.

(2) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

“7116. Examinations for merchant mariner credentials.”.

(c) DISCLOSURE TO CONGRESS.—Nothing in this section may be construed to authorize the withholding of information from an appropriate inspector general, the Committee on Commerce, Science, and Transportation of the Senate, or the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 316. HIGHER VOLUME PORT AREA REGULATORY DEFINITION CHANGE.

(a) IN GENERAL.—Subsection (a) of section 710 of the Coast Guard Authorization Act of 2010 (Public Law 111-281; 124 Stat. 2986) is amended to read as follows:

“(a) HIGHER VOLUME PORTS.—Notwithstanding any other provision of law, the requirements of subparts D, F, and G of part 155 of title 33, Code of Federal Regulations, that apply to the higher volume port area for the Strait of Juan de Fuca at Port Angeles, Washington (including any water area within 50 nautical miles seaward), to and including Puget Sound, shall apply, in the same manner, and to the same extent, to the Strait of Juan de Fuca at Cape Flattery, Washington (including any water area within 50 nautical miles seaward), to and including Puget Sound.”.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by striking “the modification of the higher volume port area definition required by subsection (a).” and inserting “higher volume port requirements made applicable under subsection (a).”.

SEC. 317. RECOGNITION OF PORT SECURITY ASSESSMENTS CONDUCTED BY OTHER ENTITIES.

Section 70108 of title 46, United States Code, is amended by adding at the end the following:

“(f) RECOGNITION OF ASSESSMENT CONDUCTED BY OTHER ENTITIES.—

“(1) CERTIFICATION AND TREATMENT OF ASSESSMENTS.—For the purposes of this section and section 70109, the Secretary may treat an assessment that a foreign government (including, for the purposes of this subsection, an entity of or operating under the auspices of the European Union) or international organization has conducted as an assessment that the Secretary has conducted for the purposes of subsection (a), provided that the Secretary certifies that the foreign government or international organization has—

“(A) conducted the assessment in accordance with subsection (b); and

“(B) provided the Secretary with sufficient information pertaining to its assessment (including, but not limited to, information on the outcome of the assessment).

“(2) AUTHORIZATION TO ENTER INTO AN AGREEMENT.—For the purposes of this section and section 70109, the Secretary, in consultation with the Secretary of State, may enter into an agreement with a foreign government (including, for the purposes of this subsection, an entity of or operating under the auspices of the European Union) or international organization, under which parties to the agreement—

“(A) conduct an assessment, required under subsection (a);

“(B) share information pertaining to such assessment (including, but not limited to, information on the outcome of the assessment); or

“(C) both.

“(3) LIMITATIONS.—Nothing in this subsection shall be construed to—

“(A) require the Secretary to recognize an assessment that a foreign government or an international organization has conducted; or

“(B) limit the discretion or ability of the Secretary to conduct an assessment under this section.

“(4) NOTIFICATION TO CONGRESS.—Not later than 30 days before entering into an agreement or arrangement with a foreign government under paragraph (2), the Secretary shall notify the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the proposed terms of such agreement or arrangement.”

SEC. 318. FISHING VESSEL AND FISH TENDER VESSEL CERTIFICATION.

(a) ALTERNATIVE SAFETY COMPLIANCE PROGRAMS.—Section 4503 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “this section” and inserting “this subsection”;

(2) in subsection (b), by striking “This section” and inserting “Except as provided in subsection (d), subsection (a)”;

(3) in subsection (c)—

(A) by striking “This section” and inserting “(1) Except as provided in paragraph (2), subsection (a)”;

(B) by adding at the end the following:

“(2) Subsection (a) does not apply to a fishing vessel or fish tender vessel to which section 4502(b) of this title applies, if the vessel—

“(A) is at least 50 feet overall in length, and not more than 79 feet overall in length; and

“(B)(i) is built after January 1, 2016, and complies with the alternative safety compliance program established under subsection (e); or

“(ii) is built after the date of the enactment of the Coast Guard Authorization Act of 2015 and before the establishment of the alternative safety compliance program required under subsection (e), and complies with the requirements described in subsection (f).”;

(4) by redesignating subsection (e) as subsection (g), and inserting after subsection (d) the following:

“(e)(1) Not later than 5 years after the date of the enactment of the Coast Guard Authorization Act of 2015, the Secretary shall establish an alternative safety compliance program for fishing vessels or fish tender vessels (or both) that are described in subparagraphs (A) and (B)(i) of subsection (c)(2).

“(2) The alternative safety compliance program established under paragraph (1) shall include requirements for—

“(A) vessel construction;

“(B) a vessel stability test;

“(C) vessel stability and loading instructions;

“(D) an assigned vessel loading mark;

“(E) a vessel condition survey at least biennially;

“(F) an out-of-water vessel survey at least once every 5 years;

“(G) maintenance of records to demonstrate compliance with the program, and the availability of such records for inspection; and

“(H) such other aspects of vessel safety as the Secretary considers appropriate.

“(f) The requirements referred to in subsection (c)(2)(B)(i) are the following:

“(1) The vessel is designed by an individual licensed by a State as a naval architect or marine engineer, and the design incorporates standards equivalent to those prescribed by a classification society to which the Secretary has delegated authority under section 3316 or another qualified organization approved by the Secretary for purposes of this paragraph.

“(2) Construction of the vessel is overseen and certified as being in accordance with its design by a marine surveyor of an organization accepted by the Secretary.

“(3) The vessel—

“(A) completes a stability test performed by a qualified individual;

“(B) has written stability and loading instructions from a qualified individual that are provided to the owner or operator; and

“(C) has an assigned loading mark.

“(4) The vessel is not substantially modified or changed without the review and approval of an individual licensed by a State as a naval architect or marine engineer before the beginning of such substantial modification or change.

“(5) The vessel undergoes a condition survey at least biennially to the satisfaction of a marine surveyor of an organization accepted by the Secretary.

“(6) The vessel undergoes an out-of-water survey at least once every 5 years to the satisfaction of a certified marine surveyor of an organization accepted by the Secretary.

“(7) Once every 5 years and at the time of a modification or substantial change to such vessel, compliance of the vessel with the requirements of paragraph (3) is reviewed and updated as necessary.

“(8) For the life of the vessel, the owner of the vessel maintains records to demonstrate compliance with this subsection and makes such records readily available for inspection by an official authorized to enforce this chapter.”

(b) GAO REPORT ON COMMERCIAL FISHING VESSEL SAFETY.—

(1) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on commercial fishing vessel safety. The report shall include—

(A) national and regional trends that can be identified with respect to rates of marine casualties, human injuries, and deaths aboard or involving fishing vessels greater than 79 feet in length that operate beyond the 3-nautical-mile demarcation line;

(B) a comparison of United States regulations for classification of fishing vessels to those established by other countries, including the vessel length at which such regulations apply;

(C) the additional costs imposed on vessel owners as a result of the requirement in section 4503(a) of title 46, United States Code, and how the those costs vary in relation to vessel size and from region to region;

(D) savings that result from the application of the requirement in section 4503(a) of

title 46, United States Code, including reductions in insurance rates or reduction in the number of fishing vessels or fish tender vessels lost to major safety casualties, nationally and regionally;

(E) a national and regional comparison of the additional costs and safety benefits associated with fishing vessels or fish tender vessels that are built and maintained to class through a classification society to the additional costs and safety benefits associated with fishing vessels or fish tender vessels that are built to standards equivalent to classification society construction standards and maintained to standards equivalent to classification society standards with verification by independent surveyors; and

(F) the impact on the cost of production and availability of qualified shipyards, nationally and regionally, resulting from the application of the requirement in section 4503(a) of title 46, United States Code.

(2) CONSULTATION REQUIREMENT.—In preparing the report under paragraph (1), the Comptroller General shall—

(A) consult with owners and operators of fishing vessels or fish tender vessels, classification societies, shipyards, the National Institute for Occupational Safety and Health, the National Transportation Safety Board, the Coast Guard, academics, and marine safety nongovernmental organizations; and

(B) obtain relevant data from the Coast Guard including data collected from enforcement actions, boardings, investigations of marine casualties, and serious marine incidents.

(3) TREATMENT OF DATA.—In preparing the report under paragraph (1), the Comptroller General shall—

(A) disaggregate data regionally for each of the regions managed by the regional fishery management councils established under section 302 of the Magnuson-Stevens Fisheries Conservation and Management Act (16 U.S.C. 1852), the Atlantic States Marine Fisheries Commission, the Pacific States Marine Fisheries Commission, and the Gulf States Marine Fisheries Commission; and

(B) include qualitative data on the types of fishing vessels or fish tender vessels included in the report.

SEC. 319. INTERAGENCY COORDINATING COMMITTEE ON OIL POLLUTION RESEARCH.

(a) IN GENERAL.—Section 7001(a)(3) of the Oil Pollution Act of 1990 (33 U.S.C. 2761(a)(3)) is amended—

(1) by striking “Minerals Management Service” and inserting “Bureau of Safety and Environmental Enforcement, the Bureau of Ocean Energy Management,”; and

(2) by inserting “the United States Arctic Research Commission,” after “National Aeronautics and Space Administration.”

(b) TECHNICAL AMENDMENTS.—Section 7001 of the Oil Pollution Act of 1990 (33 U.S.C. 2761) is amended—

(1) in subsection (b)(2), in the matter preceding subparagraph (A), by striking “Department of Transportation” and inserting “department in which the Coast Guard is operating”; and

(2) in subsection (c)(8)(A), by striking “(1989)” and inserting “(2010)”.

SEC. 320. INTERNATIONAL PORT AND FACILITY INSPECTION COORDINATION.

Section 825(a) of the Coast Guard Authorization Act of 2010 (6 U.S.C. 945 note; Public Law 111-281) is amended in the matter preceding paragraph (1)—

(1) by striking “the department in which the Coast Guard is operating” and inserting “Homeland Security”; and

(2) by striking “they are integrated and conducted by the Coast Guard” and inserting “the assessments are coordinated between

the Coast Guard and Customs and Border Protection”.

TITLE IV—FEDERAL MARITIME COMMISSION

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Chapter 3 of title 46, United States Code, is amended by adding at the end the following:

“§ 308. Authorization of appropriations

“There is authorized to be appropriated to the Federal Maritime Commission \$24,700,000 for each of fiscal years 2016 and 2017 for the activities of the Commission authorized under this chapter and subtitle IV.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 46, United States Code, is amended by adding at the end the following:

“308. Authorization of appropriations.”.

SEC. 402. DUTIES OF THE CHAIRMAN.

Section 301(c)(3)(A) of title 46, United States Code, is amended—

(1) in clause (ii) by striking “units, but only after consultation with the other Commissioners;” and inserting “units (with such appointments subject to the approval of the Commission);”;

(2) in clause (iv) by striking “and” at the end;

(3) in clause (v) by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(vi) prepare and submit to the President and the Congress requests for appropriations for the Commission (with such requests subject to the approval of the Commission).”.

SEC. 403. PROHIBITION ON AWARDS.

Section 307 of title 46, United States Code, is amended—

(1) by striking “The Federal Maritime Commission” and inserting the following:

“(a) IN GENERAL.—The Federal Maritime Commission”; and

(2) by adding at the end the following:

“(b) PROHIBITION.—Notwithstanding subsection (a), the Federal Maritime Commission may not expend any funds appropriated or otherwise made available to it to a non-Federal entity to issue an award, prize, commendation, or other honor that is not related to the purposes set forth in section 40101.”.

TITLE V—CONVEYANCES

Subtitle A—Miscellaneous Conveyances

SEC. 501. CONVEYANCE OF COAST GUARD PROPERTY IN POINT REYES STATION, CALIFORNIA.

(a) CONVEYANCE.—

(1) IN GENERAL.—The Commandant of the Coast Guard shall convey to the County of Marin, California, all right, title, and interest of the United States in and to the covered property—

(A) for fair market value, as provided in paragraph (2);

(B) subject to the conditions required by this section; and

(C) subject to any other term or condition that the Commandant considers appropriate and reasonable to protect the interests of the United States.

(2) FAIR MARKET VALUE.—The fair market value of the covered property shall be—

(A) determined by a real estate appraiser who has been selected by the County and is licensed to practice in California; and

(B) approved by the Commandant.

(3) PROCEEDS.—The Commandant shall deposit the proceeds from a conveyance under paragraph (1) in the Coast Guard Housing Fund established by section 687 of title 14, United States Code.

(b) CONDITION OF CONVEYANCE.—As a condition of any conveyance of the covered property under this section, the Commandant

shall require that all right, title, and interest in and to the covered property shall revert to the United States if the covered property or any part thereof ceases to be used for affordable housing, as defined by the County and the Commandant at the time of conveyance, or to provide a public benefit approved by the County.

(c) SURVEY.—The exact acreage and legal description of the covered property shall be determined by a survey satisfactory to the Commandant.

(d) RULES OF CONSTRUCTION.—Nothing in this section may be construed to affect or limit the application of or obligation to comply with any environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(e) COVERED PROPERTY DEFINED.—In this section, the term “covered property” means the approximately 32 acres of real property (including all improvements located on the property) that are—

(1) located in Point Reyes Station in the County of Marin, California;

(2) under the administrative control of the Coast Guard; and

(3) described as “Parcel A, Tract 1”, “Parcel B, Tract 2”, “Parcel C”, and “Parcel D” in the Declaration of Taking (Civil No. C 71-1245 SC) filed June 28, 1971, in the United States District Court for the Northern District of California.

(f) EXPIRATION.—The authority to convey the covered property under this section shall expire on the date that is four years after the date of the enactment of this Act.

SEC. 502. CONVEYANCE OF COAST GUARD PROPERTY IN TOK, ALASKA.

(a) CONVEYANCE AUTHORIZED.—The Commandant of the Coast Guard may convey to the Tanana Chiefs’ Conference all right, title, and interest of the United States in and to the covered property, upon payment to the United States of the fair market value of the covered property.

(b) SURVEY.—The exact acreage and legal description of the covered property shall be determined by a survey satisfactory to the Commandant.

(c) FAIR MARKET VALUE.—The fair market value of the covered property shall be—

(1) determined by appraisal; and

(2) subject to the approval of the Commandant.

(d) COSTS OF CONVEYANCE.—The responsibility for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with a conveyance under this section shall be determined by the Commandant and the purchaser.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Commandant may require such additional terms and conditions in connection with a conveyance under this section as the Commandant considers appropriate and reasonable to protect the interests of the United States.

(f) DEPOSIT OF PROCEEDS.—Any proceeds received by the United States from a conveyance under this section shall be deposited in the Coast Guard Housing Fund established under section 687 of title 14, United States Code.

(g) COVERED PROPERTY DEFINED.—

(1) IN GENERAL.—In this section, the term “covered property” means the approximately 3.25 acres of real property (including all improvements located on the property) that are—

(A) located in Tok, Alaska;

(B) under the administrative control of the Coast Guard; and

(C) described in paragraph (2).

(2) DESCRIPTION.—The property described in this paragraph is the following:

(A) Lots 11, 12 and 13, block “G”, Second Addition to Hartsell Subdivision, Section 20, Township 18 North, Range 13 East, Copper River Meridian, Alaska as appears by Plat No. 72-39 filed in the Office of the Recorder for the Fairbanks Recording District of Alaska, bearing seal dated 25 September 1972, all containing approximately 1.25 acres and commonly known as 2-PLEX – Jackie Circle, Units A and B.

(B) Beginning at a point being the SE corner of the SE ¼ of the SE ¼ Section 24, Township 18 North, Range 12 East, Copper River Meridian, Alaska; thence running westerly along the south line of said SE ¼ of the NE ¼ 260 feet; thence northerly parallel to the east line of said SE ¼ of the NE ¼ 335 feet; thence easterly parallel to the south line 260 feet; then south 335 feet along the east boundary of Section 24 to the point of beginning; all containing approximately 2.0 acres and commonly known as 4-PLEX – West “C” and Willow, Units A, B, C and D.

(h) EXPIRATION.—The authority to convey the covered property under this section shall expire on the date that is 4 years after the date of the enactment of this Act.

Subtitle B—Pribilof Islands

SEC. 521. SHORT TITLE.

This subtitle may be cited as the “Pribilof Island Transition Completion Act of 2015”.

SEC. 522. TRANSFER AND DISPOSITION OF PROPERTY.

(a) TRANSFER.—To further accomplish the settlement of land claims under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), the Secretary of Commerce shall, subject to paragraph (2), and notwithstanding section 105(a) of the Pribilof Islands Transition Act (16 U.S.C. 1161 note; Public Law 106-562), convey all right, title, and interest in the following property to the Alaska native village corporation for St. Paul Island:

(1) Lots 4, 5, and 6A, Block 18, Tract A, U.S. Survey 4943, Alaska, the plat of which was Officially Filed on January 20, 2004, aggregating 13,006 square feet (0.30 acres).

(2) On the termination of the license described in subsection (b)(3), T. 35 S., R. 131 W., Seward Meridian, Alaska, Tract 43, the plat of which was Officially Filed on May 14, 1986, containing 84.88 acres.

(b) FEDERAL USE.—

(1) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may operate, maintain, keep, locate, inspect, repair, and replace any Federal aid to navigation located on the property described in subsection (a) as long as the aid is needed for navigational purposes.

(2) ADMINISTRATION.—In carrying out subsection (a), the Secretary may enter the property, at any time for as long as the aid is needed for navigational purposes, without notice to the extent that it is not practicable to provide advance notice.

(3) LICENSE.—The Secretary of the Department in which the Coast Guard is operating may maintain a license in effect on the date of the enactment of this Act with respect to the real property and improvements under subsection (a) until the termination of the license.

(4) REPORTS.—Not later than 2 years after the date of the enactment of this Act and not less than once every 2 years thereafter, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(A) efforts taken to remediate contaminated soils on tract 43 described in subsection (a)(2);

(B) a schedule for the completion of contaminated soil remediation on tract 43; and

(C) any use of tract 43 to carry out Coast Guard navigation activities.

(C) AGREEMENT ON TRANSFER OF OTHER PROPERTY ON ST. PAUL ISLAND.—

(1) **IN GENERAL.**—In addition to the property transferred under subsection (a), not later than 60 days after the date of the enactment of this Act, the Secretary of Commerce and the presiding officer of the Alaska native village corporation for St. Paul Island shall enter into an agreement to exchange of property on Tracts 50 and 38 on St. Paul Island and to finalize the recording of deeds, to reflect the boundaries and ownership of Tracts 50 and 38 as depicted on a survey of the National Oceanic and Atmospheric Administration, to be filed with the Office of the Recorder for the Department of Natural Resources for the State of Alaska.

(2) **EASEMENTS.**—The survey described in subsection (a) shall include respective easements granted to the Secretary and the Alaska native village corporation for the purpose of utilities, drainage, road access, and salt lagoon conservation.

SEC. 523. NOTICE OF CERTIFICATION.

Section 105 of the Pribilof Islands Transition Act (16 U.S.C. 1161 note; Public Law 106-562) is amended—

(1) in subsection (a)(1), by striking “The Secretary” and inserting “Notwithstanding paragraph (2) and effective beginning on the date the Secretary publishes the notice of certification required by subsection (b)(5), the Secretary”;

(2) in subsection (b)—

(A) in paragraph (1)(A), by striking “section 205 of the Fur Seal Act of 1966 (16 U.S.C. 1165)” and inserting “section 205(a) of the Fur Seal Act of 1966 (16 U.S.C. 1165(a))”; and

(B) by adding at the end the following:

“(5) **NOTICE OF CERTIFICATION.**—The Secretary shall promptly publish and submit to the Committee on Natural Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate notice that the certification described in paragraph (2) has been made.”;

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “makes the certification described in subsection (b)(2)” and inserting “publishes the notice of certification required by subsection (b)(5)”; and

(B) in paragraph (1), by striking “Section 205” and inserting “Subsections (a), (b), (c), and (d) of section 205”;

(4) by redesignating subsection (e) as subsection (g); and

(5) by inserting after subsection (d) the following:

“(e) **NOTIFICATIONS.**—

“(1) **IN GENERAL.**—Not later than 30 days after the Secretary makes a determination under subsection (f) that land on St. Paul Island, Alaska, not specified for transfer in the document entitled ‘Transfer of Property on the Pribilof Islands: Descriptions, Terms and Conditions’ or section 522 of the Pribilof Island Transition Completion Act of 2015 is in excess of the needs of the Secretary and the Federal Government, the Secretary shall notify the Alaska native village corporation for St. Paul Island of the determination.

“(2) **ELECTION TO RECEIVE.**—Not later than 60 days after the date receipt of the notification of the Secretary under subsection (a), the Alaska native village corporation for St. Paul Island shall notify the Secretary in writing whether the Alaska native village corporation elects to receive all right, title, and interest in the land or a portion of the land.

“(3) **TRANSFER.**—If the Alaska native village corporation provides notice under paragraph (2) that the Alaska native village corporation elects to receive all right, title and

interest in the land or a portion of the land, the Secretary shall transfer all right, title, and interest in the land or portion to the Alaska native village corporation at no cost.

“(4) **OTHER DISPOSITION.**—If the Alaska native village corporation does not provide notice under paragraph (2) that the Alaska native village corporation elects to receive all right, title, and interest in the land or a portion of the land, the Secretary may dispose of the land in accordance with other applicable law.

“(f) **DETERMINATION.**—

“(1) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this subsection and not less than once every 5 years thereafter, the Secretary shall determine whether property located on St. Paul Island and not transferred to the Natives of the Pribilof Islands is in excess of the smallest practicable tract enclosing land—

“(A) needed by the Secretary for the purposes of carrying out the Fur Seal Act of 1966 (16 U.S.C. 1151 et seq.);

“(B) in the case of land withdrawn by the Secretary on behalf of other Federal agencies, needed for carrying out the missions of those agencies for which land was withdrawn; or

“(C) actually used by the Federal Government in connection with the administration of any Federal installation on St. Paul Island.

“(2) **REPORT OF DETERMINATION.**—When a determination is made under subsection (a), the Secretary shall report the determination to—

“(A) the Committee on Natural Resources of the House of Representatives;

“(B) the Committee on Commerce, Science, and Transportation of the Senate; and

“(C) the Alaska native village corporation for St. Paul Island.”.

SEC. 524. REDUNDANT CAPABILITY.

(a) **RULE OF CONSTRUCTION.**—Except as provided in subsection (b), section 681 of title 14, United States Code, as amended by this Act, shall not be construed to prohibit any transfer or conveyance of lands under this subtitle or any actions that involve the dismantling or disposal of infrastructure that supported the former LORAN system that are associated with the transfer or conveyance of lands under section 522.

(b) **REDUNDANT CAPABILITY.**—If, within the 5-year period beginning on the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating determines that a facility on Tract 43, if transferred under this subtitle, is subsequently required to provide a positioning, navigation, and timing system to provide redundant capability in the event GPS signals are disrupted, the Secretary may—

(1) operate, maintain, keep, locate, inspect, repair, and replace such facility; and

(2) in carrying out the activities described in paragraph (1), enter, at any time, the facility without notice to the extent that it is not possible to provide advance notice, for as long as such facility is needed to provide such capability.

Subtitle C—Conveyance of Coast Guard Property at Point Spencer, Alaska

SEC. 531. FINDINGS.

The Congress finds as follows:

(1) Major shipping traffic is increasing through the Bering Strait, the Bering and Chukchi Seas, and the Arctic Ocean, and will continue to increase whether or not development of the Outer Continental Shelf of the United States is undertaken in the future, and will increase further if such Outer Continental Shelf development is undertaken.

(2) There is a compelling national, State, Alaska Native, and private sector need for

permanent infrastructure development and for a presence in the Arctic region of Alaska by appropriate agencies of the Federal Government, particularly in proximity to the Bering Strait, to support and facilitate search and rescue, shipping safety, economic development, oil spill prevention and response, protection of Alaska Native archaeological and cultural resources, port of refuge, arctic research, and maritime law enforcement on the Bering Sea, the Chukchi Sea, and the Arctic Ocean.

(3) The United States owns a parcel of land, known as Point Spencer, located between the Bering Strait and Port Clarence and adjacent to some of the best potential deepwater port sites on the coast of Alaska in the Arctic.

(4) Prudent and effective use of Point Spencer may be best achieved through marshaling the energy, resources, and leadership of the public and private sectors.

(5) It is in the national interest to develop infrastructure at Point Spencer that would aid the Coast Guard in performing its statutory duties and functions in the Arctic on a more permanent basis and to allow for public and private sector development of facilities and other infrastructure to support purposes that are of benefit to the United States.

SEC. 532. DEFINITIONS.

In this subtitle:

(1) **ARCTIC.**—The term “Arctic” has the meaning given that term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(2) **BSNC.**—The term “BSNC” means the Bering Straits Native Corporation authorized under section 7 of the Alaska Native Claims Settlement Act (43 U.S.C. 1606).

(3) **COUNCIL.**—The term “Council” means the Port Coordination Council established under section 541.

(4) **PLAN.**—The term “Plan” means the Port Management Coordination Plan developed under section 541.

(5) **POINT SPENCER.**—The term “Point Spencer” means the land known as “Point Spencer” located in Townships 2, 3, and 4 South, Range 40 West, Kateel River Meridian, Alaska, between the Bering Strait and Port Clarence and withdrawn by Public Land Order 2650 (published in the Federal Register on April 12, 1962).

(6) **SECRETARY.**—Except as otherwise specifically provided, the term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

(7) **STATE.**—The term “State” means the State of Alaska.

(8) **TRACT.**—The term “Tract” or “Tracts” means any of Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, or Tract 6, as appropriate, or any portion of such Tract or Tracts.

(9) **TRACTS 1, 2, 3, 4, 5, AND 6.**—The terms “Tract 1”, “Tract 2”, “Tract 3”, “Tract 4”, “Tract 5”, and “Tract 6” each mean the land generally depicted as Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, or Tract 6, respectively, on the map entitled the “Point Spencer Land Retention and Conveyance Map”, dated January 2015, and on file with the Department of Homeland Security and the Department of the Interior.

SEC. 533. AUTHORITY TO CONVEY LAND IN POINT SPENCER.

(a) **AUTHORITY TO CONVEY TRACTS 1, 3, AND 4.**—Within 1 year after the Secretary notifies the Secretary of the Interior that the Coast Guard no longer needs to retain jurisdiction of Tract 1, Tract 3, or Tract 4 and subject to section 534, the Secretary of the Interior shall convey to BSNC or the State, subject to valid existing rights, all right, title, and interest of the United States in and to the surface and subsurface estates of that Tract in accordance with subsection (d).

(b) **AUTHORITY TO CONVEY TRACTS 2 AND 5.**—Within 1 year after the date of the enactment of this section and subject to section 534, the Secretary of the Interior shall convey, subject to valid existing rights, all right, title, and interest of the United States in and to the surface and subsurface estates of Tract 2 and Tract 5 in accordance with subsection (d).

(c) **AUTHORITY TO TRANSFER TRACT 6.**—Within one year after the date of the enactment of this Act and subject to sections 534 and 535, the Secretary of the Interior shall convey, subject to valid existing rights, all right, title, and interest of the United States in and to the surface and subsurface estates of Tract 6 in accordance with subsection (e).

(d) **ORDER OF OFFER TO CONVEY TRACT 1, 2, 3, 4, OR 5.**—

(1) **DETERMINATION AND OFFER.**—

(A) **TRACT 1, 3, OR 4.**—If the Secretary makes the determination under subsection (a) and subject to section 534, the Secretary of the Interior shall offer Tract 1, Tract 3, or Tract 4 for conveyance to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(B) **TRACT 2 AND 5.**—Subject to section 534, the Secretary of the Interior shall offer Tract 2 and Tract 5 to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(2) **OFFER TO BSNC.**—

(A) **ACCEPTANCE BY BSNC.**—If BSNC chooses to accept an offer of conveyance of a Tract under paragraph (1), the Secretary of the Interior shall consider Tract 6 as within BSNC's entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) and shall convey such Tract to BSNC.

(B) **DECLINE BY BSNC.**—If BSNC declines to accept an offer of conveyance of a Tract under paragraph (1), the Secretary of the Interior shall offer such Tract for conveyance to the State under the Act of July 7, 1958 (commonly known as the "Alaska Statehood Act") (48 U.S.C. note prec. 21; Public Law 85-508).

(3) **OFFER TO STATE.**—

(A) **ACCEPTANCE BY STATE.**—If the State chooses to accept an offer of conveyance of a Tract under paragraph (2)(B), the Secretary of the Interior shall consider such Tract as within the State's entitlement under the Act of July 7, 1958 (commonly known as the "Alaska Statehood Act") (48 U.S.C. note prec. 21; Public Law 85-508) and shall convey such Tract to the State.

(B) **DECLINE BY STATE.**—If the State declines to accept an offer of conveyance of a Tract offered under paragraph (2)(B), such Tract shall be disposed of pursuant to applicable public land laws.

(e) **ORDER OF OFFER TO CONVEY TRACT 6.**—

(1) **OFFER.**—Subject to section 534, the Secretary of the Interior shall offer Tract 6 for conveyance to the State.

(2) **OFFER TO STATE.**—

(A) **ACCEPTANCE BY STATE.**—If the State chooses to accept an offer of conveyance of Tract 6 under paragraph (1), the Secretary of the Interior shall consider Tract 6 as within the State's entitlement under the Act of July 7, 1958 (commonly known as the "Alaska Statehood Act") (48 U.S.C. note prec. 21; Public Law 85-508) and shall convey Tract 6 to the State.

(B) **DECLINE BY STATE.**—If the State declines to accept an offer of conveyance of Tract 6 under paragraph (1), the Secretary of the Interior shall offer Tract 6 for conveyance to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(3) **OFFER TO BSNC.**—

(A) **ACCEPTANCE BY BSNC.**—

(i) **IN GENERAL.**—Subject to clause (ii), if BSNC chooses to accept an offer of conveyance of Tract 6 under paragraph (2)(B), the Secretary of the Interior shall consider Tract 6 as within BSNC's entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) and shall convey Tract 6 to BSNC.

(ii) **LEASE BY THE STATE.**—The conveyance of Tract 6 to BSNC shall be subject to BSNC negotiating a lease of Tract 6 to the State at no cost to the State, if the State requests such a lease.

(B) **DECLINE BY BSNC.**—If BSNC declines to accept an offer of conveyance of Tract 6 under paragraph (2)(B), the Secretary of the Interior shall dispose of Tract 6 pursuant to the applicable public land laws.

SEC. 534. ENVIRONMENTAL COMPLIANCE, LIABILITY, AND MONITORING.

(a) **ENVIRONMENTAL COMPLIANCE.**—Nothing in this Act or any amendment made by this Act may be construed to affect or limit the application of or obligation to comply with any applicable environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(b) **LIABILITY.**—A person to which a conveyance is made under this subtitle shall hold the United States harmless from any liability with respect to activities carried out on or after the date of the conveyance of the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out before such date on the real property conveyed.

(c) **MONITORING OF KNOWN CONTAMINATION.**—

(1) **IN GENERAL.**—To the extent practicable and subject to paragraph (2), any contamination in a Tract to be conveyed to the State or BSNC under this subtitle that—

(A) is identified in writing prior to the conveyance; and

(B) does not pose an immediate or long-term risk to human health or the environment,

may be routinely monitored and managed by the State or BSNC, as applicable, through institutional controls.

(2) **INSTITUTIONAL CONTROLS.**—Institutional controls may be used if—

(A) the Administrator of the Environmental Protection Agency and the Governor of the State concur that such controls are protective of human health and the environment; and

(B) such controls are carried out in accordance with Federal and State law.

SEC. 535. EASEMENTS AND ACCESS.

(a) **USE BY COAST GUARD.**—The Secretary of the Interior shall make each conveyance of any relevant Tract under this subtitle subject to an easement granting the Coast Guard, at no cost to the Coast Guard—

(1) use of all existing and future landing pads, airstrips, runways, and taxiways that are located on such Tract; and

(2) the right to access such landing pads, airstrips, runways, and taxiways.

(b) **USE BY STATE.**—For any Tract conveyed to BSNC under this subtitle, BSNC shall provide to the State, if requested and pursuant to negotiated terms with the State, an easement granting to the State, at no cost to the State—

(1) use of all existing and future landing pads, airstrips, runways, and taxiways located on such Tract; and

(2) a right to access such landing pads, airstrips, runways, and taxiways.

(c) **RIGHT OF ACCESS OR RIGHT OF WAY.**—If the State requests a right of access or right of way for a road from the airstrip to the southern tip of Point Spencer, the location of such right of access or right of way shall

be determined by the State, in consultation with the Secretary and BSNC, so that such right of access or right of way is compatible with other existing or planned infrastructure development at Point Spencer.

(d) **ACCESS EASEMENT ACROSS TRACTS 2, 5, AND 6.**—In conveyance documents to the State and BSNC under this subtitle, the Coast Guard shall retain an access easement across Tracts 2, 5, and 6 reasonably necessary to afford the Coast Guard with access to Tracts 1, 3, and 4 for its operations.

(e) **ACCESS.**—Not later than 30 days after the date of the enactment of this Act, the Coast Guard shall provide to the State and BSNC, access to Tracts for planning, design, and engineering related to remediation and use of and construction on those Tracts.

(f) **PUBLIC ACCESS EASEMENTS.**—No public access easements may be reserved to the United States under section 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(b)) with respect to the land conveyed under this subtitle.

SEC. 536. RELATIONSHIP TO PUBLIC LAND ORDER 2650.

(a) **TRACTS NOT CONVEYED.**—Any Tract that is not conveyed under this subtitle shall remain withdrawn pursuant to Public Land Order 2650 (published in the Federal Register on April 12, 1962).

(b) **TRACTS CONVEYED.**—For any Tract conveyed under this subtitle, Public Land Order 2650 shall automatically terminate upon issuance of a conveyance document issued pursuant to this subtitle for such Tract.

SEC. 537. ARCHEOLOGICAL AND CULTURAL RESOURCES.

Conveyance of any Tract under this subtitle shall not affect investigations, criminal jurisdiction, and responsibilities regarding theft or vandalism of archeological or cultural resources located in or on such Tract that took place prior to conveyance under this subtitle.

SEC. 538. MAPS AND LEGAL DESCRIPTIONS.

(a) **PREPARATION OF MAPS AND LEGAL DESCRIPTIONS.**—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior in consultation with the Secretary shall prepare maps and legal descriptions of Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, and Tract 6. In doing so, the Secretary of the Interior may use metes and bounds legal descriptions based upon the official survey plats of Point Spencer accepted by the Bureau of Land Management on December 6, 1978, and on information provided by the Secretary.

(b) **SURVEY.**—Not later than 5 years after the date of the enactment of this Act, the Secretary of the Interior shall survey Tracts conveyed under this subtitle and patent the Tracts in accordance with the official plats of survey.

(c) **LEGAL EFFECT.**—The maps and legal descriptions prepared under subsection (a) and the surveys prepared under subsection (b) shall have the same force and effect as if the maps and legal descriptions were included in this Act.

(d) **CORRECTIONS.**—The Secretary of the Interior may correct any clerical and typographical errors in the maps and legal descriptions prepared under subsection (a) and the surveys prepared under subsection (b).

(e) **AVAILABILITY.**—Copies of the maps and legal descriptions prepared under subsection (a) and the surveys prepared under subsection (b) shall be available for public inspection in the appropriate offices of—

(1) the Bureau of Land Management; and

(2) the Coast Guard.

SEC. 539. CHARGEABILITY FOR LAND CONVEYED.

(a) **CONVEYANCES TO ALASKA.**—The Secretary of the Interior shall charge any conveyance of land conveyed to the State of

Alaska pursuant to this subtitle against the State's remaining entitlement under section 6(b) of the Act of July 7, 1958 (commonly known as the "Alaska Statehood Act"; Public Law 85-508; 72 Stat. 339).

(b) CONVEYANCES TO BSNC.—The Secretary of the Interior shall charge any conveyance of land conveyed to BSNC pursuant to this subtitle, against BSNC's remaining entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)).

SEC. 540. REDUNDANT CAPABILITY.

(a) IN GENERAL.—Except as provided in subsection (b), section 681 of title 14, United States Code, as amended by this Act, shall not be construed to prohibit any transfer or conveyance of lands under this subtitle or any actions that involve the dismantling or disposal of infrastructure that supported the former LORAN system that are associated with the transfer or conveyance of lands under this subtitle.

(b) CONTINUED ACCESS TO AND USE OF FACILITIES.—If the Secretary of the department in which the Coast Guard is operating determines, within the 5-year period beginning on the date of the enactment of this Act, that a facility on any of Tract 1, Tract 3, or Tract 4 that is transferred under this subtitle is subsequently required to provide a positioning, navigation, and timing system to provide redundant capability in the event GPS signals are disrupted, the Secretary may, for as long as such facility is needed to provide redundant capability—

(1) operate, maintain, keep, locate, inspect, repair, and replace such facility; and

(2) in carrying out the activities described in paragraph (1), enter, at any time, the facility without notice to the extent that it is not possible to provide advance notice.

SEC. 541. PORT COORDINATION COUNCIL FOR POINT SPENCER.

(a) ESTABLISHMENT.—There is established a Port Coordination Council for the Port of Point Spencer.

(b) MEMBERSHIP.—The Council shall consist of a representative appointed by each of the following:

(1) The State.

(2) BSNC.

(c) DUTIES.—The duties of the Council are as follows:

(1) To develop a Port Management Coordination Plan to help coordinate infrastructure development and operations at the Port of Point Spencer, that includes plans for—

(A) construction;

(B) funding eligibility;

(C) land use planning and development; and

(D) public interest use and access, emergency preparedness, law enforcement, protection of Alaska Native archaeological and cultural resources, and other matters that are necessary for public and private entities to function in proximity together in a remote location.

(2) Update the Plan annually for the first 5 years after the date of the enactment of this Act and biennially thereafter.

(3) Facilitate coordination among BSNC, the State, and the Coast Guard, on the development and use of the land and coastline as such development relates to activities at the Port of Point Spencer.

(4) Assess the need, benefits, efficacy, and desirability of establishing in the future a port authority at Point Spencer under State law and act upon that assessment, as appropriate, including taking steps for the potential formation of such a port authority.

(d) PLAN.—In addition to the requirements under subsection (c)(1) to the greatest extent practicable, the Plan developed by the Council shall facilitate and support the statutory missions and duties of the Coast Guard and operations of the Coast Guard in the Arctic.

(e) COSTS.—Operations and management costs for airstrips, runways, and taxiways at Point Spencer shall be determined pursuant to provisions of the Plan, as negotiated by the Council.

TITLE VI—MISCELLANEOUS

SEC. 601. MODIFICATION OF REPORTS.

(a) DISTANT WATER TUNA FLEET.—Section 421(d) of the Coast Guard and Maritime Transportation Act of 2006 (46 U.S.C. 8103 note) is amended by striking "On March 1, 2007, and annually thereafter" and inserting "Not later than July 1 of each year".

(b) ANNUAL UPDATES ON LIMITS TO LIABILITY.—Section 603(c)(3) of the Coast Guard and Maritime Transportation Act of 2006 (33 U.S.C. 2704 note) is amended by striking "on an annual basis." and inserting "not later than January 30 of the year following each year in which occurs an oil discharge from a vessel or nonvessel source that results or is likely to result in removal costs and damages (as those terms are defined in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701)) that exceed liability limits established under section 1004 of the Oil Pollution Act of 1990 (33 U.S.C. 2704)."

(c) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Secretary of the department in which the Coast Guard is operating a report detailing the specifications and capabilities for interoperable communications the Commandant determines are necessary to allow the Coast Guard to successfully carry out its missions that require communications with other Federal agencies, State and local governments, and nongovernmental entities.

SEC. 602. SAFE VESSEL OPERATION IN THE GREAT LAKES.

The Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113-281) is amended—

(1) in section 610, by—

(A) striking the section enumerator and heading and inserting the following:

"SEC. 610. SAFE VESSEL OPERATION IN THE GREAT LAKES.;"

(B) striking "existing boundaries and any future expanded boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve" and inserting "boundaries of any national marine sanctuary that preserves shipwrecks or maritime heritage in the Great Lakes"; and

(C) inserting before the period at the end the following: " , unless the designation documents for such sanctuary do not allow taking up or discharging ballast water in such sanctuary"; and

(2) in the table of contents in section 2, by striking the item relating to such section and inserting the following:

"Sec. 610. Safe vessel operation in the Great Lakes."

SEC. 603. USE OF VESSEL SALE PROCEEDS.

(a) AUDIT.—The Comptroller General of the United States shall conduct an audit of funds credited in each fiscal year after fiscal year 2004 to the Vessel Operations Revolving Fund that are attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that were scrapped or sold under sections 57102, 57103, and 57104 of title 46, United States Code, including—

(1) a complete accounting of all vessel sale proceeds attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that were scrapped or sold under sections 57102, 57103, and 57104 of title 46, United States Code, in each fiscal year after fiscal year 2004;

(2) the annual apportionment of proceeds accounted for under paragraph (1) among the uses authorized under section 308704 of title

54, United States Code, in each fiscal year after fiscal year 2004, including—

(A) for National Maritime Heritage Grants, including a list of all annual National Maritime Heritage Grant grant and subgrant awards that identifies the respective grant and subgrant recipients and grant and subgrant amounts;

(B) for the preservation and presentation to the public of maritime heritage property of the Maritime Administration;

(C) to the United States Merchant Marine Academy and State maritime academies, including a list of annual awards; and

(D) for the acquisition, repair, reconditioning, or improvement of vessels in the National Defense Reserve Fleet; and

(3) an accounting of proceeds, if any, attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that were scrapped or sold under sections 57102, 57103, and 57104 of title 46, United States Code, in each fiscal year after fiscal year 2004, that were expended for uses not authorized under section 308704 of title 54, United States Code.

(b) SUBMISSION TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit the audit conducted in subsection (a) to the Committee on Armed Services, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 604. NATIONAL ACADEMY OF SCIENCES COST ASSESSMENT.

(a) COST ASSESSMENT.—The Secretary of the department in which the Coast Guard is operating shall seek to enter into an arrangement with the National Academy of Sciences under which the Academy, by no later than 365 days after the date of the enactment of this Act, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of the costs incurred by the Federal Government to carry out polar icebreaking missions. The assessment shall—

(1) describe current and emerging requirements for the Coast Guard's polar icebreaking capabilities, taking into account the rapidly changing ice cover in the Arctic environment, national security considerations, and expanding commercial activities in the Arctic and Antarctic, including marine transportation, energy development, fishing, and tourism;

(2) identify potential design, procurement, leasing, service contracts, crewing, and technology options that could minimize life-cycle costs and optimize efficiency and reliability of Coast Guard polar icebreaker operations in the Arctic and Antarctic; and

(3) examine—

(A) Coast Guard estimates of the procurement and operating costs of a Polar icebreaker capable of carrying out Coast Guard maritime safety, national security, and stewardship responsibilities including—

(i) economies of scale that might be achieved for construction of multiple vessels; and

(ii) costs of renovating existing polar class icebreakers to operate for a period of no less than 10 years.

(B) the incremental cost to augment the design of such an icebreaker for multiuse capabilities for scientific missions;

(C) the potential to offset such incremental cost through cost-sharing agreements with other Federal departments and agencies; and

(D) United States polar icebreaking capability in comparison with that of other Arctic nations, and with nations that conduct research in the Arctic.

(b) INCLUDED COSTS.—For purposes of subsection (a), the assessment shall include costs incurred by the Federal Government for—

(1) the lease or operation and maintenance of the vessel or vessels concerned;

(2) disposal of such vessels at the end of the useful life of the vessels;

(3) retirement and other benefits for Federal employees who operate such vessels; and

(4) interest payments assumed to be incurred for Federal capital expenditures.

(c) ASSUMPTIONS.—For purposes of comparing the costs of such alternatives, the Academy shall assume that—

(1) each vessel under consideration is—

(A) capable of breaking out McMurdo Station and conducting Coast Guard missions in the Antarctic, and in the United States territory in the Arctic (as that term is defined in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111)); and

(B) operated for a period of 30 years;

(2) the acquisition of services and the operation of each vessel begins on the same date; and

(3) the periods for conducting Coast Guard missions in the Arctic are of equal lengths.

(d) USE OF INFORMATION.—In formulating cost pursuant to subsection (a), the National Academy of Sciences may utilize information from other Coast Guard reports, assessments, or analyses regarding existing Coast Guard Polar class icebreakers or for the acquisition of a polar icebreaker for the Federal Government.

SEC. 605. PENALTY WAGES.

(a) FOREIGN AND INTERCOASTAL VOYAGES.—Section 10313(g) of title 46, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking “all claims in a class action suit by seamen” and inserting “each claim by a seaman”; and

(B) by striking “the seamen” and inserting “the seaman”; and

(2) in paragraph (3)—

(A) by striking “class action”; and

(B) in subparagraph (B), by striking “, by a seaman who is a claimant in the suit,” and inserting “by the seaman”.

(b) COASTWISE VOYAGES.—Section 10504(c) of such title is amended—

(1) in paragraph (2)—

(A) by striking “all claims in a class action suit by seamen” and inserting “each claim by a seaman”; and

(B) by striking “the seamen” and inserting “the seaman”; and

(2) in paragraph (3)—

(A) by striking “class action”; and

(B) in subparagraph (B), by striking “, by a seaman who is a claimant in the suit,” and inserting “by the seaman”.

SEC. 606. RECOURSE FOR NONCITIZENS.

Section 30104 of title 46, United States Code, is amended—

(1) by inserting “(a) IN GENERAL.—” before the first sentence; and

(2) by adding at the end the following:

“(b) RESTRICTION ON RECOVERY FOR NON-RESIDENT ALIENS EMPLOYED ON FOREIGN PASSENGER VESSELS.—A claim for damages or expenses relating to personal injury, illness, or death of a seaman who is a citizen of a foreign nation, arising during or from the engagement of the seaman by or for a passenger vessel duly registered under the laws of a foreign nation, may not be brought under the laws of the United States if—

“(1) such seaman was not a permanent resident alien of the United States at the time the claim arose;

“(2) the injury, illness, or death arose outside the territorial waters of the United States; and

“(3) the seaman or the seaman’s personal representative has or had a right to seek compensation for the injury, illness, or death in, or under the laws of—

“(A) the nation in which the vessel was registered at the time the claim arose; or

“(B) the nation in which the seaman maintained citizenship or residency at the time the claim arose.

“(c) COMPENSATION DEFINED.—As used in subsection (b), the term ‘compensation’ means—

“(1) a statutory workers’ compensation remedy that complies with Standard A4.2 of Regulation 4.2 of the Maritime Labour Convention, 2006; or

“(2) in the absence of the remedy described in paragraph (1), a legal remedy that complies with Standard A4.2 of Regulation 4.2 of the Maritime Labour Convention, 2006, that permits recovery for lost wages, pain and suffering, and future medical expenses.”.

SEC. 607. COASTWISE ENDORSEMENTS.

(a) “ELETTRA III”.—

(1) IN GENERAL.—Notwithstanding sections 12112 and 12132, of title 46, United States Code, and subject to paragraphs (2) and (3), the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the vessel M/V Elettra III (United States official number 694607).

(2) LIMITATION ON OPERATION.—Coastwise trade authorized under a certificate of documentation issued under paragraph (1) shall be limited to the carriage of passengers and equipment in association with the operation of the vessel in the Puget Sound region to support marine and maritime science education.

(3) TERMINATION OF EFFECTIVENESS OF CERTIFICATE.—A certificate of documentation issued under paragraph (1) shall expire on the earlier of—

(A) the date of the sale of the vessel or the entity that owns the vessel;

(B) the date any repairs or alterations are made to the vessel outside of the United States; or

(C) the date the vessel is no longer operated as a vessel in the Puget Sound region to support the marine and maritime science education.

(b) “F/V RONDYS”.—Notwithstanding section 12132 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the F/V Rondys (O.N. 291085)

SEC. 608. INTERNATIONAL ICE PATROL.

(a) REQUIREMENT FOR REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the current operations to perform the International Ice Patrol mission and on alternatives for carrying out that mission, including satellite surveillance technology.

(b) ALTERNATIVES.—The report required by subsection (a) shall include whether an alternative—

(1) provides timely data on ice conditions with the highest possible resolution and accuracy;

(2) is able to operate in all weather conditions or any time of day; and

(3) is more cost effective than the cost of current operations.

SEC. 609. ASSESSMENT OF OIL SPILL RESPONSE AND CLEANUP ACTIVITIES IN THE GREAT LAKES.

(a) ASSESSMENT.—The Commandant of the Coast Guard, in consultation with the Administrator of the National Oceanic and Atmospheric Administration and the head of any other agency the Commandant determines appropriate, shall conduct an assessment of the effectiveness of oil spill response activities specific to the Great Lakes. Such assessment shall include—

(1) an evaluation of new research into oil spill impacts in fresh water under a wide range of conditions; and

(2) an evaluation of oil spill prevention and clean up contingency plans, in order to improve understanding of oil spill impacts in the Great Lakes and foster innovative improvements to safety technologies and environmental protection systems.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Congress a report on the results of the assessment required by subsection (a).

SEC. 610. REPORT ON STATUS OF TECHNOLOGY DETECTING PASSENGERS WHO HAVE FALLEN OVERBOARD.

Not later than 18 months after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) describes the status of technology for immediately detecting passengers who have fallen overboard;

(2) includes a recommendation to cruise lines on the feasibility of implementing technology that immediately detects passengers who have fallen overboard, factoring in cost and the risk of false positives;

(3) includes data collected from cruise lines on the status of the integration of the technology described in paragraph (2) on cruise ships, including—

(A) the number of cruise ships that have the technology to capture images of passengers who have fallen overboard; and

(B) the number of cruise lines that have tested technology that can detect passengers who have fallen overboard; and

(4) includes information on any other available technologies that cruise ships could integrate to assist in facilitating the search and rescue of a passenger who has fallen overboard.

SEC. 611. VENUE.

Section 311(d) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(d)) is amended by striking the second sentence and inserting “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 in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam, and 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.”.

SEC. 612. DISPOSITION OF INFRASTRUCTURE RELATED TO E-LORAN.

(a) DISPOSITION OF INFRASTRUCTURE.—

(1) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding at the end the following:

“§ 681. Disposition of infrastructure related to E-LORAN

“(a) IN GENERAL.—The Secretary may not carry out activities related to the dismantling or disposal of infrastructure comprising

the LORAN-C system until the date on which the Secretary provides to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate notice of a determination by the Secretary that such infrastructure is not required to provide a positioning, navigation, and timing system to provide redundant capability in the event the Global Positioning System signals are disrupted.

“(b) EXCEPTION.—Subsection (a) does not apply to activities necessary for the safety of human life.

“(c) DISPOSITION OF PROPERTY.—

“(1) IN GENERAL.—On any date after the notification is made under subsection (a), the Administrator of General Services, acting on behalf of the Secretary, may, notwithstanding any other provision of law, sell any real and personal property under the administrative control of the Coast Guard and used for the LORAN-C system, subject to such terms and conditions that the Secretary believes to be necessary to protect government interests and program requirements of the Coast Guard.

“(2) AVAILABILITY OF PROCEEDS.—

“(A) AVAILABILITY OF PROCEEDS.—The proceeds of such sales, less the costs of sale incurred by the General Services Administration, shall be deposited as offsetting collections into the Coast Guard ‘Environmental Compliance and Restoration’ account and, without further appropriation, shall be available until expended for—

“(i) environmental compliance and restoration purposes associated with the LORAN-C system;

“(ii) the costs of securing and maintaining equipment that may be used as a backup to the Global Positioning System or to meet any other Federal navigation requirement;

“(iii) the demolition of improvements on such real property; and

“(iv) the costs associated with the sale of such real and personal property, including due diligence requirements, necessary environmental remediation, and reimbursement of expenses incurred by the General Services Administration.

“(B) OTHER ENVIRONMENTAL COMPLIANCE AND RESTORATION ACTIVITIES.—After the completion of activities described in subparagraph (A), the unexpended balances of such proceeds shall be available for any other environmental compliance and restoration activities of the Coast Guard.”.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

“681. Disposition of infrastructure related to E-LORAN.”.

(3) CONFORMING REPEALS.—

(A) Section 229 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113-281; 128 Stat. 3040), and the item relating to that section in section 2 of such Act, are repealed.

(B) Subsection 559(e) of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83; 123 Stat. 2180) is repealed.

(b) AGREEMENTS TO DEVELOP BACKUP POSITIONING, NAVIGATION, AND TIMING SYSTEM.—Section 93(a) of title 14, United States Code, is amended by striking “and” after the semicolon at the end of paragraph (23), by striking the period at the end of paragraph (24) and inserting “; and”, and by adding at the end the following the following:

“(25) enter into cooperative agreements, contracts, and other agreements with Federal entities and other public or private entities, including academic entities, to develop a positioning, navigation, and timing system

to provide redundant capability in the event Global Positioning System signals are disrupted, which may consist of an enhanced LORAN system.”.

SEC. 613. PARKING.

Section 611(a) of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113-281; 128 Stat. 3064) is amended by adding at the end the following: “(3) REIMBURSEMENT.—Through September 30, 2017, additional parking made available under paragraph (2) shall be made available at no cost to the Coast Guard or members and employees of the Coast Guard.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HUNTER) and the gentleman from California (Mr. GARAMENDI) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4188.

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

There was no objection.

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

H.R. 4188, the Coast Guard Authorization Act of 2015, is a product of bipartisan efforts to reauthorize the Coast Guard through fiscal year 2017. The House passed similar legislation by a voice vote in May.

The bill makes several reforms to Coast Guard authorities, as well as laws governing shipping and navigation. Specifically, the bill supports Coast Guard servicemembers, improves Coast Guard mission effectiveness, enhances oversight of the Coast Guard programs, encourages job growth in the maritime sector by cutting regulatory burdens on job creators, strengthens maritime drug enforcement laws, and increases coordination with partner nations, further strengthening port security. It does all this in a way that allows this to be brought under suspension in a bipartisan way.

I want to commend Ranking Members DEFAZIO and GARAMENDI for their efforts in getting us to this point and, of course, the leadership of Chairman SHUSTER.

I also want to thank the men and women of the U.S. Coast Guard for the tremendous job they do for our Nation. Coast Guard servicemembers place their lives at risk on a daily basis to save those in danger, ensure the safety and security of our ports and waterways, and protect our environmental resources.

□ 1515

They do all this on aging, obsolete cutters, and aircraft, some of which were first commissioned in World War II.

Passing H.R. 4188 will help rebuild and strengthen the Coast Guard. It will also demonstrate the strong support

Congress has for the men and women of the Coast Guard and the deep appreciation we have for the sacrifices that they make for our Nation.

I urge all Members to support H.R. 4188.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, December 10, 2015.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 4188, the “Coast Guard Authorization Act of 2015,” which was introduced on December 8, 2015.

H.R. 4188 contains provisions within the Committee on Science, Space, and Technology’s rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forgo action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, December 10, 2015.

Hon. LAMAR SMITH
Chairman, Committee on Science, Space, and Technology, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 4188, the Coast Guard Authorization Act of 2015. I appreciate your cooperation in expediting the consideration of this legislation on the House floor.

As you know, the Parliamentarians were not able to render an official decision as to the jurisdictional claim the Committee on Science, Space, and Technology may have had. I agree that the absence of a decision on this bill will not prejudice any claim the Committee on Science, Space, and Technology may have had or may have to this or similar legislation in the future. In addition, should a conference on the bill be necessary, I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving provisions in this legislation on which the Committee on Science, Space, and Technology has a valid jurisdictional claim.

I will include our letters on H.R. 4188 in the Congressional Record during House floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation, and I look forward to working with the Committee on Science, Space, and Technology as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

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

I am pleased to be here again at the end of another year to rise and join Chairman HUNTER, for whom I have great respect. We have been able to get some stuff done.

I thank the gentleman from California (Mr. HUNTER) for bringing this bill to the floor today to authorize the funding of the United States Coast Guard and to advance new policy initiatives to strengthen the prospects for the U.S. flag and U.S. maritime industry.

H.R. 4188, the Coast Guard Reauthorization Act of 2015, is carefully crafted bipartisan legislation developed over the course of several months of negotiation within this House and with that other body. It is deserving of robust support from Members of both sides of the aisle. I urge its quick passage by the House today.

I want to thank Chairman HUNTER for all the leadership and the cooperative spirit in working with me and our other Democratic Members. He addressed our concerns. They were handled and taken care of in the bill.

The willingness of Chairman HUNTER and his outstanding staff and members of the Coast Guard and Maritime Transportation Subcommittee to collaborate and work through the several nettlesome issues is very, very much appreciated.

That is not to say this bill does not contain some items which I might have some lingering concerns about, but they are few. As is the case with every piece of legislation I don't personally draft all by myself, this bill has those minor issues.

I am sure, if the chairman were to draft it all by himself, it would be perfect, also. But we did it together, and it came out quite well.

I am extremely pleased that this legislation would provide stable and sufficient authorized funding levels for the Coast Guard for the next 2 years. The importance of budget stability cannot be overstated. The Coast Guard is pressed daily to meet the demands of its 11 statutory missions.

The last thing the Coast Guard needs is to face recurrent budget uncertainties, a circumstance which would leave the service's leadership unable to know exactly what resources and capabilities they have available to address port and harbor security, illegal drug interdiction, search and rescue, and law enforcement actions, along with many other important activities.

I am also pleased this legislation continues to move the ball down the field in the effort to strengthen and recapitalize a new fleet of Polar-class heavy icebreakers for the Coast Guard, and a cheer goes up between the chairman and myself if we can get that done.

It is clear that we are at the advent of Arctic operations for the Coast Guard, and it is vital that the service

has the icebreaking capabilities it will need to operate safely and effectively in this very unforgiving maritime environment.

The bill will advance the completion of the materiel assessment of the Polar Sea to determine, finally, if this heavy icebreaker can be returned to service.

Additionally, this legislation authorized funding to allow the Coast Guard to maintain progress in developing requirements and preliminary design for a new heavy icebreaker. So we will figure out, hopefully, this next year which way we will go.

I am also pleased that this legislation includes language that will continue to preserve the remaining LORAN-C infrastructure until such time as the administration makes a final decision on whether or not to build out an enhanced LORAN or e-LORAN infrastructure to provide a reliable, land-based, low-frequency backup navigation timing signal to back up GPS, the Global Positioning System.

For several years, we have known that the relatively weak, high-frequency GPS signal is fairly easy to corrupt, to degrade, or altogether disrupt, stop.

For this reason, the Secretary of Defense, Ash Carter, has called GPS a potential single source of failure for important national defense assets. It is also a major liability across 16 sectors of critical infrastructure.

If Russia, China, and the EU have land-based GPS backup systems, the question is: Why does the United States not have one?

This administration needs to make a decision now. At least language in this legislation ensures that we will have available the option of re-purposing what remains of the LORAN-C infrastructure for an e-LORAN system of the future.

In closing, Mr. Speaker, I have already said it twice. I will say it a third time. To Chairman HUNTER and his staff, we like working with you and we like you, too.

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

Mr. HUNTER. Mr. Speaker, I enjoy working with the gentleman from California as well. It is a strange situation when we actually get stuff done. It is a California thing.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Speaker, I thank my friend from California (Mr. HUNTER), the chairman of the Coast Guard and Maritime Transportation Subcommittee, for yielding me time. I also want to thank both him and the Transportation Committee chairman himself, BILL SHUSTER, for their work on this legislation.

This bill ensures the safety and security of our maritime borders and maritime interests around the globe.

The Committee on Science, Space, and Technology shares jurisdiction

with the Transportation and Infrastructure Committee over important research and development programs carried out by the Coast Guard.

These programs improve search and rescue, navigation, marine safety, marine environmental protection enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness.

The bill also authorizes funding to help acquire a new Polar icebreaker and requires a study of alternatives for conducting icebreaking operations.

The Coast Guard's icebreakers are critical to the United States missions in the polar regions, which include important research supported by the National Science Foundation.

I look forward to the results of the study this bill calls for on cost-effective alternatives for icebreaking. This will help us ensure taxpayer dollars are spent wisely and efficiently.

Again, I thank Chairman HUNTER and Chairman SHUSTER for taking the initiative with this critical legislation.

Mr. GARAMENDI. Mr. Speaker, I yield such time as he may consume, as long as it is less than 3 minutes, to the gentleman from Oregon (Mr. DEFAZIO), the ranking member of the committee.

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding.

I want to congratulate Chairman HUNTER, Ranking Member GARAMENDI, and talk just briefly about how important this legislation is.

The Coast Guard, first off, is now going to get 2 years of budget certainty. That has been a real problem. It is pretty hard to run a military organization that large on something that creates short-term uncertainty with your budget, particularly when they have to begin to plan for acquiring more major assets with larger ships.

In particular, we have just been talking about the icebreakers. I went up to Seattle to visit the Polar Sea in its decrepitude. But the interesting thing I found is that it is an absolutely unique hull design. The ice band contains materials that are no longer manufactured. They are superior to current technologies.

There is substantial thought that this ship could be renovated using the existing hull with a modern ship, modern engines, and electronics. The ship has now been hulled. The hull is being evaluated, and we are going to do a cost-benefit analysis.

If we were to go down that path—and I believe it will prove to be the best path—then that would provide additional spare parts for its sister ship, which is the only one we have got working, and then would set a template for rehabilitating that ship later.

The Russians have about two dozen icebreakers. Five, I believe, are nuclear powered.

The Chinese are building two large icebreakers. The United States of America is down to one 45-year-old heavy icebreaker, which has an Antarctic mission, which means, for the

next 6 months after it comes back, it is in dry dock and being repaired.

We do not have any longer the capability of deploying north and south with heavy icebreakers, despite the fact that the Northwest Passage long dreamed of is about to open.

So for the United States of America maritime power to not have at least two heavy icebreakers, if not a half a dozen, is absolutely absurd, penny-wise, pound-foolish stupidity, on the part of former Congresses. I am glad that this Congress has seen the light and we are beginning to move forward to re-institute that program.

The gentleman from California has been particularly persistent and outspoken about the LORAN-C system. I believe it is absolutely critical that we maintain this infrastructure until we know what alternatives we are going to have. I think it is a critical national security asset.

And then, finally, to the more everyday national security-oriented duties of the Coast Guard in this bill, there is a particular provision that is incredibly important to the State of Oregon and the State of South Carolina and to hundreds of people who make their living on the ocean out of those two ports.

The Port of Newport, mid-coast Oregon, has an air rescue facility. They do half the rescues in the mid-coast. Oregon has extremely cold water year-round. We have some of the roughest bar entrances in the United States, and rescue time is critical in terms of saving lives.

The Coast Guard has been underfunded by Congress, and we are beginning to rectify that. But in a budget-cutting mode last year, with no discussion with anyone, they proposed to close Newport and close Charleston.

Last year, in the omnibus bill at the end of the year, we put in place a 1-year prohibition on the closure. This bill extends the statutory prohibition on closing either of those two stations for 2 years and then puts in place a very different and meaningful process, should they ever wish to think about closing critical air rescue stations in the future.

First, it requires them to develop a program to manage their airframes and learn about and figure about how we are going to replace our helicopter fleets, which are about at the same point as these icebreakers. So they need that plan. They have to develop that.

Then, if they wish to close an individual station, the Secretary of Homeland Security will have to make a number of findings, that it wouldn't jeopardize life and safety and degrade rescue capabilities, a pretty long list.

Then, if the Secretary makes that determination, the Secretary would have to go forward in a public process to take input from those communities.

Then, if the Secretary further decided, after going through that, that this was necessary and prudent and wouldn't jeopardize lives and safety at

sea, that future Secretary would have to submit the proposal to the Congress.

So we have effectively safeguarded the Newport and the Charleston stations in this legislation, and I believe we have safeguarded them for all time.

I believe, also, Congress should give the Coast Guard adequate funding so they can replenish and rebuild their air fleet and they don't have to struggle and close stations that they know could potentially lead to loss of life.

So there are many, many things to recommend in this legislation. I would expect Congress to nearly, if not totally, unanimously improve it on this side. And then, hopefully, we can get the Senate to finally act because we need this done by January 1.

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

Mr. GARAMENDI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, I want to thank the chairman and ranking member for their work in moving the Coast Guard bill forward.

Transportation is one of the most bipartisan bills in this Congress. I am just so proud that we are really moving this Congress forward and putting the American people back to work.

The Coast Guard personnel serve this country and do a wonderful job, and I truly appreciate the hard work and dedication of these fine servicemembers.

The Coast Guard has been protecting our shores for more than 200 years and has done an outstanding job. The Coast Guard was the first agency to react to the terrorist attacks on September 11 and provide critical assistance during the devastation of Hurricane Katrina. This bill provides the resources and policy provisions that the Coast Guard needs to continue their critical mission.

Assisting migrants and stopping drug shipments at sea, search-and-rescue missions, monitoring our ports, and protecting our homeland are just a few of the vital services that the Coast Guard provides, all of which is critical to my home State of Florida, where 14 deepwater ports and 1,200 miles of coastline are the gateway to America.

□ 1530

This legislation also includes important provisions I have long championed that bring maritime laws into the modern era and recognize the positive changes that have taken place in employment rights.

Again, Mr. Speaker, I want to thank the men and women serving the Coast Guard for their hard work and their vigilance in protecting our country. This is a good bill, and it will allow the Coast Guard to continue protecting our Nation.

I strongly encourage its passing in both the House and the Senate and for the President to sign it into law.

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

Mr. GARAMENDI. Mr. Speaker, may I inquire as to how much time remains.

The SPEAKER pro tempore. The gentleman from California (Mr. GARAMENDI) has 7 minutes remaining.

Mr. GARAMENDI. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY), my colleague.

Mr. COURTNEY. Mr. Speaker, as a co-chairman of the House Coast Guard Caucus and the Representative from southeastern Connecticut with a deep connection to the Coast Guard, I rise in strong support of the Coast Guard authorization bill and the hard work of Chairman HUNTER and Ranking Member GARAMENDI.

Every single day, the men and women of our Coast Guard are operating around the country and around the world to enforce our laws and protect our country. This bill provides them the tools and support they need to do this important work.

In particular, I want to highlight a specific provision in this bill, section 219, that I was pleased to work with my colleague from Connecticut, Senator BLUMENTHAL, and committee staff to bolster the National Coast Guard Museum.

Despite a history that reaches back to the founding of our Nation, the Coast Guard is the only armed service without a national museum to highlight its heritage. Indeed, the Coast Guard this year is celebrating its 225th anniversary, and it is actually older than the U.S. Navy. Thankfully, efforts are underway to change this.

The nonprofit National Coast Guard Museum Association is building national support and funding for a new museum in New London, Connecticut. When completed, Mr. Speaker, this facility will be a tribute to all who have served and those who serve today in the Coast Guard, and I am proud to support their efforts.

Section 219 ensures that the Coast Guard can provide support to preserve and display its historical artifacts that will be a key part of the museum. This language opens the vault of the Coast Guard's rich treasure of maritime artifacts from America's oldest maritime fleet to be displayed for learning and understanding by the American public and the world.

This is a huge boost to the effort to create a long-overdue museum and sends a powerful signal that this effort has the backing of Congress, the Federal Government, and the Coast Guard.

Mr. Speaker, I want to thank Commandant Admiral Zukunft; former Commandant Papp, who is his predecessor; Joann Burdian; Brittany Pannetta; and Kent Reinhold in the Coast Guard legislative office for the work that they have done with my office on this and other critical Coast Guard issues and, above all else, for their service to our Nation.

I congratulate Chairman HUNTER and Ranking Member GARAMENDI for their strong advocacy for our Coast Guard and our Nation's maritime industry.

Mr. Speaker, I urge passage of the bill.

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

Mr. GARAMENDI. Mr. Speaker, I am prepared to close.

Mr. Speaker, to my colleague Mr. HUNTER and those who have assisted in the drafting of the bill, particularly our staff, I want to thank you for making all of this possible.

This bill, which does extend the authorization for the Coast Guard, also provides very, very important elements, most of which you have heard here today. I would urge its passing.

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

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

Mr. Speaker, I want to thank Ranking Member GARAMENDI and all the staff who worked so hard on this, and, again, the ranking member of the full committee, Mr. DEFAZIO, and Chairman SHUSTER for their help, leadership, and support on this.

Explanation of Sec. 310. Atlantic Coast Port Access Route Study. This section would require the Coast Guard to complete its ongoing Atlantic Coast Port Access Route Study (PARS) by April 2016. This provision was included in H.R. 1987 because the House was concerned about the impacts on navigation safety from the construction of certain offshore renewable energy projects. The Study will assist the federal government, as well as stakeholders, to understand potential impacts and whether the siting of these projects could pose hazards to safe navigation, especially projects built in or near vessel traffic routes.

The Coast Guard's Atlantic Coast PARS working group has developed standards and a methodology for assessing potential impacts on navigation safety including high, medium and low or minimal impacts. The purpose of the study and the reason for developing standards and methodologies is to assist in future determinations of waterway suitability for proposed development projects.

When the Atlantic Coast PARS began, it excluded the waters in and around Nantucket Sound. These waters are heavily traveled by commercial vessels, fishing and recreational vessels as well as passenger and freight ferries. Because of increased vessel traffic and the potential impacts to navigation from any future development, this section would direct the Coast Guard to complete a separate port access route study of Nantucket Sound using the new standards and methodologies developed by the Coast Guard's working group. The Atlantic Coast PARS will help the Coast Guard determine whether they should revise current regulations to improve navigation safety by establishing safety fairways, traffic separation zones or new vessel routing. The Nantucket Sound PARS is intended to guide decision-makers to ensure that any future development in Nantucket Sound will have minimal impact and low risk to navigational safety. This section would require the completion of the Nantucket Sound PARS by December

I urge the passage of H.R. 4188.

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

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from California (Mr. HUNTER) that the House suspend the rules and pass the bill, H.R. 4188.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3094

Mr. MICA. Mr. Speaker, I am a cosponsor of H.R. 3094, and I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 3094.

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

There was no objection.

DEPARTMENT OF HOMELAND SECURITY CBRNE DEFENSE ACT OF 2015

Mr. MCCAUL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3875) to amend the Homeland Security Act of 2002 to establish within the Department of Homeland Security a Chemical, Biological, Radiological, Nuclear, and Explosives Office, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3875

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Department of Homeland Security CBRNE Defense Act of 2015”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; Table of contents.
- Sec. 2. CBRNE Office.
- Sec. 3. Chemical Division.
- Sec. 4. Biological Division.
- Sec. 5. Nuclear Division.
- Sec. 6. Explosives Division.
- Sec. 7. Savings provisions.
- Sec. 8. Clerical amendments.

SEC. 2. CBRNE OFFICE.

(a) IN GENERAL.—The Homeland Security Act of 2002 is amended by adding at the end the following new title:

“TITLE XXII—CBRNE OFFICE

“Subtitle A—Chemical, Biological, Radiological, Nuclear, and Explosives Office

“SEC. 2201. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, AND EXPLOSIVES OFFICE.

“(a) ESTABLISHMENT.—There is established in the Department a Chemical, Biological, Radiological, Nuclear, and Explosives Office (referred to in this title as the ‘CBRNE Office’). The CBRNE Office shall be comprised of the Chemical Division, the Biological Division, the Nuclear Division, and the Explosives Division. The CBRNE Office may include a Health Division.

“(b) MISSION OF OFFICE.—The mission of the CBRNE Office is to coordinate, strengthen, and provide chemical, biological, radiological, nuclear, and explosives (CBRNE) capabilities in support of homeland security.

“(c) ASSISTANT SECRETARY.—The Office shall be headed by an Assistant Secretary for the Chemical, Biological, Radiological, Nu-

clear, and Explosives Office (referred to in this title as the ‘Assistant Secretary’), who shall be appointed by the President by and with the advice and consent of the Senate.

“(d) RESPONSIBILITIES.—The Assistant Secretary shall—

“(1) develop, coordinate, and maintain overall CBRNE strategy and policy for the Department;

“(2) develop, coordinate, and maintain for the Department periodic CBRNE risk assessments;

“(3) serve as the primary Department representative for coordinating CBRNE activities with other Federal departments and agencies;

“(4) provide oversight for the Department's preparedness for CBRNE threats;

“(5) provide support for operations during CBRNE threats or incidents; and

“(6) carry out such other responsibilities as the Secretary determines appropriate, consistent with this title.

“(e) OTHER OFFICERS.—The Director of the Chemical Division, the Director of the Biological Division, the Director of the Nuclear Division, and the Director of the Explosives Division shall report directly to the Assistant Secretary.

“SEC. 2202. COMPOSITION OF THE CBRNE OFFICE.

“The Secretary shall transfer to the CBRNE Office, the functions, personnel, budget authority, and assets of the following:

“(1) The Office of Health Affairs as in existence on the day before the date of the enactment of this title, including the Chief Medical Officer authorized under section 516, and the National Biosurveillance Integration Center authorized under section 316.

“(2) The Domestic Nuclear Detection Office authorized under title XIX, as in existence on the date before the date of the enactment of this title (and redesignated as the Nuclear Division).

“(3) CBRNE threat awareness and risk assessment activities of the Science and Technology Directorate.

“(4) The CBRNE functions of the Office of Policy and the Office of Operations Coordination.

“(5) The Office for Bombing Prevention of the National Protection and Programs Directorate, as in existence on the day before the date of the enactment of this title.

“SEC. 2203. HIRING AUTHORITY.

“In hiring personnel for the CBRNE Office, the Secretary shall have the hiring and management authorities provided in section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note; Public Law 105-261), except that the term of appointments for employees under subsection (c)(1) of such section may not exceed five years before granting any extension under subsection (c)(2) of such section.

“SEC. 2204. GRANTS, COOPERATIVE AGREEMENTS, AND OTHER TRANSACTIONS AND CONTRACTS.

“The Assistant Secretary, in carrying out the responsibilities under this title, may distribute funds through grants, cooperative agreements, and other transactions and contracts.

“SEC. 2205. TERRORISM RISK ASSESSMENTS.

“(a) TERRORISM RISK ASSESSMENTS.—

“(1) IN GENERAL.—The Assistant Secretary shall, in coordination with relevant Department components and other appropriate Federal departments and agencies, develop, coordinate, and update periodically terrorism risk assessments of chemical, biological, radiological, and nuclear threats.

“(2) COMPARISON.—The Assistant Secretary shall develop, coordinate, and update periodically an integrated terrorism risk assessment that assesses all of the threats referred to in paragraph (1) and, as appropriate, explosives threats, and compares each such threat against one another according to their relative risk.

“(3) INCLUSION IN ASSESSMENT.—Each terrorism risk assessment under this subsection shall include a description of the methodology used for each such assessment.

“(4) UPDATES.—Each terrorism risk assessment under this subsection shall be updated not less often than once every two years.

“(5) PROVISION TO CONGRESS.—The Assistant Secretary shall provide a copy of each risk assessment under this subsection to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate not later than 30 days after completion of each such assessment.

“(b) METHODOLOGY.—In developing the terrorism risk assessments under subsection (a), the Assistant Secretary, in consultation with appropriate Federal departments and agencies, shall—

“(1) assess the proposed methodology to be used for such assessments; and

“(2) consider the evolving threat to the United States as indicated by the intelligence community (as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).

“(c) USAGE.—The terrorism risk assessments required under subsection (a) shall be used to inform and guide allocation of resources for chemical, biological, radiological, and nuclear threat activities of the Department.

“(d) INPUT AND SHARING.—The Assistant Secretary shall, for each terrorism risk assessment under subsection (a)—

“(1) seek input from national stakeholders and other Federal, State, local, tribal, and territorial officials involved in efforts to counter chemical, biological, radiological, and nuclear threats;

“(2) ensure that written procedures are in place to guide the development of such assessments, including for input, review, and implementation purposes, among relevant Federal partners;

“(3) share such assessments with Federal, State, local, tribal, and territorial officials with appropriate security clearances and a need for the information in the classified versions of such assessments; and

“(4) to the maximum extent practicable, make available an unclassified version of such assessments for Federal, State, local, tribal, and territorial officials involved in prevention and preparedness for chemical, biological, radiological, and nuclear events.

“SEC. 2206. CBRNE COMMUNICATIONS AND PUBLIC MESSAGING.

“(a) IN GENERAL.—The Secretary, in coordination with the Assistant Secretary, shall develop an overarching risk communication strategy for terrorist attacks and other high consequence events utilizing chemical, biological, radiological, or nuclear agents or explosives that pose a high risk to homeland security, and shall—

“(1) develop threat-specific risk communication plans, in coordination with appropriate Federal departments and agencies;

“(2) develop risk communication messages, including pre-scripted messaging to the extent practicable;

“(3) develop clearly defined interagency processes and protocols to assure coordinated risk and incident communications and information sharing during incident response;

“(4) engage private and nongovernmental entities in communications planning, as appropriate;

“(5) identify ways to educate and engage the public about CBRNE threats and consequences;

“(6) develop strategies for communicating using social and new media; and

“(7) provide guidance on risk and incident communications for CBRNE events to State, local, tribal, and territorial governments, and other stakeholders, as appropriate.

“(b) COMMUNICATION DURING RESPONSE.—The Secretary shall provide appropriate timely, accurate information to the public, governmental partners, the private sector, and other appropriate stakeholders in the event of a suspected or confirmed terrorist attack or other high consequence event utilizing chemical, biological, radiological, or nuclear agents or explosives that pose a high risk to homeland security.

“(c) REPORTS.—

“(1) DEVELOPMENT EFFORTS.—Not later than 120 days after the date of the enactment of this title, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on current and future efforts of the Department to develop the communication strategy required under subsection (a).

“(2) FINALIZATION.—Not later than two years after the date the report required under paragraph (1) is submitted, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the communication strategy required under subsection (a).

“SEC. 2207. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, AND EXPLOSIVES INTELLIGENCE AND INFORMATION SHARING.

“(a) IN GENERAL.—The Under Secretary of Intelligence and Analysis of the Department shall—

“(1) support homeland security-focused intelligence analysis of terrorist actors, their claims, and their plans to conduct attacks involving chemical, biological, radiological, or nuclear materials or explosives against the United States;

“(2) support homeland security-focused intelligence analysis of global infectious diseases, public health, food, agricultural, and veterinary issues;

“(3) support homeland security-focused risk analysis and risk assessments of the homeland security hazards described in paragraphs (1) and (2) by providing relevant quantitative and nonquantitative threat information;

“(4) leverage existing and emerging homeland security intelligence capabilities and structures to enhance prevention, protection, response, and recovery efforts with respect to a chemical, biological, radiological, nuclear, or explosives attack;

“(5) share appropriate information regarding such threats to appropriate State, local, tribal, and territorial authorities, as well as other national biosecurity and biodefense stakeholders; and

“(6) perform other responsibilities, as assigned by the Secretary.

“(b) COORDINATION.—Where appropriate, the Under Secretary of Intelligence and Analysis shall coordinate with the heads of other relevant Department components, including the Assistant Secretary, members of the intelligence community, including the National Counter Proliferation Center and the National Counterterrorism Center, and other Federal, State, local, tribal, and territorial authorities, including officials from

high-threat areas, to enable such entities to provide recommendations on optimal information sharing mechanisms, including expeditious sharing of classified information, and on how such entities can provide information to the Department.

“(c) REPORT.—

“(1) IN GENERAL.—Not later than one year after the date of the enactment of this section and annually thereafter for five years, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on—

“(A) the intelligence and information sharing activities under subsections (a) and (b) and of all relevant entities within the Department to prevent, protect against, prepare for, respond to, mitigate, and recover from terrorist attacks and other high consequence events utilizing chemical, biological, radiological, or nuclear agents or explosives that pose a high risk to homeland security; and

“(B) the Department’s activities in accordance with relevant intelligence strategies.

“(2) ASSESSMENT OF IMPLEMENTATION.—Each report required under paragraph (1) shall also include—

“(A) a description of methods established to assess progress of the Office of Intelligence and Analysis in implementing this section; and

“(B) such assessment of such progress.

“(d) DEFINITIONS.—In this section:

“(1) INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

“(2) NATIONAL BIOSECURITY AND BIODEFENSE STAKEHOLDERS.—The term ‘national biosecurity and biodefense stakeholders’ means officials from Federal, State, local, tribal, and territorial authorities and individuals from the private sector who are involved in efforts to prevent, protect against, prepare for, respond to, mitigate, and recover from a biological attack or other phenomena that may have serious health consequences for the United States, including infectious disease outbreaks.”

(b) AFTER ACTION AND EFFICIENCIES REVIEW.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Assistant Secretary for the Chemical, Biological, Radiological, Nuclear, and Explosives Office of the Department of Homeland Security (established pursuant to section 2201 of the Homeland Security Act of 2002, as added by subsection (a) of this section), shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that—

(1) reviews the functions and responsibilities of the Chemical, Biological, Radiological, Nuclear, and Explosives Office of the Department (established pursuant to section 2201 of the Homeland Security Act of 2002, as added by subsection (a) of this section) to identify and eliminate areas of unnecessary duplication;

(2) provides a detailed accounting of the management and administrative expenditures and activities of the Office, including expenditures related to the establishment of the CBRNE Office, such as expenditures associated with the utilization of the Secretary’s authority to award retention bonuses pursuant to Federal law;

(3) identifies any potential cost savings and efficiencies within the CBRNE Office or its divisions; and

(4) identifies opportunities to enhance the effectiveness of the management and administration of the CBRNE Office to improve operational impact and enhance efficiencies.

(C) CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR AND EXPLOSIVES RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security shall assess the organizational structure of the management and execution of the Department of Homeland Security's chemical, biological, radiological, nuclear, and explosives research and development activities, and shall develop and submit to the Committee on Homeland Security, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate at the time the President submits the budget under section 1105 of title 31, United States Code, for the fiscal year that follows the issuance of the Comptroller General review required pursuant to subsection (d) a proposed organizational structure for the management and execution of such chemical, biological, radiological, nuclear, and explosives research and development activities.

(2) ORGANIZATIONAL JUSTIFICATION.—The Secretary of Homeland Security shall include in the assessment required under paragraph (1) a thorough justification and rationalization for the proposed organizational structure for management and execution of chemical, biological, radiological, nuclear, and explosives research and development activities, including the following:

(A) A discussion of the methodology for determining such proposed organizational structure.

(B) A comprehensive inventory of chemical, biological, radiological, nuclear, and explosives research and development activities of the Department of Homeland Security and where each such activity will be located within or outside such proposed organizational structure.

(C) Information relating to how such proposed organizational structure will facilitate and promote coordination and requirements generation with customers.

(D) Information relating to how such proposed organizational structure will support the development of chemical, biological, radiological, nuclear, and explosives research and development priorities across the Department.

(E) If the chemical, biological, radiological, nuclear, and explosives research and development activities of the Department are not co-located in such proposed organizational structure, a justification for such separation.

(F) The strategy for coordination between the Under Secretary for Science and Technology and the Assistant Secretary for the Chemical, Biological, Radiological, Nuclear, and Explosives Office on chemical, biological, radiological, nuclear, and explosives research and development activities.

(G) Recommendations for necessary statutory changes.

(3) LIMITATION ON ACTION.—The Secretary of Homeland Security may not take any action to reorganize the structure referred to in paragraph (1) unless the Secretary receives prior authorization from the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate permitting any such action.

(d) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF CHEMICAL, BIOLOGICAL, RADIO-

LOGICAL, NUCLEAR, AND EXPLOSIVES RESEARCH AND DEVELOPMENT ACTIVITIES.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the organizational structure of the Department of Homeland Security's management and execution of chemical, biological, radiological, nuclear, and explosives research and development activities.

(2) SCOPE.—The review required under paragraph (1) shall include the following:

(A) An assessment of the organizational structure for the management and execution of chemical, biological, radiological, nuclear, and explosives research and development activities of the Department of Homeland Security, including identification of any overlap or duplication of effort.

(B) Recommendations to streamline and improve the organizational structure of the Department's management and execution of chemical, biological, radiological, nuclear, and explosives research and development activities.

(3) REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the review required under this subsection.

(e) DISSEMINATION OF INFORMATION ANALYZED BY THE DEPARTMENT OF HOMELAND SECURITY TO STATE, LOCAL, TRIBAL, AND PRIVATE ENTITIES WITH RESPONSIBILITIES RELATING TO HOMELAND SECURITY.—Paragraph (8) of section 201(d) of the Homeland Security Act of 2002 (6 U.S.C. 121(d)) is amended by striking “and to agencies of State” and all that follows through the period at the end and inserting “to State, local, tribal, territorial, and appropriate private entities with such responsibilities, and, as appropriate, to the public, in order to assist in preventing, protecting against, preparing for, responding to, mitigating, and recovering from terrorist attacks against the United States.”.

(f) TECHNICAL AND CONFORMING AMENDMENTS.—The Homeland Security Act of 2002 is amended—

(1) in paragraph (2) of section 103(a) (6 U.S.C. 113(a)), by striking “Assistant Secretary for Health Affairs, the Assistant Secretary for Legislative Affairs, or the Assistant Secretary for Public Affairs,” and inserting “Assistant Secretary for Legislative Affairs or the Assistant Secretary for Public Affairs,”;

(2) in section 302 (6 U.S.C. 182)—

(A) by redesignating paragraphs (13) and (14) as paragraphs (14) and (15), respectively; and

(B) by inserting after paragraph (12) the following new paragraph:

“(13) collaborating with the Assistant Secretary for the Chemical, Biological, Radiological, Nuclear, and Explosives Office on all chemical, biological, and explosives research and development activities;”;

(3) in subsection (b) of section 307 (6 U.S.C. 187), by adding at the end the following new paragraph:

“(8) CBRNE DEFENSE.—The Director shall coordinate with the Assistant Secretary for the Chemical, Biological, Radiological, Nuclear, and Explosives Office on all chemical, biological, and explosives research and development activities.”; and

(4) in subsection (c) of section 516 (6 U.S.C. 321e)—

(A) in the matter preceding paragraph (1), by inserting “, including the health impacts of chemical, biological, radiological, and nuclear agents and explosives” after “natural disasters”;

(B) by amending paragraph (2) to read as follows:

“(2) coordinating the Department's policy, strategy, and preparedness for pandemics and emerging infectious diseases;”;

(C) in paragraph (6), by striking “Under Secretary for Science and Technology” and inserting “Assistant Secretary for the Chemical, Biological, Radiological, Nuclear, and Explosives Office”.

SEC. 3. CHEMICAL DIVISION.

(a) IN GENERAL.—Title XXII of the Homeland Security Act of 2002, as added by section 2 of this Act, is amended by adding at the end the following new subtitle:

“Subtitle B—Chemical Division

“SEC. 2211. CHEMICAL DIVISION.

“(a) ESTABLISHMENT.—There is established in the CBRNE Office a Chemical Division, headed by a Director of the Chemical Division (in this subtitle referred to as the ‘Director’).

“(b) MISSION AND RESPONSIBILITIES.—The Director shall be responsible for coordinating departmental strategy and policy relating to terrorist attacks and other high-consequence events utilizing chemical agents that pose a high risk to homeland security, including the following:

“(1) Developing and maintaining the Department's strategy against chemical threats.

“(2) Serving as the Department representative for chemical threats and related activities with other Federal departments and agencies.

“(3) Providing oversight of the Department's preparedness, including operational requirements, for chemical threats.

“(4) Enhancing the capabilities of Federal, State, local, tribal, and territorial governments, and private entities as appropriate, against chemical threats.

“(5) Evaluating and providing guidance to Federal, State, local, tribal, and territorial governments, and private entities as appropriate, on detection and communication technology that could be effective in terrorist attacks and other high-consequence events utilizing chemical agents.

“(6) Supporting and enhancing the effective sharing and use of appropriate information generated by the intelligence community (as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))), law enforcement agencies, other Federal, State, local tribal, and territorial governments, and foreign governments, on chemical threats.

“SEC. 2212. DEMONSTRATION PROJECTS.

“(a) IN GENERAL.—The Director may, subject to the availability of appropriations for such purpose, partner with high-risk urban areas or facilities to conduct demonstration projects to enhance, through Federal, State, local, tribal, and territorial governments, and private entities, capabilities of the United States to counter terrorist attacks and other high-consequence events utilizing chemical agents that pose a high risk to homeland security.

“(b) GOALS.—The Director may provide guidance and evaluations for all situations and venues at risk of terrorist attacks and other high-consequence events utilizing chemical agents, such as at ports, areas of mass gathering, and transit facilities, and may—

“(1) ensure all high-risk situations and venues are studied; and

“(2) ensure key findings and best practices are made available to State, local, tribal, and territorial governments and the private sector.

“(c) CONGRESSIONAL NOTIFICATION.—The Director shall notify the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate not later than 30 days before initiating a new demonstration project.”.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of the Department of Homeland Security’s programs and activities related to terrorist attacks and other high-consequence events utilizing chemical agents that pose a high risk to homeland security.

SEC. 4. BIOLOGICAL DIVISION.

Title XXII of the Homeland Security Act of 2002, as added by section 2 of this Act and as amended by section 3 of this Act, is further amended by adding at the end the following new subtitle:

“Subtitle C—Biological Division

“SEC. 2221. BIOLOGICAL DIVISION.

“(a) ESTABLISHMENT.—There is established in the CBRNE Office a Biological Division, headed by a Director of the Biological Division (in this subtitle referred to as the ‘Director’).

“(b) MISSION AND RESPONSIBILITIES.—The Office shall be responsible for coordinating departmental strategy and policy relating to terrorist attacks and other high-consequence events utilizing biological agents that pose a high risk to homeland security, including the following:

“(1) Developing and maintaining the Department’s strategy against biological threats.

“(2) Serving as the Department representative for biological threats and related activities with other Federal departments and agencies.

“(3) Providing oversight for the Department’s preparedness, including operational requirements, for biological threats.

“(4) Enhancing the capabilities of Federal, State, local, tribal, and territorial governments, and private entities as appropriate, against biological threats.

“(5) Supporting and enhancing the effective sharing and use of appropriate information generated by the intelligence community (as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))), law enforcement agencies, other Federal, State, local, tribal, and territorial governments, and foreign governments, on biological threats.

“(6) Achieving a biological detection program.

“(7) Maintaining the National Biosurveillance Integration Center, authorized under section 316.”.

SEC. 5. NUCLEAR DIVISION.

(a) IN GENERAL.—Title XXII of the Homeland Security Act of 2002, as added by section 2 of this Act and as amended by sections 3 and 4 of this Act, is further amended by adding at the end the following new subtitle:

“Subtitle D—Nuclear Division

“SEC. 2231. NUCLEAR DIVISION.

“(a) ESTABLISHMENT.—The Secretary shall include within the CBRNE Office the Nuclear Division under title XIX, headed by the Director of the Nuclear Division (in this subtitle referred to as the ‘Director’) pursuant to section 1901.

“(b) MISSION AND RESPONSIBILITIES.—In addition to the responsibilities specified in title XIX, the Director shall also be responsible for coordinating departmental strategy and policy relating to terrorist attacks and

other high-consequence events utilizing nuclear or other radiological materials, and for coordinating Federal efforts to detect and protect against the unauthorized importation, possession, storage, transportation, development, or use of a nuclear explosive device, fissile material, or radiological material in the United States, and to protect against an attack using such devices or materials against the people, territory, or interests of the United States, in accordance with title XIX.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Title XIX of the Homeland Security Act of 2002 is amended—

(1) in the title heading, by striking “DOMESTIC NUCLEAR DETECTION OFFICE” and inserting “NUCLEAR DIVISION”;

(2) in section 1901 (6 U.S.C. 591)—

(A) in the heading, by striking “DOMESTIC NUCLEAR DETECTION OFFICE” and inserting “NUCLEAR DIVISION”;

(B) in subsection (a), by striking “There shall be established in the Department a Domestic Nuclear Detection Office” and inserting “There is in the Department a Nuclear Division, located in the CBRNE Office”; and

(C) in subsection (b), by striking “Director for Domestic Nuclear Detection, who shall be appointed by the President” and inserting “Director of the Nuclear Division”;

(3) in subsection (a) of section 1902 (6 U.S.C. 592)—

(A) in the matter preceding paragraph (1)—

(i) by inserting after “responsible for” the following: “coordinating departmental strategy and policy relating to terrorist attacks and other high-consequence events utilizing nuclear or other radiological materials, and for”;

(ii) by striking “to protect” and inserting “protecting”;

(B) in paragraph (11), in the matter preceding subparagraph (A), by striking “Domestic Nuclear Detection Office” and inserting “Nuclear Division”;

(4) by repealing section 1903 (6 U.S.C. 593);

(5) in section 1906 (6 U.S.C. 596)—

(A) in the matter preceding paragraph (1)—

(i) by striking “Domestic Nuclear Detection” and inserting “the Nuclear Division”;

(ii) by striking “paragraphs (6) and (7) of”;

(B) in paragraph (2), by striking “paragraphs (6) and (7) of”;

(6) in section 1907 (6 U.S.C. 596a)—

(A) by striking “Annual” each place it appears and inserting “Biennial”;

(B) by striking “each year” each place it appears and inserting “every two years”;

(C) by striking “previous year” each place it appears and inserting “previous two years”;

(D) in the heading of subsection (a), by striking “ANNUAL” and inserting “BIENNIAL”;

(E) subsection (b)—

(i) in the heading, by striking “ANNUAL” and inserting “BIENNIAL”;

(ii) in paragraph (1), by inserting “odd-numbered” after “each”;

(iii) in paragraph (2), by striking “annual” and inserting “biennial”;

(7) by adding at the end the following new section:

“SEC. 1908. DOMESTIC IMPLEMENTATION OF THE GLOBAL NUCLEAR DETECTION ARCHITECTURE.

“In carrying out the mission of the Office under subparagraph (A) of section 1902(a)(4), the Director of the Nuclear Division shall provide support for planning, organization, equipment, training, exercises, and operational assessments to Federal, State, local, tribal, and territorial governments to assist such governments in implementing radiological and nuclear detection capabilities in

the event of terrorist attacks or other high-consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security. Such capabilities shall be integrated into the enhanced global nuclear detection architecture referred to in such section 1902(a)(4), and shall inform and be guided by architecture studies, technology needs, and research activities of the Office.”.

(c) REFERENCE.—Any reference in any law, regulation, or rule to the Domestic Nuclear Detection Office or the Director for Domestic Nuclear Detection of the Department of Homeland Security shall be deemed to be a reference to the Nuclear Division or the Director of the Nuclear Division, respectively, of the Department.

SEC. 6. EXPLOSIVES DIVISION.

Title XXII of the Homeland Security Act of 2002, as added by section 2 of this Act and as amended by sections 3, 4, and 5 of this Act, is further amended by adding at the end the following new subtitle:

“Subtitle E—Explosives Division

“SEC. 2241. EXPLOSIVES DIVISION.

“(a) ESTABLISHMENT.—There is established within the CBRNE Office an Explosives Division, headed by a Director of the Explosives Division (in this subtitle referred to as the ‘Director’).

“(b) MISSION AND RESPONSIBILITIES.—The Director shall be responsible for coordinating departmental strategy and policy relating to terrorist attacks and other high-consequence events utilizing explosives that pose a high risk to homeland security, including the following:

“(1) Developing and maintaining the Department’s strategy against explosives threats.

“(2) Serving as the Department representative for explosives threats and related activities with other Federal departments and agencies.

“(3) Providing oversight of the Department’s preparedness, including operational requirements, for explosives threats.

“(4) Enhancing the capabilities of Federal, State, local, tribal, and territorial governments, and private entities as appropriate, to counter terrorist attacks and other high-consequence events utilizing explosives.

“(5) Evaluating and providing guidance to Federal, State, local, tribal, and territorial governments and appropriate private entities on detection and communication technology that could be effective during terrorist attacks or other high-consequence events utilizing explosives.

“(6) Supporting and enhancing the effective sharing and use of appropriate information generated by the intelligence community (as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))), law enforcement agencies, other Federal, State, local, tribal, and territorial government agencies, and foreign governments, on explosives threats.”.

SEC. 7. SAVINGS PROVISIONS.

Nothing in this Act shall change the authority of the Administrator of the Federal Emergency Management Agency to lead the emergency management system of the United States. Nothing in this Act shall alter the responsibility of the Chief Medical Officer of the Department of Homeland Security to serve as the principal advisor to the Secretary of Homeland Security and the Administrator of the Federal Emergency Management Agency on medical and public health issues pursuant to paragraph (1) of section 516(c) of the Homeland Security Act of 2002 (6 U.S.C. 321e(c)).

SEC. 8. CLERICAL AMENDMENTS.

The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended—

(1) by striking the item relating to title XIX and inserting the following new item:

“TITLE XIX—NUCLEAR DIVISION”;

(2) by striking the item relating to section 1901 and inserting the following new item:

“Sec. 1901. Nuclear Division.”;

(3) by striking the item relating to section 1903;

(4) by adding after the item relating to section 1907 the following new item:

“Sec. 1908. Domestic Implementation of the global nuclear detection architecture.”; and

(5) by adding at the end the following:

“TITLE XXII—CBRNE OFFICE

“Subtitle A—Chemical, Biological, Radiological, Nuclear, and Explosives Office
“Sec. 2201. Chemical, Biological, Radiological, Nuclear, and Explosives Office.

“Sec. 2202. Composition of the CBRNE Office.

“Sec. 2203. Hiring authority.

“Sec. 2204. Grants, cooperative agreements, and other transactions and contracts.

“Sec. 2205. Terrorism risk assessments.

“Sec. 2206. CBRNE communications and public messaging.

“Sec. 2207. Chemical, biological, radiological, nuclear, and explosives intelligence and information sharing.”.

“Subtitle B—Chemical Division

“Sec. 2211. Chemical Division.

“Sec. 2212. Demonstration projects.”.

“Subtitle C—Biological Division

“Sec. 2221. Biological Division.”.

“Subtitle D—Nuclear Division

“Sec. 2231. Nuclear Division.”.

“Subtitle E—Explosives Division

“Sec. 2241. Explosives Division.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. McCAUL) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. McCAUL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of this bill, the Department of Homeland Security CBRNE Defense Act of 2015.

The threat from weapons of mass destruction is real and growing. We have seen groups like ISIS make makeshift chemical weapons; and on the battlefield last summer, a laptop reportedly retrieved from an ISIS hideout in Syria contained plans for weaponizing bubonic plague and documents discussing advantages of using biological weapons. They have also boasted about plans to smuggle radiological material into the United States. With recent FBI stings in places like Moldova, we know that there are sellers ready to supply the ingredients for these tools

of terror, which brings us to the purpose of this legislation before us today.

Mr. Speaker, the Department of Homeland Security must play a leading role in defending our homeland from CBRNE threats. Departments and agencies across the United States Government have centralized their weapons of mass destruction programs to provide clear focal points for dealing with this threat. Within the Department of Homeland Security, however, leadership, expertise, personnel, and resources related to chemical, biological, radiological, nuclear, and explosive threats are disbursed across numerous organizations within DHS headquarters. By consolidating offices within the DHS headquarters with responsibility for CBRNE, H.R. 3875 will ensure better coordination within the Department and interagency.

Mr. Speaker, we are living in dangerous times, and we must ensure the Federal Government is prepared to address these threats. This bill will ensure that the Department of Homeland Security is able to do so.

Before I close, I would like to thank Chairmen SHUSTER and SMITH for their cooperation in moving this legislation.

Mr. Speaker, I urge my colleagues to support this important legislation.

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

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, December 8, 2015.

Hon. MICHAEL T. McCAUL,
Chairman, Committee on Homeland Security,
Ford House Office Building, Washington, DC.

DEAR CHAIRMAN McCAUL: I write concerning H.R. 3875, the “Department of Homeland Security CBRNE Defense Act of 2015”. This legislation includes matters that I believe fall within the rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 3875, the Committee on Transportation and Infrastructure agrees to forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill would not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee’s rule X jurisdiction.

I request that you please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, December 8, 2015.

Hon. BILL SHUSTER,
Chairman, Transportation and Infrastructure Committee, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SHUSTER, Thank you for your interest in H.R. 3875, the “Department of Homeland Security CBRNE Defense Act of 2015.” I appreciate your cooperation in allowing the bill to move expeditiously under suspension of the House Rules on December 8, 2015. Because your assertion of jurisdictional interest was raised after the report for H.R.

3875 was filed, the Parliamentarians were not able to render an official decision as to any jurisdictional claim the Transportation and Infrastructure Committee may have had.

I agree that the absence of a decision on this bill will not prejudice any claim the Transportation and Infrastructure Committee may have had, or may have with respect to similar measures in the future.

A copy of this letter will be entered into the Congressional Record.

Sincerely,

MICHAEL T. McCAUL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, December 8, 2015.

Hon. MICHAEL McCAUL,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 3875, the “Department of Homeland Security CBRNE Defense Act of 2015,” which your Committee reported on November 16, 2015.

H.R. 3875 contains provisions within the Committee on Science, Space, and Technology’s Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, December 8, 2015.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH, Thank you for your interest in H.R. 3875, the “Department of Homeland Security CBRNE Defense Act of 2015.” I appreciate your cooperation in allowing the bill to move expeditiously under suspension of the House Rules on December 8, 2015. Because your assertion of jurisdictional interest was raised after the report for H.R. 3875 was filed, the Parliamentarians were not able to render an official decision as to any jurisdictional claim the Committee on Science, Space, and Technology may have had.

I agree that the absence of a decision on this bill will not prejudice any claim the Committee on Science, Space, and Technology may have had, or may have with respect to similar measures in the future.

A copy of this letter will be entered into the Congressional Record.

Sincerely,

MICHAEL T. McCAUL,
Chairman.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3875, the Department of Homeland Security CBRNE Defense Act of 2015.

Mr. Speaker, we were here 2 days ago, and I said that the American people are looking for the homeland to be safe. As I stand here today in the backdrop of a recent classified briefing for many Members, I again say that the issue of homeland security is not a partisan issue.

I am very grateful to Mr. MCCAUL and Mr. THOMPSON of Mississippi, the ranking member, for their bipartisanship and the bipartisanship of this committee. Working alongside the other jurisdictional committees—that includes my other committee, Judiciary, that has, as their ranking member, Mr. CONYERS, and chairman, Mr. GOODLATTE, and many other committees—our commitment should be to secure the American people.

So, in this instance, pursuant to the fiscal year 2013 Consolidated and Further Continuing Appropriations Act, the Department of Homeland Security was directed to evaluate its activities related to preventing and responding to threats posed by chemical, biological, radiological, nuclear, and explosive, CBRNE, weapons and to determine whether there were ways to improve coordination of those activities.

Nearly 2 years later, DHS submitted its report to Congress and requested that certain activities and offices within the Department be consolidated to create a center of gravity for the DHS CBRNE activities.

H.R. 3875 seeks to implement much of the Department's proposal. In particular, the bill would bring the Office of Health Affairs, the Domestic Nuclear Detection Office, the Office of Bombing Prevention, the chemical and biological risk assessment activities Science and Technology Directorate, and staff from the Office of Policy and Office of Coordination Operations together in a single office, headed by a new assistant secretary.

I distinctly remember being in some of the meetings and hearings that drew about some of these coordinated activities, and I believe the new assistant secretary will be a very effective tool for making America safer.

During committee consideration of the measure, the committee accepted an amendment authored by Ranking Member THOMPSON to protect the missions of the offices brought together and prevent some of the disruption that could be caused by this kind of reorganization.

The amendment acknowledges that this reorganization will likely necessitate new expenditures. For instance, DHS may need to utilize retention bonuses to retain highly skilled, much-sought-after nuclear and biodefense experts who otherwise would leave DHS because of their lowered position and reduced prospects for advancement. I believe we should do that.

Ranking Member THOMPSON's amendment also protects the role of the Chief

Medical Officer as a leader within the Department on public health and medical issues by preserving the CMO's direct line to the Secretary.

The amendment allows for the establishment of a health division within the new office which could serve as a base of operations for the Chief Medical Officer's public health activities.

I might comment very briefly further on this. We have found that we live in a situation where, whether it is a natural disaster, but in this instance a terrorist situation that comes about, there is certainly major need for coordinated health activities that a person briefed, informed, and trained under DHS, with the expertise, can give to local entities and States.

For example, a hospital in my community, St. Joseph Medical Center, is the only hospital in a very intense downtown urban center. We would be interested in making sure that all of those health systems work.

As a nation, we cannot afford to have focus and attention toward the CBRNE mission diminished as a result of the unavoidable staff upheaval and infighting associated within any organization of this order.

Accordingly, I am pleased that H.R. 3875, as amended, will help bolster the Department's ability to carry out this reorganization without diminishing its ability to continue to carry out its CBRNE mission.

Mr. Speaker, I am pleased to speak in support of H.R. 3875, the "Department of Homeland Security CBRNE Defense Act of 2015."

As a Senior Member of the Homeland Security Committee, I served as Ranking Member of the Border and Maritime Subcommittee during the last Congress and in a previous Congress chaired the Subcommittee on Transportation Security.

It is important that the House take up the issue of how the WMD programs within the Department of Homeland Security are managed, which is why I am an original sponsor of the bill.

Events over the last Congress make it clear that Congress should be even more vigilant in providing for the protection of the United States.

Congress should be mindful of the: United States' leadership in the effort to forge an enforceable and verifiable nuclear agreement with Iran; deadliness of chemical weapons when they were used during the Syrian conflict against unarmed men, women, and children; and arrival of Ebola in Dallas, Texas and the cases that were treated around the nation.

The bill authorizes an Office of Chemical, Biological, Radiological, Nuclear, and Explosives (CBRNE) Defense within the Department of Homeland Security (DHS).

Departments and agencies across the U.S. government have centralized their weapons of mass destruction (WMD) defense programs to provide clear focal points for dealing with this threat.

However, DHS responsibilities in the chemical, biological, radiological, nuclear, and explosives areas continue to be spread across many offices in the Department with varying authorities and functions, affecting strategic direction as well as interdepartmental and interagency coordination.

This bill will bring DHS into line with the Defense Department, State Department, CIA, and FBI, which each have a lead office or bureau charged with defending America against chemical, biological, radiological, nuclear, and explosives (CBRNE) threats.

This is the result of many years of oversight by the Committee on Homeland Security on the Department's management of CBRNE activities.

The bill authorizes a CBRNE Office, led by a Presidentially-appointed Assistant Secretary.

The bill directs the Secretary to include within the new CBRNE Office: the Office of Health Affairs; the Domestic Nuclear Detection Office; risk assessment activities and personnel of the Science and Technology Directorate; CBRNE activities and personnel of the Office of Policy and Operations Coordination and Planning; and the Office for Bombing Prevention.

The bill provides specific responsibilities of the Assistant Secretary and needed structure for the management of CBRNE activities.

DHS provided its proposal for consolidation of CBRNE activities to the Committee in June.

The Subcommittees on Emergency Preparedness, Response, and Communications; and Cybersecurity, Infrastructure Protection, and Security Technologies held a hearing in July on the Department's proposal.

I urge my colleagues on in the House to join me in supporting this important step forward.

Our work is not yet done, but we are creating the groundwork for a safer and more resilient WMD deterrent, detection, and remediation federal homeland effort.

I appreciate the Homeland Security Committee's interest in my bill H.R. 85, Terrorism Prevention and Critical Infrastructure Protection Act.

Like Chairman MCCAUL, and Ranking Member THOMPSON, I regard securing our nation's critical infrastructure from terrorist threats as a top national and homeland security priority.

I share the understanding regarding how important it is to draft legislation that addresses the cyber threat posed by computer viruses and worms designed to destroy or cripple industrial control systems that sustain critical infrastructure is a serious challenge.

RECOMMENDATION: SUPPORT

Fixing a Broken Bureaucracy—H.R. 3875 increases transparency and accountability at DHS by bringing the Department's fragmented WMD defense programs under one roof and putting a lead official in charge.

Most security agencies (the Defense Department, State Department, CIA, and FBI) have a lead office or bureau charged with using their resources to defend America against chemical, biological, radiological, nuclear, and explosives (CBRNE) threats.

But DHS does not—its WMD defense programs are scattered across multiple offices, a fractured approach that weakens our ability to confront these dangers on the frontlines.

The disorganization creates inefficiency, generates confusion about who is in charge at DHS, makes interagency collaboration more difficult, and drives away top talent.

The CBRNE Defense Act combines six separate offices and programs into one central CBRNE Office at DHS headquarters, led by a senior official who reports directly to the Secretary.

Elevating a Critical Mission—H.R. 3875 creates a stronger, unified office equipped to keep the nation safe from WMD threats, and

it ensures these issues will always stay on the Department's "front burner."

America faces persistent risk from terrorists and rogue states that want to threaten our people with weapons of mass destruction.

But under the current structure at DHS, important WMD defense efforts can get lost in the bureaucratic noise.

By consolidating these programs, the legislation will keep WMD challenges on the radar of top officials.

It will also allow DHS to conduct its CBRNE activities more strategically and effectively.

Streamlining Government—H.R. 3875 helps prevent taxpayer dollars from being wasted—and aims to reduce overlap and duplication wherever possible.

Hundreds of millions of taxpayer dollars have been spent on failed CBRNE programs at DHS that were ill-planned and lacked effective oversight and management.

This legislation ensures DHS programs for combating WMD threats will be better coordinated and more closely monitored at the highest levels of the Department.

The bill simplifies the Secretary's ability to oversee the Department's WMD defense activities by consolidating standalone offices and streamlining the reporting structure.

I also creates the possibility of long-term savings by allowing the merged offices to combine their administrative functions.

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

Mr. MCCAUL. Mr. Speaker, I have no more speakers. If the gentlewoman from Texas has no further speakers, I am prepared to close once the gentlewoman does.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman very much for his leadership. I do not have any further speakers, but I would like to close and thank the committee as well for considering a bill that is now being reviewed—I want to thank the committee—H.R. 85, Terrorism Prevention and Critical Infrastructure Protection Act, which I hope contributes to all of our discussions about securing America.

This bill, Mr. Speaker, in particular, H.R. 3875, would consolidate important CBRNE activities within the Department of Homeland Security. I am hopeful that this reorganization will improve DHS' ability to carry out its mission in this space.

Today, Mr. Speaker, the diversity in the terrorist landscape is unprecedented. There are actors with aspirations to hit Western targets with deadly conventional weapons. There are also actors that are actively seeking to secure radiological and other non-conventional weaponry to exact maximum death, destruction, and chaos.

The Department of Homeland Security, first established after 9/11, has been designated and dictated to by the American people to keep them safe. It has an important role to play to address these threats. It is my great hope that this reorganization will help DHS take its CBRNE efforts to the next level.

Mr. Speaker, I ask my colleagues to support this legislation.

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

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

Mr. Speaker, let me first thank my colleagues on the other side of the aisle, Ms. JACKSON LEE and Mr. THOMPSON of Mississippi, for their coordination on this bill. I think this committee, probably more than any other one, has operated in a very bipartisan fashion. I am proud of that, as a chairman. I think in matters of national security, that is how we should operate, to reach across the aisle to get good things done for the American people to make them safer. So let me just say thank you for that.

I don't have to remind you, Mr. Speaker, the threats are real out there. We got a classified briefing on San Bernardino, the pipe bombs that were manufactured. In Dabiq Magazine, ISIS' latest publication, they discuss the ease with which to move a nuclear device through transnational criminal organizations into the Western Hemisphere: through Mexico and across our southwest border. That is precisely the kind of threat that this bill is designed to stop.

Mr. Speaker, I urge my colleagues to support this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and pass the bill, H.R. 3875, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1545

DHS SCIENCE AND TECHNOLOGY REFORM AND IMPROVEMENT ACT OF 2015

Mr. RATCLIFFE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3578) to amend the Homeland Security Act of 2002, to strengthen and make improvements to the Directorate of Science and Technology of the Department of Homeland Security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3578

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 Science and Technology Reform and Improvement Act of 2015".

SEC. 2. SCIENCE AND TECHNOLOGY IN SUPPORT OF HOMELAND SECURITY.

(a) IN GENERAL.—Title III of the Homeland Security Act of 2002 is amended—

(1) in section 301 (6 U.S.C. 181)—

(A) by striking "There" and inserting the following new subsection:

"(a) IN GENERAL.—There"; and

(B) by adding at the end the following new subsection:

"(b) MISSION.—The Directorate of Science and Technology shall be the primary research, development, testing, and evaluation arm of the Department, responsible for coordinating the research, development, testing, and evaluation of the Department to strengthen the security and resiliency of the United States. The Directorate shall—

"(1) develop and deliver knowledge, analyses, and innovative solutions that are responsive to homeland security capability gaps and threats to the homeland identified by components and offices of the Department, the first responder community, and the Homeland Security Enterprise (as such term is defined in section 322) and that can be integrated into operations of the Department;

"(2) seek innovative, system-based solutions to complex homeland security problems and threats; and

"(3) build partnerships and leverage technology solutions developed by other Federal agencies and laboratories, State, local, and tribal governments, universities, and the private sector.";

(2) in section 302 (6 U.S.C. 182)—

(A) in the matter preceding paragraph (1), by striking "The Secretary, acting through the Under Secretary for Science and Technology, shall" and inserting the following new subsection:

"(a) IN GENERAL.—The Secretary, acting through the Under Secretary for Science and Technology, shall carry out the mission described in subsection (b) of section 301 and shall";

(B) in subsection (a), as so amended by subparagraph (A) of this paragraph—

(i) in paragraph (1), by inserting "and serving as the senior scientific advisor to the Secretary" before the semicolon at the end;

(ii) in paragraph (2)—

(I) by striking "national";

(II) by striking "biological,," and inserting "biological,,"; and

(III) by inserting "that may serve as a basis of a national strategy" after "terrorist threats";

(iii) in paragraph (3)—

(I) by striking "the Under Secretary for Intelligence and Analysis and the Assistant Secretary for Infrastructure Protection" and inserting "components and offices of the Department"; and

(II) by inserting "terrorist" before "threats";

(iv) in paragraph (4), by striking "except that such responsibility does not extend to human health-related research and development activities" and inserting the following: "including coordinating with relevant components and offices of the Department appropriate to—

"(A) identify and prioritize technical capability requirements and create solutions that include researchers, the private sector, and operational end users, and

"(B) develop capabilities to address issues on research, development, testing, evaluation, technology, and standards for the first responder community,

except that such responsibility does not extend to the human health-related research and development activities;";

(v) in paragraph (5)(A), by striking "biological,," and inserting "biological,,";

(vi) by amending paragraph (12) to read as follows:

"(12) coordinating and integrating all research, development, demonstration, testing, and evaluation activities of the Department, including through a centralized Federal

clearinghouse established pursuant to paragraph (1) of section 313(b) for information relating to technologies that would further the mission of the Department, and providing advice, as necessary, regarding major acquisition programs;”.

(vii) in paragraph (13), by striking “and” at the end;

(viii) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(ix) by adding at the end the following new paragraphs:

“(15) establishing a process that—

“(A) includes consideration by Directorate leadership, senior component leadership, first responders, and outside expertise;

“(B) is strategic, transparent, and repeatable with a goal of continuous improvement;

“(C) through which research and development projects undertaken by the Directorate are assessed on a regular basis; and

“(D) includes consideration of metrics to ensure research and development projects meet Directorate and Department goals and inform departmental budget and program planning;

“(16) developing and overseeing the administration of guidelines for periodic external review of departmental research and development programs or activities, including through—

“(A) consultation with experts, including scientists and practitioners, regarding the research and development activities conducted by the Directorate of Science and Technology; and

“(B) biennial independent, external review—

“(i) initially at the division level; or

“(ii) when divisions conduct multiple programs focused on significantly different subjects, at the program level; and

“(17) partnering with components and offices of the Department to develop and deliver knowledge, analyses, and innovative solutions that are responsive to identified homeland security capability gaps and threats to the homeland and raise the science-based, analytic capability and capacity of appropriate individuals throughout the Department by providing guidance on how to better identify homeland security capability gaps and threats to the homeland that may be addressed through a technological solution and by partnering with such components and offices to—

“(A) support technological assessments of major acquisition programs throughout the acquisition lifecycle;

“(B) help define appropriate technological requirements and perform feasibility analysis;

“(C) assist in evaluating new and emerging technologies against homeland security capability gaps and terrorist threats;

“(D) support evaluation of alternatives;

“(E) improve the use of technology Department-wide; and

“(F) provide technical assistance in the development of acquisition lifecycle cost for technologies;

“(18) acting as a coordinating office for technology development for the Department by helping components and offices define technological requirements, and building partnerships with appropriate entities (such as within the Department and with other Federal agencies and laboratories, State, local, and tribal governments, universities, and the private sector) to help each such component and office attain the technology solutions it needs;

“(19) coordinating with organizations that provide venture capital to businesses, particularly small businesses, as appropriate, to assist in the commercialization of innovative homeland security technologies that are

expected to be ready for commercialization in the near term and within 36 months.”; and

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

“(b) REVIEW OF RESPONSIBILITIES.—Not later than 180 days after the date of the enactment of this subsection, the Under Secretary for Science and Technology shall submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the implementation of paragraphs (2) (including how the policy and strategic plan under such paragraph may serve as a basis for a national strategy referred to in such paragraph), (11), (12), (13), (16), and (17) of subsection (a).”;

(3) in section 303(1) (6 U.S.C. 183(1)), by striking subparagraph (F);

(4) in section 305 (6 U.S.C. 185)—

(A) by striking “The” and inserting the following new subsection:

“(a) ESTABLISHMENT.—The”; and

(B) by adding at the end the following new subsection:

“(b) CONFLICTS OF INTEREST.—The Secretary shall review and revise, as appropriate, the policies of the Department relating to personnel conflicts of interest to ensure that such policies specifically address employees of federally funded research and development centers established pursuant to subsection (a) who are in a position to make or materially influence research findings or agency decision making.”;

(5) in section 306 (6 U.S.C. 186)—

(A) in subsection (c), by adding at the end the following new sentence: “If such regulations are issued, the Under Secretary shall report to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate prior to such issuance.”; and

(B) by amending subsection (d) to read as follows:

“(d) PERSONNEL.—In hiring personnel for the Directorate of Science and Technology, the Secretary shall have the hiring and management authorities described in section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note; Public Law 105-261). The term of appointments for employees under subsection (c)(1) of such section may not exceed five years before the granting of any extension under subsection (c)(2) of such section.”;

(6) in section 308 (6 U.S.C. 188)—

(A) in subsection (b)(2)—

(i) in subparagraph (B)—

(I) in clause (iv), by striking “and nuclear countermeasures or detection” and inserting “nuclear, and explosives countermeasures or detection (which may include research into remote sensing and remote imaging)”;

(II) by adding after clause (xiv) the following new clause:

“(xv) Cybersecurity.”; and

(ii) by amending subparagraph (D) to read as follows:

“(D) ANNUAL REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this subparagraph and annually thereafter, the Secretary shall submit to Congress a report on the implementation of this section. Each such report shall—

“(i) indicate which center or centers have been designated pursuant to this section;

“(ii) describe how such designation or designations enhance homeland security;

“(iii) provide information on any decisions to revoke or modify such designation or designations;

“(iv) describe research that has been tasked and completed by each center that

has been designated during the preceding year;

“(v) describe funding provided by the Secretary for each center under clause (iv) for that year; and

“(vi) describe plans for utilization of each center or centers in the forthcoming year.”; and

(B) by adding at the end the following new subsection:

“(d) TEST, EVALUATION, AND STANDARDS DIVISION.—

“(1) ESTABLISHMENT.—There is established in the Directorate of Science and Technology a Test, Evaluation, and Standards Division.

“(2) DIRECTOR.—The Test, Evaluation, and Standards Division shall be headed by a Director of Test, Evaluation, and Standards, who shall be appointed by the Secretary and report to the Under Secretary for Science and Technology.

“(3) RESPONSIBILITIES, AUTHORITIES, AND FUNCTIONS.—The Director of Test, Evaluation, and Standards—

“(A) through the Under Secretary for Science and Technology, serve as an adviser to the Secretary and the Under Secretary of Management on all test and evaluation or standards activities in the Department; and

“(B) shall—

“(i) establish and update as necessary test and evaluation policies for the Department, including policies to ensure that operational testing is done at facilities that already have relevant and appropriate safety and material certifications to the extent such facilities are available;

“(ii) oversee and ensure that adequate test and evaluation activities are planned and conducted by or on behalf of components and offices of the Department with respect to major acquisition programs of the Department, as designated by the Secretary, based on risk, acquisition level, novelty, complexity, and size of any such acquisition program, or as otherwise established in statute;

“(iii) review major acquisition program test reports and test data to assess the adequacy of test and evaluation activities conducted by or on behalf of components and offices of the Department, including test and evaluation activities planned or conducted pursuant to clause (ii); and

“(iv) review available test and evaluation infrastructure to determine whether the Department has adequate resources to carry out its testing and evaluation responsibilities, as established under this title.

“(4) LIMITATION.—The Test, Evaluation, and Standards Division is not required to carry out operational testing of major acquisition programs.

“(5) EVALUATION OF DEPARTMENT OF DEFENSE TECHNOLOGIES.—The Director of Test, Evaluation, and Standards may evaluate technologies currently in use or being developed by the Department of Defense to assess whether such technologies can be leveraged to address homeland security capability gaps.”;

(7) in section 309(a) (6 U.S.C. 189(a)), by adding at the end the following new paragraph:

“(3) TREATMENT OF CERTAIN FUNDS.—Notwithstanding any other provision of law, any funds provided to a Department of Energy national laboratory by the Department may not be treated as an assisted acquisition.”;

(8) in section 310 (6 U.S.C. 190), by adding at the end the following new subsection:

“(e) SUCCESSOR FACILITY.—Any successor facility to the Plum Island Animal Disease Center, including the National Bio and Agro-Defense Facility (NBAF) under construction as of the date of the enactment of this subsection, which is intended to replace the Plum Island Animal Disease Center shall be

subject to the requirements of this section in the same manner and to the same extent as the Plum Island Animal Disease Center under this section.”;

(9) in section 311 (6 U.S.C. 191)—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) by striking “20 members” and inserting “not fewer than 15 and not more than 30”; and

(II) by inserting “academia, national labs, private industry, and” after “representatives of”;

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

(iii) by inserting after paragraph (1) the following new paragraph:

“(2) SUBCOMMITTEES.—The Advisory Committee may establish subcommittees that focus on research and development challenges, as appropriate.”;

(B) in subsection (c)—

(i) in paragraph (1), by inserting “on a rotating basis” before the period at the end;

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

(iii) in paragraph (2), as so redesignated, by striking “be appointed” and inserting “serve”;

(C) in subsection (e), in the second sentence, by striking “the call of”;

(D) in subsection (h)—

(i) in paragraph (1)—

(I) in the first sentence—

(aa) by striking “render” and inserting “submit”; and

(bb) by striking “Congress” and inserting “the appropriate congressional committees”;

(II) in the second sentence, by inserting “, and incorporate the findings and recommendations of the Advisory Committee subcommittees,” before “during”; and

(i) in paragraph (2)—

(I) striking “render” and inserting “submit”; and

(II) by striking “Congress” and inserting “the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate”;

(E) in subsection (i), by inserting “, except that the Advisory Committee shall file a charter with Congress every two years in accordance with subsection (b)(2) of such section (14)”;

(F) in subsection (j), by striking “2008” and inserting “2020”;

(10) in section 313 (6 U.S.C. 193)—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following new subsection:

“(c) APPLICATION OF PROGRAM.—The Secretary, acting through the Under Secretary for Science and Technology, shall use the program established under subsection (a) to—

“(1) enhance the cooperation between components and offices of the Department on projects that have similar goals, timelines, or outcomes;

“(2) ensure the coordination of technologies to eliminate unnecessary duplication of research and development;

“(3) ensure technologies are accessible for component and office use on a Department website; and

“(4) carry out any additional purpose the Secretary determines necessary.”;

(11) by adding after section 317 (6 U.S.C. 195c) the following new sections:

“SEC. 318. IDENTIFICATION AND PRIORITIZATION OF RESEARCH AND DEVELOPMENT.

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Under Secretary for Science and Technology shall establish a process to de-

fine, identify, prioritize, fund, and task the basic and applied homeland security research and development activities of the Directorate of Science and Technology to meet the needs of the components and offices of the Department, the first responder community, and the Homeland Security Enterprise (as such term is defined in section 322).

“(b) PROCESS.—The process established under subsection (a) shall—

“(1) be responsive to near-, mid-, and long-term needs, including unanticipated needs to address emerging terrorist threats;

“(2) utilize gap analysis and risk assessment tools where available and applicable;

“(3) include protocols to assess—

“(A) off-the-shelf technology to determine if an identified homeland security capability gap or threat to the homeland can be addressed through the acquisition process instead of commencing research and development of technology to address such capability gap or threat; and

“(B) communication and collaboration for research and development activities pursued by other executive agencies, to determine if technology can be leveraged to identify and address homeland security capability gaps or threats to the homeland and avoid unnecessary duplication of efforts;

“(4) provide for documented and validated research and development requirements;

“(5) strengthen first responder participation to identify and prioritize homeland security technological gaps, including by—

“(A) soliciting feedback from appropriate national associations and advisory groups representing the first responder community and first responders within the components and offices of the Department; and

“(B) establishing and promoting a publicly accessible portal to allow the first responder community to help the Directorate of Science and Technology develop homeland security research and development goals;

“(6) institute a mechanism to publicize the Department’s homeland security technology priorities for the purpose of informing Federal, State, and local governments, first responders, and the private sector;

“(7) establish considerations to be used by the Directorate in selecting appropriate research entities, including the national laboratories, federally funded research and development centers, university-based centers, and the private sector, to carry out research and development requirements;

“(8) incorporate feedback derived as a result of the mechanism established in section 323, ensuring the Directorate is utilizing regular communication with components and offices of the Department; and

“(9) include any other criteria or measures the Under Secretary for Science and Technology considers necessary for the identification and prioritization of research requirements.

“SEC. 319. DEVELOPMENT OF DIRECTORATE STRATEGY AND RESEARCH AND DEVELOPMENT PLAN.

“(a) STRATEGY.—

“(1) IN GENERAL.—Not later than one year after the date of the enactment of this section, the Under Secretary for Science and Technology shall develop and submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a strategy to guide the activities of the Directorate of Science and Technology. Such strategy shall be updated at least once every five years and shall identify priorities and objectives for the development of science and technology solutions and capabilities addressing homeland security operational needs. Such strategy shall include the co-

ordination of such priorities and activities within the Department. Such strategy shall take into account the priorities and needs of stakeholders in the Homeland Security Enterprise (as such term is defined in section 322). In developing such strategy, efforts shall be made to support collaboration and avoid unnecessary duplication across the Federal Government. Such strategy shall be risk-based and aligned with other strategic guidance provided by—

“(A) the National Strategy for Homeland Security;

“(B) the Quadrennial Homeland Security Review; and

“(C) any other relevant strategic planning documents, as determined by the Under Secretary.

“(2) CONTENTS.—The strategy required under paragraph (1) shall be prepared in accordance with applicable Federal requirements and guidelines, and shall include the following:

“(A) An identification of the long-term strategic goals, objectives, and metrics of the Directorate, including those to address terrorist threats.

“(B) A technology transition strategy for the programs of the Directorate.

“(C) Short- and long-term strategic goals, and objectives for increasing the number of designations and certificates issued under subtitle G of title VIII, including cybersecurity technologies that could significantly reduce, or mitigate the effects of, cybersecurity risks (as such term is defined in subsection (a)(1) of the second section 226, relating to the national cybersecurity and communications integration center), without compromising the quality of the evaluation of applications for such designations and certificates.

“(b) FIVE-YEAR RESEARCH AND DEVELOPMENT PLAN.—

“(1) IN GENERAL.—The Under Secretary for Science and Technology shall develop, and update at least once every five years, a five-year research and development plan for the activities of the Directorate of Science and Technology. The Under Secretary shall develop the first such plan by the date that is not later than one year after the date of the enactment of this section.

“(2) CONTENTS.—Each five-year research and development plan developed and revised under subsection (a) shall—

“(A) define the Directorate of Science and Technology’s research, development, testing, and evaluation activities, priorities, performance metrics, and key milestones and deliverables for, as the case may be, the five-fiscal-year period from 2016 through 2020, and for each five-fiscal-year period thereafter;

“(B) describe, for the activities of the strategy developed under subsection (a), the planned annual funding levels for the period covered by each such five-year research and development plan;

“(C) indicate joint investments with other Federal partners where applicable, and enhanced coordination, as appropriate, with organizations as specified in paragraph (19) of section 302;

“(D) analyze how the research programs of the Directorate support achievement of the strategic goals and objectives identified in the strategy required under subsection (a);

“(E) describe how the activities and programs of the Directorate meet the requirements or homeland security capability gaps or threats to the homeland identified by customers within and outside of the Department, including the first responder community; and

“(F) describe the policies of the Directorate regarding the management, organization, and personnel of the Directorate.

“(3) SCOPE.—The Under Secretary for Science and Technology shall ensure that each five-year research and development plan developed and revised under subsection (a)—

“(A) reflects input from a wide range of stakeholders; and

“(B) takes into account how research and development by other Federal, State, private sector, and nonprofit institutions contributes to the achievement of the priorities identified in each plan, and avoids unnecessary duplication with such efforts.

“(4) REPORTS.—The Under Secretary for Science and Technology shall submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an annual report for seven years beginning not later than one year after the date of the development of the initial five-year research and development plan under paragraph (1) on the status and results to date of the implementation of such plan and the updates to such plan, including—

“(A) a summary of the research and development activities for the previous fiscal year in each mission area, including such activities to address homeland security risks, including threats, vulnerabilities, and consequences, and a summary of the coordination activities undertaken by the Directorate of Science and Technology for components and offices of the Department, together with the results of the process specified in paragraph (15) of section 302;

“(B) clear links between the Directorate’s budget and each mission area or program, including those mission areas or programs to address homeland security risks, including threats, vulnerabilities, and consequences, specifying which mission areas or programs fall under which budget lines, and clear links between Directorate coordination work and priorities and annual expenditures for such work and priorities, including joint investments with other Federal partners, where applicable;

“(C) an assessment of progress of the research and development activities based on the performance metrics and milestones set forth in such plan; and

“(D) any changes to such plan.

“SEC. 320. MONITORING OF PROGRESS.

“(a) IN GENERAL.—The Under Secretary for Science and Technology shall establish and utilize a system to track the progress of the research, development, testing, and evaluation activities undertaken by the Directorate of Science and Technology, and shall provide to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate and customers of such activities, at a minimum on a biannual basis, regular updates on such progress.

“(b) REQUIREMENTS.—In order to provide the progress updates required under subsection (a), the Under Secretary for Science and Technology shall develop a system that—

“(1) monitors progress toward project milestones identified by the Under Secretary;

“(2) maps progress toward deliverables identified in each five-year research and development plan required under section 319(b);

“(3) generates up-to-date reports to customers that transparently disclose the status and progress of research, development, testing, and evaluation efforts of the Directorate of Science and Technology; and

“(4) allows the Under Secretary to report the number of products and services devel-

oped by the Directorate that have been transitioned into acquisition programs and resulted in successfully fielded technologies.

“(c) EVALUATION METHODS.—

“(1) EXTERNAL INPUT, CONSULTATION, AND REVIEW.—The Under Secretary for Science and Technology shall implement procedures to engage outside experts to assist in the evaluation of the progress of research, development, testing, and evaluation activities of the Directorate of Science and Technology, including through—

“(A) consultation with experts, including scientists and practitioners, to gather independent expert peer opinion and advice on a project or on specific issues or analyses conducted by the Directorate; and

“(B) periodic, independent, external review to assess the quality and relevance of the Directorate’s programs and projects.

“(2) COMPONENT FEEDBACK.—The Under Secretary for Science and Technology shall establish a formal process to collect feedback from customers of the Directorate of Science and Technology on the performance of the Directorate that includes—

“(A) appropriate methodologies through which the Directorate can assess the quality and usefulness of technology and services delivered by the Directorate;

“(B) development of metrics for measuring the usefulness of any technology or service provided by the Directorate; and

“(C) standards for high-quality customer service.

“SEC. 321. HOMELAND SECURITY SCIENCE AND TECHNOLOGY FELLOWS PROGRAM.

“(a) ESTABLISHMENT.—The Secretary, acting through the Under Secretary for Science and Technology and the Under Secretary for Management, shall establish a fellows program, to be known as the Homeland Security Science and Technology Fellows Program (in this section referred to as the ‘Program’), under which the Under Secretary for Science and Technology, in coordination with the Office of University Programs of the Department, shall facilitate the placement of fellows in relevant scientific or technological fields for up to two years in components and offices of the Department with a need for scientific and technological expertise.

“(b) UTILIZATION OF FELLOWS.—

“(1) IN GENERAL.—Under the Program, the Department may employ fellows—

“(A) for the use of the Directorate of Science and Technology; or

“(B) for the use of a component or office of the Department outside the Directorate, under a memorandum of agreement with the head of such a component or office under which such component or office will reimburse the Directorate for the costs of such employment.

“(2) RESPONSIBILITIES.—Under an agreement referred to in subparagraph (B) of paragraph (1)—

“(A) the Under Secretary for Science and Technology and the Under Secretary for Management shall—

“(i) solicit and accept applications from individuals who are currently enrolled in or who are graduates of postgraduate programs in scientific and engineering fields related to the promotion of securing the homeland or critical infrastructure sectors;

“(ii) screen applicants and interview them as appropriate to ensure that such applicants possess the appropriate level of scientific and engineering expertise and qualifications;

“(iii) provide a list of qualified applicants to the heads of components and offices of the Department seeking to utilize qualified fellows;

“(iv) subject to the availability of appropriations, pay financial compensation to such fellows;

“(v) coordinate with the Chief Security Officer to facilitate and expedite provision of security and suitability clearances to such fellows, as appropriate; and

“(vi) otherwise administer all aspects of the employment of such fellows with the Department; and

“(B) the head of the component or office of the Department utilizing a fellow shall—

“(i) select such fellow from the list of qualified applicants provided by the Under Secretary;

“(ii) reimburse the Under Secretary for the costs of employing such fellow, including administrative costs; and

“(iii) be responsible for the day-to-day management of such fellow.

“(c) APPLICATIONS FROM NONPROFIT ORGANIZATIONS.—The Under Secretary for Science and Technology may accept an application under subsection (b)(2)(A) that is submitted by a nonprofit organization on behalf of individuals whom such nonprofit organization has determined may be qualified applicants under the Program.

“SEC. 322. CYBERSECURITY RESEARCH AND DEVELOPMENT.

“(a) IN GENERAL.—The Under Secretary for Science and Technology shall support research, development, testing, evaluation, and transition of cybersecurity technology, including fundamental research to improve the sharing of information, analytics, and methodologies related to cybersecurity risks and incidents, consistent with current law.

“(b) ACTIVITIES.—The research and development supported under subsection (a) shall serve the components of the Department and shall—

“(1) advance the development and accelerate the deployment of more secure information systems;

“(2) improve and create technologies for detecting attacks or intrusions, including real-time continuous diagnostics and real-time analytic technologies;

“(3) improve and create mitigation and recovery methodologies, including techniques and policies for real-time containment of attacks, and development of resilient networks and information systems;

“(4) support, in coordination with the private sector, the review of source code that underpins critical infrastructure information systems;

“(5) develop and support infrastructure and tools to support cybersecurity research and development efforts, including modeling, testbeds, and data sets for assessment of new cybersecurity technologies;

“(6) assist the development and support of technologies to reduce vulnerabilities in industrial control systems; and

“(7) develop and support cyber forensics and attack attribution.

“(c) COORDINATION.—In carrying out this section, the Under Secretary for Science and Technology shall coordinate activities with—

“(1) the Under Secretary appointed pursuant to section 103(a)(1)(H);

“(2) the heads of other relevant Federal departments and agencies, including the National Science Foundation, the Defense Advanced Research Projects Agency, the Information Assurance Directorate of the National Security Agency, the National Institute of Standards and Technology, the Department of Commerce, the Networking and Information Technology Research and Development Program Office, Sector Specific Agencies for critical infrastructure, and other appropriate working groups established by the President to identify unmet needs and cooperatively support activities, as appropriate; and

“(3) industry and academia.

“(d) TRANSITION TO PRACTICE.—The Under Secretary for Science and Technology shall

support projects through the full life cycle of such projects, including research, development, testing, evaluation, pilots, and transitions. The Under Secretary shall identify mature technologies that address existing or imminent cybersecurity gaps in public or private information systems and networks of information systems, identify and support necessary improvements identified during pilot programs and testing and evaluation activities, and introduce new cybersecurity technologies throughout the Homeland Security Enterprise through partnerships and commercialization. The Under Secretary shall target federally funded cybersecurity research that demonstrates a high probability of successful transition to the commercial market within two years and that is expected to have notable impact on the cybersecurity of the information systems or networks of information systems of the United States.

“(e) DEFINITIONS.—In this section:

“(1) CYBERSECURITY RISK.—The term ‘cybersecurity risk’ has the meaning given such term in the second section 226, relating to the national cybersecurity and communications integration center.

“(2) HOMELAND SECURITY ENTERPRISE.—The term ‘Homeland Security Enterprise’ means relevant governmental and nongovernmental entities involved in homeland security, including Federal, State, local, and tribal government officials, private sector representatives, academics, and other policy experts.

“(3) INCIDENT.—The term ‘incident’ has the meaning given such term in the second section 226, relating to the national cybersecurity and communications integration center.

“(4) INFORMATION SYSTEM.—The term ‘information system’ has the meaning given that term in section 3502(8) of title 44, United States Code.

“SEC. 323. INTEGRATED PRODUCT TEAMS.

“(a) IN GENERAL.—The Secretary shall establish integrated product teams to serve as a central mechanism for the Department to identify, coordinate, and align research and development efforts with departmental missions. Each team shall be managed by the Under Secretary for Science and Technology and the relevant senior leadership of operational components, and shall be responsible for the following:

“(1) Identifying and prioritizing homeland security capability gaps or threats to the homeland within a specific mission area and technological solutions to address such gaps.

“(2) Identifying ongoing departmental research and development activities and component acquisitions of technologies that are outside of departmental research and development activities to address a specific mission area.

“(3) Assessing the appropriateness of a technology to address a specific mission area.

“(4) Identifying unnecessary redundancy in departmental research and development activities within a specific mission area.

“(5) Informing the Secretary and the annual budget process regarding whether certain technological solutions are able to address homeland security capability gaps or threats to the homeland within a specific mission area.

“(b) CONGRESSIONAL OVERSIGHT.—Not later than two years after the date of enactment of this section, the Secretary shall provide to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information on the impact and effectiveness of the mechanism described in subsection (a) on research and development efforts, component

relationships, and how the process has informed the research and development budget and enhanced decision making, including acquisition decision making, at the Department. The Secretary shall seek feedback from the Under Secretary for Science and Technology, Under Secretary for Management, and the senior leadership of operational components regarding the impact and effectiveness of such mechanism and include such feedback in the information provided under this subsection.

“SEC. 324. HOMELAND SECURITY-STEM SUMMER INTERNSHIP PROGRAM.

“(a) IN GENERAL.—The Under Secretary for Science and Technology shall establish a Homeland Security-STEM internship program (in this section referred to as the ‘program’) to carry out the objectives of this subtitle.

“(b) PROGRAM.—The program shall provide students with exposure to Department mission-relevant research areas, including threats to the homeland, to encourage such students to pursue STEM careers in homeland security related fields. Internships offered under the program shall be for up to ten weeks during the summer.

“(c) ELIGIBILITY.—The Under Secretary for Science and Technology shall develop criteria for participation in the program, including the following:

“(1) At the time of application, an intern shall—

“(A) have successfully completed not less than one academic year of study at an institution of higher education in a STEM field;

“(B) be enrolled in a course of study in a STEM field at an institution of higher education; and

“(C) plan to continue such course of study or pursue an additional course of study in a STEM field at an institution of higher education in the academic year following the internship.

“(2) An intern shall be pursuing career goals aligned with the Department’s mission, goals, and objectives.

“(3) Any other criteria the Under Secretary determines appropriate.

“(d) COOPERATION.—The program shall be administered in cooperation with the university-based centers for homeland security under section 308. Interns in the program shall be provided hands-on research experience and enrichment activities focused on Department research areas.

“(e) ACADEMIC REQUIREMENTS; OPERATION.—The Under Secretary for Science and Technology shall determine the academic requirements, other selection criteria, and standards for successful completion of each internship period in the program. The Under Secretary shall be responsible for the design, implementation, and operation of the program.

“(f) RESEARCH MENTORS.—The Under Secretary for Science and Technology shall ensure that each intern in the program is assigned a research mentor to act as counselor and advisor and provide career-focused advice.

“(g) OUTREACH TO CERTAIN UNDER-REPRESENTED STUDENTS.—The Under Secretary for Science and Technology shall conduct outreach to students who are members of groups under-represented in STEM careers to encourage their participation in the program.

“(h) INSTITUTION OF HIGHER EDUCATION DEFINED.—In this section, the term ‘institution of higher education’ has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), except that the term does not include institutions described in subparagraph (C) of such section 102(a)(1).”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on

the date that is 30 days after the date of the enactment of this section.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 317 the following new items:

“Sec. 318. Identification and prioritization of research and development.

“Sec. 319. Development of Directorate strategy and research and development plan.

“Sec. 320. Monitoring of progress.

“Sec. 321. Homeland Security Science and Technology Fellows Program.

“Sec. 322. Cybersecurity research and development.

“Sec. 323. Integrated product teams.

“Sec. 324. Homeland Security-STEM summer internship program.”

(d) RESEARCH AND DEVELOPMENT PROJECTS.—Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “2015” and inserting “2020”;

(B) in paragraph (1), by striking the last sentence; and

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

“(3) PRIOR APPROVAL.—In any case in which a component or office of the Department seeks to utilize the authority under this section, such office or component shall first receive prior approval from the Secretary by providing to the Secretary a proposal that includes the rationale for the use of such authority, the funds to be spent on the use of such authority, and the expected outcome for each project that is the subject of the use of such authority. In such a case, the authority for evaluating the proposal may not be delegated by the Secretary to anyone other than the Under Secretary for Management.”;

(2) in subsection (c)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “2015” and inserting “2020”; and

(B) by amending paragraph (2) to read as follows:

“(2) REPORT.—The Secretary shall annually submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report detailing the projects for which the authority granted by subsection (a) was used, the rationale for such use, the funds spent using such authority, the extent of cost-sharing for such projects among Federal and non-federal sources, the extent to which use of such authority has addressed a homeland security capability gap or threat to the homeland identified by the Department, the total amount of payments, if any, that were received by the Federal Government as a result of the use of such authority during the period covered by each such report, the outcome of each project for which such authority was used, and the results of any audits of such projects.”; and

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

“(e) TRAINING.—The Secretary shall develop a training program for acquisitions staff in the use of other transaction authority to help ensure the appropriate use of such authority.

“(f) OTHER TRANSACTION AUTHORITY DEFINED.—In this section, the term ‘other transaction authority’ means authority under subsection (a).”

(e) AMENDMENT TO DEFINITION.—Paragraph (2) of subsection (a) of the second section 226 of the Homeland Security Act of 2002 (6

U.S.C. 148; relating to the national cybersecurity and communications integration center) is amended to read as follows:

“(2) INCIDENT.—The term ‘incident’ means an occurrence that actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information on an information system, or actually or imminently jeopardizes, without lawful authority, an information system.”

(f) GAO STUDY OF UNIVERSITY-BASED CENTERS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate a study to assess the university-based centers for homeland security program authorized by section 308(b)(2) of the Homeland Security Act of 2002 (6 U.S.C. 188(b)(2)), and provide recommendations to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate for appropriate improvements.

(2) SUBJECT MATTERS.—The study required under subsection (a) shall include the following:

(A) A review of the Department of Homeland Security’s efforts to identify key areas of study needed to support the homeland security mission, and criteria that the Department utilized to determine those key areas for which the Department should maintain, establish, or eliminate university-based centers.

(B) A review of the method by which university-based centers, federally funded research and development centers, and Department of Energy national laboratories receive tasking from the Department of Homeland Security, including a review of how university-based research is identified, prioritized, and funded.

(C) A review of selection criteria for designating university-based centers and a weighting of such criteria.

(D) An examination of best practices from other agencies’ efforts to organize and use university-based research to support their missions.

(E) A review of the Department of Homeland Security’s criteria and metrics to measure demonstrable progress achieved by university-based centers in fulfilling Department taskings, and mechanisms for delivering and disseminating the research results of designated university-based centers within the Department and to other Federal, State, and local agencies.

(F) An examination of the means by which academic institutions that are not designated or associated with the designated university-based centers can optimally contribute to the research mission of the Directorate of Science and Technology of the Department of Homeland Security.

(G) An assessment of the interrelationship between the different university-based centers and the degree to which outreach and collaboration among a diverse array of academic institutions is encouraged by the Department of Homeland Security, particularly with historically Black colleges and universities and minority-serving institutions.

(H) A review of any other essential elements of the programs determined in the conduct of the study.

(g) PRIZE AUTHORITY.—The Under Secretary for Science and Technology of the Department of Homeland Security shall utilize, as appropriate, prize authority granted pursuant to current law.

(h) PROHIBITION ON NEW FUNDING.—No funds are authorized to be appropriated to carry out this section and the amendments made by this section. Such section and

amendments shall be carried out using amounts otherwise appropriated or made available for such purposes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. RATCLIFFE) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. RATCLIFFE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 3578, the DHS Science and Technology Reform and Improvement Act of 2015, makes targeted adjustments and strategic improvements to the ways in which the Department of Homeland Security’s Science and Technology Directorate, or DHS S&T, carries out its responsibility to conduct research and development. These strategic improvements will strengthen the Directorate and address some of its well-documented challenges.

DHS S&T monitors the Nation’s evolving threats and makes use of technological advancements to develop and deliver solutions to meet the critical needs of the DHS components.

The legislation we are considering today provides a clear mission statement for the Directorate and it codifies S&T’s portfolio review process. This process engages key leadership and stakeholders to ensure that research and development meets the Directorate and Department goals.

Amendments considered at both the subcommittee and full committee further strengthen this legislation, including Mr. RICHMOND’s amendment to codify integrated product teams, a mechanism that will support the Directorate’s ability to identify, coordinate, and align research and development efforts with departmental missions.

H.R. 3578 also ensures that the Directorate identifies technical capability requirements and creates solutions with researchers and the private sector. It also bolsters S&T’s role as coordinator of research and development across the Department.

This bill requires additional transparency by requiring S&T to link its budget with mission areas and programs.

Cybersecurity research and development is essential to support DHS’ efforts to secure the dot-gov domain. The seriousness of this mission received heightened awareness after the OPM breach compromised the highly sensitive and personal information of over 20 million Americans.

H.R. 3578 bolsters S&T’s cybersecurity research and development by ensuring sector specific agencies for critical infrastructure are included in the coordination of cybersecurity research and development and by codifying the Transition to Practice program to support the lifecycle of cyber projects, including research, development, testing, evaluation, and transition.

S&T is the primary research arm of the Department, managing the basic and applied research and development of science and technology for DHS’ operational components. S&T’s work includes supporting research and development for technologies to benefit first responders, the Nation’s border and maritime security, cybersecurity, and chemical and biological defenses.

Mr. Speaker, I would like to thank the gentleman from Texas, Chairman SMITH, of the Science, Space, and Technology Committee for his support in moving this legislation forward.

Mr. Speaker, this legislation would strengthen the important role and work of the Directorate to meet both the scientific and technological security needs of our Nation.

I urge all Members to join me in supporting this bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, December 4, 2015.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 3578, the “DHS Science and Technology Reform and Improvement Act of 2015,” which your Committee ordered reported on September 30, 2015.

H.R. 3578 contains provisions within the Committee on Science, Space, and Technology’s Rule X jurisdiction. However, in consideration of your request to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego formal consideration of H.R. 3578. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I appreciate that the Committee on Homeland Security has consulted with the Committee on Science, Space, and Technology and the two Committees have reached agreement on the final text of H.R. 3578. I understand you acknowledge the Committee on Science, Space, and Technology’s jurisdiction over the legislation and that the Committee on Homeland Security agrees to work with the Committee on Science, Space, and Technology to develop and enact an additional homeland security research and development measure early in 2016.

I would appreciate your response to this letter confirming this understanding and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, December 4, 2015.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and
Technology, Rayburn House Office Build-
ing, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 3578, the “DHS Science and Technology Reform and Improvement Act of 2015.” I acknowledge that by forgoing action on this legislation your Committee is not diminishing or altering its jurisdiction.

I also concur with you that forgoing action on this bill does not in any way prejudice the Committee on Science, Space, and Technology with respect to its jurisdictional prerogatives on this bill or similar legislation in the future. Furthermore, I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation.

In addition, I agree that the Committee on Homeland Security will continue to work with the Committee on Science, Space, and Technology to develop additional legislation addressing homeland security research and development in early 2016.

I will include copies of this exchange in the *Congressional Record* during consideration of this measure on the House floor. I appreciate your cooperation regarding H.R. 3578, and I look forward to working with the Committee on Science, Space, and Technology as the bill moves through the legislative process.

Sincerely,

MICHAEL T. MCCAUL,
Chairman,
Committee on Homeland Security.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I rise to support H.R. 3578, the Department of Homeland Security Science and Technology Reform and Improvement Act of 2015.

First, I want to say to the gentleman from Texas, thank you so very much for your leadership. Again, we have a great opportunity working together, along with your ranking member, Mr. RICHMOND, and the chairman of the full committee, Mr. MCCAUL, and, as well, Mr. THOMPSON. I believe we are continuously building blocks of security for the American people.

Research and development is a key component of the Department of Homeland Security’s mission to make America more secure and better able to prevent, respond to, and recover from natural disasters and terrorist acts.

In the constantly evolving threat landscape, technology-based force multipliers are essential for managing our borders, safeguarding cyberspace, and making sure we are resilient in the face of disasters.

H.R. 3578 will improve the way the Science and Technology Directorate serves its customers within the Department in the first responder community in three ways.

Before I say that, let me indicate to the chairman, we understand that we are looking at generational gaps. Terrorists are young. People who wish to undermine the landscape of cybersecurity can use, if I might say, these young minds, these technocrats, to do things that we may have never heard of, so our system must be resilient.

First, this bill requires S&T to engage in strategic planning and priority-setting exercises that will assist Congress in measuring the management effectiveness and utility of the research and technologies it funds. This kind of self-assessment will make S&T a more effective partner to its customers and will help make its program more efficient.

Second, H.R. 3578 directs S&T to evaluate its university programs and collaborative agreements and assess its efforts to broaden outreach to diverse institutions, which may have a unique expertise to add to S&T’s ongoing work.

Given the current fiscal challenges, it is critical that we maximize the way we leverage the capabilities of knowledge-rich universities, and this provision will help S&T do just that. In fact, I believe that the universities are our richest source of talent, and not only for the researchers and the professors, but certainly the students who are young, who are there to do good, of whom we can utilize both their talents, their approach, and their intellect.

Finally, the bill encourages carefully targeted venture capital investments in the homeland security enterprise that can accelerate product development and add mission critical capabilities quickly and efficiently.

These targeted investments will help put better technologies into the hands of DHS boots-on-the-ground State and local first responders soon.

Mr. Speaker, H.R. 3578 codifies existing practices at S&T that are working and will make S&T a stronger, more reliable partner in the homeland security mission.

I encourage my colleagues to support this important bipartisan legislation, and, as well, I continue to look forward to working with this subcommittee, among others, to begin to look at the cyber space and the cybersecurity infrastructure.

I reserve the balance of my time.

Mr. RATCLIFFE. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. SMITH), my friend and colleague.

Mr. SMITH of Texas. Mr. Speaker, I thank my friend and colleague from Texas (Mr. RATCLIFFE) for his work on this legislation, for his earlier generous comments, and for yielding me time as well. I also want to thank both him and the gentleman from Texas, MICHAEL MCCAUL, the full committee chairman, for their work on this legislation.

The Committee on Science, Space, and Technology shares jurisdiction with the Homeland Security Committee over the research and development programs carried out by the Department of Homeland Security. In the case of this bill, H.R. 3578, it is the R&D of the Department of Homeland Security Science and Technology Directorate, which was established by legislation that originated in the House Committee on Science, Space, and Technology.

The Committee on Science, Space, and Technology, likewise, shares jurisdiction of the bill we just considered, H.R. 3875. That bill will assess and plan DHS research and development of chemical, biological, radiological, nuclear, and explosives defenses.

Next year, the Committee on Science, Space, and Technology expects to continue to advance science and technology efforts to counter terrorist threats to the homeland.

In anticipation of today’s legislation, our committee exercised its jurisdiction by holding two hearings. In September of 2014, the Committee on Science, Space, and Technology’s Research and Technology Subcommittee held a joint DHS S&T Directorate oversight hearing with Homeland Security’s Cybersecurity, Infrastructure Protection, and Security Technologies Subcommittee.

The hearing focused on a series of Government Accountability Office reviews that found serious problems with management and coordination of R&D within the Department of Homeland Security. This includes fragmented and overlapping R&D programs and millions of taxpayer dollars spent on duplicative R&D projects.

The GAO recommended that the S&T Directorate develop stricter policies and guidance to help define, oversee, coordinate, and track R&D across the Department of Homeland Security.

The Committee on Science, Space, and Technology conducted a follow-up oversight hearing on October 27 of this year. At that hearing, Under Secretary Brothers described the progress made in its implementation of the GAO’s recommendations and updated us on the S&T Directorate’s initiatives to help DHS meet the full spectrum of threats.

The legislation before the House today reflects the work of the members of the Committee on Science, Space, and Technology and the Committee on Homeland Security to help the S&T Directorate meet a broad range of homeland security challenges by stretching the technological envelope.

The bill establishes a clear mission for the Directorate, updates its responsibilities, and requires strategy and R&D plans to prioritize addressing homeland threats. It also authorizes targeted cybersecurity R&D projects and creates new S&T integrated product teams to develop technological solutions to meet the Department’s mission areas and address threats to the homeland.

Last week’s horrifying terrorist attack in San Bernardino, California, just days after a terrorist attack in Paris, reminds us that this legislation is ultimately about defending the American people and our country from terrorists.

Again, I thank Chairman MCCAUL for taking the initiative with this critical legislation, and I thank the gentleman from Texas (Mr. RATCLIFFE) as well.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

In order to meet the needs of those on the front line of homeland security activities from Customs and Border Protection and the Transportation Security to local first responders, the Science and Technology Directorate must rapidly develop and deliver innovative solutions that advance DHS' mission.

I am convinced that the whole matter of cyber technology are the new frontier of terrorism and that this Department must be, as it has been, very well prepared with human personnel being on the front lines of the first responders, and must give them extra tools through S&T to help to further the mission of the security of this Nation. It is a complex and difficult mission.

H.R. 3578 puts S&T on a pathway to making smarter and quicker R&D investment in technology and tools that help our first responders do their jobs better and more effectively.

With that, I ask my colleagues to support H.R. 3578, and I thank the proponent of this legislation.

I yield back the balance of my time.

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

I thank the gentlewoman for her support and leadership in connection with this bill. I would also like to thank Chairman MCCAUL and Ranking Member THOMPSON for their leadership in moving this important bill forward.

Mr. Speaker, threats in technologies are always changing. This bill will help DHS S&T find strategic and focused technology options and innovative solutions to address homeland security capability gaps and threats to our homeland.

I, once again, urge all of my colleagues to support H.R. 3578, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill, H.R. 3578, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1600

STATE AND LOCAL CYBER PROTECTION ACT OF 2015

Mr. HURD of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3869) to amend the Homeland Security Act of 2002 to require State and local coordination on cybersecurity with the national cybersecurity and communications integration cen-

ter, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3869

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 "State and Local Cyber Protection Act of 2015".

SEC. 2. STATE AND LOCAL COORDINATION ON CYBERSECURITY WITH THE NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER.

(a) IN GENERAL.—The second section 226 of the Homeland Security Act of 2002 (6 U.S.C. 148; relating to the national cybersecurity and communications integration center) is amended by adding at the end the following new subsection:

“(g) STATE AND LOCAL COORDINATION ON CYBERSECURITY.—

“(1) IN GENERAL.—The Center shall, to the extent practicable—

“(A) assist State and local governments, upon request, in identifying information system vulnerabilities;

“(B) assist State and local governments, upon request, in identifying information security protections commensurate with cybersecurity risks and the magnitude of the potential harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of—

“(i) information collected or maintained by or on behalf of a State or local government; or

“(ii) information systems used or operated by an agency or by a contractor of a State or local government or other organization on behalf of a State or local government;

“(C) in consultation with State and local governments, provide and periodically update via a web portal tools, products, resources, policies, guidelines, and procedures related to information security;

“(D) work with senior State and local government officials, including State and local Chief Information Officers, through national associations to coordinate a nationwide effort to ensure effective implementation of tools, products, resources, policies, guidelines, and procedures related to information security to secure and ensure the resiliency of State and local information systems;

“(E) provide, upon request, operational and technical cybersecurity training to State and local government and fusion center analysts and operators to address cybersecurity risks or incidents;

“(F) provide, in coordination with the Chief Privacy Officer and the Chief Civil Rights and Civil Liberties Officer of the Department, privacy and civil liberties training to State and local governments related to cybersecurity;

“(G) provide, upon request, operational and technical assistance to State and local governments to implement tools, products, resources, policies, guidelines, and procedures on information security by—

“(i) deploying technology to assist such State or local government to continuously diagnose and mitigate against cyber threats and vulnerabilities, with or without reimbursement;

“(ii) compiling and analyzing data on State and local information security; and

“(iii) developing and conducting targeted operational evaluations, including threat and vulnerability assessments, on the information systems of State and local governments;

“(H) assist State and local governments to develop policies and procedures for coordinating vulnerability disclosures, to the ex-

tent practicable, consistent with international and national standards in the information technology industry, including standards developed by the National Institute of Standards and Technology; and

“(I) ensure that State and local governments, as appropriate, are made aware of the tools, products, resources, policies, guidelines, and procedures on information security developed by the Department and other appropriate Federal departments and agencies for ensuring the security and resiliency of Federal civilian information systems.

“(2) TRAINING.—Privacy and civil liberties training provided pursuant to subparagraph (F) of paragraph (1) shall include processes, methods, and information that—

“(A) are consistent with the Department's Fair Information Practice Principles developed pursuant to section 552a of title 5, United States Code (commonly referred to as the 'Privacy Act of 1974' or the 'Privacy Act');

“(B) reasonably limit, to the greatest extent practicable, the receipt, retention, use, and disclosure of information related to cybersecurity risks and incidents associated with specific persons that is not necessary, for cybersecurity purposes, to protect an information system or network of information systems from cybersecurity risks or to mitigate cybersecurity risks and incidents in a timely manner;

“(C) minimize any impact on privacy and civil liberties;

“(D) provide data integrity through the prompt removal and destruction of obsolete or erroneous names and personal information that is unrelated to the cybersecurity risk or incident information shared and retained by the Center in accordance with this section;

“(E) include requirements to safeguard cyber threat indicators and defensive measures retained by the Center, including information that is proprietary or business-sensitive that may be used to identify specific persons from unauthorized access or acquisition;

“(F) protect the confidentiality of cyber threat indicators and defensive measures associated with specific persons to the greatest extent practicable; and

“(G) ensure all relevant constitutional, legal, and privacy protections are observed.”.

(b) CONGRESSIONAL OVERSIGHT.—Not later than two years after the date of the enactment of this Act, the national cybersecurity and communications integration center of the Department of Homeland Security shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information on the activities and effectiveness of such activities under subsection (g) of the second section 226 of the Homeland Security Act of 2002 (6 U.S.C. 148; relating to the national cybersecurity and communications integration center), as added by subsection (a) of this section, on State and local information security. The center shall seek feedback from State and local governments regarding the effectiveness of such activities and include such feedback in the information required to be provided under this subsection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HURD) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HURD of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous material on the bill under consideration.

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

There was no objection.

Mr. HURD of Texas. Mr. Speaker, I yield myself such time as I may consume.

The need to address cybersecurity at the State and local levels is of the utmost importance. From our local DMV offices and courthouses to our critical infrastructure, the exploitable vulnerabilities and possible consequences are alarming.

Yet, in the cybersecurity realm, State and local governments often do not have access to the technical capabilities and training that the Federal Government does.

My bill, H.R. 3869, the State and Local Cyber Protection Act, is a critical step in the resolution of this problem.

In 2010, the National Governors Association released a statement on the importance of cybersecurity in protecting the ability of Federal, State, and local governments to perform their vital functions.

They stated:

“Due to the breadth and scope of the State role in entitlement services, facilitating travel and commerce, regulatory oversight, licensing and citizen services, states gather, process, store, and share extensive amounts of personal information. From cradle to grave, the states are the nexus of identity information for individuals. This makes the states prime targets for external and internal cyber threats.”

Cybersecurity is a shared responsibility involving all levels of government and the private sector. While much has been done over the last several years to improve the Nation's cybersecurity, a number of challenges remain. This bill would allow State and local governments access to the assistance, training, and tools, voluntarily and upon request, that are required to secure our Nation's information systems at every level.

This bill instructs the National Cybersecurity and Communications Integration Center, the NCCIC, at the Department of Homeland Security to coordinate with States and locals on securing their information systems.

The NCCIC will do so by assisting in the identification of system vulnerabilities and possible solutions for State and local information security systems.

They will be developing a Web portal to communicate available tools for States and locals, providing technical training for State and local cybersecurity analysts, providing assistance and implementing cybersecurity tools upon

request, providing privacy and civil liberties training, and informing States and locals on the current cybersecurity guidelines already developed at the Federal level.

Lastly, the State and Local Cyber Protection Act would require the NCCIC to seek feedback from State and local governments once the law is implemented and voluntary assistance has begun in order to gauge the effectiveness of these efforts and to ensure that progress is being made.

The Department of Homeland Security has a substantial responsibility to States and locals in the cyber realm as State and local systems host a wide range of sensitive PII and critical infrastructure data, making them especially attractive for cyberattacks. By reinforcing the relationship between DHS and State and local governments, we are supporting and urging for the continued development of cyber protection for our State and local governments.

I urge all Members to join me in supporting this bill.

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

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3869, the State and Local Cyber Protection Act of 2015.

Let me first of all thank the gentleman from Texas for his leadership in working on this legislation, to again acknowledge our chairs—Mr. McCAUL and Mr. THOMPSON—and also to acknowledge Mr. RATCLIFFE and Mr. RICHMOND for their leadership on this issue.

Mr. Speaker, the threat of the cyber attack is growing, and the damage caused by those attacks, whether it is the theft of personally identifiable information or the disruption of operations, is becoming more costly.

FEMA has identified cybersecurity as an area for national improvement in its National Preparedness Report every year since it was first published in 2012. That finding is based, in large part, on State self-assessments reflecting a lack of confidence in cybersecurity capabilities. The threat posed by criminal and terrorist hackers continues to evolve even as State and local governments work to gain a stronger footing in the cybersecurity mission area.

Let me say that this country continues to grow, continues to increase its population, and continues to become dependent on the cybersecurity infrastructure. Helping to engage State and local entities by training is a crucial, crucial action, if I might applaud the gentleman, but also say it is a very important mission for both the Homeland Security Department and the Committee on Homeland Security. The Department of Homeland Security has resources and capabilities that, when shared with State and local governments, can help them step up their games.

H.R. 3869, the State and Local Cyber Protection Act of 2015, would codify ongoing efforts by instructing the National Cybersecurity and Communications Integration Center, the NCCIC, and the Department of Homeland Security to coordinate with State and local governments and to, upon request, provide assistance to secure their information systems.

Information systems run water entities in our communities. I remember visiting one that was up on the Web, if you will, that could be altered by a cyber attack. This legislation would codify DHS' ongoing coordination effort to give assurances to State and local governments that DHS stands ready to partner with them to protect their network.

Under this bill, DHS is authorized to assist State and local governments to deploy technology capable of diagnosing and mitigating against cyber threats and vulnerabilities.

H.R. 3869 authorizes DHS to provide training to State and local entities regarding integrating policies to protect privacy and civil liberties into their cybersecurity efforts.

It is increasingly important that all levels of government be capable of identifying information system vulnerabilities and of protecting them from unauthorized access, disclosure, and disruption of data.

I will say to the gentleman from Texas (Mr. HURD) that we have always, as a committee, been reminded of privacy and civil liberties issues while also protecting the American people. To build that capability, the Federal Government has a role to play in assisting State and local entities by providing both technical training on cybersecurity and guidance on potential privacy and civil liberties implications.

Mr. Speaker, many stakeholders throughout the country have told us this bill is a vital, much-needed step in advancing national cybersecurity capabilities.

I urge all of my colleagues to support H.R. 3869.

Mr. Speaker, I support H.R. 3869, the State and Local Cyber Protection Act.

As a Senior Member of the Homeland Security Committee, and Ranking Member of the House Judiciary Committee's Subcommittee on Crime, Terrorism, Homeland Security and Investigations I am well aware of the terrorism and criminal risks to our nation's critical infrastructure, civilian and privacy computer networks.

For this reason, I introduced H.R. 85, the Terrorism Prevention and Critical Infrastructure Protection Act, which directs the Secretary of Homeland Security to work with critical infrastructure owners and operators and state, local, and territorial to take proactive steps to address All Hazards that would impact: national security; economic stability; public health and safety; and/or any combination of these.

This nation is presented with new challenges in confronting threats to our national security, and cybersecurity.

Critical infrastructure remains an essential area that must receive the needed attention to protect it against all threats and all-hazards.

Post-9/11 established the need to anticipate unexpected threats from a variety of sources. The nation must plan to be a step ahead of our enemies in order to effectively detect, deter, and defend against terrorist attacks in whatever form they may arise, including cyberattacks to our nation's critical infrastructure.

It is for these reasons that I proposed H.R. 85, the Terrorism Prevention and Critical Infrastructure Protection Act of 2015. This bill should it become law would greatly assist in our nation's ability to protect critical infrastructure from the worse effects of cyber-attacks.

The nation must be adequately prepared to fight cyber terrorism just as vigorously as we combat other form of terrorism carried out through physical violence. We can be prepared to meet and defeat cyber terrorism threats with legislative efforts like H.R. 85, which would offer tools to effectively address terrorist attacks against critical infrastructure.

The Terrorism Prevention and Critical Infrastructure Protection Act directs the Secretary of Homeland Security (DHS) to:

(1) better engage critical infrastructure owners and operators as volunteers for the purpose of coordination of communication among state, local, tribal, and territorial entities for the purpose of taking proactive steps to manage risk and strengthen the security and resilience of the nation's critical infrastructure against terrorist attacks;

(2) establish terrorism prevention policy to engage with international partners to strengthen the security and resilience of domestic critical infrastructure and critical infrastructure located outside of the United States;

(3) make available research findings and guidance to federal civilian agencies for the identification, prioritization, assessment, remediation, and security of their internal critical infrastructure to assist in the prevention, mitigation, and recovery from terrorism events.

The bill sets forth the terrorism protection responsibilities of the Department of Homeland Security as it relates to the Department's responsibility to protection and defends civilian agencies and private sector networks from cyber-attacks.

H.R. 85, Terrorism Prevention and Critical Infrastructure Protection Act also provides guidance to the Secretary of Homeland Security regarding actions to be taken to:

(1) facilitate the timely exchange of terrorism threat and vulnerability information as well as information that allows for the development of a situational awareness capability for federal civilian agencies during terrorist incidents;

(2) implement an integration and analysis function for critical infrastructure that includes operational and strategic analysis on terrorism incidents, threats, and emerging risks; and

(3) support greater terrorism cyber security information sharing by civilian federal agencies with the private sector that protects constitutional privacy and civil liberties rights.

Finally the bill directs the National Research Council to evaluate how well DHS is meeting the objectives of this Act.

I thank Chairman MCCAUL and Ranking Member THOMPSON for their support and collaboration in working with me to improve the bill for consideration by the Full Committee and ultimately the House of Representatives as we work to ensure safety, security, resiliency, trustworthiness of vital critical infrastructure networks, while at the same time ensuring

that data used for this purpose does not undermine the privacy and civil liberties of Americans.

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

Mr. HURD of Texas. Mr. Speaker, I have no further requests for time, so I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself the balance of my time.

In closing, I include for the RECORD an article dated October 19 from The Hill newspaper on boosting power grid defenses against ISIS.

[From The Hill, Oct. 19, 2015]

JACKSON LEE PUSHES TO BOOST POWER-GRID DEFENSES AGAINST ISIS

(By Katie Bo Williams)

Rep. Sheila Jackson Lee (D-Texas) on Friday called for action on a bill bolstering power-grid cybersecurity after a Department of Homeland Security (DHS) official said the Islamic State in Iraq and Syria (ISIS) is trying to hack American electrical power companies.

"No solace should be taken in the fact that ISIS has been unsuccessful," Jackson Lee said. "ISIS need only be successful once to have catastrophic impact on regional electricity supply."

Caitlin Durkovich, assistant secretary for infrastructure protection at DHS, told energy firm executives at an industry conference in Philadelphia last week that ISIS "is beginning to perpetrate cyberattacks."

Law enforcement officials speaking at the same event indicated that the group's efforts have so far been unsuccessful, thanks in part to a Balkanized power grid and an unsophisticated approach.

"Strong intent. Thankfully, low capability," said John Riggi, a section chief at the FBI's cyber division. "But the concern is that they'll buy that capability."

Jackson Lee, a senior member of the House Homeland Security Committee and ranking member on the Judiciary Committee's Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, in January introduced the Terrorism Prevention and Critical Infrastructure Protection Act.

The bill directs DHS to work with critical infrastructure companies to boost their cyber defenses against terrorist attacks, part of a swath of legislation that has attempted to codify the agency's responsibilities in that area.

Late last year, the Senate passed its version of the House-passed National Cybersecurity and Critical Infrastructure Protection Act.

The bill officially authorized an already-existing cybersecurity information-sharing hub at DHS.

Although a deadly attack on power plants or the electric grid—a "cyber Pearl Harbor"—is still only a hypothetical, experts warn critical infrastructure sites are increasingly at risk, as electric grids get smarter.

National Security Agency Director Michael Rogers told lawmakers last fall that China and "one or two" other countries would be able to shut down portions of critical U.S. infrastructure with a cyberattack. Researchers suspect Iran to be on that list.

In August, DHS announced the creation of a new subcommittee dedicated to preventing attacks on the power grid.

The new panel is tasked with identifying how well the department's lifeline sectors are prepared to meet threats and recover from a significant cyber event.

The committee will also provide recommendations for a more unified approach to state and local cybersecurity.

"There is a great deal that has been done and is being done now to secure our networks," Homeland Security Secretary Jeh Johnson told the House Judiciary Committee in July. "There is more to do."

Ms. JACKSON LEE. Mr. Speaker, State and local governments have been struggling to keep pace with the evolving threats posed by cyber breaches. They just cannot do it alone. We have the resources. This Department was crafted and designed to be able to reach out beyond these parameters to ensure that local governments and State governments felt that they were secure.

I believe that the enactment of H.R. 3869 would send a clear message about our commitment to helping State and local governments address the perennial cybersecurity challenges that permeate their providing services for their constituents, which have been identified every year, according to the National Preparedness Report.

In having formerly chaired this infrastructure committee, I know that the need still remains great and that we have an opportunity to keep building and improving on that resource.

Again, I urge my colleagues to vote "yes" on H.R. 3869.

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

Mr. HURD of Texas. Mr. Speaker, I yield myself such time as I may consume.

I concur with the gentlewoman. Once again, I urge my colleagues to support H.R. 3869.

I yield back the balance of my time. THE SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). The question is on the motion offered by the gentleman from Texas (Mr. HURD) that the House suspend the rules and pass the bill, H.R. 3869, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend the Homeland Security Act of 2002 to assist State and local coordination on cybersecurity with the national cybersecurity and communications integration center, and for other purposes."

A motion to reconsider was laid on the table.

FIRST RESPONDER IDENTIFICATION OF EMERGENCY NEEDS IN DISASTER SITUATIONS

Mr. HURD of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2795) to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2795

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 “First Responder Identification of Emergency Needs in Disaster Situations” or the “FRIENDS Act”.

SEC. 2. CIRCUMSTANCES WHICH MAY IMPACT FIRST RESPONDERS DURING A TERRORIST EVENT.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that describes select State and local programs and policies, as appropriate, related to the preparedness and protection of first responders. The report may include information on—

(1) the degree to which such programs and policies include consideration of the presence of a first responder’s family in an area impacted by a terrorist attack;

(2) the availability of personal protective equipment for first responders;

(3) the availability of home Medkits for first responders and their families for biological incident response; and

(4) other related factors.

(b) CONTEXT.—In preparing the report required under subsection (a), the Comptroller General of the United States may, as appropriate, provide information—

(1) in a format that delineates high risk urban areas from rural communities; and

(2) on the degree to which the selected State and local programs and policies included in the report were developed or are being executed with funding from the Department of Homeland Security, including grant funding from the State Homeland Security Grant Program or the Urban Area Security Initiative under sections 2002 and 2003, respectively, of the Homeland Security Act of 2002 (6 U.S.C. 603 and 604).

(c) HOMELAND SECURITY CONSIDERATION.—After issuance of the report required under subsection (a), the Secretary of Homeland Security shall consider the report’s findings and assess its applicability for Federal first responders.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HURD) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HURD of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous material on the bill under consideration.

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

There was no objection.

Mr. HURD of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise today to support H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations.

Our country continues to be resilient because of the men and women who keep us safe every day by putting their lives on the line. We can thank them by ensuring they have sufficient resources to do their jobs.

H.R. 2795 will take a national snapshot of the current policies and programs that support first responders and their families in the event of a terrorist attack.

By requiring the Government Accountability Office to report this national snapshot to Congress and to the Department of Homeland Security, we will have a better understanding of the support surrounding our first responders and their families.

Both the National Association of State Emergency Medical Services Officials and the International Association of Fire Chiefs are endorsing this legislation because it promotes the critical work our first responders are always prepared to do despite the challenges they face. Events like the Ebola scare that hit the U.S. in 2014 alerted us to the impact these events have not only had on our first responders, but also on their families.

I thank Ms. JACKSON LEE for introducing this legislation and for working with the Committee on Homeland Security to promote this important issue.

I urge all Members to join me in supporting this bill.

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

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations, or the FRIENDS Act, as we have been very happy to call it as we have crafted it.

First responders are our Nation’s heroes. We know that we are gathering together in these final weeks to make sure that we pass the 9/11 health bill that provided for those who stood in the face of danger during the tragedy of 9/11.

We know that first responders run into burning buildings, that they rescue people trapped by dangerous floods, that they put themselves in harm’s way to protect others, and that, as we well know in these times, they deal with terrorism.

Just last week, in San Bernardino, we saw brave first responders heroically pursue two individuals who were fleeing from the scene of a deadly attack at an office holiday party.

We also know that, at the site of that incident, we saw a massive number of first responders who were going toward the building. Not knowing the threat or whether or not the individuals who had created this massacre were still there or how many there were, they ran toward the building.

To do their jobs, first responders must leave their homes and families while the rest of us cling to ours. Whether it was to deal with the aftermath of a terrorist attack, like the attacks of September 11, or to give support during a catastrophic disaster, like Hurricane Katrina, first responders bravely leave home to save others.

I had firsthand experiences of both of those incidences, one, a natural disaster and, one, a terrorist act.

I watched as firefighters stayed day after day after day and would not remove themselves because they were engaged in recovering their colleagues—their brothers and sisters—and those others who had perished. They stayed day after day.

That was a great hardship on those families. We know the stories. We know that some of them were dealing with situations in which they may have been the only parent or the only guardian.

In the situation of Katrina, I saw the Coast Guard stay in the area time after time and the National Guard and other first responders come from all over the country and from even all over the world to be able to help those who were in need, and they stayed a very long time.

Unfortunately, today first responders are asked to answer the call to action without knowing whether their families will be safe as they work to rescue others. Our first responders deserve better.

□ 1615

The FRIENDS Act directs the Government Accountability Office to conduct a comprehensive review of policies and programs designed to ensure that first responders are able to do their job safely and effectively by assessing, among other things, measures to ensure first responder families are safe and the availability of personal protective equipment is there.

During committee consideration of the FRIENDS Act, my friend from New York (Mr. HIGGINS) offered an amendment to authorize GAO to evaluate the availability of home med kits for first responders and their families in assessing the preparedness of first responders, maybe even being able to take care of their neighborhood or their family or themselves in the course of these disasters. I am pleased to support the Higgins amendment, and I believe it adds to the bill.

H.R. 2759 also directs GAO to distinguish policies available in high-risk urban areas, which may be better resourced, and rural areas where efforts to ensure preparedness for first responders and their families may require creative leveraging of resources. Many of those areas have volunteer fire departments and volunteers who need the assistance from this act. This provision will ensure that the information included in the report will be applicable and adaptable by various communities across the country as they work to better protect their protectors and to give them the support system that they need.

Additionally, the FRIENDS Act directs the Secretary of Homeland Security to review GAO’s findings and assess whether policies identified could be applicable to Federal first responders. The FRIENDS Act has been endorsed by the International Association of Fire Chiefs, as well as the National Association of State EMS Officials, and the International Emergency

Management Society, along with others.

Before I conclude, I would like to thank Ranking Member THOMPSON and Chairman MCCAUL for their help in bringing this important legislation to the floor. Let me also thank the ranking member and chairman of the emergency preparedness committee and all of jurisdictional committees that helped contribute to this. Let me also acknowledge the staffs on both sides of the aisle who were enormously effective in helping to bring about this bill.

I want to thank Mr. HOYER, who for many, many years was a co-chair of the Congressional Fire Service Caucus on which I participated with him over those years, for his stated support of this legislation.

Mr. Speaker, as a senior member of the Homeland Security, and the author and sponsor, I am proud to rise in strong support of H.R. 2795, the "First Responder Identification of Emergency Needs in Disaster Situations of 2015," or the "FRIENDS Act."

I thank Chairman MCCAUL and Ranking Member THOMPSON for their cooperation, assistance, and support in shepherding this important legislation to the floor.

I appreciate Congressman PAYNE, the Ranking Member of the Homeland Security Subcommittee on Emergency Preparedness, Response, and Communications, for his original co-sponsorship and strong support of the FRIENDS Act.

The FRIENDS Act embodies the important and fundamental idea that we have an obligation to ensure that the first responders who protect our loved ones in emergencies have the peace of mind that comes from knowing that their loved ones are safe while they do their duty.

The FRIENDS Act, which reflects stakeholder input and bipartisan collaboration with the Majority, is an example of what can be achieved for the American people when Members of Congress put the public interest ahead of partisan interests.

I thank the International Association of Fire Chiefs, the National Association of State EMS Officials, and the International Emergency Management Society for their valuable assistance and input regarding the FRIENDS Act.

I thank Kay Goss, the President of the International Emergency Management Society, who provided technical assistance during the bill's drafting process on the work of first responders to prepare for catastrophic events.

Kay Goss was Associate FEMA Director in charge of National Preparedness, Training, and Exercises during the Clinton Administration, the first woman confirmed by the Senate to serve in that position.

I am passionate about the work of those who dedicate themselves to public service.

I hold in high regard the service of firefighters, law enforcement officers, emergency response technicians, nurses, emergency room doctors, and the dozens of other professionals who are the ultimate public servants.

Few persons outside their ranks truly understand why and how first responders are able to do what they do every day—voluntarily and cheerfully risk placing their lives in harm's way to save a stranger.

First responders, whether as law enforcement officers, fire fighters, search and rescue

workers, or emergency medical technicians make our lives safer, often at considerable risk to their personal safety.

H.R. 2795 provides Congress an opportunity to let our first responders know that we do recognize and understand that they have families and loved ones who they must leave behind when they are called to duty.

The GAO study that will be provided as a result of this bill will shed light on what is being done by local and state governments to address the needs of first responder families when threats like Hurricanes Sandy, Hugo, and Katrina hit communities, or when a terrorist attack like the ones seen in New York and Boston occur.

The report called for by the FRIENDS Act will also provide information on the availability of personal protective equipment for first responders.

The issue of personal protective equipment was an acute problem for front line first responders during last year's Ebola crisis.

First responders including EMTs, emergency room doctors and nurses, as well as law enforcement and fire department professionals who responded to emergencies were in need of guidance on how to effectively treat a person with Ebola without becoming infected.

I joined members of the House Committee on Homeland Security in a Full Committee field hearing last year in Dallas, Texas, shortly after the first case of Ebola was diagnosed in the United States.

That patient, Eric Duncan, lived in the Dallas area and was treated at a local hospital, but died of the illness.

As a result of coming in contact with Mr. Duncan two nurses at the hospital where he was treated became ill with the disease.

During the Dallas field hearing, I brought to the attention of the House Homeland Security Committee a letter from National Nurses United transmitting the results of a survey of nurses, which found that:

1. Nearly 80 percent of respondents agreed that their hospital had not communicated to them any policy regarding potential admission of patients infected by Ebola;

2. 85 percent of respondents agreed that their hospital had not provided education on Ebola to enable nurses to interact with patients safely;

3. One-third of respondents reported that their hospital had insufficient supplies of eye protection (face shields or side shields with goggles) and fluid resistant/impermeable gowns; and

4. Nearly 40 percent of respondents agreed that their hospital did not have plans to equip isolation rooms with plastic covered mattresses and pillows and to discard all linens after use; fewer than 1 in 10 respondents reported that they were aware their hospital had such a plan in place.

The Centers for Disease Control and a few hospitals around the country with infectious disease units knew the right protocols and had the right protective gear to be used when treating an Ebola patient.

Ebola in the United States was a frightening thought for many, but I think we saw the best of what first responders do each day—our doctors and nurses went to work and treated the sick and did what they always do—take care of those in need.

In unanimously reported the FRIENDS Act favorably to the House, the Homeland Security

Committee voted to support first responders and the people who love them and need them most, their families.

The FRIENDS Act will help ensure that our healthcare workers, EMTs, firefighters, law enforcement, and other local, state, and federal first responders can answer the call of duty secure in the knowledge that they will have what they need in the way of health kits or an emergency response plan to enable them to perform their duty and return home safely to their families and loved ones.

The GAO's comprehensive review of the range of policies and programs in place at the State level to address the preparedness and protection of first responders will also delineate high risk urban areas from rural communities; and the degree to which selected state policies were developed or executed with funding from the DHS Grant Programs or Urban Area Security Initiative authorized by the Homeland Security Act.

The GAO Report's focus on the presence of the family of first responders in an area affected by a terrorist attack and the availability of personal protective equipment is essential.

This will be the first report that focuses on the family as a critical factor that should be considered in the work of first responders during times of crisis such as a terrorist attack or public emergency.

The issue of families in areas that may be impacted by terrorist attack or other crisis was highlighted by the Ebola crisis in Dallas, Texas last year.

According to Dallas County Judge Clay Jenkins, who managed the crisis, one of the chief concerns of first responders was keeping their families safe.

Judge Jenkins recounted that discrimination against first responders and their families was a real concern because it was known that EMTs and the firefighters accompanying them responded to the home of the first known Ebola victim in the United States, Eric Duncan.

People were so fearful for themselves and their children's health regarding possible means of contracting Ebola they did not want their children attending a school with the child of first responders who might come into contact with Ebola victims.

For this reason, Judge Jenkins requested the Commissioner of Public Health, the top Ebola expert in the United States, and the Dallas County Medical Society explain to the public that there was a zero percent chance of transmission of Ebola in that scenario.

In Dallas County and around the nation first responders expressed concerns regarding their lack of knowledge about the disease, as well as not having the right type of protective equipment to ensure their safety in managing the care of possible Ebola victims.

These are certainly factors that one would expect to weigh on a first responder called to respond to a terrorist attack or unprecedented emergency.

The bravery or dedication of first responders is not in question—they are the people who run into burning buildings to save people whom they may never have met.

The FRIENDS Act is a small token of the nation's gratitude and appreciation for all first responders do keep us safe.

Finally, Mr. Speaker, I wish to acknowledge and thank Natalie Matson and her colleagues on the Homeland Security Committee's majority staff, Moira Bergin and her colleagues with

the Minority staff, and Lillie Coney of my personal staff for their technical expertise and great work on H.R. 2795.

I urge all Members to support the nation's first responders and vote to pass H.R. 2795, the FRIENDS Act.

I reserve the balance of my time.

Mr. HURD of Texas. Mr. Speaker, I have no further speakers, so I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I am prepared to close since I have no further speakers, and I yield myself the remaining time.

One of the things that we wanted to do in the course of this legislation is to make sure that the stakeholders were fully informed and thought this would be a constructive addition to their ability to serve the public and to be on call and to be away for long periods of time from their families, which they have been called to do.

As I begin to reflect, I reflected on the wildfires in the West, the enormous flooding that we have had, and certainly we cannot forget the issues dealing with terrorism. The terrorism investigations, as individuals who are victims are buried in California, the first responders, law enforcement, and others are still on the job investigating what is occurring.

So, Mr. Speaker, I include a series of letters into the RECORD from the National Organization of Black Law Enforcement Executives, who are indicating the importance of this legislation; a letter from the Office of the Mayor of the City of Houston, Mayor Annise Parker, who indicates that as first responders risk their lives in responding to terrorist attacks and other emergencies, they and their families are at increased risk; from the Houston Professional Fire Fighters, Association Local 341, who have written on behalf of the 3,800 men and women of the Houston Fire Department, indicating the need for this legislation to protect their families; from the National Association of State EMS Officials, the International Association of Fire Chiefs on behalf of nearly 11,000 fire service leaders for introducing this legislation that would provide adequate preparedness for their families; and an article which is entitled "Family Versus Duty: Personal and Family Preparedness Law Enforcement Organizational Resilience."

NATIONAL ORGANIZATION OF
BLACK LAW ENFORCEMENT EXECUTIVES,
Alexandria, VA, December 9, 2015.

Hon. SHEILA JACKSON LEE,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSWOMAN JACKSON LEE: On behalf of the National Organization of Black Law Enforcement Executives (NOBLE), our Executive Board, local chapters, and members, I am writing to express support for H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations (FRIENDS) Act. Our nation's first responders risk their lives in responding to terrorist attacks, natural disasters, and other emergencies. Consequently, they and their families may be at increased risk due to exposures they face in responding to disasters.

Directing the Government Accountability Office to prepare a report that examines the preparedness and protection of first responders and their families, including an assessment of the grant funding available, will serve an important function by evaluating existing resources to protect first responders and their families and the need for additional resources.

NOBLE feels that it is important that we equip our first responders to protect our communities while also ensuring that their families are safe.

Sincerely,

—
DWAYNE A. CRAWFORD,
Executive Director,
NOBLE.

—
OFFICE OF THE MAYOR,
CITY OF HOUSTON,
Houston, TX, December 7, 2015.

Hon. SHEILA JACKSON LEE,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSWOMAN JACKSON LEE: I am writing to express my support for H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations (FRIENDS) Act. Our nation's first responders risk their lives in responding to terrorist attacks and other emergencies, and they and their families may be at increased risk because of exposure they face in responding to disasters. Directing the Government Accountability Office to prepare a report that examines the preparedness and protection of first responders and their families, including an assessment of the grant funding available, will serve an important function by evaluating existing resources to protect first responders and their families and the need for additional resource.

We live in challenging times with the threat of terrorist attacks, and it is critical that we are prepared and that we best equip our first responders to protect our cities while at the same time ensuring that their families are safe.

Thank you for advancing this important legislation.

Sincerely,

—
ANNISE D. PARKER,
Mayor.

—
HOUSTON PROFESSIONAL FIRE
FIGHTERS ASSOCIATION LOCAL 341,
Houston, TX, December 7, 2015.

Hon. SHEILA JACKSON LEE,
House of Representatives, Rayburn House Office
Building, Washington, DC.

DEAR REPRESENTATIVE JACKSON LEE, On behalf of the 3,800 men and women of the Houston Professional Fire Fighters Association, IAFF Local 341, I thank you for your leadership on H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations (FRIENDS) Act.

HPFFA members and our families appreciate your commitment to helping ensure that first responders' families will be prepared in the event of large-scale natural disasters, health crises, or terrorist attacks.

Thank you for introducing the FRIENDS Act.

Please let us know if you need anything else.

Sincerely,

—
ALVIN W. WHITE, JR.,
President.

NATIONAL ASSOCIATION OF
STATE EMS OFFICIALS,
Falls Church, VA, September 28, 2015.
Re: Expressing Support for the Jackson Lee
Amendment in the Nature of a Sub-
stitute to H.R. 2795.

Hon. MICHAEL T. MCCAUL,
Chairman, House Committee on Homeland Security,
House of Representatives, Washington,
DC.

Hon. MARTHA MCSALLY,
*Chairman, Subcommittee on Emergency Pre-
paredness, Response, and Communications,*
House of Representatives, Washington, DC.

Hon. BENNIE G. THOMPSON,
*Ranking Member, House Committee on Home-
land Security, House of Representatives,*
Washington, DC.

Hon. DONALD M. PAYNE,
Ranking Member, Subcommittee on Emergency
Preparedness, Response, and Communica-
tions, House of Representatives, Wash-
ington, DC.

We are writing to express our support for the Jackson Lee Amendment in the Nature of a Substitute titled, the "Families of Responders Identification of Emergency Needs in Designated Situations" or the "FRIENDS Act." This bill would provide an important report on the state of family support planning for the families of first responders.

We believe that Federal family support planning is important to homeland security because this area of continuity of operations planning addresses the health and safety needs of first responder families during terrorist attacks or incidents as well as other emergencies. The FRIENDS Act will be an important first step in engaging the first responder community on the role of family in preparedness and continuity of operations.

The FRIENDS Act would also engage first responder organizations to get their perspectives on best practices in family support planning programs on the local and state levels.

For these reasons, we support the FRIENDS Act of 2015.

Sincerely,

—
PAUL R. PATRICK,
President.

INTERNATIONAL ASSOCIATION OF
FIRE CHIEFS,
Fairfax, VA, November 3, 2015.

Hon. SHEILA JACKSON LEE,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE JACKSON LEE: On behalf of the nearly 11,000 fire service leaders of the International Association of Fire Chiefs (IAFC), I would like thank you for introducing your substitute amendment to H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations (FRIENDS) Act. The IAFC supports this legislation, because it will examine an important issue facing the nation's first responders during a major terrorist attack: adequate preparedness for the first responders' families.

During a major terrorist attack, fire, law enforcement and EMS officials will be called upon to take heroic actions to protect the public and provide fire and emergency medical response. In the case of a large-scale incident or biological attack, the families of these first responders also will be at risk. Based on the experience of IAFC members during the response to Hurricanes Katrina and Rita and last year's response to potential Ebola incidents in the United States, I know that the welfare of the first responders' families weighs heavily on them as they serve the public. It is important that federal, state, and local officials make plans to provide for the safety of first responders' families in order to ensure strong morale among

local fire, law enforcement, and EMS officials during a major terrorist attack.

The IAFC thanks the House Homeland Security Committee for considering this substitute amendment to H.R. 2795. It would direct the Government Accountability Office (GAO) to examine planning for first responders' families during terrorist attacks. We urge the GAO to highlight effective plans, so that other jurisdictions can learn from them. We also support Representative Higgins' amendment to make minor changes to the bill, including examining the use of med-kits for first responders' families.

Thank you for introducing this important legislation. The IAFC urges the House Homeland Security Committee to pass both this substitute amendment and the Higgins amendment. We look forward to working with you to pass this legislation in the House of Representatives.

Sincerely,

FIRE CHIEF RHODA MAE KERR,
EFO, CFO, MPA,
President and Chair of the Board.

FAMILY VS. DUTY: PERSONAL AND FAMILY PREPAREDNESS FOR LAW ENFORCEMENT ORGANIZATIONAL RESILIENCE

It has been more than four years since Hurricane Katrina opened our eyes to the personal struggles faced by law enforcement officers in the wake of disaster. The law enforcement response to Hurricane Katrina brought to the forefront the challenges that ensue when the intended responders become victims. Many law Enforcement Officers had to make the choice between their responsibility to their families and their duties as police officers. As law enforcement officers, how do we balance the needs and safety of our families with our duty to respond in a crisis? As employers and managers of law enforcement officers what are our responsibilities to our employees and their families in developing and maintaining personal and family preparedness? What steps can be taken by organizations to increase employee and family preparedness of law enforcement personnel?

This article provides an overview of personal and family preparedness of police officers and its relationship to law enforcement organizational readiness. The role of the law enforcement agency in developing and supporting personal and family preparedness will also be reviewed. The overall goal of this article is to develop the general elements of an effective program for law enforcement agencies that advances the personal and family preparedness of law enforcement officers to increase the likelihood that officers will report in emergency situations.

HURRICANE KATRINA: PREPAREDNESS AND ORGANIZATIONAL EFFECTIVENESS

The New Orleans Police Department (NOPD) faced a multitude of challenges in efforts to respond to the impact of Hurricane Katrina that resulted in an "almost total loss of police capabilities in New Orleans." The official reports crafted in the wake of the disaster identify several issues that led to the "collapse of law enforcement." These identified problems included "missing police officers led to a law enforcement manpower shortage." While there were some officers who were derelict in their duties in failing to report, the vast majority had become victims themselves, or dealt with family crises related to the disaster, making it difficult or impossible to report for duty. There are estimates that as much as 5 percent of the NOPD force were stranded at home. Other elements, including the technological failures of electric power grids, communications systems, etc., can be overcome through effective continuity planning. The loss of signifi-

cant numbers of personnel through their failure to report is completely debilitating for the law enforcement function. Regardless of the technological enhancements, policing is accomplished by people, without them there is no maintenance of civil order.

PREVIOUS RESEARCH: ABILITY AND WILLINGNESS TO REPORT

Although the conditions faced by NOPD in its efforts to respond to Hurricane Katrina were of a scale not seen in our modern history, ensuring that personnel are willing and able to report for assignment is critical. This is an easier task when notice of the potential crisis, such as an approaching Hurricane, is known for several days in advance. Developing the organizational agility for officers to report in sudden unexpected conditions is more challenging.

There has been little research conducted directly on the ability and willingness of police officers to report in crisis situations. There have been several studies conducted in the public health and healthcare community, and limited studies among firefighters and emergency medical technicians. While there are many parallels that can be drawn across first response organizations, each has unique challenges in different emergency situations that may impact the willingness of responders to report.

There are two studies that have been conducted on the ability and willingness of law enforcement officers to report in disaster. A 2007 study of police officers in the Washington, DC area by Demme revealed that family preparedness and safety were the determinant factors in the ability and willingness of law enforcement officers to report for duty in the event of a biological incident. In an unpublished study, Nestal (2005) examined the ability and willingness of police officers in Philadelphia to respond using the National Planning Scenarios outlined in Department of Homeland Security preparedness guidance. The planning scenarios presented fifteen disaster situations that range from natural disasters to terrorist attacks. The study revealed that based on the given scenario, 55-66 percent of police officers reported they would refuse to adhere to an emergency recall or would consider abandoning their position based upon concerns for the safety of their family.

These studies illustrate the importance of family preparedness to the resilience of law enforcement agencies in disaster. Although further research is needed, these studies make employee and family preparedness impossible to ignore in overall agency preparedness efforts.

THE ROLE OF THE EMPLOYER IN EMPLOYEE AND FAMILY PREPAREDNESS

A recent study by Landahl & Cox (2009) examined the actions being taken by first response organizations related to employee and family preparedness and the attitudes and opinions of senior leaders on the role of the employer in the development of employee and family preparedness. The study showed that 97 percent of homeland security leaders identified that employee and family preparedness is an essential element to organizational resilience during large-scale emergencies. In addition, the results showed that a majority (52.9 percent) reported that organizations should be prepared to assume some responsibility for the care of essential employees and their families. The study concluded that "there is a fundamental disconnect between problem recognition by homeland security leaders and organizational activities; only 29 percent of participants reported their organizations had conducted training in or had written plans to support employees and families during disaster."

Essentially, the problem has been recognized, but little has been accomplished towards a solution. Although the issue of employee and family preparedness was exposed during the response to Hurricane Katrina and recognized through research, the issue remains absent from Department of Homeland Security planning and preparedness guidance.

IMPLEMENTING POLICY TO INCREASE PERSONAL AND FAMILY PREPAREDNESS

Law enforcement agencies train officers for confrontations, teach them how to investigate crimes and help them develop skills to earn promotions. However, as leaders we fail to teach our officers how to prepare their families and themselves if they are called to duty during a crisis. To improve the chances that law enforcement officers will be in a position to make the decision to report in a crisis situation, leaders should develop clear expectations through policy and planning; including a Mission Statement and Strategic Plan. According to Whisenand, the agencies that have gone through difficult times, managerially, have had three things in common. Each of these agencies exhibited signs of a lack of leadership, an absence of a shared vision and their strategic plans were either poorly developed or had not been established. Therefore, administrators should create a clear policy for their officers so expectations are established before disaster strikes.

Such a policy should include the following:

EMERGENCY RECALL GUIDELINES

Clear emergency recall guidelines allow officers to understand the methods and expectations following the notification of off-duty personnel to return to work. The policy should establish how the decision will be made, how officers will be contacted, reporting locations, and expected time from notification to reporting. Notifications may be accomplished through radio communication, telephone contact, pagers, or media utilizing the Emergency Alert System. These guidelines also establish who is exempt from returning. This may include officers who are on vacation, sick leave, or military duty.

HOLD-OVER GUIDELINES

These guidelines establish the process for extending the tour of on-duty personnel. This should include the decision process, which personnel may be affected.

SCHEDULE ASSIGNMENTS

While maintaining the flexibility to respond to a variety of incidents, expected emergency pre-planned shift assignments should be communicated to personnel. For example, agencies may choose to implement 12-hour A/B platoon shifts. The expectation should be communicated to personnel in order to facilitate personal and family preparedness planning.

LEVELS OF MOBILIZATION

Levels of mobilization should be established to set parameters for how many personnel will report for duty. Will the entire department report or will it be selected divisions, or specialized units that will be mobilized.

CIVILIAN SUPPORT STAFF

Communicating policies and roles for support staff is critical to emergency operations. They must be included in policies and personal and family preparedness process.

LOGISTICAL SUPPORT

Roles and responsibilities for logistical support of law enforcement operations in disasters need to be clearly defined. The Senate Hurricane Katrina report indicated that there were deficiencies in that there "did not appear to be any pre-planning for food,

water, weapons, and medical care." Officer's need to know how they will be supported during disaster operations, will they have off-shift food and lodging available? Concerns about on-duty and off-duty support may impact officers' willingness to report for assignment. The clear articulation and communication of support that officers can expect will allow for personal and family planning, strong support efforts may increase response rates.

FAMILY SUPPORT

Agencies must determine their level of commitment to support officer families and communicate the expected relationship between the organization and families to officers. There is a range of support that agencies can provide to families ranging from basic home logistical support to providing a shelter to locate officers' families during a disaster or an emergency situation. If agencies do not plan to provide support to families, they must communicate this expectation and prepare officers and families to be self-sufficient. The decision to provide no support to families may impact recall and dereliction of duty rates.

ANTICIPATED EMERGENCIES

Following their experience in Hurricane Katrina, the NOPD took a different approach in preparing officers to report for duty prior to Hurricane Gustav in 2008. NOPD provided employees paid time off to prepare and evacuate their families if necessary before reporting for duty. The effectiveness of the strategy on response rates could not be measured as Hurricane Gustav largely missed New Orleans. Pre-incident policies such as time off to prepare should be considered and communicated to personnel.

POLICY ENFORCEMENT/DISCIPLINE GUIDELINES

Policy should clearly articulate the consequences when officers elect not to report for duty. Leaders must deal decisively with the issue. The failure of the chief executive to address such cases could erode confidence in their ability to maintain discipline within the department. Failure to enforce can also call into question the importance of such a policy.

TRAINING AND EXERCISE

Training in emergency policies should occur at least on an annual basis and be reinforced regularly by supervisory personnel. Training should include instruction in the development of personal and family preparedness plans and emergency kits. Emergency exercises should include the extension to families, in order for officers to engage their families in the potential impact of agency emergency operations on the home.

CONCLUSION

The general public and agency leadership have the expectation that law enforcement officers report for duty when significant events or crises occurs. An established policy that includes protocols, training, clear organizational mission, and communication of the expected relationship between agencies and families of officers can help officers prepare and facilitate the decision to report for duty. Agency executives must place high organizational value on personal and family preparedness and reinforce it through training, exercise, and the supervision process. Provisions for the safety of officers' families should be a key component of a plan. Planning and policy development can steer the organizational culture to a culture of preparedness that include the families of our most critical asset; our people.

Ms. JACKSON LEE. Mr. Speaker, as I began, let me thank the first responders of this Nation and thank their families for the sacrifice that they make.

Our first responders rush into dangerous conditions to protect us. They deserve to have the peace of mind that their families are safe as they courageously help others and other families during disaster and crisis. Now, their plate is enhanced. It is fuller dealing with not only these disasters, but the potential of a terrorist act.

So I want to extend my gratitude to all of those who have offered their support, again, in particular, the International Association of Fire Chiefs for their support in working with us.

I urge my colleagues to support H.R. 2795.

I yield back the balance of my time.

Mr. HURD of Texas. Mr. Speaker, I yield myself the remaining time.

I, once again, urge my colleagues to support H.R. 2795.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (H.R. 2795) that the House suspend the rules and pass the bill, H.R. 2795, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. HURD of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 2250, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2016

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 114-378) on the resolution (H. Res. 560) providing for consideration of the conference report to accompany the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, and providing for consideration of the Senate amendments to the bill (H.R. 2250) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3578, by the yeas and nays;

H.R. 2795, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

DHS SCIENCE AND TECHNOLOGY REFORM AND IMPROVEMENT ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3578) to amend the Homeland Security Act of 2002 to strengthen and make improvements to the Directorate of Science and Technology of the Department of Homeland Security, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 17, as follows:

[Roll No. 687]

YEAS—416

Abraham	Clay	Fleischmann
Adams	Cleaver	Fleming
Aderholt	Clyburn	Flores
Allen	Coffman	Forbes
Amash	Cohen	Fortenberry
Amodei	Cole	Foster
Ashford	Collins (GA)	Fox
Babin	Collins (NY)	Frankel (FL)
Barletta	Comstock	Franks (AZ)
Barr	Conaway	Frelinghuysen
Barton	Connolly	Fudge
Bass	Conyers	Gabbard
Beatty	Cook	Gallego
Becerra	Cooper	Garamendi
Benishek	Costa	Garrett
Bera	Costello (PA)	Gibbs
Beyer	Courtney	Gibson
Bilirakis	Cramer	Gohmert
Bishop (GA)	Crawford	Goodlatte
Bishop (MI)	Crenshaw	Gosar
Bishop (UT)	Crowley	Gowdy
Black	Cuellar	Graham
Blackburn	Culberson	Granger
Blum	Cummings	Graves (GA)
Blumenauer	Curbelo (FL)	Graves (LA)
Bonamici	Davis (CA)	Graves (MO)
Bost	Davis, Danny	Green, Al
Boustany	Davis, Rodney	Green, Gene
Brady (PA)	DeFazio	Griffith
Brady (TX)	DeGette	Grothman
Brat	Delaney	Guinta
Bridenstine	DeLauro	Guthrie
Brooks (AL)	DelBene	Gutiérrez
Brooks (IN)	Denham	Hahn
Brown (FL)	Dent	Hanna
Brownley (CA)	DeSantis	Hardy
Buchanan	DeSaulnier	Harper
Buck	DesJarlais	Harris
Bucshon	Deutch	Hartzler
Burgess	Diaz-Balart	Hastings
Bustos	Dingell	Heck (NV)
Butterfield	Doggett	Heck (WA)
Byrne	Dold	Hensarling
Calvert	Donovan	Herrera Beutler
Capps	Doyle, Michael	Hice, Jody B.
Capuano	F.	Higgins
Cárdenas	Duckworth	Hill
Carney	Duffy	Himes
Carson (IN)	Duncan (SC)	Hinojosa
Carter (GA)	Duncan (TN)	Holding
Carter (TX)	Edwards	Honda
Cartwright	Ellison	Hoyer
Castor (FL)	Elmers (NC)	Hudson
Castro (TX)	Eshoo	Huelskamp
Chabot	Esty	Huffman
Chaffetz	Farenthold	Huizenga (MI)
Chu, Judy	Farr	Hultgren
Clark (MA)	Fattah	Hunter
Clarke (NY)	Fincher	Hurd (TX)
Clawson (FL)	Fitzpatrick	Hurt (VA)

Israel	Meng	Shakowsky
Issa	Messer	Schiff
Jackson Lee	Mica	Schrader
Jeffries	Miller (FL)	Schweikert
Jenkins (KS)	Miller (MI)	Scott (VA)
Jenkins (WV)	Moolenaar	Scott, Austin
Johnson (GA)	Mooney (WV)	Scott, David
Johnson (OH)	Moore	Sensenbrenner
Johnson, E. B.	Moulton	Serrano
Jolly	Mullin	Sewell (AL)
Jones	Mulvaney	Sherman
Jordan	Murphy (FL)	Shimkus
Joyce	Murphy (PA)	Shuster
Kaptur	Nadler	Simpson
Katko	Napolitano	Sires
Keating	Neal	Slaughter
Kelly (IL)	Neugebauer	Smith (MO)
Kelly (MS)	Newhouse	Smith (NE)
Kelly (PA)	Noem	Smith (NJ)
Kennedy	Norcross	Smith (TX)
Kilmer	Nugent	Smith (WA)
Kind	Nunes	Speier
King (IA)	O'Rourke	Stefanik
King (NY)	Olson	Stewart
Kinzinger (IL)	Palazzo	Stivers
Kirkpatrick	Pallone	Stutzman
Kline	Palmer	Swalwell (CA)
Knight	Pascrell	Takai
Kuster	Paulsen	Takano
Labrador	Payne	Thompson (CA)
LaHood	Pearce	Thompson (MS)
LaMalfa	Pelosi	Thompson (PA)
Lamborn	Perlmutter	Thornberry
Lance	Perry	Tiberi
Langevin	Peters	Tipton
Larsen (WA)	Petersen	Titus
Larson (CT)	Pingree	Tonko
Latta	Pittenger	Torres
Lawrence	Pitts	Trott
Lee	Pocan	Tsongas
Levin	Poe (TX)	Turner
Lewis	Poliquin	Upton
Lieu, Ted	Pompeo	Valadao
Lipinski	Posey	Van Hollen
LoBiondo	Price (NC)	Vargas
Loeback	Price, Tom	Veasey
Lofgren	Quigley	Vela
Long	Ratcliffe	Velázquez
Loudermilk	Reed	Visclosky
Love	Reichert	Wagner
Lowenthal	Renacci	Walberg
Lowey	Ribble	Walden
Lucas	Rice (SC)	Walker
Luetkemeyer	Richmond	Walorski
Lujan Grisham	Rigell	Walters, Mimi
(NM)	Roby	Walz
Luján, Ben Ray	Roe (TN)	Wasserman
(NM)	Rogers (AL)	Schultz
Lummis	Rogers (KY)	Waters, Maxine
Lynch	Rohrabacher	Watson Coleman
MacArthur	Rokita	Weber (TX)
Maloney,	Rooney (FL)	Webster (FL)
Carolyn	Ros-Lehtinen	Welch
Maloney, Sean	Roskam	Wenstrup
Marchant	Ross	Westerman
Marino	Rothfus	Westmoreland
Massie	Rouzer	Whitfield
Matsui	Roybal-Allard	Williams
McCarthy	Royce	Wilson (FL)
McCaul	Ruiz	Wilson (SC)
McClintock	Ruppersberger	Wittman
McCollum	Rush	Womack
McDermott	Russell	Woodall
McHenry	Ryan (OH)	Yarmuth
McKinley	Salmon	Yoder
McMorris	Sánchez, Linda	Yoho
Rodgers	T.	Young (AK)
McNerney	Sanchez, Loretta	Young (IA)
McSally	Sanford	Young (IN)
Meehan	Sarbanes	Zeldin
Meeks	Scalise	Zinke

NOT VOTING—17

Aguilar	Grayson	Nolan
Boyle, Brendan	Grijalva	Polis
F.	Johnson, Sam	Rangel
Cicilline	Kildee	Rice (NY)
Emmer (MN)	McGovern	Sessions
Engel	Meadows	Sinema

□ 1652

Messrs. CRAWFORD and COURTNEY changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. PELOSI. Mr. Speaker, I rise to a question of the privileges of the House and offer the following resolution.

The SPEAKER pro tempore (Mr. WOMACK). The Clerk will report the resolution.

The Clerk read as follows:

Whereas the safety of the American people is urgently at stake;

Whereas the integrity of the legislative process has been seriously undermined by the influence of a powerful lobby, causing the House leadership to prevent the American people's representatives from considering commonsense measures to prevent terrorists from purchasing assault weapons and firearms from any licensed firearms dealer in the United States;

Whereas the first duty of Members of Congress is to protect and defend the American people, and that duty is forsaken by the failure of the House leadership to withstand the influence of a powerful lobby controlled by the gun industry;

Whereas leaders of terrorist organizations have previously urged sympathizers to exploit the United States' lax gun laws in order to perpetrate domestic terror;

Whereas suspects on the FBI's Terrorist Watchlist can go into a gun store anywhere in America and buy dangerous firearms of their choosing legally;

Whereas since 2004, more than 2,000 suspected terrorists have legally purchased weapons in the United States;

Whereas in that time period, more than 90 percent of all suspected terrorists who tried to buy a gun in a store in America walked away with his or her weapon of choice;

Whereas the House leadership ensures the ability of suspected terrorists to continue to buy guns and refuses to schedule legislation to close the terror list loophole;

Whereas since the mass shooting at Sandy Hook Elementary school nearly 3 years ago, more than 1,000 mass shootings, 90,000 gun deaths, and 210,000 gun injuries have occurred; and

Whereas mass shootings and gun violence are inflicting daily tragedy on communities across America: Now, therefore, be it

Resolved, That—

(1) a clear and present danger exists to the American people; and

(2) in order to protect the American people and the integrity of the legislative process, upon the adoption of this resolution, the Speaker shall place H.R. 1076, the “Denying Firearms and Explosives to Dangerous Terrorists Act”, as introduced by Congressman Peter King (Republican-NY), on the calendar for an immediate vote.

The SPEAKER pro tempore. Does the gentlewoman from California wish to present argument on the parliamentary question whether the resolution presents a question of the privileges of the House?

Ms. PELOSI. I do, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman from California is recognized.

Ms. PELOSI. Mr. Speaker, it is shocking to the American people that Congress refuses to keep guns out of

the hands of those on the FBI's terrorist watch list. The gun violence epidemic is a public health crisis that we have a responsibility to address. Failing to meet that responsibility brings dishonor to the House of Representatives.

Public sentiment demands action. Eighty percent of Americans support legislation to close the outrageous loophole that puts guns in the hands of people, again, on the FBI's terrorist watch list. In the last decade, 90 percent of those on the FBI's terrorist watch list who tried to buy guns in America left the store with their weapons of choice.

In closing, in the people's House, we do nothing. We have not even allowed an up-or-down vote. In just over 1,000 days since Sandy Hook, we have seen 1,000 mass killings, 90,000 gun deaths, and 210,000 gun injuries in communities across America.

By refusing to act, we disgrace the House, we dishonor the American people, and we erode America's faith in our democracy. We have no right to hold moments of silence without action to end gun violence. Give us an up-or-down vote.

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

The SPEAKER pro tempore. The Chair will rule.

The gentlewoman from California seeks to offer a resolution raising a question of the privileges of the House under rule IX. The resolution directs the Speaker to schedule a particular measure for an immediate vote.

One of the fundamental tenets of rule IX, as the Chair most recently ruled on October 8, 2013, is that a resolution expressing a legislative sentiment does not qualify as a question of the privileges of the House.

By calling for a vote on a particular measure, the resolution expresses a legislative sentiment in violation of the principles documented in sections 702 and 706 of the House Rules and Manual. Accordingly, the resolution does not constitute a question of the privileges of the House.

Ms. PELOSI. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. MCCARTHY. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 2795.

The vote was taken by electronic device, and there were—yeas 242, nays 173, not voting 18, as follows:

[Roll No. 688]

YEAS—242

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

NAYS—173

Adams	Bonamici	Carney
Ashford	Brady (PA)	Carson (IN)
Bass	Brown (FL)	Cartwright
Beatty	Brownley (CA)	Castor (FL)
Becerra	Bustos	Castro (TX)
Bera	Butterfield	Chu, Judy
Beyer	Capuano	Clark (MA)
Bishop (GA)	Cardenas	Clarke (NY)
Blumenauer		Clay

Cleaver	Jeffries	Peters
Clyburn	Johnson (GA)	Pingree
Cohen	Johnson, E. B.	Pocan
Connolly	Kaptur	Polis
Conyers	Keating	Price (NC)
Cooper	Kelly (LL)	Quigley
Costa	Kennedy	Richmond
Courtney	Kilmer	Roybal-Allard
Crowley	Kind	Ruiz
Cuellar	Kirkpatrick	Ruppersberger
Cummings	Kuster	Rush
Davis (CA)	Langevin	Ryan (OH)
Davis, Danny	Larsen (WA)	Sánchez, Linda
DeFazio	Larson (CT)	T.
DeGette	Lawrence	Sanchez, Loretta
Delaney	Lee	Sarbanes
DeLauro	Levin	Schakowsky
DeBene	Lewis	Schiff
DeSaulnier	Lieu, Ted	Schrader
Deutch	Lipinski	Scott, David
Reed	Loebsack	Serrano
Dingell	Lofgren	Sewell (AL)
Doggett	Lowenthal	Sherman
Doyle, Michael	F.	Sires
Duckworth	Lujan Grisham	Slaughter
Edwards	(NM)	Smith (WA)
Ellison	Luján, Ben Ray	Speier
Eshoo	(NM)	Swalwell (CA)
Esty	Lynch	Takai
Farr	Maloney,	Takano
Fattah	Carolyn	Thompson (CA)
Foster	Maloney, Sean	Thompson (MS)
Frankel (FL)	Matsui	Titus
Frankle	McCollum	Tonko
Fudge	McDermott	Torres
Gabard	McNerney	Tsongas
Gallego	Meeks	Van Hollen
Garamendi	Meng	Vargas
Graham	Moore	Veasey
Green, Al	Moulton	Vela
Green, Gene	Murphy (FL)	Velázquez
Hahn	Nadler	Visclosky
Hastings	Napolitano	Walz
Heck (WA)	Neal	Wasserman
Higgins	Norcross	Schultz
Himes	O'Rourke	Waters, Maxine
Hinojosa	Pallone	Watson Coleman
Honda	Pascrell	Welch
Hoyer	Payne	Wilson (FL)
Huffman	Pelosi	Yarmuth
Israel	Perlmutter	
Jackson Lee		

NOT VOTING—18

Aguiar	Grijalva	Rangel
Boyle, Brendan	Gutiérrez	Rice (NY)
F.	Johnson, Sam	Scott (VA)
Cicilline	Kildee	Sessions
Emmer (MN)	McGovern	Sinema
Engel	Meadows	
Grayson	Nolan	

□ 1715

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FIRST RESPONDER IDENTIFICATION OF EMERGENCY NEEDS IN DISASTER SITUATIONS

The SPEAKER pro tempore (Mr. CARTER of Georgia). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2795) to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HURD) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 396, nays 12, not voting 25, as follows:

[Roll No. 689]

YEAS—396

Abraham	DeSantis	Kaptur
Adams	DeSaulnier	Katko
Aderholt	DesJarlais	Keating
Allen	Deutch	Kelly (IL)
Amodei	Diaz-Balart	Kelly (MS)
Ashford	Dingell	Kelly (PA)
Babin	Doggett	Kennedy
Barletta	Dold	Kilmer
Barr	Donovan	King
Barton	Doyle, Michael	King (IA)
Bass	F.	King (NY)
Beatty	Duckworth	Kinzingler (IL)
Becerra	Duffy	Kirkpatrick
Benishek	Duncan (SC)	Kline
Bera	Duncan (TN)	Knight
Beyer	Edwards	Kuster
Bilirakis	Ellison	Labrador
Bishop (GA)	Ellmers (NC)	LaHood
Bishop (MI)	Eshoo	Lamborn
Bishop (UT)	Esty	Lance
Black	Farenthold	Langevin
Blum	Farr	Larsen (WA)
Blumenauer	Fattah	Larson (CT)
Bonamici	Fincher	Latta
Bost	Fitzpatrick	Lee
Boustany	Fleischmann	Levin
Brady (PA)	Fleming	Lieu, Ted
Brady (TX)	Flores	Lipinski
Brat	Forbes	LoBiondo
Bridenstine	Fortenberry	Loebsack
Brooks (AL)	Foster	Lofgren
Brooks (IN)	Fox	Long
Brown (FL)	Frankel (FL)	Loudermilk
Brownley (CA)	Franks (AZ)	Love
Buchanan	Frelinghuysen	Lowenthal
Buck	Fudge	Lowe
Bucshon	Gabbard	Lucas
Burgess	Gallego	Luetkemeyer
Byrne	Garamendi	Lujan Grisham
Calvert	Garrett	(NM)
Carter (GA)	Gibbs	Luján, Ben Ray
Carter (TX)	Gibson	(NM)
Chabot	Goodlatte	Lummis
Chaffetz	Gosar	Lynch
Coffman (FL)	Gowdy	MacArthur
Coffman	Graham	Maloney
Cole	Granger	Carolyn
Collins (GA)	Graves (GA)	Maloney, Sean
Collins (NY)	Graves (LA)	Marchant
Comstock	Graves (MO)	Marino
Conaway	Green, Al	Matsui
Cook	Green, Gene	McCarthy
Costello (PA)	Griffith	McCaul
Cramer	Guinta	McClintock
Crawford	Guthrie	McCollum
Crenshaw	Hahn	McDermott
Culberson	Hanna	McHenry
Curbeo (FL)	Hardy	McKinley
Davis, Rodney	Harper	McMorris
DeFazio	Hartzler	Rodgers
DeGette	Hastings	McNerney
Delaney	Heck (NV)	McSally
DeLauro	Heck (WA)	Meehan
DeBene	Hensarling	Meehan
DelBene	Herrera Beutler	Meng
Denham	Hice, Jody B.	Messer
Dent	Higgins	Mica
	Hill	Miller (FL)
	Himes	Miller (MI)
	Hinojosa	Moolenaar
	Holding	Mooney (WV)
	Honda	Moore
	Hoyer	Moulton
	Hudson	Mullin
	Huffman	Mulvaney
	Huizenga (MI)	Murphy (FL)
	Hultgren	Murphy (PA)
	Hunter	Nadler
	Hurd (TX)	Napolitano
	Hurt (VA)	Neal
	Israel	Neugebauer
	Issa	Newhouse
	Jackson Lee	Noem
	Jeffries	Norcross
	Jenkins (KS)	Nugent
	Jenkins (WV)	Nunes
	Johnson (GA)	O'Rourke
	Johnson (OH)	Olson
	Johnson, E. B.	Pallone
	Jolly	Palmer
	Jordan	Pascrell
	Joyce	Paulsen

Payne	Ryan (OH)	Tsongas
Pearce	Salmon	Turner
Perlmutter	Sánchez, Linda	Upton
Perry	T.	Valadao
Peters	Sanchez, Loretta	Van Hollen
Peterson	Sarbanes	Vargas
Pingree	Scalise	Veasey
Pittenger	Schakowsky	Vela
Pitts	Schiff	Velázquez
Pocan	Schrader	Visclosky
Poe (TX)	Schweikert	Wagner
Poliquin	Scott, Austin	Walberg
Polis	Scott, David	Walden
Pompeo	Serrano	Walker
Posey	Sewell (AL)	Walorski
Price (NC)	Sherman	Walters, Mimi
Quigley	Shimkus	Walz
Ratcliffe	Shuster	Wasserman
Reed	Simpson	Schultz
Reichert	Sires	Waters, Maxine
Renacci	Slaughter	Watson Coleman
Ribble	Smith (MO)	Weber (TX)
Rice (SC)	Smith (NE)	Welch
Richmond	Smith (NJ)	Wenstrup
Rigell	Smith (TX)	Westerman
Roby	Smith (WA)	Westmoreland
Roe (TN)	Speler	Whitfield
Rogers (AL)	Stefanik	Stewart
Rogers (KY)	Stewart	Williams
Rohrabacher	Stivers	Wilson (FL)
Rokita	Swalwell (CA)	Wilson (SC)
Rooney (FL)	Takai	Wittman
Ros-Lehtinen	Takano	Womack
Roskam	Thompson (CA)	Woodall
Ross	Thompson (MS)	Yarmuth
Rothfus	Thompson (PA)	Yoder
Rouzer	Thornberry	Yoho
Roybal-Allard	Tiberi	Young (AK)
Royce	Tipton	Young (IA)
Ruiz	Titus	Young (IN)
Ruppersberger	Tonko	Zeldin
Rush	Torres	Zinke
Russell	Trott	

NAYS—12

Amash	Harris	Palazzo
Collins (GA)	Huelskamp	Sanford
Gohmert	Jones	Sensenbrenner
Grothman	Massie	Stutzman

NOT VOTING—25

Aguilar	Gutiérrez	Pelosi
Blackburn	Johnson, Sam	Price, Tom
Boyle, Brendan	Kildee	Rangel
F.	LaMalfa	Rice (NY)
Ciциlline	Lawrence	Scott (VA)
Emmer (MN)	Lewis	Sessions
Engel	McGovern	Sinema
Grayson	Meadows	Webster (FL)
Grijalva	Nolan	

□ 1724

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LAMALFA. Mr. Speaker, on rollcall No. 689, had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. NOLAN. Mr. Speaker, on December 10, 2015, I was unavoidably detained due to ongoing issues surrounding the health of my youngest daughter in Minnesota.

Had I been present and voting on rollcall No. 687, I would have voted "yea" (Suspend the Rules and pass H.R. 3578).

Had I been present and voting on rollcall No. 688, I would have voted "nay" (Motion to Table).

Had I been present and voting on rollcall No. 689, I would have voted "yea" (Suspend the Rules and pass H.R. 2795).

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Thursday, December 10, 2015. Had

I been present, I would have voted "nay" on rollcall vote 688 and "yea" on rollcall vote 689.

HONORING THE LIFE AND WORK OF "FEARLESS" PHYLLIS GALANTI

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

Mr. BRAT. Mr. Speaker, I rise today to honor the life and work of "Fearless" Phyllis Galanti, an amazing woman and a true American hero.

On Tuesday, the House passed H.R. 2693 which honors Phyllis Galanti by naming the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the Phyllis E. Galanti Arboretum.

When her husband, Paul Galanti, was shot down and taken as a prisoner of war in North Vietnam in June 1966, Phyllis did not respond with fear but, instead, became a tireless advocate for American POWs around the world.

"Fearless Phyllis," as she became known, sought an audience with the North Vietnamese leaders, collected almost half a million letters from the Richmond area, and personally delivered them to the North Vietnamese embassy in Stockholm. She also gave hundreds of policy presentations to leaders like President Nixon and Secretary of State Henry Kissinger, becoming nationally known for her dedication to bringing home POWs.

Mr. Speaker, after over 7 years of separation, Paul and Phyllis were reunited in February of 1973 in Norfolk, Virginia. Even with her husband home, Phyllis continued her work, confronting not only Vietnam, but also the Soviet Union and Iran in her tireless quest to bring our boys home, eventually earning The American Legion Service Medal.

Her dedication to our prisoners of war is truly inspirational. We all are grateful that this bill passed the House, and I owe a special thanks to former POW Representative SAM JOHNSON; Veterans Committee Chairman JEFF MILLER; my good friend from Richmond, Representative BOBBY SCOTT; and the entire Virginia delegation.

VICTIMS OF GUN VIOLENCE

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

Mr. PETERS. Navy Yard, Washington, D.C., September 16, 2013: Arthur Daniels, age 51.

Kenneth Bernard Proctor, 46.

Aaron Alexis, age 34.

Santa Monica, California, June 7, 2013:

Carlos Navarro Franco, 68 years old.

Margarita Gomez, 68.

Samir Zawahri, 55 years old.

Marcelo Franco, 26 years old.

Christopher Zawahri, 24.

Chattanooga, Tennessee, July 16, 2015:

Thomas Sullivan, 40 years old.

David Wyatt, 35.

Randall Smith, 26.

Carson Holmquist, 25.

Squire Wells, 21 years old.

Houston, Texas, August 9, 2015:

Dwayne Jackson, 50 years old.

Valerie Jackson, 40.

Nathaniel Jackson, 13.

Honesty Jackson, 11.

Dwayne Jackson, Jr., 10.

Caleb Jackson, 9.

Trinity Jackson, 7.

Jonah Jackson, 6.

Manchester, Illinois, April 24, 2013:

Jo Ann Sinclair, 66 years old.

James Roy Ralston, 29.

Brittney Lynn Luark, 23.

□ 1730

IRAN HAS VIOLATED THE NUCLEAR DEAL

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

Mr. LAMALFA. Mr. Speaker, this week it was revealed that Iran tested medium-range ballistic missiles. By doing so, Iran has now violated the nuclear deal that was agreed to over objection of a majority of this House in July, which calls on Iran to end its ballistic missile program for 8 years.

Iran is also now in violation of two United Nations Security Council resolutions. Like many of my colleagues in the House, I opposed the Iran nuclear deal because of the likelihood that Iran would cheat and the Obama administration would refuse to hold them accountable and reimpose sanctions.

So far, there has been no response from the Obama administration on snapping back the sanctions into place. Because of that, Iran will continue to enjoy more and more of the plus \$100 billion in unfrozen assets that they have not been accessible to.

If Iran is allowed to break the agreement without consequences, it will only encourage more bad behavior and unrest in the Middle East.

HUMAN RIGHTS DAY

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

Mr. LOWENTHAL. Mr. Speaker, today I rise to celebrate Human Rights Day, the anniversary of the proclamation of the Universal Declaration of Human Rights, which was signed in 1948. Today is the 67th anniversary of that, as I just indicated.

I also just introduced a resolution recognizing this anniversary and supporting the ideals of human rights. I am pleased to have the support already of 37 of my colleagues as cosponsors of this resolution recognizing Human Rights Day.

I believe we should take this opportunity to pause and to honor all those

struggling across the globe to claim the fundamental rights and freedoms that belong to all human beings.

Mr. Speaker, I urge the House to take up my resolution and set aside today to recognize Human Rights Day.

CONGRESS NEEDS TO PROTECT THE AMERICAN PEOPLE

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, as I have said today on the floor and yesterday, the American people expect us to keep them safe.

Let me thank my colleagues for the support they have given the Homeland Security Committee on a number of bills and particularly note the legislation that I introduced, the FRIENDS Act, the sole purpose of which is to ensure that those who are first responders who have to be away for a period of time, that their families are protected.

I also think it is an important moment for bridging and building on law enforcement and community. I have had the opportunity to meet with a number of police chiefs of major cities. We have introduced—JOHN CONYERS and myself, along with a number of Members—the Law Enforcement Trust and Integrity Act, which really is an opportunity and a bridge to be able to provide an accreditation pathway for the law enforcement agencies to build upon the improvement and the best practices that they may have, including a medallion for those who have fallen in duty.

It is also important, as we look forward to the security of this Nation, to recognize the tragedy of San Bernardino. I offer to those families my deepest sympathy. There was a major failure which we need to correct.

Members of Congress need to come together so that we are not behind the terrorist act, but in front of it, to protect the American people.

CURRENT ISSUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 60 minutes as the designee of the majority leader.

PUERTO RICO'S FINANCIAL CRISIS AND THE WAY FORWARD

Mr. FORTENBERRY. Thank you, Mr. Speaker, for the time.

I would like to begin this evening by yielding to the gentleman from Wisconsin (Mr. DUFFY), my good friend and colleague.

Mr. DUFFY. Mr. Speaker, I appreciate the gentleman yielding.

Tonight I rise to talk about our brothers and sisters in Puerto Rico.

If you have watched the news recently, you are well aware that there is an economic financial debt crisis tak-

ing place right now in Puerto Rico. Our American brothers and sisters are going through an incredibly difficult time.

The island is \$73 billion in debt. That is 100 percent of their GDP, which is catastrophically high. This debt has had a huge impact on the livelihoods of those who live on the island.

The unemployment rate is over twice what it is on the mainland. It is at 12.4 percent. Forty-eight percent of Americans on the island are living in poverty. Again, half of the island citizens—Americans—are living in poverty.

Ten percent of the 3.5 million people on the island are leaving and they are coming to the mainland. It is great because they work hard and they have an amazing culture. It is wonderful they are coming. But if you are coming to the mainland, you should be coming because you want to come, not because you don't have economic opportunity in your home. We don't want to force people away from their families and their neighbors and their community because they don't have economic opportunity.

We have to stand together in this House and stand with our brothers and sisters in Puerto Rico. We can't turn a blind eye. We have to work with them. We have to work for them so we can address this crisis.

Yesterday I introduced a pretty simple and straightforward bill that will help jump-start the Puerto Rican economy, help put people back to work, grow their economy, better paying jobs, and lift people out of poverty. It is very simple. It is called the Puerto Rico Financial Stability and Debt Restructuring Choice Act, and it has two prongs.

Prong number one is we are going to implement a financial stability board that is going to help the island with the management of its budget, its tax collection, and its finances.

Prong number two is Puerto Rico can access a chapter 9 bankruptcy. By the way, every State in America can access chapter 9. It will be the same rights as every State that we will offer Puerto Rico. It is pretty simple and straightforward stuff.

I also think it is important to note that no one wants to have a financial stability board shoved down their throat, and the citizens of Puerto Rico don't want that either. That is why we give them the choice. This doesn't go into effect unless the Puerto Rican legislative assembly approves the financial stability board and the Governor signs it so that they have a say in their future.

If we do this, we will allow Puerto Rico to restructure their debt, to get their finances in order, to grow their economy, and to let people on the island start living the American Dream. If we do nothing, if we turn a blind eye and say that we are not going to offer the same bankruptcy option that every State has, we are turning our backs on

our fellow American citizens on the island, and that is not who we are. We should stand together.

Now, there are others who have proposed different solutions for the island, and those solutions involve a bailout without real structural reform. I have got to tell you that, after the 2008 financial crisis, I think Americans have had it up to here with bailouts. We usually go with bankruptcy and financial reform, and that is what my bill does.

I would encourage all of my fellow Americans in this institution, whether you are a conservative or a liberal, you are a Republican or a Democrat, to note that our brothers and sisters, our fellow American citizens in Puerto Rico, are going through tough times, and it is our job to stand with them, not turn our backs.

If we can pass this bill, it is going to be a new day on the island, economic prosperity and opportunity. And then people have a choice to say: Do I want to stay on the island, raise my family on the island, or do I want to leave and come to the mainland?

The choice is theirs. They won't be forced into that choice just because they don't have opportunity on the island of Puerto Rico.

I encourage all of my colleagues and friends to reach out. Let's be part of the solution.

RECOVERING AMERICA

Mr. FORTENBERRY. Mr. Speaker, as I walked through the airport recently, I noticed a young teenager. She was traveling and was seemingly happy to be involved in whatever activity she was going to.

She wore a button on her lapel. It said: What you do matters. It caught my attention: What you do matters. I liked it. I am not sure what was motivating her, but she wanted to communicate an important value to elevate an ideal. I simply admired her willingness to take a stand.

Mr. Speaker, I should say this now, though: There is a troubling statistic out there, and a recent survey highlights this. A majority of Americans do not identify with what America has become. Many people feel our country is slipping away. In reality, most want to reclaim the promise of our great Nation.

Contrary to the barrage of negativity, most people hope for justifiable goals: to regain power over their own lives, to regain power over the government, and to regain power over their own economic prospects.

Mr. Speaker, one of the strengths of America's system of government is its capacity for constant replenishment. Opportunities sometimes present themselves unpredictably. That gives us a chance to reassess and realign in new and compelling ways, both to preserve important traditions as well as to restore the future promise of our Nation.

A stronger America might be glimpsed through what I call four interlocking principles, the first of

which is government decentralization; second, economic inclusion; third, foreign policy realism; and, fourth, social conservation.

Let's take that first point. A return to a more decentralized government will restore an important source of America's strength. When the Federal Government grows beyond its effective purpose, it infringes upon basic liberty, it stifles innovation, it crushes creativity, and it impedes our responsibility for one another in the community.

A creeping tendency to nationalize every conceivable problem and nationalizing every conceivable discussion erodes the community's input. While the Federal Government does have an important central role in maintaining the guardrails of societal stability, the rule of law, and a fair opportunity economy, America's governing system is designed to operate most effectively at varying levels. Those close to an opportunity or those close to a problem ought to have the first authority to seize the opportunity or to solve the problem.

Second: economic inclusion. Economic inclusion should help America recover from an arthritic economy. You see, Mr. Speaker, when power concentrates in a Washington Wall Street axis, where the transnational corporation is an emerging ruling entity and where small business—the source of most jobs in America—is suffocated under increasingly complex dictates, the opportunity for a strong and vibrant marketplace diminishes. A vibrant market actually expands the space for constructive interdependency and community dynamism, fighting poverty, and driving innovation.

Third: foreign policy realism. Foreign policy realism should chart a new course between isolationism and over-interventionism. America has an important leadership role to play on the world stage. Today, however, many Americans are alarmed by an exhausted, drifting, and often counterproductive foreign policy.

After World War II, America was cast in the role of the world's superpower and at great sacrifice. We, as a country, created the space for international order. But now we live in a multi-polar world. Other countries, which we helped empower through our generous sacrifice, must take a seat at the table of responsible nations.

□ 1745

Leveraging America's strength through strategic international partnerships will help us navigate a 21st century that is marked by ever-shifting geopolitical frameworks.

The fourth point: social conservation. What does that mean? Social conservation preserves the condition for order, for opportunity, and for happiness.

We must fight back against dimming hope and diminishing opportunity and darkening shadows. A healthy society

depends upon more than politics for the promotion of sustainable values. America has many mediating institutions, as we call it—important civic institutions, if you will—which uphold greater ideas.

As an example, Mr. Speaker, I am a proud, long-time member of the Rotary Club in Lincoln, Nebraska. At every Rotary Club meeting across this country, in which hundreds of thousands of Americans participate, there hangs a banner at the front of the club, and it reads: "Is it true? Is it fair to all concerned? Will it build goodwill and better friendships? Will it be beneficial to all concerned?"

Perfect. Beautiful. Perhaps we ought to hang the banner right here, Mr. Speaker. That is a pretty good game plan.

As new leadership emerges on the national stage, perhaps this is the moment to think critically about how we regain the high ground of purposeful government, an opportunity economy, a balanced foreign policy, and a flourishing culture in a good society. We need to play all four quarters.

Ultimately, both the government and the marketplace are downstream from our culture; and with a heavy heart, I say this—everyone knows it—America's social fabric is fraying. Many people are experiencing deepening anxiety about the future direction of the country. The recent attack in San Bernardino has only intensified the feeling. A crazed couple, driven by its twisted religious ideology, murdered indiscriminately those at a social services center. It is a horrible tragedy and a grotesque irony, and our hearts feel for those who were so gravely harmed.

A genuine multiculturalism—long a hallmark of the American experience—will continue to decay into discord unless two mutually supporting conditions are sustained: a genuine appreciation of organic differences and a binding substructure of universal ideals and shared values. One such value is that we do no harm to others, and a religion that teaches killing is no religion at all. Other important values include trustworthiness, thrift, citizenship, courteousness, and so on. By the way, Mr. Speaker, a helpful list of these ideals, of these virtues, is found in the Boy Scout Law.

This values crisis is compounding this three-part problem of government overreach, economic exclusion, and cultural dislocation. A centralizing government seems decreasingly able to understand, much less address, the needs of its citizens it should serve. In the midst of this divisive political season, partisan dysfunction, and bureaucratic inertia, it is all hindering the proper progress toward addressing our country's most pressing problems, and it overshadows important local initiatives where certain problems can best be solved. Not everything is a Federal issue. A private sector which is consolidating corporate power, often underwritten by the State, is

disenfranchising the small business sector. A loss of genuine choice and genuine competition of economic pluralism reduces the ability of people to participate, own, and innovate in a marketplace that is truly free and can deliver widespread prosperity.

A culture of contrasting philosophies, more and more inflamed by caustic rhetoric, is contributing to what some believe are irreconcilable social divisions. An impoverished account of individualism, of a liberty reduced to autonomous choice and divorced of responsibility creates the conditions for social anarchy, which further creates the conditions for counterproductive government interventions, lawless overreach, and intrusive market manipulations. Then add into this mix a confusing assortment of values choices that are driven more by experimenting elites than by the stability of sound tradition, and you have the recipe for harmful disruption. No wonder there is so much sadness in the world.

As politicians and the media debate policy positions, we must understand that authentic solutions involve a return to essential value propositions. The application of proper principles to these problems would enable us in Washington to better assuage widespread and justifiable angst with appropriate government policy, with appropriate government decentralization, and with dynamic economic inclusion, supported by a hope-filled culture. That is our answer.

As you enter my State—I live in Nebraska—the sign reads: ". . . the good life." A good life is found in freedom and responsibility. A just and orderly society is founded and sustained by persons who care. What we all do does really matter, just like my young teenage friend—I would like to call her a "friend"—displayed in the airport recently.

Mr. Speaker, late this summer, before school began, I took my younger children on a family trip to western Nebraska. Near Valentine, Nebraska, which is in an area called the Sandhills, water from the underground aquifer—it is called the Ogallala Aquifer—seeps out of the ground and falls dramatically over rock formations and into a stream that then feeds into the Niobrara River. The area is called Fort Falls, and it is a part of the Fort Niobrara National Wildlife Refuge. The stream's icy cold water flows like a river into the shallow warm water that is running in the Niobrara. What is even more interesting to ponder, as you look around, are the steep slopes on both sides of the beautiful river. On the north bank, rocky hill formations are covered with pine trees. On the south bank, the trees are much different. You see the last reach of the eastern deciduous forest, with a mixed variety of plants and hardwood trees just like you would see here in Virginia. It looks like California on one side, and across the river here in Virginia on the other. Right there, where

I live in Nebraska, we are the geographic center of our country, where east meets west.

As a part of that trip, we also took a drive northward into the State of South Dakota, into the Black Hills, to a place called Mount Rushmore. It happened to be the Sturgis Motorcycle Rally that weekend, so I and about 2 million other bikers were on the road. Everyone knows the four faces on Mount Rushmore. Each of the four American Presidents embodied great qualities and faced significant challenges:

George Washington was a transcendent leader who purposefully walked away from power, giving our early Republic a chance to grow into a vibrant democracy;

Thomas Jefferson's life was seemingly full of conflicts and contradictions, but his efforts gave rise to the Declaration of Independence, which poetically expressed an understanding of the dignity and the rights of all persons, which so beautifully still informs our culture and our government to this day;

Abraham Lincoln made a midcourse correction in his life. He rejected an early snarky, political, antagonistic attitude and turned toward a vision of that which is noble and good. His reputation as a skillful and humble leader extended well beyond the Civil War to many important endeavors, including the development of land grant institutions all over this country, like the University of Nebraska;

Theodore Roosevelt had to rebuild his life after his wife died at a young age. His boundless energy, translating into multiple accomplishments, perhaps helped him outpace a haunting melancholy from which he suffered. As an avid hunter, he grew to recognize the importance of wildlife preservation. Beyond the natural places that he preserved, perhaps Roosevelt's greatest legacy was one of trust busting—breaking up concentrations of economic power that locked so many Americans out of a fair shot at economic opportunity.

Four great Presidents. Four men who sacrificed greatly to give us what we have today.

Today, Mr. Speaker, many people in the country are experiencing a serious disquiet about all of these challenges that we are facing. They feel disconnected from the ability to control their own well-being. These concentrations of power are overwhelming the capacity of individuals to shape their own environments. Political and economic and cultural cartels are growing more powerful, and, in some ways, they are more hidden and destructive than in Roosevelt's time.

Of course, today, political problems are on everyone's mind. This concentration of power stifles innovation and creativity; and as money flows into the political system, it pays for the polarization which hinders the ability of our body to find constructive solutions.

This transcends, by the way, the current partisan divide.

Our increasingly interconnected world offers significant benefits and opportunities to us, but globalization also introduces forces that can leave so many Americans feeling helpless. Transnational corporate conglomerates, often buttressed by oligarchic political systems, are shrinking the space for genuine choice and competition in the private sphere. As I talked about earlier, the stress of small business is very real. This concentration of economic power endangers true free market principles, which should be working for the many.

On a deeper level, America's political disrepair and economic malaise signal an underlying brokenness in our society, in our culture. Persons—humans—thrive in relationships with our families and communities in a healthy society, which creates the preconditions for this human flourishing. Cultural consolidation and social discord have left more and more people, again, feeling directionless and feeling alone. Weakening relationships and weakening social institutions foreshadow and prefigure political and economic problems. Ultimately, renewing America—restoring America's government and economy—requires reclaiming a vibrant civil society, which is the true source of our Nation's strength.

Mr. Speaker, if you have ever driven through those Black Hills, which I spoke of earlier—the one-lane tunnels and winding hairpin turns—they form a very beautiful but a very arduous journey, even without all the motorcycles around you. As you continue that journey, looking for something, an opening then appears in the trees, and you see it—that magnificent piece of art, carved in stone, with four of America's greatest Presidents.

Their likenesses are in the rock, timeless and unchanging; but the ideals they represent must be reestablished in each generation. The renewal of America will depend, in large part, on whether or not we can grasp what these leaders stood for and whether or not we can make the sacrifices necessary to reclaim our country's potential in this time, our time.

Mr. Speaker, what we all do matters.

I yield back the balance of my time.

ADJOURNMENT

Mr. FORTENBERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 p.m.), the House adjourned until tomorrow, Friday, December 11, 2015, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3740. A letter from the Director, Issuances Staff, Office of Policy and Program Develop-

ment, Department of Agriculture, transmitting the Department's final rule — Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish [Docket No.: FSIIS-2008-0031] (RIN: 0583-AD36) received December 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3741. A letter from the Secretary, Department of Defense, transmitting notification that the Department intends to assign women to previously closed positions and units across all Services and U.S. Special Operations Command, pursuant to 10 U.S.C. 652(a); Public Law 109-163, Sec. 541(a)(1); (119 Stat. 3251) and 10 U.S.C. 6035(a); Public Law 106-398, Sec. 573(a)(1); (114 Stat. 1654A-136); to the Committee on Armed Services.

3742. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting the Department's semiannual report on the account balance in the Defense Cooperation Account and a listing of personal property contributed, as of September 30, 2015, pursuant to 10 U.S.C. 2608(i); Public Law 101-403, title II, Sec. 202(a)(1) (as amended by Public Law 103-160, Sec. 1105(b)); (107 Stat. 1750); to the Committee on Armed Services.

3743. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting the Department's semiannual report on the account balance in the Defense Cooperation Account and a listing of personal property contributed, as of September 30, 2015, pursuant to 10 U.S.C. 2608(i); Public Law 101-403, title II, Sec. 202(a)(1) (as amended by Public Law 103-160, Sec. 1105(b)); (107 Stat. 1750); to the Committee on Armed Services.

3744. A letter from the Comptroller, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Office's annual report on actions taken to carry out Sec. 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, pursuant to 12 U.S.C. 1463 note; Public Law 111-203, Sec. 367(c); (124 Stat. 1556); to the Committee on Financial Services.

3745. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's 2013 Report to Congress on Outcome Evaluations of Administration for Native Americans (ANA) Projects, pursuant to 42 U.S.C. 2992(e); to the Committee on Education and the Workforce.

3746. A letter from the Secretary, Department of Education, transmitting the Department's FY 2015 Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3747. A letter from the Secretary, Department of Labor, transmitting the Department's Semiannual Report to Congress for the period April 1 through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3748. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's semiannual report to Congress for the period of April 1, 2015, to September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3749. A letter from the Director, Peace Corps, transmitting the Corps' Performance and Accountability Report for Fiscal Year 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3750. A letter from the Acting Administrator, United States Agency for International Development, transmitting the

Agency's Fiscal Year 2015 Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3751. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report entitled "Computation of Annual Liability Insurance (Including Self-Insurance) Settlement Recovery Threshold", pursuant to 42 U.S.C. 1395y(b)(9)(D); Public Law 112-242, Sec. 202(a)(2); (126 Stat. 2379); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2406. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; with an amendment (Rept. 114-377, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 560. Resolution providing for consideration of the conference report to accompany the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, and providing for consideration of the Senate amendments to the bill (H.R. 2250) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes (Rept. 114-378). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Agriculture, Energy and Commerce, Transportation and Infrastructure, and the Judiciary discharged from further consideration. H.R. 2406 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

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

H.R. 4208. A bill to authorize the use of the United States Armed Forces against the Islamic State of Iraq and the Levant; to the Committee on Foreign Affairs.

By Ms. MAXINE WATERS of California (for herself, Mr. GRIJALVA, Ms. LEE, Ms. BORDALLO, Ms. KELLY of Illinois, Ms. LINDA T. SANCHEZ of California, Mr. MEEKS, Ms. NORTON, Mr. BUTTERFIELD, Mrs. BEATTY, Mr. HASTINGS, Mr. SMITH of Washington, Ms. JACKSON LEE, Mr. PAYNE, Mr. AL GREEN of Texas, Ms. MOORE, Ms. VELÁZQUEZ, Mrs. LAWRENCE, Mr. CARSON of Indiana, Ms. BASS, Mr. LEWIS, Ms. JUDY CHU of California, Mr. FATAH, Mr. TAKANO, Ms. CLARKE of New York, Ms. BROWN of Florida, Mr. DAVID SCOTT of Georgia, Ms. SEWELL of Alabama, Mr. JOHNSON of Georgia, Ms. PLASKETT, Mr. SARBANES, Ms. SCHAKOWSKY, Ms. EDWARDS, Mr. COHEN, Mr. CÁRDENAS, Mr. DANNY K.

DAVIS of Illinois, Mr. RICHMOND, Mr. NADLER, Mr. CUMMINGS, Mr. HINOJOSA, Ms. ADAMS, Ms. FUDGE, and Mr. VAN HOLLEN):

H.R. 4209. A bill to amend the Public Health Service Act to authorize grants to provide treatment for diabetes in minority communities; to the Committee on Energy and Commerce.

By Mr. PITTENGER:

H.R. 4210. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to require voting members of the Financial Stability Oversight Council to testify before Congress at least twice each year when requested to do so or to otherwise permit certain Members of Congress to attend meetings of the Council whether or not such meetings are open to the public; to the Committee on Financial Services.

By Mr. ROYCE (for himself and Ms. SEWELL of Alabama):

H.R. 4211. A bill to require Fannie Mae and Freddie Mac to establish procedures for considering certain credit scores in making a determination whether to purchase a residential mortgage, and for other purposes; to the Committee on Financial Services.

By Ms. LINDA T. SANCHEZ of California (for herself, Mr. MEEHAN, Mr. SCHRADER, and Mr. LANCE):

H.R. 4212. A bill to establish a Community-Based Institutional Special Needs Plan demonstration program to target home and community-based care to eligible Medicare beneficiaries, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL (for himself, Mr. PIERLUISI, Mr. RANGEL, Mr. LARSON of Connecticut, and Mr. SERRANO):

H.R. 4213. A bill to amend the Internal Revenue Code of 1986 to make residents of Puerto Rico eligible for the earned income tax credit and to provide for equitable treatment for residents of Puerto Rico with respect to the refundable portion of the child tax credit; to the Committee on Ways and Means.

By Mr. DANNY K. DAVIS of Illinois (for himself and Mr. PASCRELL):

H.R. 4214. A bill to amend the Internal Revenue Code of 1986 to increase the excise tax and special occupational tax in respect of firearms and to increase the transfer tax on any other weapon, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Natural Resources, the Judiciary, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Ms. BASS, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Ms. CASTOR of Florida, Ms. CLARK of Massachusetts, Mr. CLEAVER, Mr. CONNOLLY, Mr. CUMMINGS, Mr. DEFazio, Ms. DELBENE, Mr. DEUTCH, Mr. ELLISON, Mr. FARR, Mr. GRAYSON, Mr. HASTINGS, Mr. HIGGINS, Mr. HUFFMAN, Mr. JOHNSON of Georgia, Mr. KEATING, Mr. BEYER, Ms. BONAMICI, Ms. BROWN of Florida, Mr. CAPUANO, Ms. JUDY CHU of California, Ms. CLARKE of New York, Mr. COHEN, Mr. CONYERS, Mrs. DAVIS of California, Ms. DEGETTE, Mr. DESAULNIER, Ms. EDWARDS, Ms. ESHOO, Mr. FATAH, Mr. GRIJALVA, Mr. HECK of Washington, Mr. HONDA, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, Ms. KUSTER, Mr. LAR-

SEN of Washington, Mrs. LAWRENCE, Mr. LEWIS, Mr. LOEBSACK, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Mr. MCDERMOTT, Mr. MEEKS, Mr. MOULTON, Mrs. NAPOLITANO, Mr. NOLAN, Mr. PAYNE, Mr. POCAN, Mr. PRICE of North Carolina, Mr. RANGEL, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. KILMER, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MENG, Mr. NADLER, Mr. NEAL, Ms. NORTON, Ms. PINGREE, Mr. POLIS, Mr. QUIGLEY, Miss RICE of New York, Mr. SARBANES, Mr. SCHIFF, Mr. SERRANO, Mr. SIRES, Mr. SMITH of Washington, Mr. SWALWELL of California, Mr. TAKANO, Mr. TONKO, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. SHERMAN, Ms. SLAUGHTER, Ms. SPEIER, Mr. TAKAI, Mr. THOMPSON of California, Ms. TSONGAS, Mr. VARGAS, Ms. MAXINE WATERS of California, Mr. WELCH, and Mr. YARMUTH):

H.R. 4215. A bill to require regulation of wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy under the Solid Waste Disposal Act, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MOORE (for herself and Mr. STIVERS):

H.R. 4216. A bill to protect the investment choices of American investors, and for other purposes; to the Committee on Financial Services.

By Mr. BERA:

H.R. 4217. A bill to amend the Internal Revenue Code of 1986 to determine eligibility for health insurance subsidies without regard to amounts included in income by reason of conversion to a Roth IRA; to the Committee on Ways and Means.

By Mrs. BLACKBURN (for herself, Mr. SMITH of Texas, Mr. BARLETTA, and Mr. DESJARLAIS):

H.R. 4218. A bill to suspend the admission to the United States of refugees, and for other purposes; to the Committee on the Judiciary.

By Mr. BOUSTANY (for himself and Mr. MEEKS):

H.R. 4219. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kazakhstan; to the Committee on Ways and Means.

By Mr. BUCK (for himself, Mr. GOSAR, Mr. BISHOP of Utah, Mrs. LUMMIS, Mrs. LOVE, and Mr. TIPTON):

H.R. 4220. A bill to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4221. A bill to amend the Higher Education Act of 1965 to restore National SMART Grants for a certain number of award years; to the Committee on Education and the Workforce.

By Mr. CARNEY:

H.R. 4222. A bill to direct the Secretary of Education to carry out a pilot program under which higher education savings accounts are established for the benefit of eligible secondary school students; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and

Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JUDY CHU of California (for herself, Ms. LEE, Ms. KUSTER, Mr. LOWENTHAL, Mr. HONDA, Mr. TAKANO, Ms. TITUS, Mr. McDERMOTT, Mr. GARAMENDI, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CAPPS, Mrs. NAPOLITANO, and Mr. DAVID SCOTT of Georgia):

H.R. 4223. A bill to amend the Higher Education Act of 1965 to reinstate the authority of the Secretary of Education to make Federal Direct Stafford Loans to graduate and professional students; to the Committee on Education and the Workforce.

By Mr. COLLINS of Georgia:

H.R. 4224. A bill to designate the Federal building and United States courthouse located at 121 Spring Street SE in Gainesville, Georgia, as the "Sidney Olsin Smith, Jr. Federal Building and United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. CONYERS (for himself, Mr. NADLER, and Mr. JOHNSON of Georgia):

H.R. 4225. A bill to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes; to the Committee on the Judiciary.

By Mr. CURBELO of Florida (for himself and Ms. GRAHAM):

H.R. 4226. A bill to amend the Agricultural Act of 2014 to provide relief for agricultural producers adversely impacted by the Oriental fruit fly; to the Committee on Agriculture.

By Ms. DELAURO:

H.R. 4227. A bill to enhance beneficiary and provider protections and improve transparency in the Medicare Advantage market, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER (for himself and Mr. LAMALFA):

H.R. 4228. A bill to amend title 23, United States Code, to establish additional requirements for certain transportation projects with estimated costs of \$2,500,000,000 or more, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KATKO (for himself and Mr. CICILLINE):

H.R. 4229. A bill to address the continued threat posed by dangerous synthetic drugs by amending the Controlled Substances Act relating to controlled substance analogues; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 4230. A bill to authorize the establishment of the Stonewall National Historic Site in the State of New York as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Ms. NORTON:

H.R. 4231. A bill to direct the Librarian of Congress to obtain a stained glass panel depicting the seal of the District of Columbia and install the panel among the stained glass panels depicting the seals of States which overlook the Main Reading Room of the Library of Congress Thomas Jefferson Building; to the Committee on House Administra-

tion, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMPEO:

H.R. 4232. A bill to amend the Public Utility Regulatory Policies Act of 1978 to provide for the consideration by State regulatory authorities and nonregulated electric utilities of whether subsidies should be provided for the deployment, construction, maintenance, or operation of a customer-side technology; to the Committee on Energy and Commerce.

By Mr. ROHRBACHER (for himself, Mr. ISSA, Mr. LOWENTHAL, Mr. ROYCE, and Mrs. MIMI WALTERS of California):

H.R. 4233. A bill to eliminate an unused lighthouse reservation, provide management consistency by incorporating the rocks and small islands along the coast of Orange County, California, into the California Coastal National Monument managed by the Bureau of Land Management, and meet the original Congressional intent of preserving Orange County's rocks and small islands, and for other purposes; to the Committee on Natural Resources.

By Mr. SARBANES:

H.R. 4234. A bill to establish a demonstration program to facilitate physician reentry into clinical practice to provide primary health services; to the Committee on Energy and Commerce.

By Ms. SCHAKOWSKY (for herself, Ms. MATSUI, Mrs. CAROLYN B. MALONEY of New York, Ms. FRANKEL of Florida, Ms. DELAURO, Mr. GUTIÉRREZ, Ms. NORTON, Mr. GRIJALVA, Mr. ELLISON, and Mr. VAN HOLLEN):

H.R. 4235. A bill to amend the Employee Retirement Income Security Act of 1974 to provide for greater spousal protection under defined contribution plans, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO (for himself, Mr. CROWLEY, Mr. ELLISON, Mr. HINOJOSA, Ms. MENG, Mr. PIERLUISI, Mr. CARTWRIGHT, Mr. NOLAN, Ms. DELAURO, Mr. VARGAS, Ms. ROYBAL-ALLARD, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BEN RAY LUJÁN of New Mexico, Mr. JEFFRIES, Ms. CLARKE of New York, Ms. VELÁZQUEZ, and Mr. HASTINGS):

H.R. 4236. A bill to promote savings by providing a tax credit for eligible taxpayers who contribute to savings products and to facilitate taxpayers receiving this credit and open a designated savings product when they file their Federal income tax returns; to the Committee on Ways and Means.

By Mr. HONDA (for himself, Mr. GRIJALVA, Mr. KENNEDY, Ms. NORTON, Mr. QUIGLEY, Mr. POCAN, Mr. LOWENTHAL, Ms. LEE, Mr. TED LIEU of California, Ms. SPEIER, Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, Mr. PALLONE, Mr. VAN HOLLEN, Ms. ROS-LEHTINEN, Mr. KEATING, Ms. BONAMICI, Mr. McDERMOTT, Mr. MCGOVERN, and Mr. TAKANO):

H. Res. 561. A resolution expressing support for support of transgender acceptance; to the Committee on the Judiciary.

By Mr. LOWENTHAL (for himself, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. COSTA, Mr. CROWLEY, Mrs. DAVIS of Cali-

ornia, Mrs. DINGELL, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HONDA, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. LEE, Mr. LEVIN, Ms. LOFGREEN, Ms. MATSUI, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Mr. McNERNEY, Mrs. NAPOLITANO, Mr. PETERS, Mr. POCAN, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SANCHEZ of California, Mr. SHERMAN, Ms. SPEIER, Mrs. TORRES, Mr. VAN HOLLEN, and Mr. VARGAS):

H. Res. 562. A resolution recognizing the 67th anniversary of the Universal Declaration of Human Rights and the celebration of "Human Rights Day"; to the Committee on Foreign Affairs.

By Mr. ROHRBACHER (for himself, Mr. MEEKS, and Mr. COHEN):

H. Res. 563. A resolution expressing the sense of the House of Representatives that the United States and the Republic of Belarus should establish full diplomatic relations; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. RIGELL:

H.R. 4208.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 11: To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water

By Ms. MAXINE WATERS of California:

H.R. 4209.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 of the U.S. Constitution and

Article 1, Section 8, clause 3 of the U.S. Constitution.

By Mr. PITTENGER:

H.R. 4210.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 1: All legislative Powers herein granted shall be vested in a Congress of the United States

By Mr. ROYCE:

H.R. 4211.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the U.S. Constitution to regulate commerce.

By Ms. LINDA T. SANCHEZ of California:

H.R. 4212.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PASCRELL:

H.R. 4213.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 4214.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mr. CARTWRIGHT:

H.R. 4215.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Ms. MOORE:

H.R. 4216.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. BERA:

H.R. 4217.

Congress has the power to enact this legislation pursuant to the following:

Article I, Clause 8

By Mrs. BLACKBURN:

H.R. 4218.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—necessary and proper clause

By Mr. BOUSTANY:

H.R. 4219.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the U.S. Constitution.

By Mr. BUCK:

H.R. 4220.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article I of the United States Constitution:

“The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.”

By Mr. CARNEY:

H.R. 4221.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. CARNEY:

H.R. 4222.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Ms. JUDY CHU of California:

H.R. 4223.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 or Article 1 of the United States Constitution.

By Mr. COLLINS of Georgia:

H.R. 4224.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution, which states that Congress shall have the power “to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.”

By Mr. CONYERS:

H.R. 4225.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4.

By Mr. CURBELO of Florida:

H.R. 4226.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. DELAURO:

H.R. 4227.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. DESAULNIER:

H.R. 4228.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. KATKO:

H.R. 4229.

Congress has the power to enact this legislation pursuant to the following:

Clause I of Section 8 of Article I of the Constitution

By Mr. NADLER:

H.R. 4230.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clauses 1, 17, and 18.

By Ms. NORTON:

H.R. 4231.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. POMPEO:

H.R. 4232.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. ROHRABACHER:

H.R. 4233.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the United States Constitution, which gives Congress the “Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belongings to the United States . . .”

By Mr. SARBANES:

H.R. 4234.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Ms. SCHAKOWSKY:

H.R. 4235.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. SERRANO:

H.R. 4236.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the Constitution, which states that “The Congress shall have power to lay and collect taxes, duties, impost and excises . . .” In addition, this legislation is introduced pursuant to Article I, Section 8, Clause 18 of the Constitution, which states that Congress shall have the power “to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.”

ADDITIONAL SPONSORS

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

H.R. 402: Mr. ZELDIN.
 H.R. 465: Mr. COLLINS of New York.
 H.R. 563: Mr. MCGOVERN, Mr. KNIGHT, and Ms. LOFGREN.
 H.R. 592: Mr. SWALWELL of California.
 H.R. 595: Mr. ELLISON.
 H.R. 721: Ms. LINDA T. SANCHEZ of California.
 H.R. 731: Mr. DELANEY and Mr. POLIQUIN.
 H.R. 769: Mr. FRANKS of Arizona and Mr. ROHRABACHER.
 H.R. 815: Mr. ROSS.
 H.R. 835: Mr. BEN RAY LUJÁN of New Mexico.
 H.R. 902: Mr. NOLAN.
 H.R. 985: Mr. ABRAHAM.
 H.R. 1062: Mr. JOYCE.
 H.R. 1095: Mr. MEEKS.
 H.R. 1116: Mr. POMPEO and Mr. MOOLENAAR.
 H.R. 1209: Mr. GALLEGGO and Ms. ROYBAL-ALLARD.
 H.R. 1221: Mr. KEATING.
 H.R. 1247: Mr. YOUNG of Alaska.
 H.R. 1282: Ms. EDWARDS.
 H.R. 1331: Mr. LATTA.
 H.R. 1439: Ms. DUCKWORTH and Mr. KILDEE.
 H.R. 1475: Ms. JACKSON LEE.
 H.R. 1516: Mr. KEATING and Ms. BONAMICI.
 H.R. 1550: Miss RICE of New York.
 H.R. 1654: Mr. BRENDAN F. BOYLE of Pennsylvania.
 H.R. 1655: Mr. GUTHRIE and Mr. HINOJOSA.
 H.R. 1671: Mr. ROHRABACHER, Ms. JENKINS of Kansas, and Mr. MESSER.
 H.R. 1769: Mr. MASSIE, Ms. JENKINS of Kansas, Ms. CLARK of Massachusetts, and Mr. MEEKS.
 H.R. 1786: Mr. LUETKEMEYER, Mr. POE of Texas, and Mr. PAULSEN.
 H.R. 1814: Mr. MEEKS and Mr. MURPHY of Pennsylvania.
 H.R. 1923: Mr. VISCLOSKEY.
 H.R. 1940: Mr. JEFFRIES and Mr. MCDERMOTT.
 H.R. 2016: Ms. EDWARDS and Mrs. DAVIS of California.
 H.R. 2050: Mr. HECK of Nevada, Mr. MEEKS and Mr. DONOVAN.
 H.R. 2058: Mr. GOODLATTE and Mr. HOLDING.
 H.R. 2114: Ms. VELÁZQUEZ.
 H.R. 2187: Ms. SINEMA.
 H.R. 2209: Mr. KIND.
 H.R. 2218: Mr. MACARTHUR.
 H.R. 2237: Mr. ROTHFUS.
 H.R. 2283: Mr. KEATING.
 H.R. 2302: Mr. FOSTER, Mr. CONYERS, and Ms. LOFGREN.
 H.R. 2315: Mr. ABRAHAM.
 H.R. 2366: Mr. CARSON of Indiana.
 H.R. 2400: Mr. KINZINGER of Illinois, Mr. THOMPSON of Pennsylvania, and Mr. LAHOOD.
 H.R. 2461: Ms. MCCOLLUM.
 H.R. 2622: Mr. O'ROURKE.
 H.R. 2648: Mr. NADLER.
 H.R. 2680: Mr. DANNY K. DAVIS of Illinois.
 H.R. 2871: Ms. SPEIER.
 H.R. 2872: Mr. WEBSTER of Florida.
 H.R. 2880: Mr. BEYER.
 H.R. 2902: Mr. LEVIN.
 H.R. 2903: Mr. SMITH of New Jersey, Mr. FITZPATRICK, and Mr. BEN RAY LUJÁN of New Mexico.
 H.R. 2978: Mr. DAVID SCOTT of Georgia, Mr. TED LIEU of California, Mr. VARGAS, Ms. FUDGE, Miss RICE of New York, and Mr. LEVIN.
 H.R. 2992: Mr. MCGOVERN.
 H.R. 3053: Mr. DIAZ-BALART.
 H.R. 3067: Mr. SCHIFF.
 H.R. 3068: Mr. WELCH.
 H.R. 3084: Mrs. CAROLYN B. MALONEY of New York.
 H.R. 3156: Mr. LABRADOR.

H.R. 3158: Mr. LABRADOR.
 H.R. 3179: Mr. BARLETTA and Mr. RODNEY DAVIS of Illinois.
 H.R. 3180: Mr. VEASEY.
 H.R. 3226: Ms. MCCOLLUM.
 H.R. 3229: Mr. LEWIS, Mr. HUIZENGA of Michigan, and Ms. BROWNLEY of California.
 H.R. 3290: Mr. RANGEL.
 H.R. 3303: Mr. POLIS and Mr. BEYER.
 H.R. 3310: Mr. DUFFY.
 H.R. 3321: Mr. GRAVES of Louisiana.
 H.R. 3326: Ms. DUCKWORTH.
 H.R. 3338: Ms. PINGREE.
 H.R. 3339: Ms. JUDY CHU of California, Mr. ROTHFUS, and Mr. KELLY of Pennsylvania.
 H.R. 3406: Ms. KAPTUR.
 H.R. 3411: Mr. RANGEL.
 H.R. 3437: Mr. ROGERS of Alabama.
 H.R. 3516: Mr. WILLIAMS.
 H.R. 3535: Mr. WELCH.
 H.R. 3640: Mr. BOUSTANY.
 H.R. 3648: Ms. MCCOLLUM.
 H.R. 3660: Mr. GALLEGRO.
 H.R. 3694: Mr. BISHOP of Michigan.
 H.R. 3706: Mr. EMMER of Minnesota and Mr. HUFFMAN.
 H.R. 3719: Mr. POLIQUIN.
 H.R. 3722: Mr. SCHWEIKERT and Mrs. COMSTOCK.
 H.R. 3784: Mr. KILDEE and Ms. VELÁZQUEZ.
 H.R. 3799: Mr. DEFazio.
 H.R. 3832: Mr. BUCSHON.
 H.R. 3856: Mr. BUCSHON.
 H.R. 3870: Mr. ASHFORD and Mr. KNIGHT.
 H.R. 3886: Mr. LARSEN of Washington, Ms. DELAURO, Ms. LEE, Mr. TED LIEU of California, Mr. RUPPERSBERGER, Mr. DANNY K. DAVIS of Illinois, Mr. LOEBSACK, Mr. BLUMENAUER, and Mr. POCAN.
 H.R. 3913: Ms. MCCOLLUM, Mr. MCGOVERN, Mr. ASHFORD, Mr. HASTINGS, Ms. SCHKOWSKY, Ms. NORTON, and Ms. PINGREE.
 H.R. 3926: Ms. CLARK of Massachusetts, Mr. VARGAS, Ms. TSONGAS, Mr. LANGEVIN, Ms. HAHN, Mr. DEUTCH, Mr. PERLMUTTER, Mr. CAPUANO, Miss RICE of New York, Mr. JOHNSON of Georgia, Ms. DEGETTE, Mr. COURTNEY, Ms. WILSON of Florida, Mr. TAKAI, Mr. DANNY K. DAVIS of Illinois, Ms. SLAUGHTER, Mr. NADLER, and Mr. BEYER.

H.R. 3929: Mr. FRELINGHUYSEN.
 H.R. 3957: Mr. DEUTCH.
 H.R. 3964: Mr. WELCH and Mr. HONDA.
 H.R. 4018: Mr. AUSTIN SCOTT of Georgia, Mr. CHABOT, Mr. WENSTRUP, and Mr. KELLY of Mississippi.
 H.R. 4040: Mr. LARSON of Connecticut.
 H.R. 4042: Mr. GENE GREEN of Texas and Mr. VEASEY.
 H.R. 4057: Mrs. BROOKS of Indiana.
 H.R. 4080: Mr. DELANEY.
 H.R. 4086: Mr. MEEKS.
 H.R. 4087: Mr. KING of New York, Mr. HUNTER, and Ms. MCSALLY.
 H.R. 4117: Mr. MEEKS,
 H.R. 4124: Mr. ASHFORD, Mr. HONDA, Mr. BRIDENSTINE, and Mr. MCGOVERN.
 H.R. 4135: Mr. MEEKS.
 H.R. 4140: Mr. FINCHER and Mr. WEBSTER of Florida.
 H.R. 4144: Ms. PINGREE, Mr. RUPPERSBERGER, and Mr. LARSON of Connecticut.
 H.R. 4162: Mr. HONDA.
 H.R. 4177: Mr. LABRADOR.
 H.R. 4179: Mrs. DAVIS of California.
 H.R. 4185: Mr. THOMPSON of Pennsylvania, Mr. WESTERMAN, Mr. HARRIS, Mr. GIBBS, Mr. COOK, Mr. BYRNE, Mr. LUETKEMEYER, Mr. ADERHOLT, Mr. PALMER, Mr. GOHMERT, Mr. LAMBORN, Mr. MASSIE, and Mr. LONG.
 H.R. 4197: Mr. MICA, Mr. MARCHANT, and Mr. RATCLIFFE.
 H. Con. Res. 26: Mr. WESTMORELAND.
 H. Con. Res. 75: Mr. GOWDY and Mr. COURTNEY.
 H. Con. Res. 100: Mr. LANCE, Mr. AUSTIN SCOTT of Georgia, Mr. COSTELLO of Pennsylvania, Mr. LAMBORN, Mr. MILLER of Florida, Mr. DOLD, Mr. JOYCE, Mr. CHABOT, Mr. STEWART, Mr. TIBERI, Mr. CURBELO of Florida, Mrs. LOWEY, Mrs. WALORSKI, Mrs. WAGNER, Mr. LATTA, Mrs. BROOKS of Indiana, Mr. WEBER of Texas, Mr. BOUSTANY, Mrs. LOVE, Mr. KELLY of Pennsylvania, Mr. RENACCI, Mr. ASHFORD, and Mr. POLIQUIN.
 H. Res. 14: Mr. MCGOVERN, Mr. AMASH, and Mr. CLAY.
 H. Res. 145: Ms. MCCOLLUM.
 H. Res. 220: Ms. CLARK of Massachusetts.
 H. Res. 346: Mrs. MCMORRIS RODGERS and Mr. BRENDAN F. BOYLE of Pennsylvania.

H. Res. 364: Ms. MCCOLLUM.
 H. Res. 383: Ms. MCCOLLUM.
 H. Res. 386: Ms. MCCOLLUM and Mr. LOWENTHAL.
 H. Res. 469: Mr. MACARTHUR.
 H. Res. 523: Mr. PETERS and Mr. BUCHANAN.
 H. Res. 528: Ms. LEE, Ms. BROWN of Florida, and Mr. THOMPSON of Mississippi.
 H. Res. 541: Mr. VAN HOLLEN, Mr. MEEKS, and Mrs. LOWEY.
 H. Res. 552: Mr. PERLMUTTER and Mr. TAKAI.
 H. Res. 553: Mrs. COMSTOCK and Mr. HECK of Nevada.
 H. Res. 554: Mr. KILMER, Mr. HONDA, Mr. BEN RAY LUJÁN of New Mexico, Mr. CÁRDENAS, and Mrs. MIMI WALTERS of California.
 H. Res. 559: Mr. WILSON of South Carolina and Mr. MOOLENAAR.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 3094: Mr. MICA.

PETITIONS, ETC.

Under clause 3 of rule XII,

38. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to propose, for ratification by special conventions held within the individual states, an amendment to the United States Constitution which would clarify that a declaration of martial law, or a suspension of the writ of habeas corpus, does not immunize the President of the United States from any process of involuntary removal from the office of President that is contained within the Constitution; which was referred to the Committee on the Judiciary.