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House of Representatives

The House met at 11:30 a.m. and was called to order by the Speaker pro tempore (Mr. HOLDING).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 10, 2016.

I hereby appoint the Honorable GEORGE HOLDING to act as Speaker pro tempore on this day.

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

PRAYER

Reverend Michael Siconolfi, Society of Jesus, Quantico, Virginia, offered the following prayer:

Lord, You are the author and sustainer of our lives; Yours is the love that bears mercy and the sweet waters that never run dry. By the power of Your word, You stilled the chaos of primeval seas, made the raging waters of the flood subside and etched the channels of fruitful rivers from the Jordan to the Nile, from the Mississippi to the Rio Grande.

We gather this day not far from the river called Potomac to pray for Your blessing upon the Members of this House. Much has been given them; and from them much will be required. Assist them with Your help that they may arrive at the final rollcall vote in Your grace and favor.

Grant all of us here on the shores of this nearby river a sense of hope as we strive to be instruments of Your peace. ''In this brief transit . . . teach us to care and not to care. Teach us to sit still. Our peace is in Your will.''

We ask this for Your greater glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 2(a) of House Resolution 635, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

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

Mr. WHITFIELD 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.

PERMISSION TO FILE SUPPLEMENTAL REPORT ON H.R. 4596

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be authorized to file a supplemental report on the bill, H.R. 4596.

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

There was no objection.

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, March 9, 2016.

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 March 9, 2016 at 9:29 a.m.:

That the Senate passed S. 2426.

That the Senate concur in the House amendment to the bill S. 1580.

That the Senate concur in the House amendment to the bill S. 1172.

That the Senate passed without amendment H.R. 1755.

That the Senate agreed to without amendment H. Con. Res. 113.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, March 3, 2016.

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

DEAR MR. SPEAKER: On March 2, 2016, pursuant to section 3307 of Title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider 24 resolutions included in the General Services Administration's Capital Investment and Leasing Programs.

The Committee continues to work to reduce the cost of federal property and leases. Of the 24 resolutions considered, the six alteration projects include space consolidations, security improvements, and improvements to space efficiency; the three construction projects include two land ports of entry and a federal courthouse consistent with existing funding; the prospectus for site acquisition and design and the prospectus for a building purchase both will result in significant cost savings from avoided lease costs; and the 13 lease prospectuses include significant reductions of leased space. In total, these resolutions represent $386 million in avoided lease costs and offsets.

Printed on recycled paper.

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on March 2, 2016.

Sincerely,

BILL SHUSTER,
Chairman.

Enclosures.

COMMITTEE RESOLUTION

ALTERATION—CONSOLIDATION ACTIVITIES PROGRAM, VARIOUS BUILDINGS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the reconfiguration and renovation of space within government-owned and leased buildings during fiscal year 2016 to improve space utilization, optimize inventory, and decrease reliance on leased space at a total cost of $75,000,000, a prospectus for which is attached to and included in this resolution.

Provided, that consolidation projects result in reduced annual rent paid by the tenant agency.

Provided, that no consolidation project exceeds $20,000,000 in costs.

Provided further, that preference is given to consolidation projects that achieve an office utilization rate of 130 usable square feet or less per person.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS - ALTERATION
CONSOLIDATION ACTIVITIES PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PCA-0001-MU16

FY2016 Project Summary

The General Services Administration (GSA) proposes the reconfiguration and renovation of space within government-owned and leased buildings during fiscal year 2016 to support the General Services Administration's (GSA's) ongoing consolidation efforts to improve space utilization, optimize inventory, decrease reliance on leased space, and reduce the government's environmental footprint.

FY2016 Committee Approval and Appropriation Requested.....$200,000,000

Program Summary

As part of its ongoing effort to improve space utilization, optimize inventory, decrease reliance on leased space, and reduce the government's environmental footprint, GSA is identifying consolidation opportunities within its inventory of real property assets. These opportunities are presented through surveys and studies, partnering with client agencies, and through agency initiatives such as Client Portfolio Planning (CPP). Projects will vary in size by location and agency mission and operations, however, no single project will exceed $20 million in total Federal (GSA and tenant agency) costs. Funds will support consolidation of tenant agencies and is not available for GSA internal consolidations. All projects will aim for a typical Office Utilization Rate of 130 usable square feet per person or less and an Estimated Economic Payback of 7 years or less.

Typical projects include the following:

- Reconfiguration and alteration of existing federal space to accommodate incoming agency relocation/consolidation. (Note: May include reconfigurations of existing occupied federal tenant space)

- Incidental alterations and system upgrades such as fire sprinklers or HVAC, needed as part of relocation and consolidation

Projects will be selected in line with the following criteria:

- First consideration will be given to projects that are identified as a reduction opportunity in a Customer Portfolio Plan which has been agreed to by both GSA and the subject agency and meet the remaining criteria.

- Proposed consolidation projects will result in a reduction in annual rent paid by the impacted customer agency.

GSA PBS

PROSPECTUS - ALTERATION
CONSOLIDATION ACTIVITIES PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PCA-0001-MU16

- Preference is given to consolidations within or into owned buildings over consolidations within or into leased space.
- Consolidation of expiring leases into owned buildings will be given preference over those business cases for lease cancellations which include a cancellation cost.
- Co-location with other agencies with shared resources and special space will be given preference over single agency occupancies.
- Links to other consolidation projects will be given preference over stand-alone projects

Justification

Consistent with Administration initiatives such as the June 2010 Presidential Memorandum, *Disposing of Unneeded Federal Real Estate*, and the Office of Management and Budget (OMB) Memorandum M-12-12, *Promoting Efficient Spending to Support Agency Operations*, as well as Congressional efforts to dispose of excess and underutilized properties, GSA continually analyzes opportunities to improve space utilization and realize long-term cost savings for the government. Funding for space consolidations is essential to ensuring that GSA can execute those opportunities.

Projects funded under this authorization will enable agencies to consolidate within government-controlled leased space or relocate from either government-controlled leased or federally owned space to federally owned space that more efficiently meets mission needs. These consolidations will result in improved space utilization, cost savings for the American taxpayers, and a reduced environmental impact.

FY2016 Committee Approval and Appropriation Requested.....$200,000,000

GSA PBS

PROSPECTUS - ALTERATION
CONSOLIDATION ACTIVITIES PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PCA-0001-MU16

Certification of Need

Current Administration and Congressional initiatives call for improved space utilization, lower costs for the government and a reduced environmental footprint. It has been determined that the proposed consolidation program is the most practical solution to meeting those goals.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—ENERGY AND WATER RETROFIT AND CONSERVATION MEASURES PROGRAM, VARIOUS BUILDINGS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for alterations to implement energy and water retrofit and conservation measures, as well as high performance energy projects, in Government-owned buildings during Fiscal Year 2016 at a total cost of $10,000,000, a prospectus for which is attached to and included in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS - ALTERATION
ENERGY AND WATER RETROFIT AND CONSERVATION MEASURES PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PEW-0001-MU16

FY2016 Project Summary

The General Services Administration (GSA) proposes the implementation of energy and water retrofit and conservation measures, as well as high performance energy projects, in Government-owned buildings during Fiscal Year 2016.

FY2016 Committee Approval and Appropriation Requested $20,000,000

Program Summary

GSA proposes the implementation of energy and water retrofit and conservation measures in Government-owned buildings during fiscal year 2016.

The Program is designed to reduce on-site energy and water consumption through building alteration projects or retrofits of existing buildings systems. These projects are an important part of GSA's approach to reach mandated percentage reduction goals through 2016.

GSA is identifying projects in federal buildings across the country through surveys and studies. These projects will have positive savings-to-investment ratios, must provide reasonable payback periods that reflect GSA's priority of being a green proving ground of next generation technologies, and may generate rebates and saving from utility companies and incentives from grid operators.

This prospectus requests approval for proposed projects involving energy and water retrofit work, geothermal and other High Performance Green Building retrofit work, as well as design/construction work for new facilities that incorporate these technologies. The projects contained in this prospectus are for a diverse set of design and retrofit projects with engineering solutions to reduce energy or water consumption and/or costs.

Projects will vary in size by location and by delivery method. Typical projects include the following:

- Upgrading heating, ventilation, and air-conditioning (HVAC) systems with new, high-efficiency systems including the installation of energy management control systems.
- Altering constant volume air distribution systems to variable air flow systems by adding variable air flow boxes, fan volume control dampers, and related climatic controls.
- Installing building automation control systems, such as night setback thermostats and time clocks, to control HVAC systems.

PROSPECTUS - ALTERATION
ENERGY AND WATER RETROFIT AND CONSERVATION MEASURES PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PEW-0001-MU16

- Installing automatic occupancy light controls, lighting fixture modifications, and associated wiring to reduce the electrical consumption per square foot through the use of higher efficiency lamps and use of non-uniform task lighting design.
- Installing new or modifying existing temperature control systems.
- Replacing electrical motors with multi-speed or variable-speed motors.
- Insulating roofs, pipes, HVAC duct work, and mechanical equipment.
- Installing and caulking storm windows and doors to prevent the passage of air and moisture into the building envelope.
- Providing advanced metering projects that enable building managers to better monitor and optimize energy performance.
- Providing and implementing water conservation projects.
- Providing and installing renewable projects including photovoltaic systems, solar hot water systems, and wind turbines.
- Providing distributed generation systems.
- Drilling to install vertical and horizontal geothermal loops.
- Installing heat pumps and other types of geothermal equipment.
- Installing building insulation and seals to enhance equipment performance and reduce the size and energy consumption of geothermal and other energy-efficient equipment.
- Installing wastewater recycling processes for use on lawns, in toilets, and for washing cars.
- Insulating roofs, pipes, HVAC duct work, and mechanical equipment.

PROSPECTUS - ALTERATION
ENERGY AND WATER RETROFIT AND CONSERVATION MEASURES PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PEW-0001-MU16

Justification

The Energy Policy Act of 2005 (Public Law 109-58) required a 2 percent energy usage reduction as measured in BTU/GSF per year from 2006 through 2016 over a 2003 baseline. Guidance issued by the Department of Energy pursuant to this requirement states that savings anticipated from advanced metering can range from 2 to 45 percent annually when used in combination with continuous commissioning efforts. Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management concerning energy consumption reduction, was incorporated into law as the Energy Independence and Security Act of 2007 (EISA). Both increased the energy reduction mandates to 3 percent per year, and the Executive Order also established a water reduction mandate of 2 percent per year based on a 2007 baseline as measured in gallons/gsf.

By the year 2016, all Federal agencies are directed to reduce overall energy use in buildings they operate by 30 percent from 2003 levels and reduce overall water use by 16 percent from 2007 levels. Increased energy and water efficiency in buildings and operations will require capital investment for changes and modifications to physical systems which consume energy and water, as well as other high performance green building initiatives and infrastructure designs and retrofits.

In addition, EISA included provisions that exceed the requirements of the Energy Policy Act of 2005. One such long-term requirement is to eliminate fossil fuel-generated energy consumption in new and renovated Federal buildings by FY 2030 by achieving targeted reductions beginning with projects designed in FY 2010. Other shorter-term measures include increasing the use of solar hot water heating (to 30 percent); installation of advanced meters for steam and gas (previously only electricity was covered); and broader application of energy efficiency in all major renovations.

Approval of this FY 2016 request will enable GSA to continue to provide leadership in energy/water conservation and efficiency to both the public and private sectors.

FY2016 Committee Approval and Appropriation Requested $20,000,000

GSA **PBS**

PROSPECTUS - ALTERATION
ENERGY AND WATER RETROFIT AND CONSERVATION MEASURES PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PEW-0001-MU16

Certification of Need

It has been determined that the practical solution to achieving the identified building energy and water management goals is to proceed with the energy and water retrofit and conservation work indicated above.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—JUDICIARY COURT SECURITY PROGRAM, VARIOUS BUILDINGS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for alterations to improve physical security in government-owned buildings occupied by the Judiciary and U.S. Marshals Service during Fiscal Year 2016 at a total cost of $20,000,000, a prospectus for which is attached to and included in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS - ALTERATION
JUDICIARY COURT SECURITY PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PJCS-0001-MU16

FY2016 Project Summary

This prospectus proposes alterations to improve physical security in government-owned buildings occupied by the Judiciary and U.S. Marshals Service (USMS) during Fiscal Year 2016 in lieu of future construction of new facilities.

FY2016 Committee Approval and Appropriation Requested **$20,000,000**

Program Summary

The Judiciary Court Security Program (JCS) is dedicated to improving physical security in buildings occupied by the Judiciary and the USMS in lieu of construction of brand new facilities, thereby providing cost savings and expedited delivery. These projects will vary in size, location, and delivery method and improve the separation of circulation for the public, judges, and prisoners. Funding provided for the security improvement projects would address elements such as additional doors, reconfiguring or adding corridors, reconfiguring or adding elevators, sallyports, and constructing physical or visual barriers.

Justification

The JCS will provide a vehicle for addressing security deficiencies in a timely and less costly manner when constructing a new courthouse is unlikely in the foreseeable future. In FY 2012, FY 2013, and FY 2015 GSA's appropriation included funding for this special emphasis program to undertake security improvements to buildings occupied by the Judiciary. This prospectus requests separate funding to specifically address such security conditions at existing federal courthouses for locations that are unlikely to be considered for construction of a new courthouse. The Judiciary's asset management planning process serves to help compile a preliminary assessment of potential JCS projects that identify courthouses with poor security ratings nationwide.

GSA **PBS**

PROSPECTUS - ALTERATION
JUDICIARY COURT SECURITY PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PJCS-0001-MU16

Certification of Need

Over the years a number of security issues have been identified that need to be addressed in order to reduce risk to physical security. The proposed program is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—WILLIAM J. GREEN, JR. FEDERAL BUILDING, PHILADELPHIA, PA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for Phase I of a two phase repair and alteration project for the approximately 841,000 gross square feet of William J. Green, Jr., Federal Building located at 600 Arch Street in Philadelphia, Pennsylvania at an additional design cost of $1,200,000, a total estimated construction cost of $39,950,000 and a total management and inspection cost of $3,850,000 for an estimated project cost of $45,000,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – ALTERATION
WILLIAM J. GREEN, JR. FEDERAL BUILDING
PHILADELPHIA, PA

Prospectus Number: PPA-0277-PH16
Congressional District: 01

FY2016 Project Summary

The General Services Administration (GSA) proposes Phase I of a two phase repair and alteration project for the approximately 841,000 gross square foot (gsf) William J. Green, Jr., Federal Building (Green Building), located at 600 Arch Street in Philadelphia, PA. The project involves the realignment and reconfiguration of tenant space, and multiple building system upgrades/replacements.

This project will improve the building's overall utilization through the realignment and implementation of various economical workplace solutions and result in the effective long term housing solution for the Federal Bureau of Investigation (FBI) Field Office, Drug Enforcement Administration (DEA) Field Division Office, and Internal Revenue Service (IRS) Philadelphia Office. By maximizing space in the Green Building, tenant agencies will relocate from leased space resulting in a reduction of approximately $3.5 million in annual lease payments to the private sector.

FY2016 Committee Approval and Appropriation Requested

(Additional Design, Phase I ECC, M&I) $45,000,000

Major Work Items

Interior Construction; Elevator, Plumbing, HVAC, Electrical, and Fire Protection System Upgrades/Replacement; Demolition/Abatement; Site/Garage Upgrades

Project Budget

Design (FY 2014)	$6,500,000
Additional Design (FY 2016 Request)	1,200,000
Total Design	**$7,700,000**
Estimated Construction Cost (ECC)	
Phase I (FY 2016 Request)	$39,950,000
Phase II (TBD)	38,750,000
Total ECC	**$78,700,000**
Management and Inspection (M&I)	
Phase I (FY 2016 Request)	$3,850,000
Phase II (TBD)	3,850,000
Total M&I	**$7,700,000**
Estimated Total Project Cost (ETPC)	**$94,100,000**

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by the GSA.

GSA PBS

PROSPECTUS – ALTERATION
WILLIAM J. GREEN, JR. FEDERAL BUILDING
PHILADELPHIA, PA

Prospectus Number: PPA-0277-PH16
Congressional District: 01

Schedule	Start	End
Design	FY2015	FY2017
Phase I Construction	FY2016	FY2018
Phase II Construction	TBD	TBD

Building

The Green Building along with the adjoining James A. Byrne U.S. Courthouse (Byrne Courthouse), is part of a 1.7 million gsf Federal complex in downtown Philadelphia. The Green Building, along with the Byrne Courthouse, was designed to share common mechanical systems. The first floors are linked by a common circulation area, that includes a ceremonial courtroom and plaza. The complex also shares an underground parking garage. Constructed in 1973, it is currently not eligible for listing on the National Register of Historic Places.

The Green Building which provides approximately 507,000 usable square feet (usf) and is 10 stories above grade, includes amenities such as a full service cafeteria, fitness center, credit union, conference center, health unit, and a plaza area for public gatherings.

Tenant Agencies

Judiciary, Department of Homeland Security, GSA, Department of Justice, Department of the Treasury, Office of Personnel Management, Department of State

Proposed Project

The primary driver for the proposed renovation is to improve the overall utilization of the Green Building, house additional employees and merge operations, including consolidating multiple leases into Green. Through innovative approaches to space management and alternative workplace arrangements, including the realignment of agencies onto contiguous floors and sharing resources such as conference rooms and other specialized space, the overall utilization rate for the building is expected to improve by approximately 20%. The project also includes upgrades/replacement of multiple building systems.

The first phase of the project will focus on the lower half of the building. This phase will allow the tenants occupying these floors to consolidate, and reduce their footprint, resulting in the creation of vacant space that will serve as internal swing space for Phase II. Work under this phase to the mechanical, electrical, plumbing, and fire life safety systems will affect both tenant and building wide components. HVAC work includes replacing mixing boxes and the chiller plant, refurbishing the cooling tower, and

PROSPECTUS – ALTERATION
WILLIAM J. GREEN, JR. FEDERAL BUILDING
PHILADELPHIA, PA

Prospectus Number: PPA-0277-PH16
Congressional District: 01

replacing/reconfiguring duct work and fan coil units within tenant space. Electrical upgrades/replacements will be made both within tenant suites and in common corridors and joint use spaces, while new domestic water risers will be installed to address plumbing. Sprinklers will be relocated, upgraded and replaced where necessary. Additionally, this phase will also upgrade some of the building's joint use space such as reducing the size of the cafeteria and increasing the number and size of conference space available to the tenants. The security visitor screening station in the building lobby will be upgraded and reconfigured to address challenges with the current layout, reduce wait times and provide sufficient space for the public.

Phase II will focus on the upper half of the building. Under Phase II, space for the occupying agencies will be realigned, reconfigured, and will allow for contiguous operations. HVAC, electrical, and fire protection upgrades/replacements will also be made to both the tenant and common spaces on these floors. Additionally, this phase includes upgrades/replacements to the elevator components, the cleaning of the curtain wall and repairs to the plaza drainage system. Exhaust fans will be installed in the underground parking garage to properly ventilate the area and comply with local code.

Major Work Items	
Interior Construction	$28,000,000
Elevator Upgrade/Replacement	1,800,000
Plumbing Upgrade/Replacement	2,000,000
HVAC Upgrade/Replacement	20,700,000
Fire Protection Upgrade/Replacement	1,100,000
Electrical Upgrade/Replacement	15,600,000
Demolition/Abatement	7,200,000
Site/Garage Upgrades	2,300,000
Total ECC	**$78,700,000**

PROSPECTUS – ALTERATION
WILLIAM J. GREEN, JR. FEDERAL BUILDING
PHILADELPHIA, PA

Prospectus Number: PPA-0277-PH16
Congressional District: 01

Justification

The reconfiguration and realignment of space will improve the efficiency of FBI and DEA operations. By providing contiguous space in the Green Building and consolidating them from leased space, this project will provide a secure work environment essential to collaborating with local law enforcement and other stakeholders, as well as improved handling of the expanding intelligence mission of these agencies in the most efficient and cost effective manner while providing state of the art infrastructure. This opportunity has been made in part by IRS' aggressive downsizing efforts, which has left the building with various pockets of vacant space. This project realigns and reconfigures vacant space allowing for other agencies to realize contiguous footprints.

As part of the reconfiguration and renovation of tenant space, multiple building systems will be upgraded. Reconfiguration of the duct work, sprinklers, and replacement of fan coil units is prudent to accomplish while space is vacant. The duct work and electrical system is outdated and in need of upgrades/replacement and reconfiguration to accommodate the proposed open office floor plans. Sprinklers need to be relocated, and upgraded/replaced where necessary, to meet code. The fan coil units are beyond their useful life and are no longer able to properly regulate the temperature in the suites. The cooling tower and the chiller plant need to be addressed to properly integrate with the needs of the new tenant space. Elevator components need to be upgraded and one elevator will be converted from a passenger to a prisoner transport elevator.

At present, the visitor screening area is insufficient to handle the amount of foot traffic the building receives and long lines result in spillover to the plaza area, posing a potential security risk. The plaza drainage system must be repaired because it is currently leaking into the secure parking garage under the building.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

GSA PBS

PROSPECTUS – ALTERATION
WILLIAM J. GREEN, JR. FEDERAL BUILDING
PHILADELPHIA, PA

Prospectus Number: PPA-0277-PH16
Congressional District: 01

Prior Appropriations

Prior Appropriations			
Public Law	**Fiscal Year**	**Amount**	**Purpose**
113-76	2014	$6,500,000	Design
Appropriations to Date		**$6,500,000**	

Prior Committee Approvals

Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
Senate EPW	2/6/14	$6,500,000	Design
House T&I	3/13/14	$6,500,000	Design

Prior Prospectus-Level Projects in Building (past 10 years):

Prospectus	Description	FY	Amount
PPA-0277-PI07	IRS Renovations (IRS funded)	2007	$ 4,726,000
111-5	Air Handling Units	2009	$22,624,000

Alternatives Considered (30-year, present value cost analysis)

Alteration $163,445,000
Lease $341,647,000
New Construction $219,946,000

The 30 year, present value cost of alteration is $56,501,000 less than the cost of new construction, an equivalent annual cost advantage of $3,189,000.

Recommendation

ALTERATION

GSA **PBS**

PROSPECTUS – ALTERATION
WILLIAM J. GREEN, JR. FEDERAL BUILDING
PHILADELPHIA, PA

Prospectus Number: PPA-0277-PH16
Congressional District: 01

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

January 2015

Housing Plan
William J. Green, Jr. Federal Building

PPA-0277-PH16
Philadelphia, PA

	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Lease Locations												
701 Market Street												
DOJ-Drug Enforcement Administration*	36	36	8,071	295	4,451	12,817	-	-	-	-	-	-
Treasury-Internal Revenue Service*	41	41	18,604	421	91	19,116	-	-	-	-	-	-
DOJ-Federal Bureau of Investigation*	98	98	25,460	-	-	25,460	-	-	-	-	-	-
DHS - Federal Protective Service	31	31	7,170	2,018	3,134	12,322	-	-	-	-	-	-
170 S. Independence Mall							-	-	-	-	-	-
DOJ-Bureau of Alcohol, Tobacco, Firearms, and Explosives	36	36	8,217	2,553	8,255	19,025	-	-	-	-	-	-
Lease Locations Subtotal	**242**	**242**	**67,522**	**5,287**	**15,931**	**88,740**	-	-	-	-	-	-
Government Owned Locations												
William J. Green Jr. Federal Building												
DOJ-Federal Bureau of Investigation*	446	446	93,088	10,352	17,641	121,081	669	669	87,152	28,803	65,104	181,059
Treasury-Internal Revenue Service*	533	533	111,446	10,287	23,644	145,377	537	537	84,042	11,050	5,666	100,758
DOJ-Drug Enforcement Administration*	194	194	33,705	161	8,762	42,628	225	225	26,508	8,808	17,856	53,172
Judiciary-Probation	99	99	26,467	471	236	27,174	103	103	25,971	598	585	27,154
DHS-U.S. Secret Service	56	56	19,695	1,808	3,009	24,512	56	56	19,695	1,808	3,009	24,512
Office of Personnel Management	41	41	10,044	100	603	10,747	55	55	7,772	608	115	8,495
DOJ-U.S. Marshals Service	-	-	-	5,743	3,336	9,079	-	-	-	5,743	3,336	9,079
Treasury Inspector General for Tax Administration	20	20	6,365	429	1,235	8,029	17	17	1,997	965	426	3,388
Judiciary-Pre-trial	22	22	6,483	-	547	7,030	25	25	5,717	607	689	7,013
DOJ-U.S. Attorney	0	0	3,900	216	197	4,313	-	-	3,671	244	244	4,159
Department of State	11	11	1,939	-	217	2,156	12	12	3,131	233	811	4,175
Judiciary-U.S. District Clerk	-	-	-	3,074	-	3,074	-	-	-	3,074	-	3,074
DHS-Federal Protective Service	2	2	537	-	745	1,282	51	51	7,021	1,734	4,945	13,700
DOJ-Bureau of Alcohol, Tobacco, Firearms, and Explosives	-	-	-	-	-	-	36	36	5,203	1,560	8,236	14,999
Judiciary-Court of Appeals	43	43	10,258	-	297	10,555	-	-	-	-	-	-
General Services Administration	33	33	7,506	2,044	2,914	12,464	31	31	3,945	505	3,037	7,487
Joint Use **	-	-	2,347	1,746	43,546	47,639	-	-	1,273	1,878	41,017	44,168
Vacant ***	-	-	23,862	-	-	23,862	-	-	4,722	-	-	4,722
Government Owned Locations Subtotal	**1,500**	**1,500**	**333,780**	**36,431**	**106,929**	**477,140**	**1,817**	**1,817**	**283,098**	**68,218**	**155,076**	**506,392**
Total	**1,742**	**1,742**	**401,302**	**41,718**	**122,860**	**565,880**	**1,817**	**1,817**	**283,098**	**68,218**	**155,076**	**506,392**

* Denotes agencies primarily impacted by proposed project

** Joint use space is not occuupied by tenant agencies and includes such things as Food Preparation, Snack Bar, Credit Union and Childcare Center.

*** Vacant square footage will be absorbed under Phase II of the project

January 2015

Housing Plan
William J. Green, Jr. Federal Building

PPA-0277-PH16
Philadelphia, PA

Office Utilization Rate[2]	Current	Proposed
Building Office Tenants (excluding Joint Use, Judiciary, Congress, and agencies with less than 10 employees)	180	117
All Building Office Tenants (excluding Joint Use; including Judiciary, Congress, and agencies with less than 10 employees)	174	122

Current Office UR excludes 68,142 usf of office support space.
Proposed Office UR excludes 55,789 usf of office support space

Total Building USF Rate[3]	Current	Proposed
(excluding Joint Use, Judiciary, Congress, and agencies with less than 10 employees)	296	249
All Building Tenants (excluding Joint Use; including Judiciary, Congress, and agencies with less than 10 employees)	318	279

Current Office UR excludes 78,681 usf of office support space.
Proposed Office UR excludes 63,320 usf of office support space

Special Space	USF
Holding Cell	274
Fitness Center	5,735
ADP	1,558
Telephone	3,090
SCIF	23,019
Secure Areas/Storage	40,311
Locker Room	3,146
Health Unit	4,113
Restroom	390
Conference/Training	34,968
Childcare	12,136
Break Room	2,737
Interview Room	3,435
Lab	270
Light Industrial	2,043
Mail Room	5,199
Food Service	12,652
Total	**155,076**

NOTES:

[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

[2] Office Utilization Rate = total office space available for office personnel. UR calculation excludes office support space USF.

[3] Total Building USF Rate = total building USF (office, storage, special) available for all building occupants (office, and non-office personnel).

COMMITTEE RESOLUTION

ALTERATION—U.S. LAND PORT OF ENTRY, PACIFIC HIGHWAY, BLAINE, WA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations to resolve exterior envelope deficiencies and promote energy savings at the U.S. Land Port of Entry located at Pacific Highway in Blaine, Washington at a design cost of $1,030,000, an estimated construction cost of $9,956,000 and a management and inspection cost of $944,000 for a total estimated project cost of $11,930,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – ALTERATION
U.S. LAND PORT OF ENTRY
PACIFIC HIGHWAY, BLAINE, WA

Prospectus Number: PWA-00BN-BL16
Congressional District: 1

FY2016 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to resolve exterior envelope deficiencies and promote energy savings at the U.S. Land Port of Entry (LPOE) located at Pacific Highway in Blaine, WA.

FY2016 Committee Approval and Appropriation Requested

(Design, ECC, M&I) $11,930,000

Major Work Items

Exterior construction; roof replacement

Project Budget

Design	$1,030,000
Estimated Construction Cost (ECC)	9,956,000
Management and Inspection (M&I)	944,000
Estimated Total Project Cost (ETPC)	**$11,930,000**

Schedule	**Start**	**End**
Design and Construction	FY2016	FY2018

Building

The Pacific Highway LPOE, constructed in 1999, is the largest commercial LPOE in Washington State, and processes inbound and outbound traffic from arterial roads that connect to Interstate 5. This LPOE serves several federal agencies and operates 24 hours per day and 7 days per week. It is the major commercial port in Western Washington, serving automobiles, buses, and commercial traffic.

The 11.8-acre LPOE site contains two buildings: the Auto Bus building and the Cargo building. The Auto Bus building is a one-story automobile and bus processing building with 30,418 gross square feet (gsf) including canopies. The Cargo building is a three-story commercial inspection and administration building with a single-story warehouse wing. The building has 67,013 gsf including canopies.

GSA PBS

PROSPECTUS – ALTERATION
U.S. LAND PORT OF ENTRY
PACIFIC HIGHWAY, BLAINE, WA

Prospectus Number: PWA-00BN-BL16
Congressional District: 1

Tenant Agencies

U.S. Department of Homeland Security – Customs and Border Protection; U.S. Department of Agriculture – Animal and Plant Health Inspection Service; U.S. Department of Interior – Fish and Wildlife Service; U.S. Department of Health and Human Services – Food and Drug Administration; General Services Administration

Proposed Project

The proposed project will address several exterior deficiencies and improve energy performance. The exterior envelope will be upgraded to stop water intrusion and involves deconstruction and reconstruction of exterior walls, installation of waterproofing materials, repair/replacement of the roof, repair/replacement of windows seals, and improved thermal protection.

Major Work Items

Exterior construction	$8,121,000
Roof Repair/Replacement	1,835,000
Total ECC	**$9,956,000**

Justification

The existing exterior envelope allows water to infiltrate into the LPOE and is causing interior finish deterioration and mold growth. In addition to the lack of moisture barrier protection from original construction, water enters the walls at multiple locations, including gaps in cedar and corrugated metal cladding and through roofing screws that have penetrated insulation and building paper. These deficiencies, coupled with failing aluminum window wall gaskets and single pane translucent panels, contribute to the building's poor thermal performance and occupant discomfort at the building's perimeter.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

PROSPECTUS – ALTERATION
U.S. LAND PORT OF ENTRY
PACIFIC HIGHWAY, BLAINE, WA

Prospectus Number: PWA-00BN-BL16
Congressional District: 1

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years)

None

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION

GSA **PBS**

PROSPECTUS – ALTERATION
U.S. LAND PORT OF ENTRY
PACIFIC HIGHWAY, BLAINE, WA

Prospectus Number: PWA-00BN-BL16
Congressional District: 1

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

SITE ACQUISITION AND DESIGN—FEDERAL OFFICE BUILDING, BOYERS, PA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for site acquisition and design for the construction of 462,000 gross square feet of space to provide a long-term housing solution for the Office of Personnel Management, the Social Security Administration, and the Department of Defense in the vicinity of Boyers, Pennsylvania to allow the Government to consolidate these operations, currently housed in leased space in an underground mine, into an owned facility at a site acquisition cost of $12,000,000, a design cost of $11,562,000, and a Management and Inspection cost of $7,638,000 for a total estimated project cost for design and site acquisition of $31,200,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – SITE ACQUISITION AND DESIGN
FEDERAL OFFICE BUILDING
BOYERS, PA

Prospectus Number: PPA-FBC-BO17
Congressional District: 03, 12

FY 2017 Project Summary

The General Services Administration (GSA) proposes the construction of a new federally owned facility of approximately 462,000 gross square feet (gsf) to provide a long-term housing solution for the Office of Personnel Management (OPM), Social Security Administration (SSA) and Department of Defense (DOD) in the vicinity of Boyers, PA. The project will allow the Government to consolidate these operations, currently housed in leased space in an underground mine, into an owned facility and eliminate annual lease payments to the private sector by approximately $13,500,000.

A project to consolidate OPM and multiple other Federal agencies was among those previously included in the President's Fiscal Year (FY) 2016 Budget. The FY 2016 prospectus (PPA-FBC-BO16), which requested Site Acquisition and Design and Related Services funding in the amount of $35,000,000 in support of a proposed 695,000 gsf facility, has yet to be approved by either the Senate Committee on Environment and Public Works or the House Committee on Transportation and Infrastructure and no appropriations have been received in support of the project. GSA is resubmitting this project for Site Acquisition and Design and Management and Inspection in FY 2017 with changes in scope and budget.

FY 2017 Committee Approval and Appropriation Requested

(Site Acquisition, Design, Management and Inspection).....$ 31,200,000

Overview of Project

The proposed new construction will provide approximately 462,000 gsf of office and related space and 1,500 parking spaces for OPM, SSA and DOD in the vicinity of Boyers, PA, including portions of Butler, Lawrence, and Beaver Counties. The facility will provide National Archives and Records Administration-compliant records storage in environmentally conditioned, fire-protected space in a secured facility. The project will consolidate OPM from its operations in the mine and one additional leased location along with SSA and DOD operations in the mine into a single federally owned location. Consolidation will allow for economies of scale and will provide opportunities for maximizing space efficiency, operational flexibility, and sharing special support spaces and building amenities.

This request reflects refinement to previously identified requirements related to the building square footage and project costs subsequent to preparation of the FY 2016 prospectus. This request includes the reduction of usable square footage required for records management storage due to the use of a higher density filing system, and more

PROSPECTUS – SITE ACQUISITION AND DESIGN
FEDERAL OFFICE BUILDING
BOYERS, PA

Prospectus Number: PPA-FBC-BO17
Congressional District: 03, 12

accurate costs reflecting the requirements to build-out the space. In addition, tenants located in leased space outside of the mine, originally slated to be a part of this consolidation were, for various reasons including the need to interface with the public, determined not to be an optimal fit in a facility that will have high security requirements. Those tenants will remain in lease space.

Location

Vicinity of Boyers, PA – including portions of Butler, Lawrence and Beaver Counties.

Project Budget

Site Acquisition (FY 2017)	$12,000,000
Design (FY 2017)	11,562,000
Estimated Construction Cost (ECC)	179,950,000
Management and Inspection (M&I) (FY17)	7,638,000
Estimated Total Project Cost (ETPC)*	**$211,150,000**

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.

Schedule	**Start**	**End**
Site Acquisition/Design	FY 2017	FY 2018
Construction	TBD	TBD

Tenant Agencies

OPM – Federal Investigative Services (FIS), Retirement Operations Center (ROC), Chief Information Officer (CIO), and Facilities, Services and Contracting (FSC); SSA, DOD, and GSA

Justification

OPM, SSA and DOD are currently housed in leased space at 1137 Branchton Road, Boyers, PA, a converted limestone mine, which includes approximately 580,000 rentable square feet (rsf) that also houses multiple Federal operations and offices in subterranean space. In recent years, portions of the mine have degraded resulting in pieces of the ceiling falling into active workspace. To enhance employee safety and prevent injuries to occupants, the lessor installed mesh netting. While GSA continues to work with the lessor on interim mitigation measures regarding ceiling degradation, means of egress, and

PROSPECTUS – SITE ACQUISITION AND DESIGN
FEDERAL OFFICE BUILDING
BOYERS, PA

Prospectus Number: PPA-FBC-BO17
Congressional District: 03, 12

sprinklers and alarms, continued housing at this location is not a viable long-term solution.

OPM began occupying the facility in 1970. OPM has experienced significant increases in operations over the past several years, particularly among the main operations currently housed in the mine: FIS and ROC. Because of the significant number of retirees in recent years, OPM has an increased need of additional file storage for its ROC. This project will allow for a more space-efficient solution such as a high-density system, which will reduce the anticipated amount of file storage space needed in the long term. Additionally, FIS has seen a significant increase in personnel security clearances since 2005 in support of processing background investigations and suitability determinations for the DOD and other Federal agencies. The Intelligence Reform and Terrorism Prevention Act of 2004 mandated that 90 percent of security clearance determinations be made within 60 days. To comply with this mandate, OPM hired additional personnel. It is not prudent for OPM to continue to meet these needs in the existing mine location. OPM has a 2,500 rsf field office location outside of the mine that will be consolidated into the proposed new facility.

The proposed project also provides the opportunity for OPM, SSA and DOD to be housed in a proposed facility that will meet their long term requirements, reduce overall space, facilitate shared resources, and eliminate lease payments.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

PROSPECTUS – SITE ACQUISITION AND DESIGN
FEDERAL OFFICE BUILDING
BOYERS, PA

Prospectus Number: PPA-FBC-BO17
Congressional District: 03, 12

Alternatives Considered (30-year, present value cost analysis)

Lease $292,916,000
New Construction: $237,695,000

The 30-year, present value cost of ownership is $55,222,000 less than the cost of leasing, with an equivalent annual cost advantage of $3,155,000.

Recommendation

CONSTRUCTION

GSA **PBS**

PROSPECTUS – SITE ACQUISITION AND DESIGN
FEDERAL OFFICE BUILDING
BOYERS, PA

Prospectus Number: PPA-FBC-BO17
Congressional District: 03, 12

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 8, 2016

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

BUILDING ACQUISITION—IRS ANNEX BUILDING PURCHASE, AUSTIN, TX

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the acquisition of the Internal Revenue Service Annex Building composed of 144,101 rentable square feet of space and 179 parking spaces located at 2021 Woodward Street in Austin, Texas at a building, site acquisition and total estimated project cost of $12,756,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – BUILDING ACQUISITION
IRS ANNEX BUILDING PURCHASE
AUSTIN, TX

Prospectus Number: PTX-1665-AU17
Congressional District: 35

FY2017 Project Summary

The General Services Administration (GSA) proposes to acquire the Internal Revenue Service (IRS) Annex Building located at 2021 Woodward Street in Austin, TX. The leased facility provides 144,101 rentable square feet of space and 179 parking spaces and is currently occupied entirely by the IRS. Purchase will reduce the Government's rental payment to the private sector by approximately $1,163,000 annually.

This project was among those previously included in GSA's FY 2015 Capital Investment Program. The prospectus was not approved by the Senate Committee on Environment and Public Works and the House Committee on Transportation and Infrastructure, and the project could not be accommodated within the enacted level. GSA is resubmitting the project in FY 2016.

FY2017 Committee Approval and Appropriation Requested

(Site, Design, ECC, M&I).....$12,756,000

Building

The IRS Annex was built in 1979 by the lessor and is a single story tilt-up pre-cast concrete building. The building is co-located on a 57-acre campus with federally-owned buildings housing a regional IRS Service Center, a Department of Veterans Affairs administrative facility, and the U.S. Department of the Treasury Financial Management Service. The campus is bounded by East Woodward Street on the North and East, IH-35 on the West and U.S. Highway 290 on the South. The location of the IRS annex on this campus is critical to the IRS mission since trucks make daily runs between the Annex, Service Center, Compliance Center and other IRS locations transporting supplies, furniture and tax returns.

Project Budget

Building and Site Acquisition.....$12,756,000

Estimated Total Project Cost (ETPC)*.....$12,756,000

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by the GSA.

Schedule	**Start**	**End**
Acquisition	FY 2017	FY 2017

PROSPECTUS – BUILDING ACQUISITION
IRS ANNEX BUILDING PURCHASE
AUSTIN, TX

Prospectus Number: PTX-1665-AU17
Congressional District: 35

Overview of Project

The project proposes acquisition of the building currently leased by GSA for the IRS. The facility provides office, warehouse and light industrial storage space for IRS adjacent to the main IRS Service Center Building in Austin, TX. In addition, the warehouse is located in close proximity to four other IRS leases located in southeast Austin.

Tenant Agencies

IRS

Justification

The IRS Annex is an integral part of the tax return submission processing pipeline. As a receiving point for mail during tax season and a holding place for the completed returns, this building is the first and last stop for tax returns through the pipeline. It is entirely within the secure fenced campus perimeter and is tied in to the communications, security and fire alarm systems in the IRS Service Center. The IRS Annex building is the only part of the 57-acre campus facility that is not federally owned. Ownership of the annex would provide greater flexibility for future development of the campus site as needed for IRS or other agencies. Additionally, purchase of the IRS Annex will reduce the Government's rental payment to the private sector by approximately $1,163,000 annually.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years):

None

PROSPECTUS – BUILDING ACQUISITION
IRS ANNEX BUILDING PURCHASE
AUSTIN, TX

Prospectus Number: PTX-1665-AU17
Congressional District: 35

Alternatives Considered (30-year, present value cost analysis)

Purchase: $56,621,000
Lease:.....$131,382,000
New Construction:.....$72,835,000

The 30-year, present value cost of purchase is $16,214,000 less than the cost of new construction with an equivalent annual cost advantage of $871,000.

Recommendation

ACQUISITION

GSA **PBS**

PROSPECTUS – BUILDING ACQUISITION
IRS ANNEX BUILDING PURCHASE
AUSTIN, TX

Prospectus Number: PTX-1665-AU17
Congressional District: 35

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 8, 2016

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

CONSTRUCTION—U.S. LAND PORT OF ENTRY, COLUMBUS, NM

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the construction of new replacement land port of entry facilities of 69,243 gross square feet (including canopies) to safely and efficiently accommodate steady increases in car, truck and pedestrian traffic as well as incorporate extensive site improvements to address significant stormwater drainage issues at the port at an estimated construction cost of $79,600,000 and a management and inspection cost of $6,045,000 for an estimated project cost of $85,645,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
COLUMBUS, NM

Prospectus Number: PNM-BSC-CO16
Congressional District: 2

FY 2016 Project Summary

The General Services Administration (GSA) requests approval for construction of new replacement land port of entry (LPOE) facilities in Columbus, NM. The project will expand the facilities to safely and efficiently accommodate steady increases in car, truck and pedestrian traffic as well as incorporate extensive site improvements to address significant stormwater drainage issues at the port.

FY 2016 House Committee Approval Requested

(ECC and M&I) $85,645,000

FY 2016 Senate Committee Approval Requested

(ECC and M&I) $26,047,000

FY 2016 Appropriation Requested

(ECC and M&I) ..... $85,645,000[1]

Overview of Project

The Columbus LPOE was built in 1989 to screen visitors entering the United States. Existing building workspace and inspection facilities do not meet the tenant agency's operational need. The tenant has identified a current requirement of 69,243 gross square feet of building space; however, the existing facility provides 21,370 gross square feet. The project will consist of expanding existing facilities to handle future traffic volumes predicted for this port and site improvements to control stormwater flow.

[1] GSA has worked closely with DHS program offices responsible for developing and implementing security technology at the LPOEs. These programs include Radiation Portal Monitors (RPMs), Land Border Integration (formerly Western Hemisphere Travel Initiative (WHTI)), Non-Intrusive Inspection (NII), Outbound Inspection, and Port Hardening/Absconder programs. This prospectus contains the funding of infrastructure requirements for each program known at the time of prospectus development since these programs are at various stages of development and implementation. Additional funding by a Reimbursable Work Authorization (RWA) may be required to provide for as yet unidentified elements of each of these programs to be implemented at this port.

PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
COLUMBUS, NM

Prospectus Number: PNM-BSC-CO16
Congressional District: 2

The project includes construction of a new main building, commercial and non-commercial primary and secondary inspection facilities, pedestrian processing, an outbound canopy, export facilities, non-intrusive inspection systems, hazardous materials containment area, a new earthen berm and drainage basin, and enlargement of an existing culvert. The project also includes outside vehicle parking and a kennel. Additionally, requirements of the Federal Motor Carrier Safety Administration are addressed in the project with relocation of an existing canopy structure and building and new paving.

Site Information
Government-Owned ..... 14.72 acres
Building Area[2]
Building (including canopies) ..... 69,243 gsf
Building (excluding canopies) ..... 48,415 gsf
Outside parking spaces 106

Cost Information
Site Development Costs[3] $37,412,000
Building Costs (includes inspection canopies) ($609/gsf) $42,188,000

Project Budget

Design (FY 2007 and FY 2009) $3,338,395
Additional Design[4] (FY 2014) 7,400,000
Estimated Construction Cost (ECC)[5] 79,600,000
Management and Inspection (M&I) 6,045,000
Estimated Total Project Cost (ETPC)* **$96,383,395**
*Tenant agencies may fund an additional amount for emerging technologies and alterations above the standard normally provided by the GSA.

[2] The project may contain a variance in gross square footage from that listed in this prospectus due to changes in the CBP Design Guide.

[3] Site development costs include grading, utilities, paving, demolition of existing facilities, drainage ponds and culverts (including piping and structures), lighting, and fencing.

[4] The additional design funds are needed to reflect updated agency requirements since design was originally authorized and to incorporate extensive site improvements needed to address significant storm water drainage issues at the port.

[5] Costs have increased since approval of Prospectus No. PNM-BSC-CO14 due to labor and materials market increases (example: booming oil and gas market in west Texas has affected most costs including plumbing/piping, steel, concrete, electrical, road work).

PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
COLUMBUS, NM

Prospectus Number: PNM-BSC-CO16
Congressional District: 2

Location

The site is bordered on the west by New Mexico State Highway 11 and on the east by a bypass road, approximately 3 miles south of the village of Columbus, New Mexico, adjacent to the city of Palomas, Mexico.

Schedule

	Start	End
Design	FY 2014	FY 2016
Construction	FY 2016	FY 2019

Tenant Agencies

Department of Homeland Security – Customs and Border Protection, Immigration and Customs Enforcement; U.S. Department of Agriculture – Animal & Plant Health Inspection Service, Plant Protection and Quarantine; U.S. Food and Drug Administration; Department of Transportation – Federal Motor Carrier Safety Administration; and General Services Administration.

Justification

Since its construction in 1989, screening of visitors at the Columbus LPOE has increased significantly and advances in technology have led to significant changes in the inspection process. The LPOE continues to experience an increase in commercial traffic, with anticipated additional growth over the next 15 years.

PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
COLUMBUS, NM

Prospectus Number: PNM-BSC-CO16
Congressional District: 2

Efforts are underway by the Government of Mexico to relocate port facilities south of the border further east. The construction of a bypass road to access these new crossings was completed in 2011. New commercial traffic circulation resulting from the addition of the bypass road will be accommodated in the port expansion project.

The LPOE has experienced significant flooding during high volume rainfall events. In the past decade, the area has been inundated multiple times which has subsequently elevated the flooding problem to the attention of both the U.S. and Mexican Governments and the State of New Mexico. Improvements to the LPOE will protect new and existing structures, retain all new onsite storm water, and convey storm water flows across the site. The proposed site drainage and grading improvements have a significant cost; however, the work is necessary in order for the project to proceed and for the LPOE to maintain operations.

Summary of Energy Compliance

The project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

Prior Appropriations			
Public Law	**Fiscal Year**	**Amount**	**Purpose**
110-5	2007	$2,629,000	Design
111-5	2009 (ARRA)	$709,395	Design
Reprogram	2014	$7,400,000	Design
Appropriations to Date		**$10,738,395**	

GSA PBS

PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
COLUMBUS, NM

Prospectus Number: PNM-BSC-CO16
Congressional District: 2

Prior Committee Approvals

Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
House T & I	4/5/2006	$2,629,000	Design
Senate EPW	5/23/2006	$2,629,000	Design
Senate EPW	12/8/11	$59,598,000	M&I = $4,900,000; Construction = $54,698,000
House T&I	7/16/14	$7,400,000	Additional Design
Senate EPW	9/18/14	$7,400,000	Additional Design
House Approvals to Date*		**$10,738,395**	
Senate Approvals to Date*		**$70,336,395**	

* Approvals to Date include $709,395 via the American Recovery and Reinvestment Act of 2009 (ARRA); authorization is inherent in the Public Law (PL 111-5 – Recovery Act).

Alternatives Considered

SA owns and maintains the existing facilities at this port of entry; thus, no alternative other than Federal construction was considered.

Recommendation

CONSTRUCTION

GSA PBS

PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
COLUMBUS, NM

Prospectus Number: PNM-BSC-CO16
Congressional District: 2

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

January 2015

Housing Plan
Columbus Land Port of Entry

PNM-BSC-CO16
Columbus, NM

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Columbus, NM LPOE						-						-
U.S. Department of Homeland Security - CBP	53	53	5,310	-	9,817	15,127	54	54	7,236	2,110	44,836	54,182
U.S. Department of Homeland Security- ICE	-	-					4	4	590	-	-	590
General Services Administration-PBS, Field Offices	1	1	191			191	1	1	460	433	-	893
U.S. Health and Human Services - FDA	1	1	480			480	1	1	215		201	416
Joint Use	-	-	1,640		451	2,091	0	0	-			-
U.S. Department of Agriculture - APHIS	2	2	504		458	962	2	2	259		234	493
U.S. Department of Transportation - FMCS	1	1	340		1,019	1,359	1	1	340		1,019	1,359
Total	**58**	**58**	**8,465**	**-**	**11,745**	**20,210**	**63**	**63**	**9,100**	**2,543**	**46,290**	**57,933**

Special Space	USF
Laboratory	616
Holding Cells	482
Restroom	1,089
Fitness	949
ADP	168
Food Service	165
Vault/Hardened Area	1,651
Booth	205
Kennels	962
Inspection Bay/Dock	16,052
Hazardous Materials Storage	2,826
Processing Area	198
Mail Rooms	99
Inspection Canopy	20,828
Total	**46,290**

Notes:
[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

COMMITTEE RESOLUTION

CONSTRUCTION—U.S. LAND PORT OF ENTRY, ALEXANDRIA BAY, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the construction of facilities of 261,000 gross square feet (including canopies and structured parking) to replace the existing land port of entry in Alexandria Bay, New York in support of Phase II of a two-phase project at an estimated construction cost of $91,617,000 and a management and inspection cost of $8,854,000 for a total estimated project cost of $100,471,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS - CONSTRUCTION
U.S. LAND PORT OF ENTRY
ALEXANDRIA BAY, NY

Prospectus Number: PNY-BSC-AB16
Congressional District: 21

FY2016 Project Summary

The General Services Administration (GSA) requests approval for construction of facilities to replace the existing land port of entry (LPOE) in Alexandria Bay, NY, and funding in support of Phase I of this two-phase project. The project includes construction of commercial inspection lanes, a new veterinary services building, an impound lot, a main administration building, non-commercial inspection lanes, a new non-commercial secondary inspection plaza, new non-intrusive inspection buildings, and employee and visitor parking areas. The project will meet the current and future operational requirements of the tenant agencies and be flexible to adapt to future changes.

FY2016 House Committee Approval Requested

(Phase II ECC, Phase II M&I) $100,471,000

FY2016 Senate Committee Approval Requested $32,476,000

(Additional Design, Phase I & II ECC, Phase I & II M&I)

FY2016 Appropriation Requested

(Additional Design, Phase I ECC; Phase I M&I) ..... $105,570,000[1]

Overview of Project

The proposed project will address traffic issues by expanding the queuing area, increasing the number of primary inspection lanes, increasing the area for secondary inspection, providing safe and secure vehicle parking, and a safe well-defined truck queuing and maneuvering area.

[1] GSA has worked closely with DHS program offices responsible for developing and implementing security technology at the Land Ports of Entry (LPOE's). These programs include Radiation Portal Monitors (RPM's), Land Border Integration (formerly Western Hemisphere Travel Initiative (WHTI), Non-Intrusive Inspection (NII), Outbound Inspection, and Port Hardening/Absconder programs. This prospectus contains the funding of infrastructure requirements for each program known at the time of prospectus development since these programs are at various stages of development and implementation. Additional funding by a Reimbursable Work Authorization (RWA) may be required to provide for as yet unidentified elements of each of these programs to be implemented at this port.

PROSPECTUS - CONSTRUCTION
U.S. LAND PORT OF ENTRY
ALEXANDRIA BAY, NY

Prospectus Number: PNY-BSC-AB16
Congressional District: 21

The project will replace the existing port and is proposed in two phases. Phase I includes construction of a commercial inspection warehouse with inspection bays, commercial inspection lanes (with split-level booths for either commercial or non-commercial), a new veterinary services building, impound lot, and a portion of the elevated parking over the commercial side. Phase I also includes acquisition of the two remaining necessary parcels of land.

Phase II includes construction of a new main administration building, a new outbound inspection facility, non-commercial inspection lanes, a new non-commercial secondary inspection plaza, new non-intrusive inspection buildings, and employee and visitor parking areas.

Site Information

Government Owned ..... 5 acres
To Be Acquired ..... 10 acres

Building Area

Building (including canopies and structured parking) ..... 261,000 gsf
Building (excluding canopies and structured parking) ..... 116,000 gsf
Outside parking spaces 50
Inside parking spaces 5
Structured parking spaces 134

GSA PBS

PROSPECTUS - CONSTRUCTION
U.S. LAND PORT OF ENTRY
ALEXANDRIA BAY, NY

Prospectus Number: PNY-BSC-AB16
Congressional District: 21

Project Budget

Site Acquisition

Site Acquisition (FY 2005 and FY 2008)	$2,965,000
Total Site Acquisition	**2,965,000**

Design

Design (FY 2005 and FY 2008)	$17,595,000
Additional Design (**FY 2016**)	3,500,000
Total Design	**$21,095,000**

Estimated Construction Cost (ECC)

Phase I (**FY 2016**)	$93,216,000
Phase II (future year request)	91,617,000
Total ECC[2]	**$184,833,000**
Site Development Cost[3]	$82,865,000
Building Costs (includes inspection canopies) ($391/gsf)	$101,968,000

Management and Inspection (M&I)

Phase I (**FY 2016**)	$8,854,000
Phase II (future year request)	8,854,000
Total M&I	**$17,708,000**

Estimated Total Project Cost (ETPC)* **$226,601,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Location

The site is located at the existing LPOE on Interstate Route 81 in Alexandria Bay, NY.

[2] ECC is broken into two parts – Site Development Costs and Building Costs
[3] Site development costs include grading, utilities, paving and demolition of existing facilities.

GSA PBS

PROSPECTUS - CONSTRUCTION
U.S. LAND PORT OF ENTRY
ALEXANDRIA BAY, NY

Prospectus Number: PNY-BSC-AB16
Congressional District: 21

Schedule

	Start	End
Design	FY2008	FY2010[4]
Construction		
Phase 1	FY2016	FY2019
Phase 2	TBD	TBD

Tenant Agencies

Department of Homeland Security – Customs and Border Protection, Immigration and Customs Enforcement; U.S. Department of Agriculture – Animal & Plant Health Inspection Service; U.S. Food and Drug Administration; U.S. General Services Administration.

Justification

The existing LPOE does not meet the current and future operational needs of the inspection agencies at the port. The lack of an adequate commercial cargo inspection facility is hampering the safe and secure execution of CBP and other tenant agencies' missions.

The short distance between the international border and the primary commercial inspection area is inadequate for vehicle queuing. Given the limited capacity of the US-bound bridges and roadways, the Thousand Island Bridge Authority (TIBA) currently limits the number of vehicles (in Canada) that can proceed through to the crossing. This results in significant queuing of commercial vehicles on the Canadian roadways entering the crossing and sometimes back to Highway 401. The bridges are not designed to handle prolonged periods of dead load associated with stationary commercial traffic. In addition, the removal of significant amounts of rock is necessary to allow for increased program and vehicle circulation.

The existing main building does not accommodate the current and future needs of the tenants. The existing commercial building barely has enough space to unload a single truck, and the office component is housed in mobile trailers. The projected increases in traffic volume and implementation of new security procedures necessitate an increase in the LPOE workforce beyond the capacity of the existing facility.

[4] Design refresh to be completed upon receipt of project funds requested in this prospectus.

GSA PBS

PROSPECTUS - CONSTRUCTION
U.S. LAND PORT OF ENTRY
ALEXANDRIA BAY, NY

Prospectus Number: PNY-BSC-AB16
Congressional District: 21

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

Prior Appropriations			
Public Law	**Fiscal Year**	**Amount**	**Purpose**
108-447	2005	$8,884,000	Site acquisition & design
110-161	2008	$11,676,000	Additional site acquisition & design to meet expanded scope
Appropriations to Date		**$20,560,000**	

Prior Committee Approvals

Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
House T&I	7/21/2004	$8,884,000	Design = $8,684,000; Site acquisition = $200,000
Senate EPW	11/17/2004	$8,884,000	Design = $8,684,000; Site acquisition = $200,000
House T&I	9/20/2006	$11,676,000	Additional design = $8,911,000; additional site acquisition = $2,765,000
Senate EPW	9/27/2006	$11,676,000	Additional design = $8,911,000; additional site acquisition = $2,765,000

PROSPECTUS - CONSTRUCTION
U.S. LAND PORT OF ENTRY
ALEXANDRIA BAY, NY

Prospectus Number: PNY-BSC-AB16
Congressional District: 21

Senate EPW	12/8/2011	$173,565,000	Construction = $160,990,000; M&I = $12,575,000
House T&I	7/16/14	$105,570,000	Additional Design = $3,500,000; Phase I ECC = $93,216,000; Phase I M&I = $8,854,000
Approvals to Date (House T&I)		**$126,130,000**	
Approvals to Date (Senate EPW)		**$194,125,000**	

Alternatives Considered

GSA owns and maintains the existing facilities at this port of entry; thus no alternative other than Federal construction was considered.

Recommendation

CONSTRUCTION

GSA PBS

PROSPECTUS - CONSTRUCTION
U.S. LAND PORT OF ENTRY
ALEXANDRIA BAY, NY

Prospectus Number: PNY-BSC-AB16
Congressional District: 21

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

January 2015

Housing Plan
Alexandria Bay Land Port of Entry

PNY-BSC-AB16
Alexandria Bay, NY

	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Alexandria Bay LPOE												
U.S. Department of Homeland Security - CBP	47	47	7,455	-	30,628	38,083	89	89	21,661	-	101,922	123,583
U.S. Department of Homeland Security - ICE	-	-	-	-	-	-	4	4	663	-	-	663
General Services Administration - PBS	7	7	2,687	-	749	3,436	3	3	1,155	-	-	1,155
U.S. Health and Human Services - FDA	-	-	-		-	-	5	5	1,842	-	623	2,465
U.S. Department of Agriculture - APHIS	2	2	375		2 625	3,000	2	2	978	-	2,202	3,180
Outlease - Customs brokers	-		-	-	-	-	5	5	4,780	-	-	4,780
Total	56	56	10,517	-	34,002	44,519	108	108	31,079	-	104,747	135,826

Special Space	USF
Light Industrial	35,873
Inspection Canopy	59,905
Structurally changed	1,500
Fitness/Restrooms	3,812
Conference Training	973
Laboratory	1,145
ADP	641
Food Service	[illegible]
Total	104,747

Notes:
[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

COMMITTEE RESOLUTION

CONSTRUCTION—NEW U.S. COURTHOUSE, NASHVILLE, TN

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the minimal additional site-related work, design and construction of a U.S. Courthouse, up to 386,000 gross square feet (including underground parking), located in Nashville, Tennessee, at additional site costs of $2,417,000, an additional design costs of $1,955,000, a total estimated construction cost of $172,193,000, and total management and inspection costs of $9,860,000 at a proposed total additional authorization of $186,425,000, for which a prospectus and fact sheet, amending the prospectus, is attached to, and included in this resolution. This resolution amends the Committee on Transportation and Infrastructure resolutions of July 26, 2000, July 18, 2001, and July 21, 2004.

Provided, that the Administrator of General Services shall ensure that construction of the new courthouse complies, at a minimum, with courtroom sharing requirements adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse contains no more than eight courtrooms, including four for District Judges, two for Senior District Judges, and two for Magistrate Judges.

Provided further, that the design of the new courthouse shall not deviate from the design as reflected in the attached prospectus as amended by the fact sheet and any additional design shall conform with the requirements of the U.S. Courts Design Guide.

PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

FY2016 Project Summary

The General Services Administration (GSA) proposes minimal additional site-related work and design and construction of a new U.S. Courthouse of approximately 386,000 gross square feet, including underground parking spaces in Nashville, Tennessee. GSA will construct the courthouse to meet the 10-year space needs of the court and court-related agencies. The site, which completed assemblage in 2012 with a prior appropriation, would accommodate the 30-year needs of the court. Currently, construction of the Nashville courthouse project is ranked as the top priority on the Judicial Conference of the United States' Five-Year Courthouse Project Plan for FY's 2016-2020, issued in September 2014.

FY2016 Committee Approval and Appropriation Requested

(Addition Site and Design, ECC and M&I)..... $181,500,000

Overview of Project

The project will allow for relocation of the courts and court-related agencies from the existing court facilities located in the Estes Kefauver Federal Building (FB) and Annex. The new courthouse will provide seven courtrooms and 11 chambers to accommodate 11 judges (four active district, three seniors, one visiting, and three magistrate), the U.S. Marshals Service, the Office of the U.S. Attorney, and a U.S. Senate office. The proposed project reflects senior district and magistrate judge sharing policies and does not include courtrooms for projected new judgeships. When complete, the new courthouse will provide for the 10-year space requirements and the structure and site will allow for expansion to meet the 30-year needs of the U.S. District Court in Nashville, TN.

Site Information
Acquired..... 3.5 acres

Building Area
Gross square feet (excluding inside parking).....363,000
GSF (including inside parking).....386,000

Inside parking spaces 55

GSA PBS

PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Project Budget

Site (FY2002 and FY 2004)	$19,000,000
Additional Site	$2,477,000
Design (FY 2003)	$7,095,000
Additional Design	$815,000
Estimated Construction Cost (ECC) ($437/gsf including inside parking)	$168,582,000
Management and Inspection (M&I)	$9,626,000
Estimated Total Project Cost (ETPC)*	**$207,595,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

FY2016 Committee Approval and Appropriation Requested

(Addition Site and Design, ECC and M&I)..... $181,500,000

Location

The new courthouse site is in the Central Business District of Nashville and is bounded by Church Street, 7th Avenue North, Commerce Street, and 8th Avenue North.

Schedule	**Start**	**End**
Design	FY2003	FY2016
Construction	FY2016	FY2019

Tenant Agencies

U.S. District Court; Probation; U.S. Marshals Service; Office of the U.S. Attorney, GSA/PBS Field Office; U.S. Senate

GSA PBS

PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Justification

The existing Kefauver FB and Annex are unable to meet the requirements of the Courts. Only five existing courtrooms meet minimum USCDG standards. The FB and Annex do not provide separate public, restricted, and secure circulation, and there are no courtroom holding cells. Separate circulation for the public, judges, and prisoners cannot be achieved and the parking facility is not secured. The court is divided between the FB and Annex, causing inefficiency. The new courthouse will greatly improve the efficiency and security of the Court's operations.

GSA has acquired the site, however additional site funding is required to accommodate demolition and abatement of the site as it is cleared of existing construction.

The existing court facilities are located in the Estes Kefauver Federal Building (FB) at 801 Broadway, between Eighth Avenue South and Ninth Avenue South, in Nashville, and the Annex, which is directly to the South and accessible by common corridors. The FB was constructed in 1952 and has 9 floors. The Annex is a 10-floor annex to the FB that was added in 1974. A 600-car parking garage was built behind the Annex and is connected by an underground tunnel below McGavock Street.

PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Explanation of Changes from Previously Authorized

The square footage for the proposed project is based on 100 percent construction documents, measured according to GSA space measurement standards, excluding atrium phantom floors, rather than pre-design programmatic formulas used previously.

The project is 7,700 gross square feet (2 percent) larger than the project currently authorized by the House Committee.

The project is 27,600 gross square feet (8 percent) larger than the project currently authorized by the Senate Committee.

The Estimated Total Project Cost (ETPC) reflects an increase from the ETPC of the project currently authorized by the House Committee and from the ETPC of the project currently authorized by the Senate Committee. The increase is due to larger scope, construction escalation, change in the projected start of construction from FY 2006 and 2008 to 2016, and the addition of high-performance green building features and requirements of the Energy Independence and Security Act (EISA).

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
- Active	4	3	4	4
- Senior	2	3	1	3
- Visiting				1
Magistrate	3	3	2	3
Total:	**9**	**9**	**7**	**11**

PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Future of Existing Federal Building(s)[1]

GSA plans to reuse the existing Kefauver FB and Annex to house the following agencies: Department of Veterans Benefits, Internal Revenue Service, the Corps of Engineers, and other smaller agencies. This plan is tentative pending confirmation of agency program requirements and Feasibility Study to determine costs and implementation strategy.

Challenges with Implementing the Plan: Funding for reuse of the existing Kefauver FB and Annex will require a future prospectus-level project. GSA must complete a feasibility study to determine appropriate funding, schedule, and implementation of any proposed future project.

Proposed backfill and reuse of the Kefauver FB and Annex could approach $95,000,000. This estimated cost is based on the actual square foot costs from similar completed projects of the same era, escalated as necessary. GSA's feasibility study will allow more accurate, project-specific estimates of costs for the reuse of the Kefauver FB and Annex.

Long Term Lease Cost Avoidance: Upon relocation of the Courts and Court-related agencies to the new courthouse, GSA will backfill an estimated 180,000 rentable square feet with tenants from various leased locations. This tentative backfill plan is estimated to reduce lease payments to the private sector by approximately $5 million annually. More detailed backfill and lease cost avoidance information will follow upon completion of the feasibility study, confirmation of agency requirements, and full development of the proposed project

Summary of Energy Compliance

This project is designed to conform with the requirements of the Facilities Standards for the Public Buildings Service. It will also meet the EISA requirements for the FY15 design refresh. GSA will encourage exploration of opportunities to gain increased energy efficiency above the measures achieved in the design.

[1] This section is included to address recommendations in the following GAO Report: Federal Courthouses: Better Planning Needed Regarding Reuse of Old Courthouses" (GAO-14-48).

GSA PBS

PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Prior Appropriations

Prior Appropriations			
Public Law	**Fiscal Year**	**Amount**	**Purpose**
107-67	2002	$14,700,000	Site
108-7	2003	$7,095,000	Design
Reprogram	2004	$4,300,000	Site
Appropriations/Funding to Date		**$26,095,000**	

Prior Committee Approvals

Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
House T&I	7/26/2000	$13,411,000	Site, Design for 310,294 gsf; 169 inside parking spaces
Senate EPW	7/26/2000	$13,784,000	Site, Design for 326,655 gsf; 169 inside parking spaces
House T&I	7/18/2001	$7,285,000	Addition Site & Design for 385,449 gsf; 170 inside parking spaces
Senate EPW	9/25/2001	$7,285,000	Additional Site & Design for 385,449 gsf; 170 parking spaces
House T&I	7/21/2004	$7,013,000	Additional Site & Design for 378,307 gsf; 55 parking spaces
Senate EPW	11/17/2005	$7,644,000	Additional Site & Design for 358,372 gsf; 55 parking spaces
House Approvals to Date		**$27,709,000**	
Senate Approvals to Date		**$28,713,000**	

GSA PBS

PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Alternatives Considered (30-year, present value cost analysis)

New Construction.....$208,148,000
Lease.....$271,165,000

The 30 year, present value cost of new construction is $63,017,000 less than the cost of leasing and equivalent annual cost advantage of $3,600,000.

Recommendation

CONSTRUCTION

GSA PBS

PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016

Congressional District: 05

FY2016 Project Summary

This fact sheet provides an update to prospectus number PTN-CTC-NA16, which was transmitted in support of the President's Fiscal Year FY2016 Budget.

The General Services Administration (GSA) proposes the design and construction (with minimal additional site-related work) of a new U.S. Courthouse of approximately 386,000 gross square feet, including underground parking spaces in Nashville, Tennessee. GSA will construct the courthouse to meet the 10-year space needs of the court and court-related agencies. The site, which completed assemblage in 2012 with support of a prior appropriation, would accommodate the 30-year needs of the court. Construction of the Nashville courthouse project is ranked as the top priority on the Judiciary's Courthouse Project Priority (CPP) list for fiscal year (FY) 2016 (approved by the Judicial Conference of the United States on September 17, 2015).

FY2016 House Committee Approval Requested

(Additional Site and Design, ECC and M&I).....$186,425,000

FY2016 Senate Committee Approval Requested

(Additional Site and Design, ECC and M&I).....$3,921,000

FY2016 Funding Requested (as outlined in the FY 2016 Spend Plan)

(Additional Site and Design, ECC and M&I).....$188,100,000

Overview of Project

The project will allow for relocation of the courts and court-related agencies from the existing court facilities located in the Estes Kefauver Federal Building (FB) and Annex. The new courthouse will provide eight courtrooms and 11 chambers to accommodate 11 judges (four active district, three seniors, one visiting, and three magistrate) consistent with the application of courtroom sharing policies and limitation on the provision of space for projected judgeship. Other tenants include the U.S. Department of Justice - Marshals Service, the U.S. Department of Justice - Office of the U.S. Attorney, and a U.S. Senate office. When complete, the new courthouse will provide for the 10-year space requirements and the structure and site will allow for expansion to meet the 30-year needs of the Judiciary in Nashville, TN.

GSA PBS

FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016

Congressional District: 05

Site Information

Acquired ..... 3.5 acres

Building Area

Gross square feet (excluding inside parking) 363,000
GSF (including inside parking) 386,000

Inside parking spaces 55

Project Budget

Site (FY2002 and FY 2004)	$19,000,000
Additional Site	$2,986,000
Design (FY 2003)	$7,095,000
Additional Design	$3,000,000
Estimated Construction Cost (ECC) ($446/gsf including inside parking)	$172,193,000
Management and Inspection (M&I)	$9,860,000
Estimated Total Project Cost (ETPC)*	**$214,134,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Location

The new courthouse site is in the Central Business District of Nashville and is bounded by Church Street, 7th Avenue North, Commerce Street, and 8th Avenue North.

Schedule	Start	End
Design	FY2003	FY2016
Construction	FY2017	FY2020

FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016

Congressional District: 05

Tenant Agencies

U.S. District Court; Probation; U.S. Marshals Service; Office of the U.S. Attorney, GSA/PBS Field Office; U.S. Senate

Justification

The existing Kefauver FB and Annex are unable to meet the requirements of the Courts. Only five existing courtrooms meet minimum U.S. Courts Design Guide (USCDG) standards. The FB and Annex do not provide separate public, restricted, and secure circulation, and there are no courtroom holding cells. Separate circulation for the public, judges, and prisoners cannot be achieved and the parking facility is not secured. The court is divided between the FB and Annex, causing inefficiency. The new courthouse will greatly improve the efficiency and security of the Court's operations.

GSA acquired the site in 2012, however additional site funding is required to prepare the site for the planned construction.

The existing court facilities are located in the Estes Kefauver Federal Building (FB) at 801 Broadway, between Eighth Avenue South and Ninth Avenue South, in Nashville, and the Annex, which is directly to the South and accessible by common corridors. The FB was constructed in 1952 and has 9 floors. The Annex is a 10-floor annex to the FB that was added in 1974. A 600-car parking garage was built behind the Annex and is connected by an underground tunnel below McGavock Street.

Design Guide Exceptions

The following exceptions to the USCDG were approved by the Sixth Circuit Council in March 2003 and were incorporated into the existing design:

- Alternate Dispute Resolution Suite (1,264 sq. ft.)
- Additional space requirements for U.S. Probation (1,200 sq. ft.)
- Additional Space for District Court Clerk's Office and Jury Assembly Room (1,230 sq. ft.)

FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016

Congressional District: 05

The total space represented by these exceptions is 3,694 of usable square feet at a construction cost of $2.4 million. While it would not be cost effective to completely remove these spaces from the building, GSA and the court are looking at potentially eliminating these exceptions and backfilling the space with other Federal tenants. This change in the space use will not affect the cost of the building. GSA will continue to work with U.S. Marshals Service and U.S. Attorney's Office to seek reduction in their space requirements in the building designed in 2003. For any resulting space reductions, GSA will seek Federal backfill tenants.

Explanation of Changes from Previously Authorized

The square footage for the proposed project is based on 100 percent construction documents, measured according to GSA space measurement standards, excluding atrium phantom floors, rather than pre-design programmatic formulas used previously.

The project is 7,200 gross square feet (2 percent) larger than the project currently authorized by the House Committee.

The project is 27,000 gross square feet (8 percent) larger than the project currently authorized by the Senate Committee.

The Estimated Total Project Cost (ETPC) reflects an increase from the ETPC of the prospectus submitted in support of the FY 2016 budget, the ETPC of the project currently authorized by the House Committee and from the ETPC of the project currently authorized by the Senate Committee. The increase is due to construction escalation, change in the projected start of construction from FY 2006 and 2008 to 2017, and the addition of high-performance green building features and requirements of the Energy Independence and Security Act (EISA). Had the number of courtrooms and chambers not been reduced from the project currently authorized to reflect courtroom sharing policies and limitation on provision of space for projected judgeships, additional cost increases would have been realized to account for the higher level of build out associated with these spaces.

FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016

Congressional District: 05

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	**Judges**	**Courtrooms**	**Judges**
District				
- Active	4	3	4	4
- Senior	2	3	2	3
- Visiting				1
Magistrate	3	3	2	3
Total:	**9**	**9**	**8**	**11**

Future of Existing Federal Building(s)[1]

GSA plans to reuse the existing Kefauver FB and Annex to house the following agencies: U.S. Department of Veterans Affairs - Benefits, U.S. Department of Treasury - Internal Revenue Service, U.S. Department of Defense – Army Corps of Engineers, and other smaller agencies. This plan is tentative pending confirmation of agency program requirements and a feasibility study to determine costs and implementation strategy.

Challenges with Implementing the Plan: Funding for reuse of the existing Kefauver FB and Annex will require a future prospectus-level project. GSA will complete a feasibility study to determine appropriate future funding request, schedule, and implementation of any proposed future project.

Proposed renovation, backfill and reuse of the Kefauver FB and Annex could approach $108,000,000. This estimated cost is based on the actual square foot costs from similar completed projects of the same era, escalated as appropriate. GSA's feasibility study will

[1] This section is included to address recommendations in the following GAO Report: Federal Courthouses: Better Planning Needed Regarding Reuse of Old Courthouses" (GAO-14-48).

FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016

Congressional District: 05

allow more accurate, project-specific estimates of costs for the reuse of the Kefauver FB and Annex.

Long Term Lease Cost Avoidance: Upon relocation of the Courts and Court-related agencies to the new courthouse, GSA will backfill an estimated 180,000 rentable square feet with tenants from various leased locations. This tentative backfill plan is estimated to reduce lease payments to the private sector by several million annually. More detailed backfill and lease cost avoidance information will follow upon completion of the feasibility study, confirmation of agency requirements, and full development of the proposed project.

Prior Appropriations

Prior Appropriations			
Public Law	**Fiscal Year**	**Amount**	**Purpose**
107-67	2002	$14,700,000	Site
108-7	2003	$7,095,000	Design
Reprogram	2004	$4,300,000	Site
114-113*	2016	$188,100,000	Additional Site and Design; ECC and M&I
Appropriations/Funding to Date		**$214,195,000**	

*Public Law 114-113 funded $947,760,000 for new construction projects of the Federal Judiciary as prioritized in the Federal Judiciary Courthouse Project Priorities plan. Nashville is the top priority on the list. GSA will submit a Spend Plan describing each project to be undertaken with this funding. The FY2016 need for Nashville is $188,100,000.

GSA PBS

FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016

Congressional District: 05

Prior Committee Approvals

Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
House T&I	7/26/2000	$13,411,000	Site, Design for 310,294 gsf; 169 inside parking spaces
Senate EPW	7/26/2000	$13,784,000	Site, Design for 326,655 gsf; 169 inside parking spaces
House T&I	7/18/2001	$7,285,000	Addition Site & Design for 385,449 gsf; 170 inside parking spaces
Senate EPW	9/25/2001	$7,285,000	Additional Site & Design for 385,449 gsf; 170 parking spaces
House T&I	7/21/2004	$7,013,000	Additional Site & Design for 378,307 gsf; 55 parking spaces
Senate EPW	11/17/2005	$7,644,000	Additional Site & Design for 358,372 gsf; 55 parking spaces
Senate EPW	1/20/2016	$181,500,000	Additional Site, Design & Construction 386,000 gsf; 55 parking spaces
House Approvals to Date		**$27,709,000**	
Senate Approvals to Date		**$210,213,000**	

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF EDUCATION, SAN FRANCISCO, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 75,269 rentable square feet of space, including 2 official parking spaces, for the Department of Education currently located at 50 Beale Street in San Francisco, California at a proposed total annual cost of $5,494,637 for a lease term of up to 3 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 468 square feet or less per person, *except that*, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 468 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – LEASE
DEPARTMENT OF EDUCATION
SAN FRANCISCO, CA

Prospectus Number: PCA-02-SF16
Congressional District: 12

Executive Summary

The General Services Administration (GSA) proposes a lease extension of up to 75,269 rentable square feet (RSF) of space for the Department of Education (ED), currently located at 50 Beale Street, San Francisco, CA, under one lease that was effective in 2006.

The proposed lease will continue to house ED while space is completed and readied for occupancy in the Phillip Burton Federal Building and U.S. Courthouse. ED will maintain its current office utilization rate of 253 useable square feet (USF) per person and overall utilization rate of 468 USF per person.

Description

Occupant:	Department of Education
Lease Type	Extension
Current Rentable Square Feet (RSF)	75,269 (Current RSF/USF = 1.25)
Proposed Maximum RSF:	75,269 (Proposed RSF/USF = 1.25)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	468
Proposed Usable Square Feet/Person:	468
Proposed Maximum Lease Term:	3 Years
Expiration Dates of Current Leases:	09/18/2016
Delineated Area:	50 Beale Street, San Francisco, CA
Number of Official Parking Spaces:	2
Scoring:	Operating lease
Maximum Proposed Rental Rate[1]:	$73.00 / RSF
Proposed Total Annual Cost[2]:	$5,494,637
Current Total Annual Cost:	$3,427,095 (Lease effective 09/19/2006)

[1]This estimate is for fiscal year 2016 and may be escalated by 1.6 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease extension to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[2]New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF EDUCATION
SAN FRANCISCO, CA

Prospectus Number:	PCA-02-SF16
Congressional District:	12

Justification

The Department of Education, currently located at 50 Beale Street, requires continued housing while space within the Phillip Burton Federal Building and U.S. Courthouse is completed for occupancy. Once work is completed in 2018, ED will move into the Federal Building and U.S. Courthouse and improve its office utilization and overall utilization rates from 253 to approximately 100 usable square feet (USF) per person and 468 to approximately 209 USF per person, respectively.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA **PBS**

PROSPECTUS – LEASE
DEPARTMENT OF EDUCATION
SAN FRANCISCO, CA

Prospectus Number: PCA-02-SF16
Congressional District: 12

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on July 27, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

December 2014

Housing Plan
Department of Education

PCA-02-SF16
San Francisco, CA

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
50 Beale Street, San Francisco, CA	129	129	41,796		18,581	60,377						
Proposed Lease							129	129	41,796		18,581	60,377
Total	**129**	**129**	**41,796**	**-**	**18,581**	**60,377**	**129**	**129**	**41,796**	**-**	**18,581**	**60,377**

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	253	253

UR=average amount of office space per person
Current UR excludes 9,195 usf of office support space
Proposed UR excludes 9,195 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	468	468

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	60,377	1.25	75,269
Proposed	60,377	1.25	75,269

Special Space	USF
Regional Training Facility	4,189
Training	2,639
Lactation Room	865
Mailroom	768
Pantry	845
Union	991
VTC	614
Conference Room	3,415
OCIO(LAN)	1,001
Library	1,381
Team Rooms	763
Workroom	1,110
Total	**18,581**

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel.
[4]R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—U.S. DEPARTMENT OF DEFENSE, ARMY CORPS OF ENGINEERS, SAN FRANCISCO, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 71,728 rentable square feet of space for the Army Corps of Engineers currently located at 1455 Market Street in San Francisco, California at a proposed total annual cost of $4,662,320 for a lease term of up to 2 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 204 square feet or less per person, *except that*, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 204 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
U.S. DEPARTMENT OF DEFENSE
ARMY CORPS OF ENGINEERS
SAN FRANCISCO, CA

Prospectus Number: PCA-03-SF16
Congressional District: 12

Executive Summary

The General Services Administration (GSA) proposes a lease extension of up to 71,728 rentable square feet (RSF) of space for the Department of Defense - Army Corps of Engineers (ACE), currently located at 1455 Market Street, San Francisco, CA.

The proposed lease will continue to house ACE while space is completed and readied for occupancy in the Phillip Burton Federal Building-U.S. Courthouse. ACE will maintain its current office utilization rate of 130 useable square feet (USF) per person and all-in utilization rate of 204 USF per person.

Description

Occupant:	Army Corps of Engineers
Lease Type	Extension
Current Rentable Square Feet (RSF)	71,728 (Current RSF/USF = 1.14)
Proposed Maximum RSF:	71,728 (Proposed RSF/USF = 1.14)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	204
Proposed Usable Square Feet/Person:	204
Proposed Maximum Lease Term:	2 Years
Expiration Dates of Current Leases:	02/19/2017
Delineated Area:	1455 Market Street, San Francisco, CA
Number of Official Parking Spaces:	None
Scoring:	Operating lease
Maximum Proposed Rental Rate[1]:	$65.00 / RSF

[1] This estimate is for fiscal year 2017 and may be escalated by 1.6 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease extension to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

PROSPECTUS – LEASE
U.S. DEPARTMENT OF DEFENSE
ARMY CORPS OF ENGINEERS
SAN FRANCISCO, CA

Prospectus Number: PCA-03-SF16
Congressional District:12

Proposed Total Annual Cost[2]	$4,662,320
Current Total Annual Cost:	$2,610,462 (Lease effective 02/20/2007)

Justification

The Army Corps of Engineers is currently located at 1455 Market Street and will be moving into the Phillip Burton Federal Building-U.S. Courthouse upon completion of its space in 2018. ACE recently reduced its square footage at 1455 Market from 89,995 RSF to 71,728 RSF in an effort to reduce costs and improve utilization. When ACE moves to the Federal Building in 2018, it will occupy approximately the same square footage as the existing lease.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

[2]New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA **PBS**

PROSPECTUS – LEASE
U.S. DEPARTMENT OF DEFENSE
ARMY CORPS OF ENGINEERS
SAN FRANCISCO, CA

Prospectus Number: PCA-03-SF16
Congressional District: 12

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on July 27, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

December 2014

Housing Plan
Army Corps of Engineers

PCA-03-SF16
San Francisco, CA

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1455 Market Street, San Francisco, CA	310	310	51,485	2,272	9,400	63,157						
Proposed Lease							310	310	51,485	2,272	9,400	63,157
Total	**310**	**310**	**51,485**	**2,272**	**9,400**	**63,157**	**310**	**310**	**51,485**	**2,272**	**9,400**	**63,157**

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	130	130

UR=average amount of office space per person
Current UR excludes 11,327 usf of office support space
Proposed UR excludes 11,327 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	204	204

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	63,157	1.14	71,728
Proposed	63,157	1.14	71,728

Special Space	USF
Automated Data Processing	2,365
Copy/File Room	2,180
Conference Room	3,337
Break Room	512
Waiting Room	400
Mail Room	249
Communication Room	357
Total	**9,400**

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel.
[4]R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—U.S. DEPARTMENT OF JUSTICE, EXECUTIVE OFFICE OF IMMIGRATION REVIEW AND U.S. DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT, SAN FRANCISCO, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a succeeding lease of up to 85,000 rentable square feet of space, including 25 official parking spaces, for the Department of Justice, Executive Office for Immigration Review and the Department of Homeland Security, Immigration and Customs Enforcement, Office of Principle Legal Advisors currently located at 100 Montgomery Street in San Francisco, California at a proposed total annual cost of $6,460,000 for a lease term of up to 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 556 square feet or less per person for the Executive Office of Immigration Review and 253 square feet or less per person for the Office of Principle Legal Advisors, *except that*, if the Administrator determines that the overall utilization rates cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 556 square feet or higher per person for the Executive Office of Immigration Review or 253 square feet or higher per person for the Office of Principle Legal Advisors.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
U.S. DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE OF IMMIGRATION REVIEW
AND
U.S. DEPARTMENT OF HOMELAND SECUIRITY
IMMIGRATION AND CUSTOMS ENFORCEMENT
SAN FRANCISCO, CA

Prospectus Number:	PCA-01-SF16
Congressional District:	12

Executive Summary

The General Services Administration (GSA) proposes a succeeding lease for 85,000 rentable square feet (RSF) of space for the Department of Justice, Executive Office for Immigration Review (EOIR); and the Department of Homeland Security, Immigration and Customs Enforcement, Office of Principle Legal Advisors (OPLA), currently located at 100 Montgomery Street, San Francisco, CA.

The succeeding lease will provide continued housing for EOIR and OPLA and will improve office and overall utilization while providing space for additional personnel needed at the current location due to increases in the caseload.

Description

Occupant:	Executive Office of Immigration Review and Immigration and Customs Enforcement
Lease Type	Succeeding
Current Rentable Square Feet (RSF)	77,529 (Current RSF/USF = 1.18)
Proposed Maximum RSF:	85,000 (Proposed RSF/USF = 1.18)
Expansion/Reduction RSF:	7,471 (Increase)
Current Usable Square Feet/Person:	576/338
Proposed Usable Square Feet/Person:	556/253
Proposed Maximum Lease Term:	10 Years
Expiration Dates of Current Leases:	10/12/2016
Delineated Area:	100 Montgomery Street, San Francisco, CA
Number of Official Parking Spaces:	25
Scoring:	Operating lease
Maximum Proposed Rental Rate[1]:	$76.00 / RSF

[1] This estimate is for fiscal year 2017 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as

PROSPECTUS – LEASE
U.S. DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE OF IMMIGRATION REVIEW
AND
U.S. DEPARTMENT OF HOMELAND SECUIRITY
IMMIGRATION AND CUSTOMS ENFORCEMENT
SAN FRANCISCO, CA

Prospectus Number:	PCA-01-SF16
Congressional District:	12

Proposed Total Annual Cost[2]:	$6,460,000
Current Total Annual Cost:	$3,218,334 (Leases effective 10/13/2006 and 08/18/2008)

Background

EOIR and OPLA are currently co-located at 100 Montgomery Street in San Francisco, CA. In conjunction with approximately 9,000 RSF in a nearby Federal building, this location acts as one of the 59 EOIR Courts around the country. The judges and staff administer and interpret Federal immigration law and regulations through immigration court proceedings, appellate reviews, and administrative hearings. OPLA is comprised of attorneys and staff and is the legal representative and litigator for the Federal Government in exclusion, deportation, and removal proceedings before EOIR. In fiscal year (FY) 2013, the San Francisco EOIR Court completed 9,600 court-related matters, including notices to appear, bonds and motions.

Justification

The two leases at 100 Montgomery Street, San Francisco, CA, expire on October 12, 2016. Both EOIR and OPLA require continued housing to ensure continuity in meeting the agencies' mission requirements. The number of court-related matters heard at this location has increased in recent years and is expected to continue growing. To handle this increase, EOIR will be dedicating additional resources to this location in the coming year and will need courtrooms and the associated office and special space to support their mission.

Special Space Requirements

In FY 2013 the San Francisco EOIR Court completed 9,600 court matters, a 6 percent increase from the previous year. Due to the courtrooms, secure corridors, file storage, and associated space needed to provide safe and secure immigration, deportation, and removal proceedings, the special space requirements of this location are substantially higher than other locations of similar size.

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a benchmark for negotiating this lease extension to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[2] New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

PROSPECTUS – LEASE
U.S. DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE OF IMMIGRATION REVIEW
AND
U.S. DEPARTMENT OF HOMELAND SECUIRITY
IMMIGRATION AND CUSTOMS ENFORCEMENT
SAN FRANCISCO, CA

Prospectus Number: PCA-01-SF16
Congressional District: 12

These courtrooms are constructed to facilitate assembly functions and to comply with current accessibility standards, including circulation for wheelchair accessibility. Each courtroom has a raised desk for the judge, clerk, and interpreter and a litigation area for the prosecution, defense, and witness, along with public seating for court visitors. The current courtroom standard of approximately 850 square feet was developed to meet the needs of the court and comply with applicable accessibility standards. The courtrooms are used on a daily basis and are designed to handle approximately 35 people.

In addition to courtrooms, EOIR also has a need for approximately 12,000 square feet of storage to maintain the Records of Proceedings (ROP). ROPs are critical to the function of the immigration courts and are used by immigration judges, attorneys, and EOIR Board Members if a court decision is appealed. Documents found in the ROP include charging papers initiated by the Department of Homeland Security and the progression of case documentation. The size of an ROP can be as small as 1.5" or can become large enough to be referred to as a "box case." The Federal Records Act requires the storage of records in paper form, although EOIR has begun the transition to electronic filing and digital recordings of court proceedings. At this time, these initiatives affect only a small portion of the ROP and paper files remain critical for continuity between agencies accessing documentation during the years a case remains active.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSA PBS

PROSPECTUS – LEASE
U.S. DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE OF IMMIGRATION REVIEW
AND
U.S. DEPARTMENT OF HOMELAND SECUIRITY
IMMIGRATION AND CUSTOMS ENFORCEMENT
SAN FRANCISCO, CA

Prospectus Number: PCA-01-SF16
Congressional District: 12

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 8, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

March 2015

Housing Plan
Executive Office of Immigration Review and
Office of Principle Legal Advisors

PCA-01-SF16
San Francisco, CA

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
100 Montgomery Street, SF (EOIR)	75	75	11,755		31,448	43,203						
100 Montgomery Street, SF (OPLA)	67	67	13,522		9,128	22,650						
Proposed Lease EOIR							98	98	12,805		41,653	54,458
Proposed Lease OPLA							67	67	11,096		5,881	16,977
Total	**142**	**142**	**25,277**	**-**	**40,576**	**65,853**	**165**	**165**	**23,901**	**-**	**47,534**	**71,435**

Office Utilization Rates (UR)[2]		
	Current	Proposed
EOIR	122	102
OPLA	157	129

UR=average amount of office space per person
Current URs excludes 5,561 usf of office support space
Proposed URs excludes 4,809 usf of office support space

Overall UR[3]		
	Current	Proposed
EOIR	576	556
OPLA	338	253

Agency	Special Space	USF
OPLA	Secure Files/Bulk Storage	1,565
OPLA	Break Room	480
OPLA	Secure Waiting Area	278
OPLA	Telecom Suite	556
OPLA	Conference/Training Rooms	1,343
OPLA	Office Support Centers	712
OPLA	Administration File Room	542
OPLA	Law Library	405
EOIR	Courtroom	22,440
EOIR	Judges Secure corridor	1,560
EOIR	Reception/Waiting Area	2,128
EOIR	Interpreter Waiting Room	195
EOIR	Pro Bono Rooms	312
EOIR	ADP	156
EOIR	Conference/Training Room	710
EOIR	Printer/Copy/Mail Room	748
EOIR	File Room	11,913
EOIR	File Archive Room	390
EOIR	Supply Rooms	420
EOIR	Break Rooms	390
EOIR	Staff Rest Rooms	291
	Total	**47,534**

NOTES:
[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel.
[4]R/U Factor = Max RSF divided by total USF

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	65,853	1.18	77,529
Proposed	71,435	1.18	85,000

COMMITTEE RESOLUTION

LEASE—FEDERAL ELECTION COMMISSION, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 105,000 rentable square feet of space, including 2 official parking spaces, for the Federal Election Commission currently located at 999 E Street, NW in Washington, DC at a proposed total annual cost of $5,250,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 218 square feet or less per person, *except that*, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 218 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – LEASE
FEDERAL ELECTION COMMISSION
WASHINGTON, DC

Prospectus Number: PDC-01-WA16

Executive Summary

The U.S. General Services Administration (GSA) proposes a replacement lease of up to 105,000 rentable square feet (RSF) for the Federal Election Commission (FEC), currently located at 999 E Street, NW, Washington DC.

The replacement lease will provide continued housing for FEC and improve FEC office and overall utilization rates from 152 to 117 usable square feet (USF) per person and 292 to 218 USF per person, respectively. As a result of the improved utilization, the replacement lease will reduce the rentable square footage (RSF) of the requirement by 23 percent, a 31,957 RSF reduction from the total of its current occupancy.

Description

Occupant:	Federal Election Commission
Lease Type	Replacement
Current Rentable Square Feet (RSF)	136,957 (Current RSF/USF = 1.17)
Proposed Maximum RSF[1]:	105,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	31,957 (Reduction)
Current Usable Square Feet/Person:	292
Proposed Usable Square Feet/Person:	218
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Lease(s):	9/30/2017
Delineated Area:	Washington, DC Central Employment Area
Number of Official Parking Spaces:	2
Scoring:	Operating Lease
Maximum Proposed Rental Rate[2]:	$50.00 / RSF
Proposed Total Annual Cost[3]:	$5,250,000
Current Total Annual Cost:	$5,345,342 (lease effective 10/1/2007)

[1] The RSF/USF at the current location is approximately 1.17; however, to maximize competition, a RSF/USF ratio of 1.20 is used for the proposed maximum RSF as indicated in the housing plan.

[2] This estimate is for fiscal year 2017 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[3] New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

PROSPECTUS – LEASE
FEDERAL ELECTION COMMISSION
WASHINGTON, DC

Prospectus Number: PDC-01-WA16

Background

The FEC is an independent regulatory agency established in 1975 to administer and enforce the Federal Election Campaign Act. That statute limits the sources and amounts of the contributions used to finance federal elections; requires public disclosure of campaign finance information; and, in tandem with the Primary Matching Payment Act and the Presidential Election Campaign Fund Act, provides for the public funding of Presidential elections.

Justification

The current lease at 999 E Street, NW, Washington, DC, expires September 30, 2017. FEC requires continued housing to carry out its mission. The total space requested will reduce the FEC footprint 31,957 RSF, or 23 percent of the 136,957 RSF currently occupied. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rental rate would be $6,847,850 per year.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA PBS

PROSPECTUS – LEASE
FEDERAL ELECTION COMMISSION
WASHINGTON, DC

Prospectus Number: PDC-01-WA16

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 8, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

Novemeber 2014

Housing Plan
Federal Election Commission

PDC-01-WA16
Washington, DC

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
999 E. Street, NW	400	400	77,828	8,000	31,000	116,828						
Proposed Lease							400	400	60,000	4,000	23,000	87,000
Total	400	400	77,828	8,000	31,000	116,828	400	400	60,000	4,000	23,000	87,000

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	152	117

UR = average amount of office space per person
Current UR excludes 17,122 usf of office support space
Proposed UR excludes 13,200 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	292	218

R/U Factor[4]	Total USF	RSF/USF	Max. RSF
Current	116,828	1.17	136,957
Proposed	87,000	1.20	105,000

Special Space	USF
Conference/Training/Inte	9,000
IT/Server/Hubs/Tele	1,100
Copy/File Rooms	2,000
Hearing Rooms	3,200
Public Records	2,000
Vending/Breakroom	1,400
Mail Room	500
Health Unit	600
Locker Room	700
Library	2,000
Security/Screening	500
Total	23,000

NOTES:
[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2] Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3] USF/Person = housing plan total USF divided by total personnel.
[4] R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—U.S. DEPARTMENT OF DEFENSE, ARMY CORPS OF ENGINEERS, BALTIMORE, MD

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 143,000 rentable square feet of space, including 44 official parking spaces, for the Department of Defense, Army Corps of Engineers currently located at 10 South Howard Street in Baltimore, Maryland at a proposed total annual cost of $4,842,200, including an annual parking cost of $123,200, for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 183 square feet or less per person, *except that*, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 183 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
U.S. DEPARTMENT OF DEFENSE
ARMY CORPS OF ENGINEERS
BALTIMORE, MD

Prospectus Number:	PMD-01-BA16
Congressional District:	3,7

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 143,000 rentable square feet (RSF) for the Department of Defense - Army Corps of Engineers (ACE), currently located at 10 South Howard Street, Baltimore, MD, under one lease that was effective in 1993.

The replacement lease will provide continued housing for ACE and will improve ACE office and overall utilization rates from 133 to 108 usable square feet (USF) per person and 227 to 183 USF per person, respectively. As a result of the improved utilization, the replacement lease will reduce the rentable square footage of the requirement by 19 percent, a 33,332 RSF reduction from the total of its current occupancy. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rental rate would be $5,818,956.

Description

Occupant:	Army Corps of Engineers
Lease Type	Replacement
Current Rentable Square Feet (RSF)	176,332 (Current RSF/USF = 1.15)
Proposed Maximum RSF:	143,000 (Proposed RSF/USF = 1.15)
Reduction RSF:	33,332
Current Usable Square Feet/Person:	227
Proposed Usable Square Feet/Person:	183
Proposed Maximum Lease Term:	20 Years
Expiration Dates of Current Leases:	3/30/2018
Delineated Area:	Baltimore Central Business District
Number of Official Parking Spaces[1]:	44
Scoring:	Operating lease

[1] ACE security requirements may necessitate control of the parking at the leased location. This control may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

PROSPECTUS – LEASE
U.S. DEPARTMENT OF DEFENSE
ARMY CORPS OF ENGINEERS
BALTIMORE, MD

Prospectus Number:	PMD-01-BA16
Congressional District:	3,7

Maximum Proposed Rental Rate[2]:	$33.00 / RSF
Proposed Total Parking Cost[3]:	$123,200
Proposed Total Lease Cost[4]:	$4,719,000
Proposed Total Annual Cost	$4,842,200
Current Total Annual Cost:	$4,562,710 (Lease effective 3/31/1993)

Justification

The City Crescent Building, at 10 South Howard Street, houses the ACE headquarters office for the Baltimore District, which supports infrastructure projects in five states; the District of Columbia; the watersheds of the Susquehanna and Potomac Rivers, and the Chesapeake Bay; and overseas and provides emergency response during disasters. The City Crescent Building houses ACE and several other agencies under one lease agreement.

A number of the other tenant agencies in the building plan to backfill vacancies in nearby Federal Buildings; ACE will continue to be housed in leased space because there is no federally owned space large enough to accommodate the requirement.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

[2]This estimate is for fiscal year 2018 and may be escalated by 1.9% percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[3]This estimate is for fiscal year 2018 and may be escalated by 1.9% percent annually to the effective date of the lease to account for inflation.

[4]New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
U.S. DEPARTMENT OF DEFENSE
ARMY CORPS OF ENGINEERS
BALTIMORE, MD

Prospectus Number: PMD-01-BA16
Congressional District: 3,7

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 8, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

November 2014

Housing Plan
Army Corps of Engineers

PMD-01-BA16
Baltimore, MD

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
City Crescent Building	675	675	115,210	20,400	17,722	153,332						
Proposed lease							675	675	93,830	13,120	16,830	123,780
Total	**675**	**675**	**115,210**	**20,400**	**17,722**	**153,332**	**675**	**675**	**93,830**	**13,120**	**16,830**	**123,780**

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	133	108

UR=average amount of office space per person
Current UR excludes 25,346 usf of office support space
Proposed UR excludes 20,643 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	227	183

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	153,332	1.15	176,332
Proposed	123,780	1.15	143,000

Special Space	USF
Health Unit	2,150
Physical Fitness	2,250
Conference/Classroom	3,176
Wet Lab	174
Library	725
Mail Room	2,448
Food Service	2,313
Emergency Response Center	1,418
Multimedia Studio	1,233
Security Center	508
ADP	438
Total	16,833

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel.
[4]R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION, NEWARK, NJ

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 123,000 rentable square feet of space, including 58 official parking spaces, for the Department of Homeland Security, Customs and Border Protection currently located at 1100 Raymond Boulevard in Newark, New Jersey at a proposed total annual cost of $4,551,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 290 square feet or less per person, *except that*, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 290 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – LEASE
U.S. DEPARTMENT OF HOMELAND SECURITY
CUSTOMS AND BORDER PROTECTION
NEWARK, NJ

Prospectus Number: PNJ-01-NW16
Congressional District: 10

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 123,000 rentable square feet (RSF) for the Department of Homeland Security - Customs and Border Protection (CBP), currently located at 1100 Raymond Boulevard, Newark, NJ, under one lease that was effective in 2002.

The replacement lease will provide continued housing for CBP and will improve CBP's office and overall utilization rates from 178 to 79 usable square feet (USF) per person and 525 to 290 USF per person, respectively, while housing current personnel in 94,419 RSF less than the total of its current occupancies at the 1100 Raymond Boulevard location. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rental rate would be $8,044,503.

Description

Occupant:	Customs and Border Protection
Lease Type	Replacement
Current Rentable Square Feet (RSF)	217,419 (Current RSF/USF = 1.17)
Proposed Maximum RSF:	123,000 (Proposed RSF/USF = 1.15)
Expansion/Reduction RSF:	94,419 RSF (Reduction)
Current Usable Square Feet/Person:	525
Proposed Usable Square Feet/Person:	290
Proposed Maximum Lease Term:	15 Years
Expiration Dates of Current Leases:	5/31/2016
Delineated Area:	Central Business District of Newark, New Jersey with the following boundaries: North: Center Street South: Kinney Street East: McCarter Highway West: University Ave.
Number of Official Parking Spaces[1]:	58
Scoring:	Operating Lease

[1] CBP security requirements may necessitate control of the parking at the leased location. This control may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

PROSPECTUS – LEASE
U.S. DEPARTMENT OF HOMELAND SECURITY
CUSTOMS AND BORDER PROTECTION
NEWARK, NJ

Prospectus Number: PNJ-01-NW16
Congressional District: 10

Maximum Proposed Rental Rate[2]:	$37.00 / RSF
Proposed Total Annual Cost[3]:	$4,551,000
Current Total Annual Cost:	$11,692,276(Lease effective 4/1/2002)

Justification

The Newark Center Building located at 1100 Raymond Blvd. in Newark, NJ, currently houses CBP's Field Operations and Administrative Support division. The replacement lease will house the current CBP personnel located at the Newark Center Building and absorb additional personnel from offices relocating to One World Trade Center in New York City, NY. The new lease will meet the long-term needs of CBP.

Special Space Requirement

CBP has many unique spaces at this location that support national CBP offices and programs. The laboratory space at this facility accounts for nearly half of all of the special space. The laboratory is one of only four port materials testing labs in CBP's national inventory and is responsible for performing analysis on materials retrieved from the northeast Sea Ports of Entry, and all Land and Air Ports of Entry. The laboratory is staffed with CBP scientists who perform the analysis using onsite testing equipment.

In addition to the laboratory, the special space also accounts for the need to store any seized materials onsite. At any one time, the volume of testing and the amount of seized materials require CBP to maintain a large secured storage facility.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

[2] This estimate is for fiscal year 2016 and may be escalated by 1.9 percent annually to effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[3] New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
U.S. DEPARTMENT OF HOMELAND SECURITY
CUSTOMS AND BORDER PROTECTION
NEWARK, NJ

Prospectus Number: PNJ-01-NW16
Congressional District: 10

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 8,2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

June 2015

Housing Plan
Customs and Border Protection

PNJ-01-NW1(
Newark, NJ

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)1				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1100 Raymond Blvd	352	352	80,535	16,295	87,971	184,801						-
Proposed Lease							368	368	37,126	3,780	65,929	106,835
Total	**352**	**352**	**80,535**	**16,295**	**87,971**	**184,801**	**368**	**368**	**37,126**	**3,780**	**65,929**	**106,835**

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	178	79

UR=average amount of office space per person
Current UR excludes 17,717 usf of office support space
Proposed UR excludes 8,168 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	525	290

R/U Factor4	Total USF	RSF/USF	Max RSF
Current	184,801	1.18	217,419
Proposed	106,835	1.15	123,000

Special Space	USF
Laboratory	35,924
ADP	270
Conference/Training	7,560
Breakroom/Cafeteria	3,004
Mail room	1,750
Private Toilets	162
Physical Fitness with lockers	1,485
Lactation Room	108
Polygraph Room	810
Secured Storage	6,894
PIV Room	432
HSDN Room	270
Sample Room	203
Copy Rooms	1,991
Swipe Security	203
Communication	203
Swipe Control Room	203
Public Access for Dwbk	405
Secured Reception	1,283
LAN Equipment Room	486
Business Service Center	405
Interview Rooms	203
Cashiers	108
Money Counting Room with Safe	284
Broker Box Room	135
Defensive Tactics	1,148
Total	65,929

NOTES:
[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel.
[4]R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—ENVIRONMENTAL PROTECTION AGENCY, NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for a lease extension of up to 326,057 rentable square feet of space, including 15 official parking spaces, for the Environmental Protection Agency currently located at 2777 Crystal Drive (One Potomac Yard) and 2733 Crystal Drive in Arlington, Virginia at a proposed total annual cost of $12,716,223 for a lease term of up to 5 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 196 square feet or less per person, *except that*, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 196 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – LEASE
ENVIRONMENTAL PROTECTION AGENCY
NORTHERN VIRGINIA

Prospectus Number: PVA-02-WA16
Congressional District: VA-8, 10, 11

Executive Summary

The General Services Administration (GSA) proposes a lease extension of 326,057 rentable square feet (RSF) for the Environmental Protection Agency (EPA), currently located at 2777 Crystal Drive (One Potomac Yard) and 2733 Crystal Drive in Arlington, Virginia. The 5 year lease extension will consolidate the EPA functions housed in 2733 Crystal Drive into One Potomac Yard while EPA and GSA develop and budget for EPA's long-term consolidation into federally owned space.

Description

Occupant:	Environmental Protection Agency
Lease Type	Extension
Current Rentable Square Feet (RSF)	453,651 (Current RSF/USF = 1.14)
Proposed Maximum RSF:	326,057 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	127,594 Reduction
Current Usable Square Feet/Person:	275
Proposed Usable Square Feet/Person:	196
Proposed Maximum Leasing Authority:	5 years
Expiration Dates of Current Lease(s):	03/01/2016 (2777 Crystal Drive) 04/05/2016 (2733 Crystal Drive)
Delineated Area:	2777 Crystal Drive, Arlington, Virginia
Number of Official Parking Spaces:	15 spaces
Scoring:	Operating Lease
Maximum Proposed Rental Rate[1]:	$39.00 / RSF

[1] This estimate is for fiscal year 2016 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced, including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

PROSPECTUS – LEASE
ENVIRONMENTAL PROTECTION AGENCY
NORTHERN VIRGINIA

Prospectus Number: PVA-02-WA16
Congressional District: VA-8, 10, 11

Proposed Total Annual Cost[2]:	$12,716,223
Current Total Annual Cost:	$16,674,749 (leases effective 03/02/2006 and 04/06/2006)

Justification

In the short term, the consolidation of functions at One Potomac Yard will eliminate the need for 127,594 rentable square feet of leased space at 2733 Crystal Drive with an annual lease cost avoidance of approximately $5.6 million. Long term, EPA is continuing to reduce its footprint in the national capital region and will continue to consolidate functions within federally owned space. GSA and EPA will be requesting funding for the consolidation in a future fiscal year. The lease extension will allow EPA and GSA to budget for move and relocation costs, conduct assessment studies, and any necessary renovation costs to implement the best overall long term strategy for EPA in the Washington Metropolitan market area. The current leases expire on March 1, 2016, and April 5, 2016, respectively. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rental rate would be $17,692,389.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

[2] New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
ENVIRONMENTAL PROTECTION AGENCY
NORTHERN VIRGINIA

Prospectus Number: PVA-02-WA16
Congressional District: VA-8, 10, 11

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 8, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

June 2015

Housing Plan
Environmental Protection Agency

PVA-02-WA16
Northern, VA

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
2777-2733 Crystal Dr, Arlington, VA	1,420	1,442	323,618	3,137	69,536	396,291						
One Potomac Yard							1390	1,390	224,936	1,768	46,085	272,789
Total	**1,420**	**1,442**	**323,618**	**3,137**	**69,536**	**396,291**	**1,390**	**1,390**	**224,936**	**1,768**	**46,085**	**272,789**

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	178	126

UR = average amount of office space per person
Current UR excludes 71,196 usf of office support space
Proposed UR excludes 49,486 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	275	196

R/U Factor[4]			
	Total USF	RSF/USF	Max RSF
Current	396,291	1.14	453,651
Proposed	272,789	1.20	326,057

Special Space	USF
Badging	150
Bike Facilities/Showers	1,707
Conferencing	10,495
Training Center	5,826
Computer & Security	3,062
LAN, Reproductions, Pantries	8,362
Fitness Center	3,321
High Density File	9,692
Health Unit	915
Lactation Room	155
Shipping/Receiving/Mail	2,400
Total	46,085

NOTES:
[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space avail
[2] Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3] USF/Person = housing plan total USF divided by total personnel.
[4] R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF VETERANS AFFAIRS, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 97,000 rentable square feet of space for the Department of Veterans Affairs currently located at 801 I Street, NW in Washington, DC at a proposed total annual cost of $4,850,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 184 square feet or less per person, *except that*, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 184 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – LEASE
DEPARTMENT OF VETERANS AFFAIRS
WASHINGTON, DC

Prospectus Number: PC-02-WA16

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 97,000 rentable square feet (RSF) of space for the Department of Veterans Affairs (VA) in Washington, DC. VA is currently housed at 801 I Street, NW, in Washington, DC, under a lease that expires June 30, 2017.

Description

Occupant:	Department of Veterans Affairs
Lease Type	Replacement
Current Rentable Square Feet (RSF)	86,927 (Current RSF/USF = 1.06)
Proposed Maximum RSF[1]:	97,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	161
Proposed Usable Square Feet/Person:	184
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Lease(s):	6/30/2017
Delineated Area:	Washington, DC, Central Employment Area
Number of Official Parking Spaces:	None
Scoring:	Operating Lease
Maximum Proposed Rental Rate[2]:	$50.00 / RSF
Proposed Total Annual Cost[3]:	$4,850,000
Current Total Annual Cost:	$3,671,984 (lease effective 2007)

[1] The RSF/USF at the current location is approximately 1.06; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

[2] This estimate is for fiscal year 2017 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[3] New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF VETERANS AFFAIRS
WASHINGTON, DC

Prospectus Number: PC-02-WA16

Justification

The current location houses three VA components: the Office of Inspector General (OIG), the Office of Small Disadvantaged Business Utilization (OSDBU), and the Office of Information Technology (OIT).

This prospectus seeks authority to house two of the components, OIG and OSDBU, while the third component, OIT, will be relocated into federally owned space. OIG will be increasing by 22 personnel to respond to VA's recent issues regarding patient wait times, and the office has already received appropriations to respond to this matter. OIT will be relocating into the Lafayette Federal Building.

OIG and OSDBU will improve their office utilization rate from 100 USF per person to 89 USF per person. The overall utilization rate will increase slightly from 161 USF per person to 184 per person due to OSDBU's need for office and special space that is currently shared with the other VA components.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA **PBS**

PROSPECTUS – LEASE
DEPARTMENT OF VETERANS AFFAIRS
WASHINGTON, DC

Prospectus Number: PC-02-WA16

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on October 23, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

Novemeber 2014

Housing Plan
Veterans Affairs

PDC-02-WA16
Washington, DC

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Techworld Plaza												
OIG	241	241	42,332	1,088	16,033	59,453						
OSDBU	174	174	5,927			5,927						
OIT	95	95	16,948			16,948						
Proposed Lease							437	437	49,806	1,088	29,573	80,467
Total	**510**	**510**	**65,207**	**1,088**	**16,033**	**82,328**	**437**	**437**	**49,806**	**1,088**	**29,573**	**80,467**

Office Utilization Rate (UR)[2]		
	Current	**Proposed**
Rate	100	89

UR = average amount of office space per person
Current UR excludes 14,346 usf of office support space
Proposed UR excludes 10,957 usf of office support space

Overall UR[3]		
	Current	**Proposed**
Rate	161	184

R/U Factor[4]	Total USF	RSF/USF	Max. RSF
Current	82,328	1.06	86,927
Proposed	80,467	1.20	97,000

Special Space	USF
Investigative Operations	400
Evidence Room/Vault	250
Health Inspection Rooms	550
Interview Rooms	200
Conference	8,797
LAN Rooms	3,333
Copy/Supply	2,461
File Room	1,435
Break Room	1,715
Fitness Room	2,025
Forensics	1,700
Training	5,869
IT/Comms Closet	274
Health Unit	564
Total	**29,573**

NOTES:

[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

[2] Calculation excludes Judiciary, Congress and agencies with less than 10 people

[3] USF/Person = housing plan total USF divided by total personnel.

[4] R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—ENVIRONMENTAL PROTECTION AGENCY, REGIONAL HEADQUARTERS, DENVER, CO

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 176,000 rentable square feet of space, including 40 official parking spaces, for the Environmental Protection Agency Region 8 Headquarters currently located at 1595 Wynkoop Street in Denver, Colorado at a proposed total annual cost of $8,096,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 200 square feet or less per person, *except that*, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 200 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
ENVIRONMENTAL PROTECTION AGENCY
REGIONAL HEADQUARTERS
DENVER, CO

Prospectus Number:	PCO-08-DE16
Congressional District:	1

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 176,000 rentable square feet (RSF) for the Environmental Protection Agency (EPA) Region 8 Headquarters, currently located at 1595 Wynkoop Street in Denver, CO, under one lease that was effective in 2006.

The replacement lease will provide continued housing for EPA and will improve its office and overall utilization rates from 150 to 108 usable square feet (USF) per person and 272 to 200 USF per person, respectively. As a result of the improved utilization, the replacement lease will reduce the rentable square footage of the requirement by 29 percent, a 72,849 RSF reduction from the total of its current occupancy. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rental rate would be $11,447,054.

Description

Occupant:	Environmental Protection Agency
Lease Type	Replacement
Current Rentable Square Feet (RSF)	248,849 (Current RSF/USF = 1.23)
Proposed Maximum RSF:	176,000 (Proposed RSF/USF = 1.23)
Expansion/Reduction RSF:	72,849 Reduction
Current Usable Square Feet/Person:	272
Proposed Usable Square Feet/Person:	200
Proposed Maximum Lease Term:	15 Years
Expiration Dates of Current Leases:	12/31/16
Delineated Area:	North: Platte River South: Intersection of Broadway Street and Speer Boulevard East: Broadway Street West: Speer Boulevard
Number of Official Parking Spaces:	40
Scoring:	Operating lease
Maximum Proposed Rental Rate[1]:	$46.00 / RSF

[1] This estimate is for fiscal year 2017 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis

PROSPECTUS – LEASE
ENVIRONMENTAL PROTECTION AGENCY
REGIONAL HEADQUARTERS
DENVER, CO

Prospectus Number:	PCO-08-DE16
Congressional District:	1

Proposed Total Annual Cost[2]:	$8,096,000
Current Total Annual Cost:	$7,702,000 (Lease effective 12/15/2006)

Justification

EPA has occupied the seven-story building leased at 1595 Wynkoop Street in Denver, CO, since 2006, under a lease that expires December 31, 2016. EPA has a continued need for housing to carry out its mission. The proposed replacement lease will ensure continuity of operations for the EPA Region 8 Headquarters while reducing the space requirement by 72,849 RSF.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

for negotiating with offerors to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[2]New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA **PBS**

PROSPECTUS – LEASE
ENVIRONMENTAL PROTECTION AGENCY
REGIONAL HEADQUARTERS
DENVER, CO

Prospectus Number: PCO-08-DE16
Congressional District: 1

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on October 23, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

June 2015

Housing Plan
EPA Region VIII Headquarters

PCO-08-DE16
Denver, CO

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1595 Wynkoop Street	740	740	142,758	1,656	57,134	201,548						-
Proposed Lease							715	715	98,932	6,177	38,026	143,135
Total	**740**	**740**	**142,758**	**1,656**	**57,134**	**201,548**	**715**	**715**	**98,932**	**6,177**	**38,026**	**143,135**

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	150	108

UR=average amount of office space per person
Current UR excludes 31,407 usf of office support space
Proposed UR excludes 21,765 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	272	200

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	201,548	1.23	248,849
Proposed	143,135	1.23	176,000

Special Space	USF
Secure/High Floor Load Storage	3,859
Conference Rooms	11,762
Food Service	4,793
ADP	4,536
LAN/Phone	900
Library	2,800
Copy/Print Rooms	3,052
Mail Rooms	1,692
Public Restrooms	448
Fitness Center	2,688
Health Unit	168
Reception and Security	908
Soundlock Interview Rooms	420
Total	38,026

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel.
[4]R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF STATE, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 115,000 rentable square feet of space for the Department of State currently located at 2121 Virginia Avenue, NW in Washington, DC at a proposed total annual cost of $5,750,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 195 square feet or less per person, *except that*, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 195 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – LEASE
DEPARTMENT OF STATE
WASHINGTON, DC

Prospectus Number: PDC-05-WA16

Executive Summary

The U.S. General Services Administration (GSA) proposes a replacement lease of up to 115,000 rentable square feet (RSF) of space for the Department of State (DOS), currently housed at 2121 Virginia Ave., NW, Washington, DC.

The replacement lease will provide continued housing for DOS and will improve DOS office and overall utilization rates from 130 to 121 usable square feet (USF) per person and 209 to 195 USF per person, respectively.

Description

Occupant:	Department of State
Lease Type	Replacement
Current Rentable Square Feet (RSF)	110,294 (Current RSF/USF = 1.16)
Proposed Maximum RSF[1]:	115,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	209
Proposed Usable Square Feet/Person:	195
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Lease(s):	10/31/2017
Delineated Area:	Washington, DC CEA
Number of Official Parking Spaces:	None
Scoring:	Operating Lease
Maximum Proposed Rental Rate[2]:	$50.00 / RSF

[1] The RSF/USF at the current location is approximately 1.16; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

[2] This estimate is for fiscal year 2018 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced, including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

PROSPECTUS – LEASE
DEPARTMENT OF STATE
WASHINGTON, DC

Prospectus Number: PDC-05-WA16

Proposed Total Annual Cost[3]:	$5,750,000
Current Total Annual Cost:	$5,691,805 (leases effective 11/1/2007)

Justification

The current lease at 2121 Virginia Ave., NW, expires October 31, 2017. DOS requires continued housing for 456 personnel currently working in this location and will consolidate an additional 34 personnel by relocating existing functions dispersed in other locations. The proposed leases will streamline current DOS operations and allow for more efficient use of space.

The FY 2016 President's Budget includes the purchase of the American Red Cross Building located at 2025 E Street, NW. If the purchase is executed as proposed, the Federal Government would eliminate $12 million in annual private sector lease costs. The DOS personnel housed under this prospectus would relocate into the purchased facility. This prospectus will be necessary if that purchase is not funded or cannot be executed.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

[3] New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF STATE
WASHINGTON, DC

Prospectus Number: PDC-05-WA16

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA **PBS**

PROSPECTUS – LEASE
DEPARTMENT OF STATE
WASHINGTON, DC

Prospectus Number: PDC-05-WA16

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 24, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

Novemeber 2014

Housing Plan
Department of State

PDC-05-WA16
Washington, DC

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
2121 Virginia Avenue, NW	456	456	76,280	3,507	15,535	95,322						
Proposed Lease							490	490	76,280	3,507	15,535	95,322
Total	456	456	76,280	3,507	15,535	95,322	490	490	76,280	3,507	15,535	95,322

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	130	121

UR = average amount of office space per person
Current UR excludes 16,782 usf of office support space
Proposed UR excludes 16,782 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	209	195

Special Space	USF
Conference/Training/Inte	5,164
ADP	540
File Rooms	1,754
Break Rooms	1,023
Training	600
SCIFs	5,000
Security	48
Copy Rooms	1,406
Total	15,535

R/U Factor[4]	Total USF	RSF/USF	Max. RSF
Current	95,322	1.16	110,294
Proposed	95,322	1.20	115,000

NOTES:

[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

[2] Calculation excludes Judiciary, Congress and agencies with less than 10 people

[3] USF/Person = housing plan total USF divided by total personnel.

[4] R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—U.S. DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION, NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 575,000 rentable square feet of space, including 85 official parking spaces, for the U.S. Department of Justice, Drug Enforcement Administration currently located at 600–700 Army Navy Drive in Arlington, Virginia at a proposed total annual cost of $22,425,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 192 square feet or less per person, *except that*, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 192 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – LEASE
U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION
NORTHERN VIRGINIA

Prospectus Number: PVA-01-WA16
Congressional District: VA-8,10,11

Executive Summary

The U.S. General Services Administration (GSA) proposes a replacement lease of up to 575,000 rentable square feet (RSF) for the U.S. Department of Justice - Drug Enforcement Administration (DEA), currently located at 600-700 Army Navy Drive, in Arlington, VA, under a lease that expires September 30, 2018.

The replacement lease will provide continued housing for DEA and will maintain DEA's efficient office utilization rate of 116 usable square feet (USF) per person and overall utilization rate of 192 USF per person.

Description

Occupant:	Drug Enforcement Administration
Lease Type	Replacement
Current Rentable Square Feet (RSF)	503,776 (Current RSF/USF = 1.05)
Proposed Maximum RSF[1]:	575,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	192
Proposed Usable Square Feet/Person:	192
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Lease(s):	9/30/2018
Delineated Area:	Northern VA
Number of Official Parking Spaces[2]:	85
Scoring:	Operating Lease
Maximum Proposed Rental Rate[3]:	$39.00 / RSF

[1] The RSF/USF at the current location is approximately 1.05; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

[2] DEA security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s).

[3] This estimate is for fiscal year 2018 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced, including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

PROSPECTUS – LEASE
U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION
NORTHERN VIRGINIA

Prospectus Number:	PVA-01-WA16
Congressional District:	VA-8,10,11

Proposed Total Annual Cost[4]:	$ 22,425,000
Current Total Annual Cost:	$ 19,402,581

Justification

The current lease at 600-700 Army Navy Drive, Arlington, VA, expires September 30, 2018. The current location provides housing for DEA headquarters components, a visitor center, and a museum. DEA requires continued housing for the 2,495 personnel working in this location to oversee and enforce the controlled substance laws and regulations of the Unites States.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

[4] New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA **PBS**

PROSPECTUS – LEASE
U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION
NORTHERN VIRGINIA

Prospectus Number: PVA-01-WA16
Congressional District: VA-8,10,11

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 24, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

July 2015

Housing Plan
Drug Enforcement Administration

PVA-01-WA16
Northern, VA

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
600-700 Army Navy Drive	2,495	2,495	372,539	6,055	100,013	478,607						
Proposed Lease							2,465	2,465	372,539	6,055	100,013	478,607
Total	**2,495**	**2,495**	**372,539**	**6,055**	**100,013**	**478,607**	**2,495**	**2,495**	**372,539**	**6,055**	**100,013**	**478,607**

Office Utilization Rate (UR)[2]		
	Current	**Proposed**
Rate	116	116

UR = average amount of office space per person
Current UR excludes 81,959 usf of office support space
Proposed UR excludes 67,699 usf of office support space

Overall UR[3]		
	Current	**Proposed**
Rate	192	192

R/U Factor[4]	Total USF	RSF/USF	Max. RSF
Current	478,607	1.05	503,776
Proposed	478,607	1.20	575,000

Special Space	USF
SCIF	9,504
Fitness Center/Locker Room	6,008
Food Service	7,040
Museum/Gift Shop	3,461
Auditorium/Press Room	5,491
Audio Visual Control Room	723
Mailroom Distribution	941
Secure File Rooms	12,303
Credit Union	551
Print Shop/Supplies	3,868
Command Center/PIV	4,602
Health Unit	3,235
Secure Network Server Rooms	13,146
Library	2,732
Mainframe Telco Room	565
Conference/Training/Interview	25,843
Total	**100,013**

NOTES:

[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

[2] Calculation excludes Judiciary, Congress and agencies with less than 10 people

[3] USF/Person = housing plan total USF divided by total personnel.

[4] R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF HOMELAND SECURITY, CITIZENSHIP AND IMMIGRATION SERVICES, DALLAS, TX

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 261,000 rentable square feet of space, including 8 official parking spaces, for the Department of Homeland Security, Citizenship and Immigration Services currently located at 4141 N. St. in Augustine, Mesquite, Texas, 7701 N. Stemmons Freeway in Dallas, Texas, and 8001 N. Stemmons Freeway in Dallas, Texas at a proposed total annual cost of $7,830,000 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 218 square feet or less per person, *except that*, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 218 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY, CITIZENSHIP AND IMMIGRATION SERVICES
DALLAS, TX

Prospectus Number: PTX-01-DA16
Congressional District: 3, 6, 24, 26, 30, 32, 33

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 261,000 rentable square feet (RSF) for the Department of Homeland Security - Citizenship and Immigration Services (USCIS), currently located in three leased locations at 4141 N. St. Augustine, Mesquite, TX; 7701 N. Stemmons Freeway, Dallas, TX; and 8001 N. Stemmons Freeway, Dallas, TX.

The replacement lease will house USCIS in one location, allowing for a more streamlined and efficient operation, and will improve USCIS' office and overall utilization rates from 215 to 81 usable square feet (USF) per person and 405 to 218 USF per person, respectively. As a result of the improved utilization, the replacement lease will reduce the rentable square footage of the requirement by 16 percent, a 51,138 RSF reduction from the total of its current occupancy. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rental rate would be $9,364,140.

Description

Occupant:	U.S. Citizenship and Immigration Services
Lease Type	Replacement
Current Rentable Square Feet (RSF)	312,138 (Current RSF/USF = 1.04)
Proposed Maximum RSF:	261,000 (Proposed RSF/USF = 1.15)
Expansion/Reduction RSF:	51,138 Reduction
Current Usable Square Feet/Person:	405
Proposed Usable Square Feet/Person:	218
Proposed Maximum Lease Term:	20 Years
Expiration Dates of Current Leases:	4/30/2021, 11/2/2022, 3/15/2024
Delineated Area:	**North:** Highway 2499 and Highway 1171 (W. Main Street), east to Highway 121; continuing east on Highway 121 to Highway 544 (Parker Road); continuing east on Highway 544 (Parker Road) to the Dallas North Tollway. **East:** Highway 544 (Parker Road) and the Dallas North Tollway; south on

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY,
CITIZENSHIP AND IMMIGRATION SERVICES
DALLAS, TX

Prospectus Number: PTX-01-DA16
Congressional District: 3, 6, 24, 26, 30, 32, 33

	Dallas North Tollway to Interstate 35; south on Interstate 35 to Interstate 30. **South:** Intersection of Interstates 35 and 30, west on I-30 to Highway 360. **West:** Intersection of Interstate 30 and Highway 360, north on Highway 360 to Highway 121, continuing north on Highway 121 to Highway 2499 (International Parkway); continuing north on Highway 2499 to Highway 1171
Number of Official Parking Spaces:	8
Scoring:	Operating lease
Maximum Proposed Rental Rate[1]:	$30.00 / RSF
Proposed Total Annual Cost[2]:	$7,830,000
Current Total Annual Cost:	$7,248,810 (Leases effective 5/1/2011, 11/3/2012 and 3/16/2014)

Justification

USCIS oversees lawful immigration to the United States, providing services that include citizenship, immigration of family members, visas, verification of legal rights to work in the United States, humanitarian programs, adoptions, civic integration, and genealogy. The USCIS Texas Service Center (TSC) is one of four USCIS Service Centers and consists of two separate leased locations in Dallas, TX, and one leased location 30 miles away in Mesquite, TX.

The geographically separate locations create obstacles for management and oversight as well as security vulnerabilities in transporting client files between locations. To reduce these obstacles, USCIS studied the feasibility of consolidating the operation housed in Mesquite into the two

[1] This estimate is for fiscal year 2017 and may be escalated by 1.9% percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[2] New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY,
CITIZENSHIP AND IMMIGRATION SERVICES
DALLAS, TX

Prospectus Number: PTX-01-DA16
Congressional District: 3, 6, 24, 26, 30, 32, 33

buildings in Dallas, but the study showed that the consolidation was not feasible due to the lack of adequate square footage and the structural deficiencies that prevent the buildings from accommodating the weight of mission-critical files. Since none of the existing locations can accommodate the Service Center requirement, a replacement lease is needed to meet the long-term requirements of USCIS. To minimize vacancy risk, the existing leases contain flexible terms to coincide with the estimated occupancy of the replacement lease.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY,
CITIZENSHIP AND IMMIGRATION SERVICES
DALLAS, TX

Prospectus Number: PTX-01-DA16
Congressional District: 3, 6, 24, 26, 30, 32, 33

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on January 27, 2016

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

March 2015

Housing Plan
Citizenship and Immigration Services

PTX-01-DA16
Dallas, TX

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
4141 St. Augustine	241	241	67,004		54,996	122,000						
7701 North Stemmons	225	225	58,292		14,291	72,583						
8001 North Stemmons	276	276	78,879		26,876	105,755						
Proposed Lease							1,038	1,038	108,340	19,840	98,536	226,716
Total	**742**	**742**	**204,175**	**0**	**96,163**	**300,338**	**1,038**	**1,038**	**108,340**	**19,840**	**98,536**	**226,716**

Office Utilization Rate (UR)[2]		
	Current	**Proposed**
Rate	215	81

UR = average amount of office space per person
Current UR excludes 44,918 usf of office support space
Proposed UR excludes 23,835 usf of office support space

Overall UR[3]		
	Current	**Proposed**
Rate	405	218

R/U Factor[4]	Total USF	RSF/USF	Max. RSF
Current	300,338	1.04	312,138
Proposed	226,716	1.15	261,000

Special Space	USF
Clinic	160
Conference	1,950
ADP	7,476
Break Rooms	5,700
File Processing	61,020
Mail Rooms	4,800
Receiving Area	7,800
Secured Room	630
Secured Storage	1,440
Training Room	7,560
Total	**98,536**

NOTES:

[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

[2] Calculation excludes Judiciary, Congress and agencies with less than 10 people

[3] USF/Person = housing plan total USF divided by total personnel.

[4] R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

ALTERATION—EDWARD R. ROYBAL FEDERAL BUILDING AND U.S. COURTHOUSE, LOS ANGELES, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for repairs and alterations for the building system upgrades and the reconfiguration and alteration of space currently occupied by the U.S. District Courts in the Edward R. Roybal Federal Building and U.S. Courthouse in Los Angeles, California to allow for the consolidation of court operations currently housed in the Roybal Federal Building and in 312 North Spring Street at a design cost of $2,207,000, an estimated construction cost of $15,753,000 and a management and inspection cost of $1,423,000 for a total estimated project cost of $19,383,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS - ALTERATION
EDWARD R. ROYBAL FEDERAL BUILDING AND U.S. COURTHOUSE
LOS ANGELES, CA

Prospectus Number: PCA-0283-LA14
Congressional District: 34

FY2014 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project for building system upgrades and the reconfiguration and alteration of space currently occupied by the U.S. District Courts in the Edward R. Roybal Federal Building and U.S. Courthouse (Roybal FBCT). The proposed alterations will allow for the consolidation of court operations currently housed in the Roybal FBCT and in 312 North Spring Street (NSS).

FY2014 Committee Approval and Appropriation Requested

(Design, ECC and M&I).....$19,383,000

Major Work Items

Interior construction; demolition and abatement; HVAC, fire sprinkler, plumbing and electrical system adjustments.

Total Project Budget

Design	$2,207,000
Estimated Construction Cost (ECC)	15,753,000
Management and Inspection (M&I)	1,423,000
Estimated Total Project Cost (ETPC)*	**$19,383,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Schedule	**Start**	**End**
Design	FY2014	FY2014
Construction	FY2014	FY2016

Building

The Roybal FBCT is located in the civic center of downtown Los Angeles, in proximity to the 300 N. Los Angeles Federal Office Building (300 NLA), the new Los Angeles Courthouse (LACT), 312 North Spring Street (312 NSS), the Los Angeles City Hall, the County Courts Buildings and the Metropolitan Detention Center. The Roybal FBCT occupies 3.68 acres of an 8.08 acre parcel shared with 300 NLA. The two buildings share a common mechanical plant. The building is a Class A stand-alone structure occupied primarily by the U.S. District Courts, court-related agencies, and the Drug Enforcement

PROSPECTUS - ALTERATION
EDWARD R. ROYBAL FEDERAL BUILDING AND U.S. COURTHOUSE
LOS ANGELES, CA

Prospectus Number: PCA-0283-LA14
Congressional District: 34

Agency (DEA). Constructed in 1993, the building is steel-frame construction with exterior granite cladding. The building has 22 stories, with three below-grade basement levels, including an underground parking facility. The building was named for Edward Roybal, a city councilman in Los Angeles in the 1950s and U.S. Congressman from 1963-1993.

Tenant Agencies

U.S. District Courts, Drug Enforcement Administration, U.S. Marshal Service, Equal Employment Opportunity Commission, Department of State, Department of Homeland Security, Office of US Attorneys and U.S. Tax Court.

Proposed Project

The project includes build out of ten chambers for Magistrate and Court of Appeals judges and construction of general office space for expansion of District Clerk, Pretrial Services and Probation. Upon project completion, the Roybal FBCT will house 9 senior judges, 17 magistrate judges and 14 bankruptcy judges. This project will allow the Court to consolidate in two locations (Roybal and the new LACT) and vacate 312 NSS to position it for exchange. Build out of chambers and usage of courtrooms will be consistent with the Court's policies on sharing.

Major Work Items

Demolition and Abatement	$1,785,000
Repair HVAC	2,266,000
Interior Construction	8,692,000
Repair Electrical System	2,758,000
Repair Plumbing	252,000
Total ECC	**$15,753,000**

Justification

When the new LACT is complete in 2016, the active District judges and a portion of the senior District judges and their support functions will be consolidated in the new LACT. The remaining court operations will be consolidated in the Roybal FBCT. The proposed Roybal FBCT alteration project provides only the minimum tenant improvements required for this consolidation. The Roybal FBCT alterations are also required so court functions currently located in 312 NSS can be relocated to Roybal FBCT. Once vacant, the 312 NSS property can be exchanged for a new federal office building (FOB) to be constructed on the LACT site consistent with the announcement made on December 10,

PROSPECTUS - ALTERATION
EDWARD R. ROYBAL FEDERAL BUILDING AND U.S. COURTHOUSE
LOS ANGELES, CA

Prospectus Number: PCA-0283-LA14
Congressional District: 34

2012. The Roybal FBCT alterations must occur concurrently with the completion of the new courthouse in 2016. This schedule requires design and construction appropriation in FY14 for alterations in Roybal FBCT.

Prior to the start of construction for this project, the Court will, at its expense, vacate sufficient space to construct ten new chambers and provide space for the consolidation of ancillary functions. The vacation of space will be accomplished through consolidation using advanced workplace strategies including optimizing their workplace, courtroom sharing, hoteling and teleworking.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years)

None

Alternatives Considered (30-year, present value cost analysis)

As this project is integral to the delivery of the new LACT and is tied into the proposal for 312 NSS, there are no feasible alternatives to this project.

GSA **PBS**

PROSPECTUS - ALTERATION
EDWARD R. ROYBAL FEDERAL BUILDING AND U.S. COURTHOUSE
LOS ANGELES, CA

Prospectus Number: PCA-0283-LA14
Congressional District: 34

Recommendation

ALTERATION

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 4, 2013

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

Locations	CURRENT						PROPOSED						Personnel Migration			10-Year Personnel Growth in office
	Personnel		Usable square Feet (USF) 1				Personnel 2		Usable square Feet (USF)							
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total	From 312 NSS to Roybal	From Roybal to New LACH	From Roybal to 300 NLA	
EDWARD R. ROYBAL FEDERAL BUILDING AND U.S. COURTHOUSE																
U.S. Marshals Service	72	72	20,565	611	27,875	49,052	38	38	20,565	611	27,875	49,052	0	34	0	
Drug Enforcement Agency (IRS task group)	360	360	83,426	1,798	9,258	94,482	314	314	75,243	1,798	9,258	86,299	0	0	46	Reduction of 4
U. S. Attorneys	0	0	2,490	3,470	129	6,089	0	0	2,490	3,470	129	6,089				NA
Depatment of State	36	36	6,438	0	83	6,521	36	36	6,438	0	83	6,521				0
Department of Homeland Security Federal Protective Service	8	8	2,053	0	1,490	3,543	10	10	2,053	0	1,490	3,543				2
Equal Employment Opportunity Commission	77	77	25,415	0	176	25,591	74	74	25,415	0	176	25,591				Reduction of 3
General Services Administration	2	2	1,029	0	0	1,029	2	2	1,029	0	0	1,029				0
U.S. Tax Court	0	0	1,886	0	5,374	7,260	0	0	1,886	0	5,374	7,260				NA
Public Defenders	0	0	387	0	0	387	0	0	387	0	0	387				NA
U.S. Bankruptcy Court - Courtrooms	33	66	25,093	766	67,467	93,326	33	66	14,783	2,830	48,244	65,857				0
U.S. Bankruptcy Clerk	121	121	57,708	2,589	11,521	71,818	189	189	34,699	5,391	20,769	60,858				-68
U.S. Circuit Court Library	4	4	11,190	0	0	11,190	4	4	0	250	3,529	3,779				0
U.S. District Court - Courtrooms/Chambers/Grand Jury	32	51	16,918	0	50,278	67,196	16	20	18,592	1,757	30,322	50,670	0	32		0
U.S. Magistrate Judges - Courtrooms/Chambers	18	24	12,039	0	31,390	43,429	51	68	18,750	2,900	56,940	78,590	33	0		0
U.S. District Court Clerk	39	39	10,333	4,012	5,900	20,245	144	144	16,924	18,264	2,833	38,021	105	0		20
Pretrial Services	10	13	3,472	0	133	3,605	60	63	13,052	797	1,298	15,147	34	0		0
Judicial Joint Use	0	0	0	0	0	0	0	0	0	0	4,161	4,161				0
Joint Use	0	0	3,992	0	0	3,992	0	0	0	0	14,813	14,813				0
Vacant	0	0	5,764	164	7,514	13,442	0	0	13,946	164	7,514	21,624				0
Sub Total:	812	873	290,198	13,410	218,588	522,197	971	1028	266,252	38,232	234,808	539,291				

Office Utilization Rate 3

	Current	Proposed
Building Judiciary Tenants	248	187
All Building Tenants (including Judiciary, Congress, and agencies with less than 10 employees)	259	202

Total Building Utilization Rate 4

	Current	Proposed
Building Judiciary Tenants	720	607
All Building Tenants (including Judiciary, Congress, and agencies with less than 10 employees)	598	525

Special Space	USF
Secured Circulation	22,266
Private Toilets	14,172
ADP Room	672
Conference/Library	32,471
Food Service	19,593
Courtrooms	38,462
Judges Chambers	58,527
Jury Functions	18,215
Lab	1,001
Vault	5,772
Mail/Print Room	5,300
Childcare	2,769
Health Unit	332
Fitness Center	5,694
Secured Custodial	75
Equipment Room	227
Existing Firing Rang	2,045
Holding Cells	3,782
Secured Rooms	3,434
Total:	234,808

1 USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
2 Personnel totals in the proposed column include both actual migration of personnel as well as 10-year court projections.
3 Office Utilization Rate = total office space available for office personnel. UR calculation excludes office support space USF.
4 Total Building USF Rate = total building USF (office, storage, special) available for all building occupants (office and non-office personnel)

AMENDED COMMITTEE RESOLUTION

LEASE—ENVIRONMENTAL PROTECTION AGENCY, DALLAS, TX

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for a replacement lease of up to 229,000 rentable square feet of space, including 40 official parking spaces, for the U.S. Environmental Protection Agency currently located at 1445 Ross Street in Dallas, Texas, at a proposed total annual cost of $6,412,000 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution as amended by this resolution. This resolution amends the Committee resolution dated February 12, 2015, authorizing a lease with an overall utilization rate of 188 square feet or less per person.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 210 square feet or less per person, *except that*, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 210 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – LEASE
ENVIRONMENTAL PROTECTION AGENCY
DALLAS, TX

Prospectus Number: PTX-01-DA15
Congressional District: 30

Executive Summary

The U.S. General Services Administration (GSA) proposes a replacement lease of up to 229,000 rentable square feet (RSF) for the U.S. Environmental Protection Agency (EPA) currently located at 1445 Ross Street, Dallas, Texas.

The replacement lease will provide continued housing for EPA and will improve EPA's office and overall utilization rates from 153 to 102 usable square feet (USF) per person and 226 to 188 USF per person, respectively. As a result of the improved utilization, the replacement lease will reduce the rentable square footage of the requirement by 12 percent, a 30,432 RSF reduction from EPA's current occupancy.

Description

Occupant:	EPA
Lease Type	Replacement
Current Rentable Square Feet (RSF)	259,432 (Current RSF/USF = 1.08)
Proposed Maximum RSF:	229,000 (Proposed RSF/USF = 1.15)
Expansion/Reduction RSF:	30,432 RSF reduction
Current Usable Square Feet/Person:	226
Proposed Usable Square Feet/Person:	188
Proposed Maximum Lease Term:	20 Years
Expiration Dates of Current Leases:	2/8/2017
Delineated Area:	The Central Business District bounded by: North - Woodall Rogers Freeway South - R.L. Thornton Freeway East - Central Expressway West – Stemmons Freeway
Number of Official Parking Spaces:	40
Scoring:	Operating lease
Maximum Proposed Rental Rate[1]:	$28.00 per RSF
Proposed Total Annual Cost[2]:	$6,412,000
Current Total Annual Cost[3]:	$4,819,272(lease effective 2/09/1997)

[1] This estimate is for fiscal year 2015 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[2] New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

[3] The current lease includes 13,215 rentable square feet of space that was vacated by EPA in 2010. The current total annual cost includes the rent associated with the vacancy. The entire lease is 272,647 rentable square feet.

PROSPECTUS – LEASE
ENVIRONMENTAL PROTECTION AGENCY
DALLAS, TX

Prospectus Number: PTX-01-DA15
Congressional District: 30

Acquisition Strategy

In order to maximize the flexibility in acquiring space to house EPA, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space able to meet the requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Justification

EPA has developed a program of requirements for replacement space to house its Region 6 Headquarters in Dallas, Texas. The proposed requirements utilize new space standards developed to improve space efficiency and employee productivity and will reduce EPA's footprint by 30,432 RSF. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rental rate would be $7,264,096 per year.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA PBS

PROSPECTUS – LEASE
ENVIRONMENTAL PROTECTION AGENCY
DALLAS, TX

Prospectus Number: PTX-01-DA15
Congressional District: 30

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 29, 2014

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

April 2014

Housing Plan
Environmental Protection Agency

PTX-01-DA15
Dallas, TX

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1445 Ross Avenue, Dallas, TX	1,058	1,058	207,726	-	31,404	239,130						
Proposed Lease							1,058	1,058	137,785	1,810	59,144	198,739
Total	1,058	1,058	207,726	-	31,404	239,130	1,058	1,058	137,785	1,810	59,144	198,739

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	153	102

UR=average amount of office space per person
Current UR excludes 48,380 usf of office support space
Proposed UR excludes 30,312 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	226	188

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	239,130	1.08	259,432
Proposed	198,739	1.15	229,000

Special Space	USF
Secured records	26,722
Conference	8,626
ADP	5,670
Mail/copy	5,429
Fitness	4,222
Food Service	3,258
Secured office	3,106
Library	1,086
Health unit	724
Secured storage	301
Total	59,144

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel.
[4]R/U Factor = Max RSF divided by total USF

There was no objection.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 2(b) of House Resolution 635, the House stands adjourned until noon on Monday, March 14, 2016, for morning-hour debate and 2 p.m. for legislative business.

Thereupon (at 11 o'clock and 35 minutes a.m.), under its previous order, the House adjourned until Monday, March 14, 2016, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4593. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Uniform Procurement Identification (DFARS Case 2015-D011) [Docket No.: DARS-2015-0025] (RIN: 0750-AI54) received March 8, 2016, 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 Armed Services.

4594. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's joint interim final rules — Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks [Docket No.: R-1531] (RIN: 7100-AE45] received March 7, 2016, 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 Financial Services.

4595. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's Major interim final rule — Federal Reserve Bank Capital Stock [Regulation I; Docket No.: R-1533] (RIN: 7100-AE47) received March 7, 2016, 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 Financial Services.

4596. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report entitled ''Report to Congress on the Social and Economic Conditions of Native Americans: Fiscal Year 2013'', pursuant to 42 U.S.C. 2992-1; Public Law 88-452, Sec. 811A (as added by Public Law 102-375, Sec. 822(12)); (106 Stat. 1299); to the Committee on Education and the Workforce.

4597. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report entitled ''2015 Annual Report to the Congress on the Native Hawaiian Revolving Loan Fund'', pursuant to 42 U.S.C. 2991b-1(g)(1); Public Law 88-452, Sec. 803A (as amended by Public Law 102-375, Sec. 822(2)); (106 Stat. 1296); to the Committee on Education and the Workforce.

4598. A letter from the PRAO Branch Chief, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule — Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Implementation of Electronic Benefit Transfer-Related Provisions (RIN: 0584-AE21) received March 7, 2016, 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 Education and the Workforce.

4599. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received March 4, 2016, 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 Education and the Workforce.

4600. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report entitled ''Annual Report to Congress on the Use of Mandatory Recall Authority'' for FY 2015, pursuant to Sec. 206(f) of the FDA Food Safety Modernization Act of 2011, Public Law 111-353; to the Committee on Energy and Commerce.

4601. A letter from the Deputy Assistant Administrator, Office of Diversion Control, DEA, Department of Justice, transmitting the Department's final order — Schedules of Controlled Substances: Extension of Temporary Placement of 10 Synthetic Cathinones in Schedule 1 of the Controlled Substances Act [Docket No.: DEA-386] received March 4, 2016, 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 Energy and Commerce.

4602. A letter from the Deputy Assistant Administrator, Office of Diversion Control, DEA, Department of Justice, transmitting the Department's final rule — Removal of Exemption From Registration for Persons Authorized Under U.S. Nuclear Regulatory Commission or Agreement State Medical Use Licenses or Permits and Administering the Drug Product DaTscan [Docket No.: DEA-394F] (RIN: 1117-AB38) received March 4, 2016, 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 Energy and Commerce.

4603. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled ''Third Report to Congress: Highlights from the Diesel Emissions Reduction Act Program'', as required by the Energy Policy Act of 2005, pursuant to 42 U.S.C. 16134(a); Public Law 109-58, Sec. 794(a); (119 Stat. 843); to the Committee on Energy and Commerce.

4604. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Ohio; Base Year Emission Inventories for the 2008 8-Hour Ozone Standard [EPA-R05-OAR-2014-0658; FRL-9943-46-Region 5] received March 8, 2016, 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 Energy and Commerce.

4605. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluopyram; Pesticide Tolerances [EPA-HQ-OPP-2015-0443; FRL-9943-21] received March 8, 2016, 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 Energy and Commerce.

4606. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans: New Mexico; and Albuquerque/Bernalillo County; Revisions to Establish Small Business Stationary Source Technical and Environmental Compliance Assistance Programs [EPA-R06-OAR-2014-0642; FRL-9943-43-Region 6] received March 8, 2016, 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 Energy and Commerce.

4607. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Promoting Diversification of Ownership in the Broadcasting Services [MB Docket No.: 07-294]; Review of Media Bureau Data Practices [MB Docket No.: 10-103]; Amendment of Part 1 of the Commission's Rules, Concerning Practice and Procedure, Amendment of CORES Registration System [MB Docket No.: 10-234] received March 4, 2016, 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 Energy and Commerce.

4608. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to South Sudan that was declared in Executive Order 13664 of April 3, 2014, and, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257); to the Committee on Foreign Affairs.

4609. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to significant malicious cyber-enabled activities that was declared in Executive Order 13694 of April 1, 2015, and, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257); to the Committee on Foreign Affairs.

4610. A communication from the President of the United States, transmitting notification that the national emergency with respect to Iran, originally declared on March 15, 1995, is to continue in effect beyond March 15, 2016, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 114—115); to the Committee on Foreign Affairs and ordered to be printed.

4611. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report covering the period from August 15, 2015, to October 13, 2015 on the Authorization for Use of Military Force Against Iraq Resolutions, pursuant to Public Law 107-248, Sec. 8137; (116 Stat. 1569) and 50 U.S.C. 1541 note; Public Law 107-243, Sec. 4; (116 Stat. 1498); to the Committee on Foreign Affairs.

4612. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of the Navy's proposed lease amendment, to the Government of Canada, Transmittal No. 03-16, pursuant to Sec. 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4613. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting reports of the Department's first quarter FY 2016 sales agreements developed in accordance with Secs. 36(a) and 26(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4614. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Export Control Reform: Conforming Change to Defense Sales Offset Reporting Requirements [Docket No.: 150825780-6125-02] (RIN: 0694-AG38) received March 4, 2016, 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 Foreign Affairs.

4615. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period of October 1, 2015 through November 30, 2015, pursuant to Sec. 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with Sec. 1(a)(6) of Executive Order 13313; to the Committee on Foreign Affairs.

4616. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-325, ''Marion S. Barry Summer Youth Employment Expansion Temporary

Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4617. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-323, ''Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Temporary Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4618. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-324, ''Protecting Pregnant Workers Fairness Temporary Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4619. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's 2016 Annual Performance Plan, pursuant to 31 U.S.C. 1115(b); Public Law 111-352, Sec. 3; (124 Stat. 3867); to the Committee on Oversight and Government Reform.

4620. A letter from the Acting Secretary, Department of Education, transmitting the FY 2015 Annual Performance Report and FY 2017 Annual Performance Plan, pursuant to 31 U.S.C. 1115(b); Public Law 111-352, Sec. 3; (124 Stat. 3867); to the Committee on Oversight and Government Reform.

4621. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendment [FAC 2005-87; Item II; Docket No.: 2016-0052; Sequence No.: 1] received March 4, 2016, 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 Oversight and Government Reform.

4622. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's Small Entity Compliance Guide — Federal Acquisition Regulation; Federal Acquisition Circular 2005-87 [Docket No.: FAR 2016-0051, Sequence No.: 1] received March 4, 2016, 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 Oversight and Government Reform.

4623. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's summary presentation of final rules — Federal Acquisition Regulation; Federal Acquisition Circular 2005-87; Introduction [Docket No.: FAR 2016-0051, Sequence No.: 1] received March 4, 2016, 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 Oversight and Government Reform.

4624. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Information on Corporate Contractor Performance and Integrity [FAC 2005-87; FAR Case 2013-020; Item I; Docket 2013-0020, Sequence 1] (RIN: 9000-AM74) received March 4, 2016, 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 Oversight and Government Reform.

4625. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 140918791-4999-02] (RIN: 0648-XE419) received March 4, 2016, 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 Natural Resources.

4626. A letter from the Attorney General, Department of Justice, transmitting a copy of the decision of the Court of Appeals for the District of Columbia Circuit for the National Association of Manufacturers v. Securities and Exchange Commission, 800 F.3d 518 (D.C. Cir. 2015), pursuant to 28 U.S.C. 530D(a); Public Law 107-273, Sec. 202(a); (116 Stat. 1771); to the Committee on the Judiciary.

4627. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; Pennsylvania: Abington, Township of, Montgomery County; [Docket ID: FEMA-2015-0001] [Internal Agency Docket No.: FEMA-8419] received March 4, 2016, 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 Transportation and Infrastructure.

4628. A letter from the Director, Tax Issues, Strategic Issues Team, Government Accountability Office, transmitting the Office's report entitled ''List of Active and Completed Tax-Related Assignments as of December 31, 2015''; to the Committee on Ways and Means.

4629. A letter from the Chief Privacy Officer, Privacy Office, Department of Homeland Security, transmitting the Department's Privacy Office's 2015 Data Mining Report to Congress, as required by the Federal Agency Data Mining Reporting Act, pursuant to 42 U.S.C. 2000ee-3(c)(1); Public Law 110-53, Sec. 804(c)(1); (121 Stat. 363); to the Committee on Homeland Security.

4630. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's FY 2015 report of the Federal Coordinated Health Care Office, pursuant to 42 U.S.C. 1315b(e); Public Law 111-148, Sec. 2602(e); (124 Stat. 316); jointly to the Committees on Energy and Commerce and Ways and Means.

4631. A letter from the Regulations Coordinator, CCIIO, Department of Health and Human Services, transmitting the Department's Major final rule — Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2017 [CMS-9937-F] (RIN: 0938-AS57) received March 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

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. UPTON: Committee on Energy and Commerce. Supplemental report on H.R. 4596. A bill to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements (Rept. 114–444, Pt. 2).

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1820. A bill to authorize the Secretary of the Interior to retire coal preference right lease applications for which the Secretary has made an affirmative commercial quantities determination, and for other purposes (Rept. 114–446). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2857. A bill to facilitate the addition of park administration at the Coltsville National Historical Park, and for other purposes; with an amendment (Rept. 114–447). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3079. A bill to take certain Federal land located in Tuolumne County, California, into trust for the benefit of the Tuolumne Band of Me-Wuk Indians, and for other purposes; with an amendment (Rept. 114–448). 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. SHUSTER (for himself and Mr. BRADY of Texas):

H.R. 4721. A bill to amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure, 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 Mr. SAM JOHNSON of Texas:

H.R. 4722. A bill to amend the Internal Revenue Code of 1986 to require inclusion of the taxpayer's social security number to claim the refundable portion of the child tax credit; to the Committee on Ways and Means.

By Ms. JENKINS of Kansas (for herself, Mr. TIBERI, Mr. ROSKAM, Mrs. BLACK, and Mr. SAM JOHNSON of Texas):

H.R. 4723. A bill to amend the Internal Revenue Code of 1986 to provide for the recovery of improper overpayments resulting from certain Federally subsidized health insurance; to the Committee on Ways and Means.

By Mr. BRADY of Texas:

H.R. 4724. A bill to repeal the program of block grants to States for social services; to the Committee on Ways and Means.

By Mr. PITTS:

H.R. 4725. A bill to reduce the Federal deficit through reforms in spending under Medicaid, CHIP, and the Prevention and Public Health Fund; to the Committee on Energy and Commerce.

By Mr. GRAVES of Missouri:

H.R. 4726. A bill to prohibit the obligation of funds to pay the salary of the Secretary of Homeland Security until a biometric entry and exit data system has been fully implemented, and for other purposes; to the Committee on Homeland Security.

By Mr. GRAYSON:

H.R. 4727. A bill to require the Secretary of the Department of Energy to issue a report on fusion innovation; to the Committee on Science, Space, and Technology.

By Mr. SMITH of Washington:

H.R. 4728. A bill to amend title II of the Social Security Act to expand the exception to the windfall elimination provision based on years of coverage; to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XII,

177. The SPEAKER presented a memorial of the General Assembly of the State of Colorado, relative to the members of the General Assembly, recognizing the bravery and sacrifice of the crew of the U.S.S. Pueblo; which

was referred jointly to the Committees on Foreign Affairs and Armed Services.

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. SHUSTER:

H.R. 4721.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1, Clause 3, and Clause 18.

By Mr. SAM JOHNSON of Texas:

H.R. 4722.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. JENKINS of Kansas:

H.R. 4723.

Congress has the power to enact this legislation pursuant to the following:

Article I of the United States Constitution, Section 8, Clause 1 (''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises . . .''), and from the 16th Amendment to the United States Constitution.

By Mr. BRADY of Texas:

H.R. 4724.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mr. PITTS:

H.R. 4725.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 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, Imposts and Excises shall be uniform throughout the United States;

By Mr. GRAVES of Missouri:

H.R. 4726.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, requires Congress to provide for the common defense and the general welfare of the United States.

By Mr. GRAYSON:

H.R. 4727.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. SMITH of Washington:

H.R. 4728.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the constitution

ADDITIONAL SPONSORS

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

H.R. 605: Mr. KILMER, Mr. BLUMENAUER, and Mr. COSTELLO of Pennsylvania.

H.R. 611: Mrs. CAROLYN B. MALONEY of New York.

H.R. 721: Mr. FLEMING.

H.R. 746: Mr. CICILLINE.

H.R. 923: Mr. BUCSHON, Mrs. BLACKBURN, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, and Mr. WESTMORELAND.

H.R. 1578: Mr. JORDAN.

H.R. 1625: Mr. LARSEN of Washington.

H.R. 2144: Mr. DESJARLAIS.

H.R. 2237: Mr. HONDA and Mr. RANGEL.

H.R. 2737: Mr. OLSON, Mr. O'ROURKE, Mr. DOGGETT, and Mr. FORBES.

H.R. 2817: Mr. RYAN of Ohio.

H.R. 2894: Mrs. KIRKPATRICK and Ms. LORETTA SANCHEZ of California.

H.R. 3071: Mr. LARSON of Connecticut.

H.R. 3394: Mr. FORBES.

H.R. 3559: Ms. NORTON.

H.R. 3846: Mr. ASHFORD and Ms. MOORE.

H.R. 4055: Mrs. CAROLYN B. MALONEY of New York.

H.R. 4160: Mr. GRIJALVA.

H.R. 4266: Ms. MCCOLLUM.

H.R. 4336: Mr. WALZ, Mr. SMITH of Texas, Mr. JOYCE, Mr. WALBERG, Mr. POSEY, Mr. NORCROSS, Mr. DESJARLAIS, Mr. GRAYSON, Mr. TAKAI, and Mr. KILMER.

H.R. 4438: Ms. NORTON.

H.R. 4522: Mr. CALVERT.

H.R. 4626: Mr. SHUSTER, Mr. HUELSKAMP, and Mr. HUFFMAN.

H. Con. Res. 89: Mr. BARTON, Mr. MURPHY of Pennsylvania, Mr. COLLINS of New York, Mr. SMITH of Texas, and Mr. FLEMING.

H. Res. 112: Ms. ROS-LEHTINEN.

H. Res. 220: Ms. NORTON and Mr. KING of Iowa.

H. Res. 343: Mr. KENNEDY.

H. Res. 584: Mr. ELLISON.

H. Res. 617: Mr. GOHMERT.

H. Res. 637: Ms. BROWN of Florida and Mr. PERLMUTTER.

PETITIONS, ETC.

Under clause 3 of rule XII,

49. The SPEAKER presented a petition of the Bannock County Commissioners, Idaho, relative to asking Congress to work together, urging a long-term sustainable solution to fully fund the Payment in Lieu of Taxes program and eliminate the uncertainty communities face with ongoing funding issues; which was referred to the Committee on Natural Resources.

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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162 WASHINGTON, THURSDAY, MARCH 10, 2016 No. 39

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord, our Lord, how majestic is Your Name in all the Earth. You are the giver of everlasting life, and nothing can separate us from Your limitless love. You know us better than we know ourselves, and You work for the good of those who love You. You have given us the privilege to be called Your children.

Give our Senators today a faith sufficient for these challenging times. May their trust in You empower them to solve problems, to conquer temptations, and to live more nearly as they ought. Remind them that all things are possible to those who believe. May their trust in You create in them both the desire and power to do Your will.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

COMPREHENSIVE ADDICTION AND RECOVERY BILL AND FILLING THE SUPREME COURT VACANCY

Mr. MCCONNELL. Mr. President, later this morning the Senate will have an opportunity to take decisive action to address our Nation's devastating prescription opioid and heroin epidemic.

The Comprehensive Addiction and Recovery Act is good legislation that will help tackle this crisis by expanding education and prevention initiatives, improving treatment programs, and bolstering law enforcement efforts. This authorization bill, in conjunction with the $400 million appropriated for opioid-specific programs just a few months ago, can make important strides in combating the growing addiction and overdose problem we have seen in every one of our States.

In Kentucky, what we have seen is some of the highest drug overdose rates in the country, and we know all too well that the work that must be done to overcome this crisis lies before us. Kentuckians also know the positive impact this legislation can have.

Let me remind you of what a top anti-drug official from Northern Kentucky said about CARA. She said this bill ''will address the growing needs of our communities in getting appropriate treatment to those who are suffering . . . [and] allow individuals, families, and communities to heal from this scourge.'' So we will keep working hard to build on these efforts so that fewer Americans ever have to know the heartache of drug addiction and overdose.

I appreciate the work of Senators on both sides of the aisle to advance this bill. On the Democratic side, that includes the junior Senator from Rhode Island and the senior Senator from Minnesota. On the Republican side, that includes Senator AYOTTE from New Hampshire. She cares deeply about this issue and has studied the problem carefully. She has seen the effect it has had on her home State, and she has worked hard to do something about it.

Now, of course, today's vote on CARA would not have been possible at all without the leadership and work of other colleagues. I particularly want to mention Senator PORTMAN from Ohio, who has been involved with this for several years, from the very beginning, in developing this important legislation for our country. He has worked diligently over the past few years as the lead Republican sponsor of this much-needed bill. He has held many meetings and expert conferences to get an even greater understanding of the issue. We appreciate the long hours he has devoted to addressing this national crisis through the legislation we will pass today.

And of course, we thank the senior Senator from Iowa, Mr. GRASSLEY, the chairman of the Judiciary Committee, for everything he has done to make this moment possible. He understands the urgency of addressing this epidemic, and we all appreciate the very important role he played in guiding this legislation to passage.

Indeed, this critical legislation to address America's national drug epidemic languished in a previous Senate Judiciary Committee, but then Chairman GRASSLEY came along. Under a new chairman and a new Republican majority, the Comprehensive Addiction and Recovery Act became a real priority. It passed the committee swiftly, and it will pass the Senate today.

Important legislation to help the victims of modern slavery languished in a previous Senate Judiciary Committee, but then Chairman GRASSLEY came along. Under a new chairman and a new Republican majority, the Justice for Victims of Trafficking Act became a real priority. It passed the committee swiftly, and then it passed the Senate.

The list goes on. Here is the chairman who has worked to give voices to the voiceless. He also has a passion for letting Iowans and the American people be heard. No wonder he is working so hard now to give the people a voice in the direction of the Supreme Court.

The next Supreme Court Justice could dramatically change the direction of the Court and our country for a

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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generation. It is a change in direction that could have significant implications for the rights we hold dear. That includes our Second Amendment rights and our First Amendment rights, things such as Americans' ability to speak out politically and practice their religion freely.

The American people obviously deserve to have a voice in this matter. It is the fairest and most reasonable approach we could take. During our current national conversation, Americans could make their voices heard on the kind of judicial philosophy they favor.

One view says that judges should be committed to an even-handed interpretation of the law and the Constitution so that every American gets a fair shake. Another view—the so-called empathy standard that President Obama favors—says that judges should, on critical questions, rely on their personal ideology to resolve a case.

I know which view Justice Scalia took. He said that setting aside one's personal views is one of the primary qualifications for a judge. ''If you're going to be a good and faithful judge, you have to resign yourself to the fact you're not always going to like the conclusions you reach.''

The American people will have the chance to make their voices heard in the matter, and that is thanks to a dedicated Senator from Iowa who continues to stand strong for Americans' right to have a say. Chairman GRASSLEY has gotten a lot done under the new majority, just as the Senate has gotten a lot done under the new majority. We will mark another important accomplishment for the American people this morning with the passage of CARA.

Now Senators have a choice. Senators can endlessly debate an issue where the parties don't agree or they can keep working together in areas where we do. I say we should continue doing our work, and the American people should continue making their voices heard. That is good for the country, and that is the best way forward now.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. REID. Mr. President, we are certainly pleased we are going to pass this opioid bill shortly. Everyone should understand that the bill would have had some meat if, in fact, we had an opportunity to adopt the Shaheen amendment. It would have funded the authorization that we are now talking about.

My friend always talks about the $470 million. That has already been obligated. That was last year's obligation to take care of this issue. This authorization bill has no money. For my friend to say we have $470 million is certainly not a factual statement.

FILLING THE SUPREME COURT VACANCY

Mr. REID. Mr. President, 3 years ago voters went to the ballot to elect a President of the United States, the most powerful Nation in the world. The American people spoke, and they overwhelmingly elected President Obama to a second term.

We know that my friend the Republican leader stated that the Republicans had two goals: No. 1, to make sure that Obama was not reelected; and No. 2, that they would oppose everything Obama tried to do. On the first, they were a failure. Obama was reelected with more than 5 million votes. The other agreement the Republicans made was to oppose everything that Obama wanted to do or tried do, and they have stuck with that. That is why we have had 7 years of turmoil, 7 years of not doing nearly as much as we should, 7 years of endless filibusters.

So my friend the Republican leader can talk all he wants about the progress made last year, but anyone studying what has gone on in the Senate recognizes that simply is without any basis. We have done so little that some political scientists say it is the most unproductive year that has ever been spent in Washington. But 3 years ago, voters went to the ballot box to elect a President. The American people spoke. They spoke loudly, as I have indicated, and they overwhelmingly elected Barack Obama for a second term. It was a 4-year term he was elected to, not a 3-year term—a 4-year term.

During the Presidential term of office, our President has obligations—constitutional obligations. But Republicans continue to reject that election. They continue to reject Barack Obama's Presidency. They say he is illegitimate. They continue to reject the will of the people.

When he was reelected overwhelmingly, obviously, they gave him the constitutional powers to do whatever is within the Constitution. One of those is to nominate Supreme Court Justices, just as he did in his first term. Yet the Republican leader and the senior Senator from Iowa remain committed to blocking the President's nominee. They are not following the Constitution. Republicans are not following the Constitution. The whole country is taking note. But the State of Iowa is taking special note.

Earlier this week, a mother wrote an open letter to Senator GRASSLEY that appeared in the Des Moines Register. Here is what she said:

> Refusal to abide by the tenants of our Constitution, and confirm a qualified candidate to the Supreme Court, is a violation of our common values. Your example to my children is that it doesn't really matter what the rules say; if the stakes are high enough and the chips don't fall your way, it's OK to arbitrarily change the rules and deny the other player his/her turn.

That is the Senate Republicans' lesson to the people who elected them. It doesn't matter who you elected for President, we will refuse to do our duty just to follow Donald Trump's example. Remember what Donald Trump told all of my Republican friends and the country on the Supreme Court nomination. Here is his very, very detailed explanation of what he wants to do. Here is what he said: ''Delay, delay, delay.'' Then he went on to something else. The Republicans have followed that.

Yesterday, Professor Jonathan Carlson of the University of Iowa—he is a professor of law there—published an op-ed in the Cedar Rapids Gazette, a newspaper in Iowa. In the editorial, Professor Carlson wrote:

> Grassley's decision [will] rob Americans of their voice.

He went on to say:

> The voters elected President Obama to fill the next Supreme Court vacancy, and that vacancy is now upon us. Obama should be allowed to do the job he was elected to do.
>
> Grassley's problem isn't that he wants to give the American people a chance to decide this issue. His problem is that he doesn't like the decision they already made.

Republicans should not ignore the voice of the people just because they don't like what the American people declared, but that is just what the senior Senator from Iowa continues to do—ignore the people of Iowa and the rest of America.

Thirty years ago, Senator GRASSLEY had it right. When the Judiciary Committee began its consideration of the elevation of Justice Rehnquist to be Chief Justice, he said: ''This committee has the obligation to build a record and to conduct the most in-depth inquiry that we can.'' Let me repeat that. ''This committee''—he is referring to the Judiciary Committee—''has the obligation to build a record and to conduct the most in-depth inquiry that we can.''

Now Senator GRASSLEY isn't interested in inquiries or building a record. He refuses to meet with the nominee, even if the nominee is from Iowa. He refuses to hold a hearing, and he refuses, of course, to have a vote.

Senator GRASSLEY isn't interested in inquiries or building a record. Through his obstruction, he is already choosing to close the door on a potential nominee. He has even said that he will not consider the nomination of his fellow Iowan Judge Jane Kelly, even though she was overwhelmingly elevated from the trial court to the appellate court in this body with, of course, Senator GRASSLEY leading the charge on her behalf. So what he said about his fellow Iowan, Jane Kelly, is a little strange—a little odd—because it was Senator GRASSLEY who strongly supported Judge Kelly and pushed her confirmation to the Eighth Circuit Court of Appeals. Senator GRASSLEY says he will preemptively reject Judge Kelly, or

any nominee, out of—listen to this one—principle, and that is because Republicans' only principle is obstruction.

As chairman of the Judiciary Committee, he has fallen in line with the Republican leader's obstruction and followed what Donald Trump has suggested: Delay, delay, delay. He is going to great lengths to shut down voices who simply want to do their jobs. For example, at the behest of the Republican leader, he met privately with Republicans on the Judiciary Committee and twisted his colleagues' arms to sign a loyalty oath, promising to block consideration of the President's nominees. That point has already been made here and is a part of the RECORD. Next, he tried to move a committee markup behind closed doors. When Democrats objected, he canceled the meeting. He also used the Presiding Officer's chair here on the floor to shut down debate on the Supreme Court vacancy, which is really unheard of, but he did it.

Time and again, the senior Senator from Iowa has followed the orders of the Republican leader and Donald Trump and sought to silence his critics and shut the American people out of the Senate's business. Why? If the Senator's obstruction is truly supported by the Constitution and history, why wouldn't he want to have a debate in the open? Let's debate it on the Senate floor. President Obama's nominee deserves a meeting, a hearing, and a vote. The American people deserve a Senate that honors the Constitution and provides its advice and consent on Supreme Court nominees.

As Professor Carlson said, by refusing to give President Obama's nominee consideration, Senator GRASSLEY is robbing Iowans and Americans of their voice. Listening to the American people is our job, and Senate Republicans should do their job.

Mr. President, what is the Senate business today?

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 11:15 a.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Illinois.

NATIONAL SECURITY SATELLITE LAUNCHES

Mr. DURBIN. Mr. President, yesterday the senior Senator from Arizona took to the floor to criticize the work of the Defense Appropriations Subcommittee. I am honored to be on that subcommittee as the vice chairman and to work with Senator COCHRAN, the Republican from Mississippi.

The senior Senator from Arizona argued that the support for Republican Presidential candidate Donald Trump is somehow connected to the work of the Defense Appropriations Subcommittee. I have heard some pretty outlandish claims by Mr. Trump on the campaign trail, but the fact that he would capture the hearts and minds of the Defense Appropriations Subcommittee with his rhetoric is beyond me.

Senator COCHRAN has been a Member of the Senate for many years. He is respected and has worked his way up to be chairman of the full committee. I have worked with him and found him to be an excellent partner. He is bipartisan and tries to make sure that we protect our Nation's national defense. I have never found him to be in the thrall of Donald Trump, but that suggestion was made yesterday by the senior Senator from Arizona. I will leave it to the American people to judge the wisdom or absurdity of that allegation.

I would like to take a moment to correct the record on a few of the things that the senior Senator from Arizona said. The issues involved are pretty complex, but the crux of it comes down to this: The senior Senator from Arizona is proposing to waste $1.5 billion—and perhaps as much as $5 billion—on a controversial proposal on how the Department of Defense and intelligence agencies should launch national security satellites. In addition to costing billions of dollars—that is billions, not millions—the senior Senator from Arizona's proposal is opposed by the Secretary of Defense, Ash Carter; the Director of National Intelligence, James Clapper; the Under Secretary of Defense, Frank Kendall; and the Secretary of the Air Force, Deborah James. One would think that the senior Senator from Arizona, who chairs the Defense Authorization Committee, would note that it is unified opposition from the Department of Defense to his ideas. Each of these individuals has expressed strong concern about the ideas of the senior Senator from Arizona. They have stated as clearly as they can and as often as they can that what he has in mind will harm our national security. They have even stated it in the senior Senator's committee hearings. He is either not listening, paying attention, or refusing to agree. Nevertheless, all that I did, all that the Senate has done last year with Senator COCHRAN on a bipartisan basis, was to listen to our senior national security leaders while protecting taxpayers from wasting billions of dollars.

The matter generating all of this discussion is about competition for launching defense satellites into space. Let me tell you at the outset that before I came to the subcommittee, we made a terrible decision. About 10 years ago, the two leading competitors for launching satellites into space were two private companies, Boeing Aircraft and Lockheed. They came to the government with a suggestion, and they said: We've got a great idea. Instead of competing against one another to launch satellites—listen to this—we will merge our companies together, and we will save the government lots of money. I don't know why, but the Department of Defense and the committees on Capitol Hill bought it, and they created the United Launch Alliance, or ULA. It became a monopoly. These two merged corporations became a monopoly in launching satellites. You know what happens when you have monopoly status? The costs go up dramatically, and that is exactly what happened.

In the last 10 years, United Launch Alliance has been a reliable partner with the Department of Defense, and they have launched satellites and other things into space which have been critical for national security. But because they are a monopoly with no competition, they became very expensive.

There are new entries in the market that are promising in terms of launching satellites, and one of them is SpaceX. SpaceX has matured into a company that can play an important role in the future of satellite launches. I noted this fact, and as chairman of the Defense Appropriations Subcommittee, I did something that is unusual by Capitol Hill standards. In January of 2014, I held a hearing. At the same table I invited the CEO of United Launch Alliance and the CEO of SpaceX to sit next to one another and testify. They answered questions about their capabilities and about the history of space launch in the future. The committee members asked them how they could save money, and each of them responded. At the end of the hearing, I suggested to each of the CEOs that they propound up to 10 questions to the other CEO that they didn't think were covered in our hearing. I tried to make this as open as possible and to invite a new competitive spirit when it came to these space launches. I think it was constructive.

It is also clear that there is another element in this issue that brought the senior Senator from Arizona to the floor. The United Launch Alliance has several engines that can take a satellite into space. The most economical one, the RD–180, is not built in America. It is built in Russia. Now, that has become a major problem. Put Vladimir Putin and his adventurism to the side here. I have even joined with the senior Senator from Arizona, condemning what Putin has done in countries such as Georgia and Ukraine and his threats to the Baltics and Poland. Put that over to the side for a moment. It is best for us to make our own engines when it comes to the launching of satellites for America's national defense and intelligence. We put millions of dollars in the appropriations bill to incentivize the building of a new engine so we can finally break away from our dependence on this Russian RD–180 engine. For 2 years we have been putting that money in the bill.

I am not opposed to competition. I favor competition. I favor an American-made engine. That is not the issue. Here is the problem: You can't just waive a wand or pass an appropriation and recreate a new rocket engine. It can take up to 5 years. What will happen in that 5-year period of time while we in America are developing at least one new American-made reliable rocket engine? We will have to be dependent either on that Russian engine in transition or run the risk that we are not going to have any engines available when we desperately need them for satellite launches. That is exactly what the Secretary of Defense has told the senior Senator from Arizona, and he just will not buy it. He has said: We have to cut the cord and walk away from the Russian engines.

Here is something he can't answer: NASA also uses engines to launch satellites and people into space. Why would we launch people into space? For the space station. How do we get those folks up to the space station and bring them home? On Russian rocket engines.

If the senior Senator from Arizona says that's it, cold turkey, no more Russian engines, what in the world is he going to do about NASA's needs for this engine in supplying the space station and making sure that the folks in orbit can safely come home? He can't answer that question because the answer truly tells him the problem he is creating here.

What we are trying to do is this: Transition to American-made engines. I am for that. Create competition for space launches in the future. I am for that. And make sure we do it in a thoughtful, sensible way and not at the expense of America's national defense, our national intelligence, or the future of our space program. We can work with the Senator from Arizona. I would like to do that, but when he comes to the floor and suggests that all of us who oppose him are somehow cronies of Vladimir Putin or marching to the orders of Donald Trump, it doesn't create a very productive environment for conversation.

Let's do the right thing. Let's work together on an appropriations authorization. Let's put the Russian engines behind us in an orderly way, let's create the American engine, and let's push for competition. That is where I got started on this, and that is where I am today.

We need to listen to the experts—the experts at the Pentagon—who have told us repeatedly that to do this cold turkey and to cut off the Russian engines is, frankly, to jeopardize our national defense, security, intelligence gathering, and even our space program. That is something I hope the senior Senator from Arizona can agree is an outcome which we should avoid.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ROUNDS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. CASEY. Mr. President, I rise to address an issue we are confronting in the Senate, and it is an issue folks in Pennsylvania and across the country are dealing with every day; that is, the opioid crisis. There are a lot of ways to describe this crisis. I am pleased to be able to talk about this issue with two of my colleagues who will be following me in succession after my remarks have concluded.

This Senator wants to thank, in a particular way, Senator WHITEHOUSE, Senator SHAHEEN, and our leadership for bringing this issue to the forefront within our caucus and here in the Senate. I know the effort to pass the Comprehensive Addiction and Recovery Act—known by the acronym CARA—is a bipartisan effort. I certainly appreciate that.

In the case of Senator WHITEHOUSE, he brings a deep reservoir of experience as a Federal prosecutor, U.S. attorney, as well as the attorney general of Rhode Island. He brings a law enforcement set of experience as well as his caring and concern about those who have addiction issues. We appreciate his leadership. Senator BROWN has worked on this for many years in the Senate and as a Member of the House of Representatives. This is an issue that confronts all of us in our States. Our efforts have to be commensurate to match the severity of the problem.

This week the Senate missed an important opportunity to invest substantial resources in our Nation's heroin crisis. The amendment offered by Senators SHAHEEN and WHITEHOUSE would have provided $600 million in emergency funding to aid public health professionals and law enforcement, the two main segments of our society that deal with the challenge of addiction on a daily basis. That amendment was defeated, and I think that was the wrong conclusion for the Senate and wrong for the country.

While the Senate failed to act on this amendment, there is no reason we shouldn't find other opportunities to invest in anti-heroin strategies or, expressed another way, strategies that will lessen or reduce the likelihood that more people will be addicted to some opioid which often leads to other kinds of challenges such as heroin. It too often leads not just to the darkness of addiction but literally to the darkness of death itself. We have some work to do.

We know we can pass the Comprehensive Addiction and Recovery Act, the CARA Act, as I mentioned before. That is good, but it is not nearly enough. We have to do more than simply pass good legislation that will authorize policies to better confront the challenge. That will not be enough. If we have in place new programs, new approaches, and new strategies, that is a measure of progress, but we can't ask medical professionals to do more to treat addiction if they don't have the resources. We cannot ask law enforcement to do more if they don't have the resources.

Heroin overdose deaths have increased 244 percent from 2007 to 2013. In roughly a 6-year timeframe, heroin overdose deaths are up 244 percent. It is hard to even comprehend that kind of increase of a death statistic—not just a number but a number that indicates the increase in the number of deaths. That alone should motivate us to do everything possible to do whatever it takes. Whatever authority, whatever policy, whatever dollars we need to invest in this, we have to do that. There are lots of other numbers, and sometimes you can get lost in reciting the numbers. I will mention a few that are relevant to Pennsylvania before I conclude.

In addition to just passing the CARA bill, we ought to focus on taking measurable steps to solve the crisis. We don't want to just address the issue, confront the challenge, we want to solve the crisis. It will not happen in 1 year, and it will not happen because of one bill or one policy, but we have to put every possible resource or tool on the table to actually solve the crisis.

There are lots of ways to illustrate the degree of the problem. I will talk about a couple of communities in Pennsylvania, just by way of example.

The Washington Post—a great newspaper here—went to Washington, PA. We have a county and city just below the city of Pittsburgh, just south of Pittsburgh, Washington County and the city of Washington. The Post went there last summer and began to interview people at the local level.

In one of the more stunning statistics they found in their reporting, in 70 minutes there were eight overdoses related to heroin—in this case not yet deaths but overdoses. A newspaper could track in 1 hour 10 minutes, eight overdoses in one community in one State. Then they tracked it over a 2-day timeframe. In 48 hours there were 25 overdoses in Washington County, PA, and 3 deaths, in a 48-hour period. I cite that not just for the compelling nature of those numbers but because of where it happened. This is not happening in communities we used to think of as having a major heroin or drug addiction problem. We tended to think of it, at least in my lifetime, as being an urban issue that big cities have this problem and less so in small towns, suburbs, and rural communities. In this case, this horror, this evil knows no geographic or class boundaries. It is happening in big cities and very small towns in Pennsylvania. It is happening in suburban communities, high- and low-income communities and

in middle-income communities. It is happening everywhere. There is no escaping it.

If it is happening in places like Washington County—the city of Washington, PA, is not a big city but a moderate-sized city. Other parts of that county tend to be more rural, small towns to rural. If it is happening there in those kinds of numbers, in 70 minutes or 48 hours, overdoses and overdose deaths, that gives you an indication of the gravity of the problem.

The Coroners Association in Pennsylvania, which has to track the number of deaths in their counties, reported that in just over a few years in Pennsylvania, the number of deaths from overdoses went from less than 50 to hundreds of deaths in just a couple of years. The gravity of this problem is self-evident.

It is not good enough to diagnose the problem and recite statistics. We have to solve the crisis. There is no doubt this is a huge issue for the country.

By not passing the funding that we tried to pass, we are missing a chance to support, for example, the substance abuse prevention and treatment block grant, the so-called SABG, or the SA block grant. That is an existing program—an existing block grant program—that works. The only good news here, in this debate about what policy to put in place, is that local officials know what they are doing. Addiction and medical professionals know exactly what to do. They know exactly what works. They know exactly what they need. What they are asking us for is a little bit of policy or a significant amount of policy, maybe. But they are also asking for research and resources, and we have to give those resources to them.

I conclude with the following. We know that good treatment works. All the professionals tells us it works. We know so much more today than we did 25 years ago about what works. We know that good treatment works. It takes a long time. There is no 90-day program here because it takes a lot longer than that. So we know that for sure. There is no dispute about that. We also know that good treatment costs money. You cannot just have good intentions here.

Lifesaving overdose reversal drugs such as naloxone cost money. The good news is we have a drug to reverse the adverse impact of an overdose, and yet a lot of communities cannot afford to get this very important drug called naloxone, the so-called reversal drug as some call it.

Intercepting drugs before they reach our streets costs money. The worse this epidemic gets, the more these services are in demand.

So Congress—the Senate and the House of Representatives—must provide additional funding to make sure local communities can meet the demand. We know that investing in programs that treat addiction and save lives is an abiding obligation.

The PRESIDING OFFICER (Mrs. FISCHER). The time of the Senator has expired.

Mr. CASEY. Madam President, I ask unanimous consent for 30 additional seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. It is an abiding obligation that we must fulfill. We have to tackle this problem. We can't do it without resources.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am delighted to join Senator CASEY of Pennsylvania and Senator BROWN of Ohio on the floor this morning to applaud what appears to be the imminent passage of the Comprehensive Addiction and Recovery Act. So far we have had less than a handful of votes against this bill at any stage through the voting on it, and I suspect that some of those votes may have had to do with amendments and so forth. We might even do better than that on final passage.

I thank my cosponsors. This was not a bill that was just dreamed up in back offices. We had five national seminars in Washington, bringing people in from all around the country to share their experiences, to share their advice, to share their best practices, and to inform the development of this bill. It has been years of work in the making.

On our side of the aisle, Senator KLOBUCHAR has been an extremely valuable colleague. On the other side of the aisle, Senator PORTMAN and Senator AYOTTE were our coconspirators on this bill. I thank them and extend my appreciation to all of them.

This truly is a comprehensive bill: everything from at the point of overdose getting naloxone into the hands of first responders so that lives can be saved; through the prescribing process and the prescription drug monitoring process; through a whole variety of new treatment programs; and through intervention for people who are incarcerated and the prevention of incarceration, particularly for our people in veterans courts and so forth, who can be diverted out of the prison system through new means of treatment such as medically assisted treatment that is emerging as a very promising new strategy; and all the way, ultimately, to disposal of excess drugs. This truly is a comprehensive bill.

Its only faults are ones that the Republican leadership are in a terrific position to remedy, if they would.

The first is that there is no additional funding to support any of these new programs that I have described. The funding for the accounts in question was determined months and months and months ago in the Appropriations Committee before anybody could know what this bill was going to look like on the floor.

When the final deal was reached, the numbers actually matched the President's budget, and the President's budget was issued even before the appropriations measure came out of its relevant subcommittee. So the President's budget folks would have had to have been astonishing masters of prediction in order to put in money for programs that weren't even law at that time.

There has been considerable commentary from the other side that there is funding for this, but what they overlook is that, yes, there is funding for these programs, but you would have to take it away from other treatment and recovery programs to fund these. It would be robbing Peter to pay Paul.

Now, an argument could be made that under this bill, Paul will be a more effective program than the pre-CARA Peter would have been, and, therefore, robbing Peter to pay Paul is a net good. But, please, let's not pretend there is money for this.

If there is one indication of how there really isn't new money for this, it is the fact that our friends on the other side can't agree on how much money there is for this. Some Senators have said that there is $78 million for funding CARA. The majority leader has said there is $400 million to fund CARA. The deputy majority leader has said there is $517 million to fund CARA. If the money were real, I suspect they could agree on the amount of it. I think the fact of the matter is that there is no new money for this, and the sooner we can get this funded, the sooner it will save lives.

The second problem is that the House, under Republican leadership, has taken no action on this bill. No committee has taken it up and passed it. So I take this opportunity to call on the leadership here and in the House to put money where their proverbial mouth is to pass this bill, to get some funding behind it—Senator SHAHEEN's measure would have been terrific—and to get some action out of their colleagues in the House. If we pass it in the Senate and the House takes no action, this will be a sham, and that will have been a shame.

With that, I yield the floor for Senator BROWN.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Thank you, Madam President. Thank you to my colleagues for the terrific work they have done on such an important issue, which in my State sort of began in the most rural of the areas of the State and spread and spread and spread. This is the right kind of comprehensive response for this, but as Senator WHITEHOUSE just said, it means real funding for CARA and what we are doing.

I am pleased we are coming together in a bipartisan way overall, finally taking action on the opioid epidemic that is devastating communities across our country.

We know some of the statistics. More people died in my State than in the country as a whole in 2015 from opioid

overdoses rather than they did from auto accidents. We are experiencing a record number of fatal overdoses. There is no State and probably county untouched by the scourge.

We need to remember the human cost of addiction. In Warren, OH, a couple of weeks ago, there was middle-age woman who now has a child now in his midtwenties who has suffered addiction for a dozen years, has been in and out and is doing better, and then falls back. His family is affluent, so his treatment has been better than some. But she says that when there is an addiction, it afflicts the whole family. Nobody is really exempt.

In my State, 2,500 Ohio families in one year lost a loved one to addiction. Thousands more continued to struggle with opioid abuse or with a family member's addiction. It is not an individual problem or a character flaw. It is a chronic disease. Right now, it is placing an unbearable burden on families and communities in our health care system. That is why we need to tackle this at the national level.

It is why I am encouraged to see us debate this Comprehensive Addiction and Recovery Act, or the CARA Act. The ideas in this bill are an important first step in tackling the epidemic, but they are just the first step. On their own they are not nearly enough to put a dent in this epidemic. The initiatives are going to mean very little—and here is the key point that both Senator CASEY and Senator WHITEHOUSE made—without additional funding to back them up.

My colleagues Senator SHAHEEN of New Hampshire and Senator WHITEHOUSE introduced an amendment that would have provided an additional $600 million to fight the opioid epidemic. That would be a serious commitment in putting the ideas in this bill into place into action.

But my colleagues on the other side of the aisle blocked this investment. Again, they want to do things on the cheap. They want to pass things to pat ourselves on the back but not provide the funding to actually accomplish things. It would block the investment in health professionals and communities who are on the frontlines of this battle.

You simply can't do a roundtable with health professionals and people working toward recovery and families affected by it without hearing from them. They need resources locally. The States aren't coming up with it adequately. They need resources, and they need real investment in prevention programs. We need real investment in treatment options to help patients not just get cured and get clean but stay clean.

Earlier this year, I introduced the Heroin and Prescription Drug Abuse Prevention and Reduction Act with my colleague Senator BALDWIN of Wisconsin. Our bill would boost prevention efforts that would improve tools for crisis response. It would expand access to treatment, and it would provide support for lifelong recovery, the kind of serious investment we need to back up our rhetoric.

In public health emergencies, we are sometimes, somehow able to come up with necessary money—swine flu, Ebola, Zika virus. But addiction is not a public health emergency. Addiction is a public health problem, but one we need to fund in an ongoing way. You can look at the spike in the number of deaths. You can conclude nothing else but that it is a long-term public health problem. Too many lives have been destroyed. Too many communities have been devastated. I am just puzzled why my colleagues won't come up with $600 million for this very important public health program. It is time to get serious. It is time to call it what it is—the public health crisis that demands real and immediate investment, not more empty rhetoric, not more empty gestures.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I ask unanimous consent to speak for up to 10 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FILLING THE SUPREME COURT VACANCY

Mr. BARRASSO. Madam President, I come to the floor today to talk about what I have been hearing from people in Wyoming about the issue of whether President Obama should nominate the next Supreme Court Justice.

This past last weekend, I was around the State of Wyoming in Rock Springs, in Rawlings, and in Casper and the weekend before that, as well, in Casper, Cheyenne, and Big Piney. I am hearing the same thing from all around the State of Wyoming.

What I am hearing is that President Obama should not be the one to put another nominee on the Supreme Court and that it should come down to the people: Give the people a voice. That is what I am hearing back home.

The chairman of the Judiciary Committee, Senator GRASSLEY, is doing exactly what the people of Wyoming are insisting upon—the right thing. He is doing the right thing by insisting that the American people decide. I think Senator GRASSLEY is doing a great service to this body, to the American people, and also to whomever the next President nominates for the Supreme Court.

On Monday, after traveling around the State of Wyoming, Senator ENZI, who had also traveled around the State of Wyoming this past weekend, and I jointly held a telephone townhall meeting. Folks at home are very familiar with these. We do these just about every month. We have a chance to visit with people about what is on their mind. Then there is a little way you can do a poll during that telephone townhall meeting, and 88 percent of the people of Wyoming agree with Senator GRASSLEY, agree with Senator ENZI and with me about the next Supreme Court Justice and giving the people a voice.

Democrats want to turn this all around into a fight on the Senate floor. They want this to be a backroom deal between the President and the special interest groups. These are the groups that are pushing the President to appoint someone who will rule the way they want. But that is not what the American people want.

The American people—and certainly the people in Wyoming—want this to be a fight about what happens and what they decide in the voting booth in November. When an election is just months away, the people should be allowed to consider possible Supreme Court nominees as one factor in deciding whom they will support for President. This shouldn't really even be controversial.

Democrats in the past have come to the floor, and they said it would be a bad idea to let the President make a lifetime appointment in his last months in office. In 1992 Senator JOE BIDEN came to the Senate floor to explain his rule. He called it the Biden rule, and it had to do with Supreme Court nominations.

On the Senate floor, JOE BIDEN—now the Vice President, former chairman of the Judiciary Committee—said that once the Presidential election is underway—and I will tell you, Madam President, the Presidential election is underway—''action on a Supreme Court nomination must be put off until after the election campaign is over.''

Those are the words of JOE BIDEN. Senator BIDEN said that a temporary vacancy on the Court was ''quite minor compared to the cost that a nominee, the President, the Senate, and our Nation would have to pay for what assuredly would be a bitter fight.''

That is what Senator BIDEN at the time was worried about. He was worried that a bitter fight over a nominee would do damage to the nominee and to the Senate. He knew there would be Senators who would come to the floor and try to politicize this process for their own purposes, and we are seeing the Democrats doing that right now. He knew it because that is what Democrats have done for years.

This is politics as usual for the Democrats. It is the way they tend to live their lives here on the Senate floor—talking this way. It is exactly what Democrats did when Robert Bork was nominated to serve on the Supreme Court. So Vice President BIDEN, former Senator BIDEN, understands it completely. It is what they did when Miguel Estrada was nominated to the circuit court. It is what Democrats did when Samuel Alito was nominated to the Supreme Court. Democrats in the Senate even filibustered Justice Alito when he was the nominee. They did everything they could to slander good, qualified people to try to score political points. It is what they do.

Well, there is no need for us to have this bitter political fight that JOE BIDEN worried about. Republicans have said there should not be a bitter political fight. We have called on the President to spare the country this fight. The best way to avoid the fight is to agree to let the people decide. Give the people a voice, and let the next President put forth the nomination. That is certainly what the people of Wyoming want us to do. It is what I heard, along with Senator ENZI, on the telephone townhall meeting this past Monday, and that is what I heard as I traveled around the State of Wyoming the past several weekends. I will be back in Wyoming this weekend, and I expect to hear the same thing as I travel to Buffalo to the health fair and to communities around the State.

That is what the American people are saying: Give the people a voice. They are saying that a seat on the Supreme Court should not be just another political payoff to score points in an election year. They are saying it should not be a decision for a lameduck President with one foot out the door. It is too important for that.

The Supreme Court is functioning just fine with eight Justices right now. That is not me saying it; it is the Justices of the Supreme Court saying the same thing. Since Justice Scalia died last month, the Court has heard oral arguments in 10 cases. They have released written opinions in five cases. They have scheduled more cases for the rest of the term, and they are doing their jobs. That is exactly what Justice Breyer said they would do. He is a liberal Supreme Court Justice who was appointed by President Bill Clinton.

A reporter asked Justice Breyer about the death of Justice Scalia, and he said: ''We'll miss him, but we'll do our work.'' He said: ''For the most part, it will not change.''

So there is no urgency to fill this vacancy on the Supreme Court right now. There is no danger in waiting for the next President to act. There is tremendous danger, however, if we rush through a nomination in the last few months of a Presidential election, to the nominee, to the Senate, and to the Nation, just as JOE BIDEN said 24 years ago. The stakes are very high, too high to let that happen.

The people are telling us what they want. Eighty-eight percent of the people in Wyoming involved in our telephone townhall meeting on Monday said exactly that: Give the people a voice. We must let the people decide.

Madam President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 524, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 524) to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

The PRESIDING OFFICER. Under the previous order, the time until 11:30 a.m. will be equally divided between the two managers or their designees.

The Senator from Mississippi.

FILLING THE SUPREME COURT VACANCY

Mr. WICKER. Madam President, I understand we are on the bill, but there are no speakers presently here, so I would like to address the Chair and my colleagues for a few moments about the matter my colleague from Wyoming was discussing just now, and that is the very serious matter of how we will fill the vacancy of Justice Scalia.

I want to read to my colleagues a message I got from one of my constituents in Columbus, MS. As you can imagine, we have all received quite a bit of opinion from the people who put us in office, but I think this constituent really hits it on the head when she says: ''The next appointment is probably the most crucial in our history and will have ramifications on future generations.''

I really agree with that, and I think it is such a profound decision that we ought to feel comfortable, as the Senator from Wyoming just said, in letting the people decide. We are in the midst of a great debate about the direction our country will take, the executive branch will take, over the next 4 and possibly 8 years.

The Court has been relatively balanced, with a slight 5–4 tilt toward the conservative side. Clearly there is an effort in this city and on the part of some of my friends on the other side of the aisle to shift that balance. I think it is reasonable to conclude, with so much involved and with the ramifications on future generations, as my constituent has said, that it is very appropriate that this be a matter of debate in this Presidential election and, frankly, in the Senate elections also. And I realize there is a lot of heat and light on this issue, but I would simply suggest that we are on the right track in letting the American people speak to this.

There is another matter in this regard that I have been reluctant to bring to the attention of my colleagues until today, but I think it has gotten to the point where we need to be reminded that there are rules of decorum that apply to this debate and to all debates we have on the Senate floor. I would direct the Chair's attention and the attention of my colleagues to rule XIX of the Standing Rules of the Senate. Paragraph 2 of that rule states: ''No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.''

I read that paragraph in its entirety because it is quite obvious to me, to my colleagues on this side of the aisle, and I think to objective observers, that what has ensued over the last week or two has been a concerted effort to impugn the reputation and honor of the chairman of the Judiciary Committee, the distinguished Senator from Iowa, Mr. GRASSLEY.

I would just suggest to my colleagues on both sides of the aisle and particularly to my friend the distinguished minority leader that in reviewing some of the statements that have been made on this floor—and I have them in my hand, although I will not read them again to the Chair because they are in the RECORD—particularly those statements coming from the very top leadership of the other side of the aisle, there has been statement after statement that crosses the line, that is prohibited under the rules. It is a breach of our rules to suggest about any other Senator motives unworthy or unbecoming of a Senator.

I hope we can continue this debate, and certainly we will, but I hope we will confine it to the merits of the issue, and there are merits on both sides. This is not the place to conduct an election or reelection campaign—the floor of the Senate is not that place—and it seems to me that in recent days that line has been crossed and crossed repeatedly.

I will get back to my original point. We are prepared to let the American people speak on this issue, and it is of vital importance not just for the next 4 years but perhaps for the next decade, two decades, or three decades. And I would ask us to dial the rhetoric back, dial the heat back, and stay on the issues. We are comfortable making the case that this is a decision that should be left to the American people.

I thank the Chair for giving me the time.

Mr. GRASSLEY. Madam President, I want to take a few minutes to describe the funding that my substitute amendment for S. 524, the Comprehensive Addiction and Recovery Act of 2016, is intended to authorize.

Section 202 of the amendment authorizes SAMHSA's grants to prevent prescription drug/opioid overdose-related deaths. These grants were appropriated $12 million in H.R. 2029, the Consolidated Appropriations Act of 2016. The specific appropriating language is located on page 50 of the Departments of Labor, Health and Human Services, and Education report to H.R. 2029.

Section 204 authorizes the COPS Anti-Heroin Task Force and Anti-Methamphetamine Task Force. These two task forces were appropriated $7 million each in H.R. 2029, for a total of $14 million. The specific appropriating language is located in paragraphs three and four under the section entitled ''Community Oriented Policing Services'', on page 70 of H.R. 2029.

Section 301 authorizes SAMHSA's grants for targeted capacity expansion—medicated assisted treatments.

Grants under this program were appropriated $25 million in H.R. 2029. The specific appropriating language for this program is located in the Departments of Labor, Health and Human Services, and Education report to H.R. 2029, on page 47.

Section 501 authorizes SAMHSA's Services Grant Program for Residential Treatment for Pregnant & Postpartum Women. This grant program was appropriated $15.9 million in H.R. 2029. The specific appropriating language for this program is located in the Departments of Labor, Health and Human Services, and Education report to H.R. 2029, on page 46.

Finally, some of the other sections in CARA are being authorized through 42 U.S.C. section 3797cc, which was appropriated $11 million in H.R. 2029. The specific appropriating language is located in paragraph one under the section entitled ''Community Oriented Policing Services'', on page 69 of H.R. 2029. Therefore, the managers' amendment authorizes a total of $77.9 million in total.

Mr. WICKER. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COTTON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. I yield back.

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Ms. AYOTTE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Utah (Mr. LEE), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Utah (Mr. LEE) would have voted ''nay.''

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 1, as follows:

[Rollcall Vote No. 34 Leg.]

YEAS—94

Alexander	Fischer	Murray
Ayotte	Flake	Nelson
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Hatch	Reid
Boozman	Heinrich	Risch
Boxer	Heitkamp	Roberts
Brown	Heller	Rounds
Burr	Hirono	Schatz
Cantwell	Hoeven	Schumer
Capito	Inhofe	Scott
Cardin	Isakson	Sessions
Carper	Johnson	Shaheen
Casey	Kaine	Shelby
Cassidy	King	Stabenow
Coats	Kirk	Sullivan
Cochran	Klobuchar	Tester
Collins	Lankford	Thune
Coons	Leahy	Tillis
Corker	Manchin	Toomey
Cornyn	Markey	Udall
Cotton	McCain	Vitter
Crapo	McConnell	Warner
Daines	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wicker
Enzi	Moran	Wyden
Ernst	Murkowski	
Feinstein	Murphy	

NAYS—1

Sasse

NOT VOTING—5

Cruz	McCaskill	Sanders
Lee	Rubio	

The bill (S. 524), as amended, was passed, as follows:

S. 524

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 ''Comprehensive Addiction and Recovery Act of 2016''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.

TITLE I—PREVENTION AND EDUCATION

Sec. 101. Development of best practices for the prescribing of prescription opioids.
Sec. 102. Awareness campaigns.
Sec. 103. Community-based coalition enhancement grants to address local drug crises.

TITLE II—LAW ENFORCEMENT AND TREATMENT

Sec. 201. Treatment alternative to incarceration programs.
Sec. 202. First responder training for the use of drugs and devices that rapidly reverse the effects of opioids.
Sec. 203. Prescription drug take back expansion.
Sec. 204. Heroin and methamphetamine task forces.

TITLE III—TREATMENT AND RECOVERY

Sec. 301. Evidence-based prescription opioid and heroin treatment and interventions demonstration.
Sec. 302. Criminal justice medication assisted treatment and interventions demonstration.
Sec. 303. National youth recovery initiative.
Sec. 304. Building communities of recovery.

TITLE IV—ADDRESSING COLLATERAL CONSEQUENCES

Sec. 401. Correctional education demonstration grant program.
Sec. 402. National Task Force on Recovery and Collateral Consequences.

TITLE V—ADDICTION AND TREATMENT SERVICES FOR WOMEN, FAMILIES, AND VETERANS

Sec. 501. Improving treatment for pregnant and postpartum women.
Sec. 502. Report on grants for family-based substance abuse treatment.
Sec. 503. Veterans' treatment courts.

TITLE VI—INCENTIVIZING STATE COMPREHENSIVE INITIATIVES TO ADDRESS PRESCRIPTION OPIOID AND HEROIN ABUSE

Sec. 601. State demonstration grants for comprehensive opioid abuse response.

TITLE VII—MISCELLANEOUS

Sec. 701. GAO report on IMD exclusion.
Sec. 702. Funding.
Sec. 703. Conforming amendments.
Sec. 704. Grant accountability.
Sec. 705. Programs to prevent prescription drug abuse under the Medicare program.

TITLE VIII—TRANSNATIONAL DRUG TRAFFICKING ACT

Sec. 801. Short title.
Sec. 802. Possession, manufacture or distribution for purposes of unlawful importations.
Sec. 803. Trafficking in counterfeit goods or services.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The abuse of heroin and prescription opioid painkillers is having a devastating effect on public health and safety in communities across the United States. According to the Centers for Disease Control and Prevention, drug overdose deaths now surpass traffic accidents in the number of deaths caused by injury in the United States. In 2014, an average of more than 120 people in the United States died from drug overdoses every day.

(2) According to the National Institute on Drug Abuse (commonly known as ''NIDA''), the number of prescriptions for opioids increased from approximately 76,000,000 in 1991 to nearly 207,000,000 in 2013, and the United States is the biggest consumer of opioids globally, accounting for almost 100 percent of the world total for hydrocodone and 81 percent for oxycodone.

(3) Opioid pain relievers are the most widely misused or abused controlled prescription drugs (commonly referred to as ''CPDs'') and are involved in most CPD-related overdose incidents. According to the Drug Abuse Warning Network (commonly known as ''DAWN''), the estimated number of emergency department visits involving nonmedical use of prescription opiates or opioids increased by 112 percent between 2006 and 2010, from 84,671 to 179,787.

(4) The use of heroin in the United States has also spiked sharply in recent years. According to the most recent National Survey on Drug Use and Health, more than 900,000 people in the United States reported using heroin in 2014, nearly a 35 percent increase from the previous year. Heroin overdose deaths more than tripled from 2010 to 2014.

(5) The supply of cheap heroin available in the United States has increased dramatically as well, largely due to the activity of Mexican drug trafficking organizations. The Drug Enforcement Administration (commonly known as the ''DEA'') estimates that heroin seizures at the Mexican border have more than doubled since 2010, and heroin production in Mexico increased 62 percent from 2013 to 2014. While only 8 percent of State and local law enforcement officials across the United States identified heroin as the greatest drug threat in their area in 2008, that number rose to 38 percent in 2015.

(6) Law enforcement officials and treatment experts throughout the country report that many people who have misused prescription opioids have turned to heroin as a cheaper or more easily obtained alternative to prescription opioids.

(7) According to a report by the National Association of State Alcohol and Drug Abuse Directors (commonly referred to as ''NASADAD''), 37 States reported an increase in admissions to treatment for heroin use during the past 2 years, while admissions to treatment for prescription opiates increased 500 percent from 2000 to 2012.

(8) Research indicates that combating the opioid crisis, including abuse of prescription painkillers and, increasingly, heroin, requires a multipronged approach that involves prevention, education, monitoring, law enforcement initiatives, reducing drug diversion and the supply of illicit drugs, expanding delivery of existing treatments (including medication assisted treatments), expanding access to overdose medications and interventions, and the development of new medications for pain that can augment the existing treatment arsenal.

(9) Substance use disorders are a treatable disease. Discoveries in the science of addiction have led to advances in the treatment of substance use disorders that help people stop abusing drugs and prescription medications and resume their productive lives.

(10) According to the National Survey on Drug Use and Health, approximately 22,700,000 people in the United States needed substance use disorder treatment in 2013, but only 2,500,000 people received it. Furthermore, current treatment services are not adequate to meet demand. According to a report commissioned by the Substance Abuse and Mental Health Services Administration (commonly known as ''SAMHSA''), there are approximately 32 providers for every 1,000 individuals needing substance use disorder treatment. In some States, the ratio is much lower.

(11) The overall cost of drug abuse, from health care- and criminal justice-related costs to lost productivity, is steep, totaling more than $700,000,000,000 a year, according to NIDA. Effective substance abuse prevention can yield major economic dividends.

(12) According to NIDA, when schools and communities properly implement science-validated substance abuse prevention programs, abuse of alcohol, tobacco, and illicit drugs is reduced. Such programs help teachers, parents, and healthcare professionals shape the perceptions of youths about the risks of drug abuse.

(13) Diverting certain individuals with substance use disorders from criminal justice systems into community-based treatment can save billions of dollars and prevent sizeable numbers of crimes, arrests, and re-incarcerations over the course of those individuals' lives.

(14) According to the DEA, more than 2,700 tons of expired, unwanted prescription medications have been collected since the enactment of the Secure and Responsible Drug Disposal Act of 2010 (Public Law 111–273; 124 Stat. 2858).

(15) Faith-based, holistic, or drug-free models can provide a critical path to successful recovery for a number of people in the United States. The 2015 membership survey conducted by Alcoholics Anonymous (commonly known as ''AA'') found that 73 percent of AA members were sober longer than 1 year and attended 2.5 meetings per week.

(16) Research shows that combining treatment medications with behavioral therapy is an effective way to facilitate success for some patients. Treatment approaches must be tailored to address the drug abuse patterns and drug-related medical, psychiatric, and social problems of each individual. Different types of medications may be useful at different stages of treatment or recovery to help a patient stop using drugs, stay in treatment, and avoid relapse. Patients have a range of options regarding their path to recovery and many have also successfully addressed drug abuse through the use of faith-based, holistic, or drug-free models.

(17) Individuals with mental illness, especially severe mental illness, are at considerably higher risk for substance abuse than the general population, and the presence of a mental illness complicates recovery from substance abuse.

(18) Rural communities are especially susceptible to heroin and opioid abuse. Individuals in rural counties have higher rates of drug poisoning deaths, including deaths from opioids. According to the American Journal of Public Health, ''[O]pioid poisonings in nonmetropolitan counties have increased at a rate greater than threefold the increase in metropolitan counties.'' According to a February 19, 2016, report from the Maine Rural Health Research Center, ''[M]ultiple studies document a higher prevalence [of abuse] among specific vulnerable rural populations, particularly among youth, women who are pregnant or experiencing partner violence, and persons with co-occurring disorders.''

SEC. 3. DEFINITIONS.

In this Act—

(1) the term ''first responder'' includes a firefighter, law enforcement officer, paramedic, emergency medical technician, or other individual (including an employee of a legally organized and recognized volunteer organization, whether compensated or not), who, in the course of professional duties, responds to fire, medical, hazardous material, or other similar emergencies;

(2) the term ''medication assisted treatment'' means the use, for problems relating to heroin and other opioids, of medications approved by the Food and Drug Administration in combination with counseling and behavioral therapies;

(3) the term ''opioid'' means any drug having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability; and

(4) the term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

TITLE I—PREVENTION AND EDUCATION

SEC. 101. DEVELOPMENT OF BEST PRACTICES FOR THE PRESCRIBING OF PRESCRIPTION OPIOIDS.

(a) DEFINITIONS.—In this section—

(1) the term ''Secretary'' means the Secretary of Health and Human Services; and

(2) the term ''task force'' means the Pain Management Best Practices Interagency Task Force convened under subsection (b).

(b) INTERAGENCY TASK FORCE.—Not later than December 14, 2018, the Secretary, in cooperation with the Secretary of Veterans Affairs, the Secretary of Defense, and the Administrator of the Drug Enforcement Administration, shall convene a Pain Management Best Practices Interagency Task Force to review, modify, and update, as appropriate, best practices for pain management (including chronic and acute pain) and prescribing pain medication.

(c) MEMBERSHIP.—The task force shall be comprised of—

(1) representatives of—

(A) the Department of Health and Human Services;

(B) the Department of Veterans Affairs;

(C) the Food and Drug Administration;

(D) the Department of Defense;

(E) the Drug Enforcement Administration;

(F) the Centers for Disease Control and Prevention;

(G) the National Academy of Medicine;

(H) the National Institutes of Health;

(I) the Office of National Drug Control Policy; and

(J) the Office of Rural Health Policy of the Department of Health and Human Services;

(2) physicians, dentists, and nonphysician prescribers;

(3) pharmacists;

(4) experts in the fields of pain research and addiction research;

(5) representatives of—

(A) pain management professional organizations;

(B) the mental health treatment community;

(C) the addiction treatment community;

(D) pain advocacy groups; and

(E) groups with expertise around overdose reversal; and

(6) other stakeholders, as the Secretary determines appropriate.

(d) DUTIES.—The task force shall—

(1) not later than 180 days after the date on which the task force is convened under subsection (b), review, modify, and update, as appropriate, best practices for pain management (including chronic and acute pain) and prescribing pain medication, taking into consideration—

(A) existing pain management research;

(B) recommendations from relevant conferences and existing relevant evidence-based guidelines;

(C) ongoing efforts at the State and local levels and by medical professional organizations to develop improved pain management strategies, including consideration of alternatives to opioids to reduce opioid monotherapy in appropriate cases;

(D) the management of high-risk populations, other than populations who suffer pain, who—

(i) may use or be prescribed benzodiazepines, alcohol, and diverted opioids; or

(ii) receive opioids in the course of medical care; and

(E) the Proposed 2016 Guideline for Prescribing Opioids for Chronic Pain issued by the Centers for Disease Control and Prevention (80 Fed. Reg. 77351 (December 14, 2015)) and any final guidelines issued by the Centers for Disease Control and Prevention;

(2) solicit and take into consideration public comment on the practices developed under paragraph (1), amending such best practices if appropriate; and

(3) develop a strategy for disseminating information about the best practices to stakeholders, as appropriate.

(e) LIMITATION.—The task force shall not have rulemaking authority.

(f) REPORT.—Not later than 270 days after the date on which the task force is convened under subsection (b), the task force shall submit to Congress a report that includes—

(1) the strategy for disseminating best practices for pain management (including chronic and acute pain) and prescribing pain medication, as reviewed, modified, or updated under subsection (d); and

(2) recommendations for effectively applying the best practices described in paragraph (1) to improve prescribing practices at medical facilities, including medical facilities of the Veterans Health Administration.

SEC. 102. AWARENESS CAMPAIGNS.

(a) IN GENERAL.—The Secretary of Health and Human Services, in coordination with the Attorney General, shall advance the education and awareness of the public, providers, patients, consumers, and other appropriate entities regarding the risk of abuse of

prescription opioid drugs if such products are not taken as prescribed, including opioid and methadone abuse. Such education and awareness campaigns shall include information on the dangers of opioid abuse, how to prevent opioid abuse including through safe disposal of prescription medications and other safety precautions, and detection of early warning signs of addiction.

(b) DRUG-FREE MEDIA CAMPAIGN.—

(1) IN GENERAL.—The Office of National Drug Control Policy, in coordination with the Secretary of Health and Human Services and the Attorney General, shall establish a national drug awareness campaign.

(2) REQUIREMENTS.—The national drug awareness campaign required under paragraph (1) shall—

(A) take into account the association between prescription opioid abuse and heroin use;

(B) emphasize the similarities between heroin and prescription opioids and the effects of heroin and prescription opioids on the human body; and

(C) bring greater public awareness to the dangerous effects of fentanyl when mixed with heroin or abused in a similar manner.

SEC. 103. COMMUNITY-BASED COALITION ENHANCEMENT GRANTS TO ADDRESS LOCAL DRUG CRISES.

Part II of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc et seq.) is amended by striking section 2997 and inserting the following:

"SEC. 2997. COMMUNITY-BASED COALITION ENHANCEMENT GRANTS TO ADDRESS LOCAL DRUG CRISES.

''(a) DEFINITIONS.—In this section—

''(1) the term 'Drug-Free Communities Act of 1997' means chapter 2 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 et seq.);

''(2) the term 'eligible entity' means an organization that—

''(A) on or before the date of submitting an application for a grant under this section, receives or has received a grant under the Drug-Free Communities Act of 1997; and

''(B) has documented, using local data, rates of abuse of opioids or methamphetamines at levels that are—

''(i) significantly higher than the national average as determined by the Secretary (including appropriate consideration of the results of the Monitoring the Future Survey published by the National Institute on Drug Abuse and the National Survey on Drug Use and Health published by the Substance Abuse and Mental Health Services Administration); or

''(ii) higher than the national average, as determined by the Secretary (including appropriate consideration of the results of the surveys described in clause (i)), over a sustained period of time;

''(3) the term 'local drug crisis' means, with respect to the area served by an eligible entity—

''(A) a sudden increase in the abuse of opioids or methamphetamines, as documented by local data;

''(B) the abuse of prescription medications, specifically opioids or methamphetamines, that is significantly higher than the national average, over a sustained period of time, as documented by local data; or

''(C) a sudden increase in opioid-related deaths, as documented by local data;

''(4) the term 'opioid' means any drug having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability; and

''(5) the term 'Secretary' means the Secretary of Health and Human Services.

''(b) PROGRAM AUTHORIZED.—The Secretary, in coordination with the Director of the Office of National Drug Control Policy, may make grants to eligible entities to implement comprehensive community-wide strategies that address local drug crises within the area served by the eligible entity.

''(c) APPLICATION.—

''(1) IN GENERAL.—An eligible entity seeking a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

''(2) CRITERIA.—As part of an application for a grant under this section, the Secretary shall require an eligible entity to submit a detailed, comprehensive, multisector plan for addressing the local drug crisis within the area served by the eligible entity.

''(d) USE OF FUNDS.—An eligible entity shall use a grant received under this section—

''(1) for programs designed to implement comprehensive community-wide prevention strategies to address the local drug crisis in the area served by the eligible entity, in accordance with the plan submitted under subsection (c)(2); and

''(2) to obtain specialized training and technical assistance from the organization funded under section 4 of Public Law 107–82 (21 U.S.C. 1521 note).

''(e) SUPPLEMENT NOT SUPPLANT.—An eligible entity shall use Federal funds received under this section only to supplement the funds that would, in the absence of those Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplant those funds.

''(f) EVALUATION.—A grant under this section shall be subject to the same evaluation requirements and procedures as the evaluation requirements and procedures imposed on the recipient of a grant under the Drug-Free Communities Act of 1997, and may also include an evaluation of the effectiveness at reducing abuse of opioids, methadone, or methamphetamines.

''(g) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 8 percent of the amounts made available to carry out this section for a fiscal year may be used by the Secretary to pay for administrative expenses.''.

TITLE II—LAW ENFORCEMENT AND TREATMENT

SEC. 201. TREATMENT ALTERNATIVE TO INCARCERATION PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means a State, unit of local government, Indian tribe, or nonprofit organization.

(2) ELIGIBLE PARTICIPANT.—The term ''eligible participant'' means an individual who—

(A) comes into contact with the juvenile justice system or criminal justice system or is arrested or charged with an offense that is not—

(i) a crime of violence, as defined under applicable State law or section 3156 of title 18, United States Code; or

(ii) a serious drug offense, as defined under section 924(e)(2)(A) of title 18, United States Code;

(B) has been screened by a qualified mental health professional and determined to suffer from a substance use disorder, or co-occurring mental illness and substance use disorder, that there is a reasonable basis to believe is related to the commission of the offense; and

(C) has been, after consideration of any potential risk of violence to any person in the program or the public if the individual were selected to participate in the program, unanimously approved for participation in a program funded under this section by, as applicable depending on the stage of the criminal justice process—

(i) the relevant law enforcement agency;

(ii) the prosecuting attorney;

(iii) the defense attorney;

(iv) the pretrial, probation, or correctional officer;

(v) the judge; and

(vi) a representative from the relevant mental health or substance abuse agency.

(b) PROGRAM AUTHORIZED.—The Secretary of Health and Human Services, in coordination with the Attorney General, may make grants to eligible entities to—

(1) develop, implement, or expand a treatment alternative to incarceration program for eligible participants, including—

(A) pre-booking, including pre-arrest, treatment alternative to incarceration programs, including—

(i) law enforcement training on substance use disorders and co-occurring mental illness and substance use disorders;

(ii) receiving centers as alternatives to incarceration of eligible participants;

(iii) specialized response units for calls related to substance use disorders and co-occurring mental illness and substance use disorders; and

(iv) other pre-arrest or pre-booking treatment alternative to incarceration models; and

(B) post-booking treatment alternative to incarceration programs, including—

(i) specialized clinical case management;

(ii) pretrial services related to substance use disorders and co-occurring mental illness and substance use disorders;

(iii) prosecutor and defender based programs;

(iv) specialized probation;

(v) programs utilizing the American Society of Addiction Medicine patient placement criteria;

(vi) treatment and rehabilitation programs and recovery support services; and

(vii) drug courts, DWI courts, and veterans treatment courts; and

(2) facilitate or enhance planning and collaboration between State criminal justice systems and State substance abuse systems in order to more efficiently and effectively carry out programs described in paragraph (1) that address problems related to the use of heroin and misuse of prescription drugs among eligible participants.

(c) APPLICATION.—

(1) IN GENERAL.—An eligible entity seeking a grant under this section shall submit an application to the Secretary of Health and Human Services—

(A) that meets the criteria under paragraph (2); and

(B) at such time, in such manner, and accompanied by such information as the Secretary of Health and Human Services may require.

(2) CRITERIA.—An eligible entity, in submitting an application under paragraph (1), shall—

(A) provide extensive evidence of collaboration with State and local government agencies overseeing health, community corrections, courts, prosecution, substance abuse, mental health, victims services, and employment services, and with local law enforcement agencies;

(B) demonstrate consultation with the Single State Authority for Substance Abuse (as defined in section 201(e) of the Second Chance Act of 2007 (42 U.S.C. 17521(e)));

(C) demonstrate consultation with the Single State criminal justice planning agency;

(D) demonstrate that evidence-based treatment practices, including if applicable the use of medication assisted treatment, will be utilized; and

(E) demonstrate that evidenced-based screening and assessment tools will be utilized to place participants in the treatment alternative to incarceration program.

(d) REQUIREMENTS.—Each eligible entity awarded a grant for a treatment alternative to incarceration program under this section shall—

(1) determine the terms and conditions of participation in the program by eligible participants, taking into consideration the collateral consequences of an arrest, prosecution, or criminal conviction;

(2) ensure that each substance abuse and mental health treatment component is licensed and qualified by the relevant jurisdiction;

(3) for programs described in subsection (b)(2), organize an enforcement unit comprised of appropriately trained law enforcement professionals under the supervision of the State, tribal, or local criminal justice agency involved, the duties of which shall include—

(A) the verification of addresses and other contacts of each eligible participant who participates or desires to participate in the program; and

(B) if necessary, the location, apprehension, arrest, and return to court of an eligible participant in the program who has absconded from the facility of a treatment provider or has otherwise violated the terms and conditions of the program, consistent with Federal and State confidentiality requirements;

(4) notify the relevant criminal justice entity if any eligible participant in the program absconds from the facility of the treatment provider or otherwise violates the terms and conditions of the program, consistent with Federal and State confidentiality requirements;

(5) submit periodic reports on the progress of treatment or other measured outcomes from participation in the program of each eligible participant in the program to the relevant State, tribal, or local criminal justice agency;

(6) describe the evidence-based methodology and outcome measurements that will be used to evaluate the program, and specifically explain how such measurements will provide valid measures of the impact of the program; and

(7) describe how the program could be broadly replicated if demonstrated to be effective.

(e) USE OF FUNDS.—An eligible entity shall use a grant received under this section for expenses of a treatment alternative to incarceration program, including—

(1) salaries, personnel costs, equipment costs, and other costs directly related to the operation of the program, including the enforcement unit;

(2) payments for treatment providers that are approved by the relevant State or tribal jurisdiction and licensed, if necessary, to provide needed treatment to eligible participants in the program, including medication assisted treatment, aftercare supervision, vocational training, education, and job placement;

(3) payments to public and nonprofit private entities that are approved by the State or tribal jurisdiction and licensed, if necessary, to provide alcohol and drug addiction treatment and mental health treatment to eligible participants in the program; and

(4) salaries, personnel costs, and other costs related to strategic planning among State and local government agencies.

(f) SUPPLEMENT NOT SUPPLANT.—An eligible entity shall use Federal funds received under this section only to supplement the funds that would, in the absence of those Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplant those funds.

(g) GEOGRAPHIC DISTRIBUTION.—The Secretary of Health and Human Services shall ensure that, to the extent practicable, the geographical distribution of grants under this section is equitable and includes a grant to an eligible entity in—

(1) each State;

(2) rural, suburban, and urban areas; and

(3) tribal jurisdictions.

(h) PRIORITY CONSIDERATION WITH RESPECT TO STATES.—In awarding grants to States under this section, the Secretary of Health and Human Services shall give priority to—

(1) a State that submits a joint application from the substance abuse agencies and criminal justice agencies of the State that proposes to use grant funds to facilitate or enhance planning and collaboration between the agencies, including coordination to better address the needs of incarcerated populations; and

(2) a State that—

(A) provides civil liability protection for first responders, health professionals, and family members who have received appropriate training in the administration of naloxone in administering naloxone to counteract opioid overdoses; and

(B) submits to the Secretary a certification by the attorney general of the State that the attorney general has—

(i) reviewed any applicable civil liability protection law to determine the applicability of the law with respect to first responders, health care professionals, family members, and other individuals who—

(I) have received appropriate training in the administration of naloxone; and

(II) may administer naloxone to individuals reasonably believed to be suffering from opioid overdose; and

(ii) concluded that the law described in subparagraph (A) provides adequate civil liability protection applicable to such persons.

(i) REPORTS AND EVALUATIONS.—

(1) IN GENERAL.—Each fiscal year, each recipient of a grant under this section during that fiscal year shall submit to the Secretary of Health and Human Services a report on the outcomes of activities carried out using that grant in such form, containing such information, and on such dates as the Secretary of Health and Human Services shall specify.

(2) CONTENTS.—A report submitted under paragraph (1) shall—

(A) describe best practices for treatment alternatives; and

(B) identify training requirements for law enforcement officers who participate in treatment alternative to incarceration programs.

(j) FUNDING.—During the 5-year period beginning on the date of enactment of this Act, the Secretary of Health and Human Services may carry out this section using not more than $5,000,000 each fiscal year of amounts appropriated to the Substance Abuse and Mental Health Services Administration for Criminal Justice Activities. No additional funds are authorized to be appropriated to carry out this section.

SEC. 202. FIRST RESPONDER TRAINING FOR THE USE OF DRUGS AND DEVICES THAT RAPIDLY REVERSE THE EFFECTS OF OPIOIDS.

Part II of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc et seq.), as amended by section 103, is amended by adding at the end the following:

"SEC. 2998. FIRST RESPONDER TRAINING FOR THE USE OF DRUGS AND DEVICES THAT RAPIDLY REVERSE THE EFFECTS OF OPIOIDS.

"(a) DEFINITION.—In this section—

"(1) the terms 'drug' and 'device' have the meanings given those terms in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321);

"(2) the term 'eligible entity' means a State, a unit of local government, or an Indian tribal government;

"(3) the term 'first responder' includes a firefighter, law enforcement officer, paramedic, emergency medical technician, or other individual (including an employee of a legally organized and recognized volunteer organization, whether compensated or not), who, in the course of professional duties, responds to fire, medical, hazardous material, or other similar emergencies;

"(4) the term 'opioid' means any drug having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability; and

"(5) the term 'Secretary' means the Secretary of Health and Human Services.

"(b) PROGRAM AUTHORIZED.—The Secretary, in coordination with the Attorney General, may make grants to eligible entities to allow appropriately trained first responders to administer an opioid overdose reversal drug to an individual who has—

"(1) experienced a prescription opioid or heroin overdose; or

"(2) been determined to have likely experienced a prescription opioid or heroin overdose.

"(c) APPLICATION.—

"(1) IN GENERAL.—An eligible entity seeking a grant under this section shall submit an application to the Secretary—

"(A) that meets the criteria under paragraph (2); and

"(B) at such time, in such manner, and accompanied by such information as the Secretary may require.

"(2) CRITERIA.—An eligible entity, in submitting an application under paragraph (1), shall—

"(A) describe the evidence-based methodology and outcome measurements that will be used to evaluate the program funded with a grant under this section, and specifically explain how such measurements will provide valid measures of the impact of the program;

"(B) describe how the program could be broadly replicated if demonstrated to be effective;

"(C) identify the governmental and community agencies that the program will coordinate; and

"(D) describe how law enforcement agencies will coordinate with their corresponding State substance abuse and mental health agencies to identify protocols and resources that are available to overdose victims and families, including information on treatment and recovery resources.

"(d) USE OF FUNDS.—An eligible entity shall use a grant received under this section to—

"(1) make such opioid overdose reversal drugs or devices that are approved by the Food and Drug Administration, such as naloxone, available to be carried and administered by first responders;

"(2) train and provide resources for first responders on carrying an opioid overdose reversal drug or device approved by the Food and Drug Administration, such as naloxone, and administering the drug or device to an individual who has experienced, or has been determined to have likely experienced, a prescription opioid or heroin overdose; and

"(3) establish processes, protocols, and mechanisms for referral to appropriate treatment, which may include an outreach coordinator or team to connect individuals receiving opioid overdose reversal drugs to follow-up services.

''(e) TECHNICAL ASSISTANCE GRANTS.—The Secretary shall make a grant for the purpose of providing technical assistance and training on the use of an opioid overdose reversal drug, such as naloxone, to respond to an individual who has experienced, or has been determined to have likely experienced, a prescription opioid or heroin overdose, and mechanisms for referral to appropriate treatment for an eligible entity receiving a grant under this section.

''(f) EVALUATION.—The Secretary shall conduct an evaluation of grants made under this section to determine—

''(1) the number of first responders equipped with naloxone, or another opioid overdose reversal drug, for the prevention of fatal opioid and heroin overdose;

''(2) the number of opioid and heroin overdoses reversed by first responders receiving training and supplies of naloxone, or another opioid overdose reversal drug, through a grant received under this section;

''(3) the number of calls for service related to opioid and heroin overdose;

''(4) the extent to which overdose victims and families receive information about treatment services and available data describing treatment admissions; and

''(5) the research, training, and naloxone, or another opioid overdose reversal drug, supply needs of first responder agencies, including those agencies that are not receiving grants under this section.

''(g) RURAL AREAS WITH LIMITED ACCESS TO EMERGENCY MEDICAL SERVICES.—In making grants under this section, the Secretary shall ensure that not less than 25 percent of grant funds are awarded to eligible entities that are not located in metropolitan statistical areas, as defined by the Office of Management and Budget.''.

SEC. 203. PRESCRIPTION DRUG TAKE BACK EXPANSION.

(a) DEFINITION OF COVERED ENTITY.—In this section, the term ''covered entity'' means—

(1) a State, local, or tribal law enforcement agency;

(2) a manufacturer, distributor, or reverse distributor of prescription medications;

(3) a retail pharmacy;

(4) a registered narcotic treatment program;

(5) a hospital or clinic with an onsite pharmacy;

(6) an eligible long-term care facility; or

(7) any other entity authorized by the Drug Enforcement Administration to dispose of prescription medications.

(b) PROGRAM AUTHORIZED.—The Attorney General, in coordination with the Administrator of the Drug Enforcement Administration, the Secretary of Health and Human Services, and the Director of the Office of National Drug Control Policy, shall coordinate with covered entities in expanding or making available disposal sites for unwanted prescription medications.

SEC. 204. HEROIN AND METHAMPHETAMINE TASK FORCES.

Part II of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc et seq.), as amended by section 202, is amended by adding at the end the following:

''SEC. 2999. HEROIN AND METHAMPHETAMINE TASK FORCES.

''(a) DEFINITION OF OPIOID.—In this section, the term 'opioid' means any drug having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability.

''(b) AUTHORITY.—The Attorney General may make grants to State law enforcement agencies for investigative purposes—

''(1) to locate or investigate illicit activities through statewide collaboration, including activities related to—

''(A) the distribution of heroin or fentanyl, or the unlawful distribution of prescription opioids; or

''(B) unlawful heroin, fentanyl, and prescription opioid traffickers; and

''(2) to locate or investigate illicit activities, including precursor diversion, laboratories, or methamphetamine traffickers.''.

TITLE III—TREATMENT AND RECOVERY

SEC. 301. EVIDENCE-BASED PRESCRIPTION OPIOID AND HEROIN TREATMENT AND INTERVENTIONS DEMONSTRATION.

Part II of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc et seq.), as amended by section 204, is amended by adding at the end the following:

''SEC. 2999A. EVIDENCE-BASED PRESCRIPTION OPIOID AND HEROIN TREATMENT AND INTERVENTIONS DEMONSTRATION.

''(a) DEFINITIONS.—In this section—

''(1) the terms 'Indian tribe' and 'tribal organization' have the meaning given those terms in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603));

''(2) the term 'medication assisted treatment' means the use, for problems relating to heroin and other opioids, of medications approved by the Food and Drug Administration in combination with counseling and behavioral therapies;

''(3) the term 'opioid' means any drug having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability;

''(4) the term 'Secretary' means the Secretary of Health and Human Services; and

''(5) the term 'State substance abuse agency' means the agency of a State responsible for the State prevention, treatment, and recovery system, including management of the Substance Abuse Prevention and Treatment Block Grant under subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–21 et seq.).

''(b) GRANTS.—

''(1) AUTHORITY TO MAKE GRANTS.—The Secretary, acting through the Director of the Center for Substance Abuse Treatment of the Substance Abuse and Mental Health Services Administration, and in coordination with the Attorney General and other departments or agencies, as appropriate, may award grants to State substance abuse agencies, units of local government, nonprofit organizations, and Indian tribes or tribal organizations that have a high rate, or have had a rapid increase, in the use of heroin or other opioids, in order to permit such entities to expand activities, including an expansion in the availability of medication assisted treatment and other clinically appropriate services, with respect to the treatment of addiction in the specific geographical areas of such entities where there is a high rate or rapid increase in the use of heroin or other opioids.

''(2) NATURE OF ACTIVITIES.—The grant funds awarded under paragraph (1) shall be used for activities that are based on reliable scientific evidence of efficacy in the treatment of problems related to heroin or other opioids.

''(c) GEOGRAPHIC DISTRIBUTION.—The Secretary shall ensure that grants awarded under subsection (b) are distributed equitably among the various regions of the United States and among rural, urban, and suburban areas that are affected by the use of heroin or other opioids.

''(d) ADDITIONAL ACTIVITIES.—In administering grants under subsection (b), the Secretary shall—

''(1) evaluate the activities supported by grants awarded under subsection (b);

''(2) disseminate information, as appropriate, derived from the evaluation as the Secretary considers appropriate;

''(3) provide States, Indian tribes and tribal organizations, and providers with technical assistance in connection with the provision of treatment of problems related to heroin and other opioids; and

''(4) fund only those applications that specifically support recovery services as a critical component of the grant program.''.

SEC. 302. CRIMINAL JUSTICE MEDICATION ASSISTED TREATMENT AND INTERVENTIONS DEMONSTRATION.

(a) DEFINITIONS.—In this section—

(1) the term ''criminal justice agency'' means a State, local, or tribal—

(A) court;

(B) prison;

(C) jail; or

(D) other agency that performs the administration of criminal justice, including prosecution, pretrial services, and community supervision;

(2) the term ''eligible entity'' means a State, unit of local government, or Indian tribe; and

(3) the term ''Secretary'' means the Secretary of Health and Human Services.

(b) PROGRAM AUTHORIZED.—The Secretary, in coordination with the Attorney General, may make grants to eligible entities to implement medication assisted treatment programs through criminal justice agencies.

(c) APPLICATION.—

(1) IN GENERAL.—An eligible entity seeking a grant under this section shall submit an application to the Secretary—

(A) that meets the criteria under paragraph (2); and

(B) at such time, in such manner, and accompanied by such information as the Secretary may require.

(2) CRITERIA.—An eligible entity, in submitting an application under paragraph (1), shall—

(A) certify that each medication assisted treatment program funded with a grant under this section has been developed in consultation with the Single State Authority for Substance Abuse (as defined in section 201(e) of the Second Chance Act of 2007 (42 U.S.C. 17521(e))); and

(B) describe how data will be collected and analyzed to determine the effectiveness of the program described in subparagraph (A).

(d) USE OF FUNDS.—An eligible entity shall use a grant received under this section for expenses of—

(1) a medication assisted treatment program, including the expenses of prescribing medications recognized by the Food and Drug Administration for opioid treatment in conjunction with psychological and behavioral therapy;

(2) training criminal justice agency personnel and treatment providers on medication assisted treatment;

(3) cross-training personnel providing behavioral health and health services, administration of medicines, and other administrative expenses, including required reports; and

(4) the provision of recovery coaches who are responsible for providing mentorship and transition plans to individuals reentering society following incarceration or alternatives to incarceration.

(e) PRIORITY CONSIDERATION WITH RESPECT TO STATES.—In awarding grants to States under this section, the Secretary shall give priority to a State that—

(1) provides civil liability protection for first responders, health professionals, and

family members who have received appropriate training in the administration of naloxone in administering naloxone to counteract opioid overdoses; and

(2) submits to the Secretary a certification by the attorney general of the State that the attorney general has—

(A) reviewed any applicable civil liability protection law to determine the applicability of the law with respect to first responders, health care professionals, family members, and other individuals who—

(i) have received appropriate training in the administration of naloxone; and

(ii) may administer naloxone to individuals reasonably believed to be suffering from opioid overdose; and

(B) concluded that the law described in subparagraph (A) provides adequate civil liability protection applicable to such persons.

(f) TECHNICAL ASSISTANCE.—The Secretary, in coordination with the Director of the National Institute on Drug Abuse and the Attorney General, shall provide technical assistance and training for an eligible entity receiving a grant under this section.

(g) REPORTS.—

(1) IN GENERAL.—An eligible entity receiving a grant under this section shall submit a report to the Secretary on the outcomes of each grant received under this section for individuals receiving medication assisted treatment, based on—

(A) the recidivism of the individuals;

(B) the treatment outcomes of the individuals, including maintaining abstinence from illegal, unauthorized, and unprescribed or undispensed opioids and heroin;

(C) a comparison of the cost of providing medication assisted treatment to the cost of incarceration or other participation in the criminal justice system;

(D) the housing status of the individuals; and

(E) the employment status of the individuals.

(2) CONTENTS AND TIMING.—Each report described in paragraph (1) shall be submitted annually in such form, containing such information, and on such dates as the Secretary shall specify.

(h) FUNDING.—During the 5-year period beginning on the date of enactment of this Act, the Secretary may carry out this section using not more than $5,000,000 each fiscal year of amounts appropriated to the Substance Abuse and Mental Health Services Administration for Criminal Justice Activities. No additional funds are authorized to be appropriated to carry out this section.

SEC. 303. NATIONAL YOUTH RECOVERY INITIATIVE.

Part II of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc et seq.), as amended by section 301, is amended by adding at the end the following:

"SEC. 2999B. NATIONAL YOUTH RECOVERY INITIATIVE.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a high school that has been accredited as a recovery high school by the Association of Recovery Schools;

''(B) an accredited high school that is seeking to establish or expand recovery support services;

''(C) an institution of higher education;

''(D) a recovery program at a nonprofit collegiate institution; or

''(E) a nonprofit organization.

''(2) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(3) RECOVERY PROGRAM.—The term 'recovery program'—

''(A) means a program to help individuals who are recovering from substance use disorders to initiate, stabilize, and maintain healthy and productive lives in the community; and

''(B) includes peer-to-peer support and communal activities to build recovery skills and supportive social networks.

''(b) GRANTS AUTHORIZED.—The Secretary of Health and Human Services, in coordination with the Secretary of Education, may award grants to eligible entities to enable the entities to—

''(1) provide substance use disorder recovery support services to young people in high school and enrolled in institutions of higher education;

''(2) help build communities of support for young people in recovery through a spectrum of activities such as counseling and health- and wellness-oriented social activities; and

''(3) encourage initiatives designed to help young people achieve and sustain recovery from substance use disorders.

''(c) USE OF FUNDS.—Grants awarded under subsection (b) may be used for activities to develop, support, and maintain youth recovery support services, including—

''(1) the development and maintenance of a dedicated physical space for recovery programs;

''(2) dedicated staff for the provision of recovery programs;

''(3) health- and wellness-oriented social activities and community engagement;

''(4) establishment of recovery high schools;

''(5) coordination of recovery programs with—

''(A) substance use disorder treatment programs and systems;

''(B) providers of mental health services;

''(C) primary care providers and physicians;

''(D) the criminal justice system, including the juvenile justice system;

''(E) employers;

''(F) housing services;

''(G) child welfare services;

''(H) high schools and institutions of higher education; and

''(I) other programs or services related to the welfare of an individual in recovery from a substance use disorder;

''(6) the development of peer-to-peer support programs or services; and

''(7) additional activities that help youths and young adults to achieve recovery from substance use disorders.''.

SEC. 304. BUILDING COMMUNITIES OF RECOVERY.

Part II of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc et seq.), as amended by section 303, is amended by adding at the end the following:

"SEC. 2999C. BUILDING COMMUNITIES OF RECOVERY.

''(a) DEFINITION.—In this section, the term 'recovery community organization' means an independent nonprofit organization that—

''(1) mobilizes resources within and outside of the recovery community to increase the prevalence and quality of long-term recovery from substance use disorders; and

''(2) is wholly or principally governed by people in recovery for substance use disorders who reflect the community served.

''(b) GRANTS AUTHORIZED.—The Secretary of Health and Human Services may award grants to recovery community organizations to enable such organizations to develop, expand, and enhance recovery services.

''(c) FEDERAL SHARE.—The Federal share of the costs of a program funded by a grant under this section may not exceed 50 percent.

''(d) USE OF FUNDS.—Grants awarded under subsection (b)—

''(1) shall be used to develop, expand, and enhance community and statewide recovery support services; and

''(2) may be used to—

''(A) advocate for individuals in recovery from substance use disorders;

''(B) build connections between recovery networks, between recovery community organizations, and with other recovery support services, including—

''(i) substance use disorder treatment programs and systems;

''(ii) providers of mental health services;

''(iii) primary care providers and physicians;

''(iv) the criminal justice system;

''(v) employers;

''(vi) housing services;

''(vii) child welfare agencies; and

''(viii) other recovery support services that facilitate recovery from substance use disorders;

''(C) reduce the stigma associated with substance use disorders;

''(D) conduct public education and outreach on issues relating to substance use disorders and recovery, including—

''(i) how to identify the signs of addiction;

''(ii) the resources that are available to individuals struggling with addiction and families who have a family member struggling with or being treated for addiction, including programs that mentor and provide support services to children;

''(iii) the resources that are available to help support individuals in recovery; and

''(iv) information on the medical consequences of substance use disorders, including neonatal abstinence syndrome and potential infection with human immunodeficiency virus and viral hepatitis; and

''(E) carry out other activities that strengthen the network of community support for individuals in recovery.''.

TITLE IV—ADDRESSING COLLATERAL CONSEQUENCES

SEC. 401. CORRECTIONAL EDUCATION DEMONSTRATION GRANT PROGRAM.

Part II of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc et seq.), as amended by section 304, is amended by adding at the end the following:

"SEC. 2999D. CORRECTIONAL EDUCATION DEMONSTRATION GRANT PROGRAM.

''(a) DEFINITION.—In this section, the term 'eligible entity' means a State, unit of local government, nonprofit organization, or Indian tribe.

''(b) GRANT PROGRAM AUTHORIZED.—The Attorney General may make grants to eligible entities to design, implement, and expand educational programs for offenders in prisons, jails, and juvenile facilities, including to pay for—

''(1) basic education, secondary level academic education, high school equivalency examination preparation, career technical education, and English language learner instruction at the basic, secondary, or post-secondary levels, for adult and juvenile populations;

''(2) screening and assessment of inmates to assess education level and needs, occupational interest or aptitude, risk level, and other needs, and case management services;

''(3) hiring and training of instructors and aides, reimbursement of non-corrections staff and experts, reimbursement of stipends paid to inmate tutors or aides, and the costs of training inmate tutors and aides;

''(4) instructional supplies and equipment, including occupational program supplies and

equipment to the extent that the supplies and equipment are used for instructional purposes;

''(5) partnerships and agreements with community colleges, universities, and career technology education program providers;

''(6) certification programs providing recognized high school equivalency certificates and industry recognized credentials; and

''(7) technology solutions to—

''(A) meet the instructional, assessment, and information needs of correctional populations; and

''(B) facilitate the continued participation of incarcerated students in community-based education programs after the students are released from incarceration.

''(c) APPLICATION.—An eligible entity seeking a grant under this section shall submit to the Attorney General an application in such form and manner, at such time, and accompanied by such information as the Attorney General specifies.

''(d) PRIORITY CONSIDERATIONS.—In awarding grants under this section, the Attorney General shall give priority to applicants that—

''(1) assess the level of risk and need of inmates, including by—

''(A) assessing the need for English language learner instruction;

''(B) conducting educational assessments; and

''(C) assessing occupational interests and aptitudes;

''(2) target educational services to assessed needs, including academic and occupational at the basic, secondary, or post-secondary level;

''(3) target career and technology education programs to—

''(A) areas of identified occupational demand; and

''(B) employment opportunities in the communities in which students are reasonably expected to reside post-release;

''(4) include a range of appropriate educational opportunities at the basic, secondary, and post-secondary levels;

''(5) include opportunities for students to attain industry recognized credentials;

''(6) include partnership or articulation agreements linking institutional education programs with community sited programs provided by adult education program providers and accredited institutions of higher education, community colleges, and vocational training institutions; and

''(7) explicitly include career pathways models offering opportunities for incarcerated students to develop academic skills, in-demand occupational skills and credentials, occupational experience in institutional work programs or work release programs, and linkages with employers in the community, so that incarcerated students have opportunities to embark on careers with strong prospects for both post-release employment and advancement in a career ladder over time.

''(e) REQUIREMENTS.—An eligible entity seeking a grant under this section shall—

''(1) describe the evidence-based methodology and outcome measurements that will be used to evaluate each program funded with a grant under this section, and specifically explain how such measurements will provide valid measures of the impact of the program; and

''(2) describe how each program described in paragraph (1) could be broadly replicated if demonstrated to be effective.

''(f) CONTROL OF INTERNET ACCESS.—An entity that receives a grant under this section may restrict access to the Internet by prisoners, as appropriate and in accordance with Federal and State law, to ensure public safety.''.

SEC. 402. NATIONAL TASK FORCE ON RECOVERY AND COLLATERAL CONSEQUENCES.

(a) DEFINITION.—In this section, the term ''collateral consequence'' means a penalty, disability, or disadvantage imposed on an individual who is in recovery for a substance use disorder (including by an administrative agency, official, or civil court) as a result of a Federal or State conviction for a drug-related offense but not as part of the judgment of the court that imposes the conviction.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Attorney General shall establish a bipartisan task force to be known as the Task Force on Recovery and Collateral Consequences (in this section referred to as the ''Task Force'').

(2) MEMBERSHIP.—

(A) TOTAL NUMBER OF MEMBERS.—The Task Force shall include 10 members, who shall be appointed by the Attorney General in accordance with subparagraphs (B) and (C).

(B) MEMBERS OF THE TASK FORCE.—The Task Force shall include—

(i) members who have national recognition and significant expertise in areas such as health care, housing, employment, substance use disorders, mental health, law enforcement, and law;

(ii) not fewer than 2 members—

(I) who have personally experienced a substance abuse disorder or addiction and are in recovery; and

(II) not fewer than 1 of whom has benefitted from medication assisted treatment; and

(iii) to the extent practicable, members who formerly served as elected officials at the State and Federal levels.

(C) TIMING.—The Attorney General shall appoint the members of the Task Force not later than 60 days after the date on which the Task Force is established under paragraph (1).

(3) CHAIRPERSON.—The Task Force shall select a chairperson or co-chairpersons from among the members of the Task Force.

(c) DUTIES OF THE TASK FORCE.—

(1) IN GENERAL.—The Task Force shall—

(A) identify collateral consequences for individuals with Federal or State convictions for drug-related offenses who are in recovery for substance use disorder; and

(B) examine any policy basis for the imposition of collateral consequences identified under subparagraph (A) and the effect of the collateral consequences on individuals in recovery in resuming their personal and professional activities.

(2) RECOMMENDATIONS.—Not later than 180 days after the date of the first meeting of the Task Force, the Task Force shall develop recommendations, as it considers appropriate, for proposed legislative and regulatory changes related to the collateral consequences identified under paragraph (1).

(3) COLLECTION OF INFORMATION.—The Task Force shall hold hearings, require the testimony and attendance of witnesses, and secure information from any department or agency of the United States in performing the duties under paragraphs (1) and (2).

(4) REPORT.—

(A) SUBMISSION TO EXECUTIVE BRANCH.—Not later than 1 year after the date of the first meeting of the Task Force, the Task Force shall submit a report detailing the findings and recommendations of the Task Force to—

(i) the head of each relevant department or agency of the United States;

(ii) the President; and

(iii) the Vice President.

(B) SUBMISSION TO CONGRESS.—The individuals who receive the report under subparagraph (A) shall submit to Congress such legislative recommendations, if any, as those individuals consider appropriate based on the report.

TITLE V—ADDICTION AND TREATMENT SERVICES FOR WOMEN, FAMILIES, AND VETERANS

SEC. 501. IMPROVING TREATMENT FOR PREGNANT AND POSTPARTUM WOMEN.

(a) IN GENERAL.—Section 508 of the Public Health Service Act (42 U.S.C. 290bb–1) is amended—

(1) in subsection (a), by inserting ''(referred to in this section as the 'Director')'' after ''Director of the Center for Substance Abuse Treatment''; and

(2) in subsection (p), in the first sentence—

(A) by striking ''Committee on Labor and Human Resources'' and inserting ''Committee on Health, Education, Labor, and Pensions''; and

(B) by inserting ''(other than subsection (r))'' after ''this section''.

(b) PILOT PROGRAM GRANTS FOR STATE SUBSTANCE ABUSE AGENCIES.—Section 508 of the Public Health Service Act (42 U.S.C. 290bb–1) is amended—

(1) by striking subsection (r); and

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

''(r) PILOT PROGRAM FOR STATE SUBSTANCE ABUSE AGENCIES.—

''(1) IN GENERAL.—The Director shall carry out a pilot program under which the Director makes competitive grants to State substance abuse agencies to—

''(A) enhance flexibility in the use of funds designed to support family-based services for pregnant and postpartum women with a primary diagnosis of a substance use disorder, including opioid use disorders;

''(B) help State substance abuse agencies address identified gaps in services furnished to such women along the continuum of care, including services provided to women in non-residential based settings; and

''(C) promote a coordinated, effective, and efficient State system managed by State substance abuse agencies by encouraging new approaches and models of service delivery that are evidence-based, including effective family-based programs for women involved with the criminal justice system.

''(2) REQUIREMENTS.—In carrying out the pilot program under this subsection, the Director—

''(A) shall require State substance abuse agencies to submit to the Director applications, in such form and manner and containing such information as specified by the Director, to be eligible to receive a grant under the program;

''(B) shall identify, based on such submitted applications, State substance abuse agencies that are eligible for such grants;

''(C) shall require services proposed to be furnished through such a grant to support family-based treatment and other services for pregnant and postpartum women with a primary diagnosis of a substance use disorder, including opioid use disorders;

''(D) notwithstanding subsection (a)(1), shall not require that services furnished through such a grant be provided solely to women that reside in facilities; and

''(E) shall not require that grant recipients under the program make available all services described in subsection (d).

''(3) REQUIRED SERVICES.—

''(A) IN GENERAL.—The Director shall specify minimum services required to be made available to eligible women through a grant awarded under the pilot program under this subsection. Such minimum services—

''(i) shall include the requirements described in subsection (c);

''(ii) may include any of the services described in subsection (d);

''(iii) may include other services, as appropriate; and

''(iv) shall be based on the recommendations submitted under subparagraph (B)

''(B) STAKEHOLDER INPUT.—The Director shall convene and solicit recommendations from stakeholders, including State substance abuse agencies, health care providers, persons in recovery from a substance use disorder, and other appropriate individuals, for the minimum services described in subparagraph (A).

''(4) DURATION.—The pilot program under this subsection shall not exceed 5 years.

''(5) EVALUATION AND REPORT TO CONGRESS.—

''(A) IN GENERAL.—Out of amounts made available to the Center for Behavioral Health Statistics and Quality, the Director of the Center for Behavioral Health Statistics and Quality, in cooperation with the recipients of grants under this subsection, shall conduct an evaluation of the pilot program under this subsection, beginning 1 year after the date on which a grant is first awarded under this subsection. The Director of the Center for Behavioral Health Statistics and Quality, in coordination with the Director of the Center for Substance Abuse Treatment, not later than 120 days after completion of such evaluation, shall submit to the relevant Committees of the Senate and the House of Representatives a report on such evaluation.

''(B) CONTENTS.—The report to Congress under subparagraph (A) shall include, at a minimum, outcomes information from the pilot program, including any resulting reductions in the use of alcohol and other drugs, engagement in treatment services, retention in the appropriate level and duration of services, increased access to the use of drugs approved by the Food and Drug Administration for the treatment of substance use disorders in combination with counseling, and other appropriate measures.

''(6) DEFINITION OF STATE SUBSTANCE ABUSE AGENCY.—For purposes of this subsection, the term 'State substance abuse agency' means, with respect to a State, the agency in such State that manages the substance abuse prevention and treatment block grant program under part B of title XIX.

''(s) FUNDING.—

''(1) IN GENERAL.—For the purpose of carrying out this section, there are authorized to be appropriated $15,900,000 for each of fiscal years 2016 through 2020.

''(2) LIMITATION.—Of the amounts made available under paragraph (1) to carry out this section, not more than 25 percent may be used each fiscal year to carry out subsection (r).''.

SEC. 502. REPORT ON GRANTS FOR FAMILY-BASED SUBSTANCE ABUSE TREATMENT.

Section 2925 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s–4) is amended—

(1) by striking ''An entity'' and inserting ''(a) ENTITY REPORTS.—An entity''; and

(2) by adding at the end the following:

''(b) ATTORNEY GENERAL REPORT ON FAMILY-BASED SUBSTANCE ABUSE TREATMENT.—The Attorney General shall submit to Congress an annual report that describes the number of grants awarded under section 2921(1) and how such grants are used by the recipients for family-based substance abuse treatment programs that serve as alternatives to incarceration for custodial parents to receive treatment and services as a family.''.

SEC. 503. VETERANS' TREATMENT COURTS.

Section 2991(j)(1)(B)(ii) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(j)(1)(B)(ii)), as amended by the Comprehensive Justice and Mental Health Act of 2015 (S. 993, 114th Congress), is amended—

(1) by inserting ''(I)'' after ''(ii)'';

(2) in subclause (I), as so designated, by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(II) was discharged or released from such service under dishonorable conditions, if the reason for that discharge or release, if known, is attributable to a substance use disorder.''.

TITLE VI—INCENTIVIZING STATE COMPREHENSIVE INITIATIVES TO ADDRESS PRESCRIPTION OPIOID AND HEROIN ABUSE

SEC. 601. STATE DEMONSTRATION GRANTS FOR COMPREHENSIVE OPIOID ABUSE RESPONSE.

(a) DEFINITIONS.—In this section—

(1) the term ''dispenser'' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802);

(2) the term ''prescriber'' means a dispenser who prescribes a controlled substance, or the agent of such a dispenser;

(3) the term ''prescriber of a schedule II, III, or IV controlled substance'' does not include a prescriber of a schedule II, III, or IV controlled substance that dispenses the substance—

(A) for use on the premises on which the substance is dispensed;

(B) in a hospital emergency room, when the substance is in short supply;

(C) for a certified opioid treatment program; or

(D) in other situations as the Attorney General may reasonably determine; and

(4) the term ''schedule II, III, or IV controlled substance'' means a controlled substance that is listed on schedule II, schedule III, or schedule IV of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

(b) PLANNING AND IMPLEMENTATION GRANTS.—

(1) IN GENERAL.—The Attorney General, in coordination with the Secretary of Health and Human Services and in consultation with the Director of the Office of National Drug Control Policy, may award grants to States, and combinations thereof, to prepare a comprehensive plan for and implement an integrated opioid abuse response initiative.

(2) PURPOSES.—A State receiving a grant under this section shall establish a comprehensive response to opioid abuse, which shall include—

(A) prevention and education efforts around heroin and opioid use, treatment, and recovery, including education of residents, medical students, and physicians and other prescribers of schedule II, III, or IV controlled substances on relevant prescribing guidelines and the prescription drug monitoring program of the State;

(B) a comprehensive prescription drug monitoring program to track dispensing of schedule II, III, or IV controlled substances, which shall—

(i) provide for data sharing with other States by statute, regulation, or interstate agreement; and

(ii) allow for access to all individuals authorized by the State to write prescriptions for schedule II, III, or IV controlled substances on the prescription drug monitoring program of the State;

(C) developing, implementing, or expanding prescription drug and opioid addiction treatment programs by—

(i) expanding programs for medication assisted treatment of prescription drug and opioid addiction, including training for treatment and recovery support providers;

(ii) developing, implementing, or expanding programs for behavioral health therapy for individuals who are in treatment for prescription drug and opioid addiction;

(iii) developing, implementing, or expanding programs to screen individuals who are in treatment for prescription drug and opioid addiction for hepatitis C and HIV, and provide treatment for those individuals if clinically appropriate; or

(iv) developing, implementing, or expanding programs that provide screening, early intervention, and referral to treatment (commonly known as ''SBIRT'') to teenagers and young adults in primary care, middle schools, high schools, universities, school-based health centers, and other community-based health care settings frequently accessed by teenagers or young adults; and

(D) developing, implementing, and expanding programs to prevent overdose death from prescription medications and opioids.

(3) PLANNING GRANT APPLICATIONS.—

(A) APPLICATION.—

(i) IN GENERAL.—A State seeking a planning grant under this section to prepare a comprehensive plan for an integrated opioid abuse response initiative shall submit to the Attorney General an application in such form, and containing such information, as the Attorney General may require.

(ii) REQUIREMENTS.—An application for a planning grant under this section shall, at a minimum, include—

(I) a budget and a budget justification for the activities to be carried out using the grant;

(II) a description of the activities proposed to be carried out using the grant, including a schedule for completion of such activities;

(III) outcome measures that will be used to measure the effectiveness of the programs and initiatives to address opioids; and

(IV) a description of the personnel necessary to complete such activities.

(B) PERIOD; NONRENEWABILITY.—A planning grant under this section shall be for a period of 1 year. A State may not receive more than 1 planning grant under this section.

(C) STRATEGIC PLAN AND PROGRAM IMPLEMENTATION PLAN.—A State receiving a planning grant under this section shall develop a strategic plan and a program implementation plan.

(4) IMPLEMENTATION GRANTS.—

(A) APPLICATION.—A State seeking an implementation grant under this section to implement a comprehensive strategy for addressing opioid abuse shall submit to the Attorney General an application in such form, and containing such information, as the Attorney General may require.

(B) USE OF FUNDS.—A State that receives an implementation grant under this section shall use the grant for the cost of carrying out an integrated opioid abuse response program in accordance with this section, including for technical assistance, training, and administrative expenses.

(C) REQUIREMENTS.—An integrated opioid abuse response program carried out using an implementation grant under this section shall—

(i) require that each prescriber of a schedule II, III, or IV controlled substance in the State—

(I) registers with the prescription drug monitoring program of the State; and

(II) consults the prescription drug monitoring program database of the State before prescribing a schedule II, III, or IV controlled substance;

(ii) require that each dispenser of a schedule II, III, or IV controlled substance in the State—

(I) registers with the prescription drug monitoring program of the State;

(II) consults the prescription drug monitoring program database of the State before dispensing a schedule II, III, or IV controlled substance; and

(III) reports to the prescription drug monitoring program of the State, at a minimum, each instance in which a schedule II, III, or

IV controlled substance is dispensed, with limited exceptions, as defined by the State, which shall indicate the prescriber by name and National Provider Identifier;

(iii) require that, not fewer than 4 times each year, the State agency or agencies that administer the prescription drug monitoring program of the State prepare and provide to each prescriber of a schedule II, III, or IV controlled substance an informational report that shows how the prescribing patterns of the prescriber compare to prescribing practices of the peers of the prescriber and expected norms;

(iv) if informational reports provided to a prescriber under clause (iii) indicate that the prescriber is repeatedly falling outside of expected norms or standard practices for the prescriber's field, direct the prescriber to educational resources on appropriate prescribing of controlled substances;

(v) ensure that the prescriber licensing board of the State receives a report describing any prescribers that repeatedly fall outside of expected norms or standard practices for the prescriber's field, as described in clause (iii);

(vi) require consultation with the Single State Authority for Substance Abuse (as defined in section 201(e) of the Second Chance Act of 2007 (42 U.S.C. 17521(e))); and

(vii) establish requirements for how data will be collected and analyzed to determine the effectiveness of the program.

(D) PERIOD.—An implementation grant under this section shall be for a period of 2 years.

(5) PRIORITY CONSIDERATIONS.—In awarding planning and implementation grants under this section, the Attorney General shall give priority to a State that—

(A)(i) provides civil liability protection for first responders, health professionals, and family members who have received appropriate training in the administration of naloxone in administering naloxone to counteract opioid overdoses; and

(ii) submits to the Attorney General a certification by the attorney general of the State that the attorney general has—

(I) reviewed any applicable civil liability protection law to determine the applicability of the law with respect to first responders, health care professionals, family members, and other individuals who—

(aa) have received appropriate training in the administration of naloxone; and

(bb) may administer naloxone to individuals reasonably believed to be suffering from opioid overdose; and

(II) concluded that the law described in subclause (I) provides adequate civil liability protection applicable to such persons;

(B) has in effect legislation or implements a policy under which the State shall not terminate, but may suspend, enrollment under the State plan for medical assistance under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) for an individual who is incarcerated for a period of fewer than 2 years;

(C) has a process for enrollment in services and benefits necessary by criminal justice agencies to initiate or continue treatment in the community, under which an individual who is incarcerated may, while incarcerated, enroll in services and benefits that are necessary for the individual to continue treatment upon release from incarceration;

(D) ensures the capability of data sharing with other States, such as by making data available to a prescription monitoring hub;

(E) ensures that data recorded in the prescription drug monitoring program database of the State is available within 24 hours, to the extent possible; and

(F) ensures that the prescription drug monitoring program of the State notifies prescribers and dispensers of schedule II, III, or IV controlled substances when overuse or misuse of such controlled substances by patients is suspected.

(c) AUTHORIZATION OF FUNDING.—For each of fiscal years 2016 through 2020, the Attorney General may use, from any unobligated balances made available under the heading ''GENERAL ADMINISTRATION'' to the Department of Justice in an appropriation Act, such amounts as are necessary to carry out this section, not to exceed $5,000,000 per fiscal year.

TITLE VII—MISCELLANEOUS

SEC. 701. GAO REPORT ON IMD EXCLUSION.

(a) DEFINITION.—In this section, the term ''Medicaid Institutions for Mental Disease exclusion'' means the prohibition on Federal matching payments under Medicaid for patients who have attained age 22, but have not attained age 65, in an institution for mental diseases under subparagraph (B) of the matter following subsection (a) of section 1905 of the Social Security Act (42 U.S.C. 1396d) and subsection (i) of such section.

(b) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the impact that the Medicaid Institutions for Mental Disease exclusion has on access to treatment for individuals with a substance use disorder.

(c) ELEMENTS.—The report required under subsection (b) shall include a review of what is known regarding—

(1) Medicaid beneficiary access to substance use disorder treatments in institutions for mental disease; and

(2) the quality of care provided to Medicaid beneficiaries treated in and outside of institutions for mental disease for substance use disorders.

SEC. 702. FUNDING.

Part II of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc et seq.), as amended by section 401, is amended by adding at the end the following:

''SEC. 2999E. FUNDING.

''There are authorized to be appropriated to the Attorney General and the Secretary of Health and Human Services to carry out this part $62,000,000 for each of fiscal years 2016 through 2020.''.

SEC. 703. CONFORMING AMENDMENTS.

Part II of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc et seq.) is amended—

(1) in the part heading, by striking ''**CONFRONTING USE OF METHAMPHETAMINE**'' and inserting ''**COMPREHENSIVE ADDICTION AND RECOVERY**''; and

(2) in section 2996(a)(1), by striking ''this part'' and inserting ''this section''.

SEC. 704. GRANT ACCOUNTABILITY.

(a) GRANTS UNDER PART II OF TITLE I OF THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.—Part II of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc et seq.); as amended by section 702, is amended by adding at the end the following:

''SEC. 2999F. GRANT ACCOUNTABILITY.

''(a) DEFINITIONS.—In this section—

''(1) the term 'applicable committees'—

''(A) with respect to the Attorney General and any other official of the Department of Justice, means—

''(i) the Committee on the Judiciary of the Senate; and

''(ii) the Committee on the Judiciary of the House of Representatives; and

''(B) with respect to the Secretary of Health and Human Services and any other official of the Department of Health and Human Services, means—

''(i) the Committee on Health, Education, Labor, and Pensions of the Senate; and

''(ii) the Committee on Energy and Commerce of the House of Representatives;

''(2) the term 'covered agency' means—

''(A) the Department of Justice; and

''(B) the Department of Health and Human Services; and

''(3) the term 'covered official' means—

''(A) the Attorney General; and

''(B) the Secretary of Health and Human Services.

''(b) ACCOUNTABILITY.—All grants awarded by a covered official under this part shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of a covered agency that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months after the date on which the final audit report is issued.

''(B) AUDIT.—Beginning in the first fiscal year beginning after the date of enactment of this section, and in each fiscal year thereafter, the Inspector General of a covered agency shall conduct audits of recipients of grants awarded by the applicable covered official under this part to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this part during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

''(D) PRIORITY.—In awarding grants under this part, a covered official shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this part.

''(E) REIMBURSEMENT.—If an entity is awarded grant funds under this part during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the covered official that awarded the grant funds shall—

''(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—A covered official may not award a grant under this part to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this part and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the applicable covered official, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such

compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, a covered official shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts made available to a covered official under this part may be used by the covered official, or by any individual or entity awarded discretionary funds through a cooperative agreement under this part, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the covered official, unless the covered official provides prior written authorization that the funds may be expended to host the conference.

''(B) WRITTEN AUTHORIZATION.—Written authorization under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

''(C) REPORT.—

''(i) DEPARTMENT OF JUSTICE.—The Deputy Attorney General shall submit to the applicable committees an annual report on all conference expenditures approved by the Attorney General under this paragraph.

''(ii) DEPARTMENT OF HEALTH AND HUMAN SERVICES.—The Deputy Secretary of Health and Human Services shall submit to the applicable committees an annual report on all conference expenditures approved by the Secretary of Health and Human Services under this paragraph.

''(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this section, each covered official shall submit to the applicable committees an annual certification—

''(A) indicating whether—

''(i) all audits issued by the Office of the Inspector General of the applicable agency under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director, or the appropriate official of the Department of Health and Human Services, as applicable;

''(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

''(iii) all reimbursements required under paragraph (1)(E) have been made; and

''(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.

''(c) PREVENTING DUPLICATIVE GRANTS.—

''(1) IN GENERAL.—Before a covered official awards a grant to an applicant under this part, the covered official shall compare potential grant awards with other grants awarded under this part by the covered official to determine if duplicate grant awards are awarded for the same purpose.

''(2) REPORT.—If a covered official awards duplicate grants to the same applicant for the same purpose, the covered official shall submit to the applicable committees a report that includes—

''(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

''(B) the reason the covered official awarded the duplicate grants.''.

(b) OTHER GRANTS.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''applicable committees''—

(i) with respect to the Attorney General and any other official of the Department of Justice, means—

(I) the Committee on the Judiciary of the Senate; and

(II) the Committee on the Judiciary of the House of Representatives; and

(ii) with respect to the Secretary of Health and Human Services and any other official of the Department of Health and Human Services, means—

(I) the Committee on Health, Education, Labor, and Pensions of the Senate; and

(II) the Committee on Energy and Commerce of the House of Representatives;

(B) the term ''covered agency'' means—

(i) the Department of Justice; and

(ii) the Department of Health and Human Services;

(C) the term ''covered grant'' means a grant under section 201, 302, or 601 of this Act or section 508 of the Public Health Service Act (42 U.S.C. 290bb–1) (as amended by section 501 of this Act); and

(D) the term ''covered official'' means—

(i) the Attorney General; and

(ii) the Secretary of Health and Human Services.

(2) ACCOUNTABILITY.—All covered grants awarded by a covered official shall be subject to the following accountability provisions:

(A) AUDIT REQUIREMENT.—

(i) DEFINITION.—In this subparagraph, the term ''unresolved audit finding'' means a finding in the final audit report of the Inspector General of a covered agency that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months after the date on which the final audit report is issued.

(ii) AUDIT.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of a covered agency shall conduct audits of recipients of covered grants awarded by the applicable covered official to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(iii) MANDATORY EXCLUSION.—A recipient of covered grant funds that is found to have an unresolved audit finding shall not be eligible to receive covered grant funds during the first 2 fiscal years beginning after the end of the 12-month period described in clause (i).

(iv) PRIORITY.—In awarding covered grants, a covered official shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a covered grant.

(v) REIMBURSEMENT.—If an entity is awarded covered grant funds during the 2-fiscal-year period during which the entity is barred from receiving grants under clause (iii), the covered official that awarded the funds shall—

(I) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

(i) DEFINITION.—For purposes of this subparagraph and the covered grant programs, the term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(ii) PROHIBITION.—A covered official may not award a covered grant to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(iii) DISCLOSURE.—Each nonprofit organization that is awarded a covered grant and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the applicable covered official, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, a covered official shall make the information disclosed under this clause available for public inspection.

(C) CONFERENCE EXPENDITURES.—

(i) LIMITATION.—No amounts made available to a covered official under a covered grant program may be used by the covered official, or by any individual or entity awarded discretionary funds through a cooperative agreement under a covered grant program, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the covered official, unless the covered official provides prior written authorization that the funds may be expended to host the conference.

(ii) WRITTEN AUTHORIZATION.—Written authorization under clause (i) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(iii) REPORT.—

(I) DEPARTMENT OF JUSTICE.—The Deputy Attorney General shall submit to the applicable committees an annual report on all conference expenditures approved by the Attorney General under this subparagraph.

(II) DEPARTMENT OF HEALTH AND HUMAN SERVICES.—The Deputy Secretary of Health and Human Services shall submit to the applicable committees an annual report on all conference expenditures approved by the Secretary of Health and Human Services under this subparagraph.

(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this Act, each covered official shall submit to the applicable committees an annual certification—

(i) indicating whether—

(I) all audits issued by the Office of the Inspector General of the applicable agency under subparagraph (A) have been completed and reviewed by the appropriate Assistant Attorney General or Director, or the appropriate official of the Department of Health and Human Services, as applicable;

(II) all mandatory exclusions required under subparagraph (A)(iii) have been issued; and

(III) all reimbursements required under subparagraph (A)(v) have been made; and

(ii) that includes a list of any grant recipients excluded under subparagraph (A) from the previous year.

(3) PREVENTING DUPLICATIVE GRANTS.—

(A) IN GENERAL.—Before a covered official awards a covered grant to an applicant, the covered official shall compare potential grant awards with other covered grants awarded by the covered official to determine if duplicate grant awards are awarded for the same purpose.

(B) REPORT.—If a covered official awards duplicate grants to the same applicant for the same purpose, the covered official shall submit to the applicable committees a report that includes—

(i) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

(ii) the reason the covered official awarded the duplicate grants.

SEC. 705. PROGRAMS TO PREVENT PRESCRIPTION DRUG ABUSE UNDER THE MEDICARE PROGRAM.

(a) DRUG MANAGEMENT PROGRAM FOR AT-RISK BENEFICIARIES.—

(1) IN GENERAL.—Section 1860D–4(c) of the Social Security Act (42 U.S.C. 1395w–104(c)) is amended by adding at the end the following:

''(5) DRUG MANAGEMENT PROGRAM FOR AT-RISK BENEFICIARIES.—

''(A) AUTHORITY TO ESTABLISH.—A PDP sponsor may establish a drug management program for at-risk beneficiaries under which, subject to subparagraph (B), the PDP sponsor may, in the case of an at-risk beneficiary for prescription drug abuse who is an enrollee in a prescription drug plan of such PDP sponsor, limit such beneficiary's access to coverage for frequently abused drugs under such plan to frequently abused drugs that are prescribed for such beneficiary by a prescriber (or prescribers) selected under subparagraph (D), and dispensed for such beneficiary by a pharmacy (or pharmacies) selected under such subparagraph.

''(B) REQUIREMENT FOR NOTICES.—

''(i) IN GENERAL.—A PDP sponsor may not limit the access of an at-risk beneficiary for prescription drug abuse to coverage for frequently abused drugs under a prescription drug plan until such sponsor—

''(I) provides to the beneficiary an initial notice described in clause (ii) and a second notice described in clause (iii); and

''(II) verifies with the providers of the beneficiary that the beneficiary is an at-risk beneficiary for prescription drug abuse, as described in subparagraph (C)(iv).

''(ii) INITIAL NOTICE.—An initial written notice described in this clause is a notice that provides to the beneficiary—

''(I) notice that the PDP sponsor has identified the beneficiary as potentially being an at-risk beneficiary for prescription drug abuse;

''(II) information, when possible, describing State and Federal public health resources that are designed to address prescription drug abuse to which the beneficiary may have access, including substance use disorder treatment services, addiction treatment services, mental health services, and other counseling services;

''(III) a request for the beneficiary to submit to the PDP sponsor preferences for which prescribers and pharmacies the beneficiary would prefer the PDP sponsor to select under subparagraph (D) in the case that the beneficiary is identified as an at-risk beneficiary for prescription drug abuse as described in clause (iii)(I);

''(IV) an explanation of the meaning and consequences of the identification of the beneficiary as potentially being an at-risk beneficiary for prescription drug abuse, including an explanation of the drug management program established by the PDP sponsor pursuant to subparagraph (A);

''(V) clear instructions that explain how the beneficiary can contact the PDP sponsor in order to submit to the PDP sponsor the preferences described in subclause (IV) and any other communications relating to the drug management program for at-risk beneficiaries established by the PDP sponsor;

''(VI) contact information for other organizations that can provide the beneficiary with information regarding drug management program for at-risk beneficiaries (similar to the information provided by the Secretary in other standardized notices to part D eligible individuals enrolled in prescription drug plans under this part); and

''(VII) notice that the beneficiary has a right to an appeal pursuant to subparagraph (E).

''(iii) SECOND NOTICE.—A second written notice described in this clause is a notice that provides to the beneficiary notice—

''(I) that the PDP sponsor has identified the beneficiary as an at-risk beneficiary for prescription drug abuse;

''(II) that such beneficiary has been sent, or informed of, such identification in the initial notice and is now subject to the requirements of the drug management program for at-risk beneficiaries established by such PDP sponsor for such plan;

''(III) of the prescriber and pharmacy selected for such individual under subparagraph (D);

''(IV) of, and information about, the right of the beneficiary to a reconsideration and an appeal under subsection (h) of such identification and the prescribers and pharmacies selected;

''(V) that the beneficiary can, in the case that the beneficiary has not previously submitted to the PDP sponsor preferences for which prescribers and pharmacies the beneficiary would prefer the PDP sponsor select under subparagraph (D), submit such preferences to the PDP sponsor; and

''(VI) that includes clear instructions that explain how the beneficiary can contact the PDP sponsor in order to submit to the PDP sponsor the preferences described in subclause (V).

''(iv) TIMING OF NOTICES.—

''(I) IN GENERAL.—Subject to subclause (II), a second written notice described in clause (iii) shall be provided to the beneficiary on a date that is not less than 30 days after an initial notice described in clause (ii) is provided to the beneficiary.

''(II) EXCEPTION.—In the case that the PDP sponsor, in conjunction with the Secretary, determines that concerns identified through rulemaking by the Secretary regarding the health or safety of the beneficiary or regarding significant drug diversion activities require the PDP sponsor to provide a second notice described in clause (iii) to the beneficiary on a date that is earlier than the date described in subclause (II), the PDP sponsor may provide such second notice on such earlier date.

''(III) FORM OF NOTICE.—The written notices under clauses (ii) and (iii) shall be in a format determined appropriate by the Secretary, taking into account beneficiary preferences.

''(C) AT-RISK BENEFICIARY FOR PRESCRIPTION DRUG ABUSE.—

''(i) IN GENERAL.—For purposes of this paragraph, the term 'at-risk beneficiary for prescription drug abuse' means a part D eligible individual who is not an exempted individual described in clause (ii) and—

''(I) who is identified through criteria developed by the Secretary in consultation with PDP sponsors and other stakeholders described in subsection section ____(g)(2)(A) of the Comprehensive Addiction and Recovery Act of 2016 based on clinical factors indicating misuse or abuse of prescription drugs described in subparagraph (G), including dosage, quantity, duration of use, number of and reasonable access to prescribers, and number of and reasonable access to pharmacies used to obtain such drug; or

''(II) with respect to whom the PDP sponsor of a prescription drug plan, upon enrolling such individual in such plan, received notice from the Secretary that such individual was identified under this paragraph to be an at-risk beneficiary for prescription drug abuse under a prescription drug plan in which such individual was previously enrolled and such identification has not been terminated under subparagraph (F).

''(ii) EXEMPTED INDIVIDUAL DESCRIBED.—An exempted individual described in this clause is an individual who—

''(I) receives hospice care under this title;

''(II) resides in a long-term care facility, a facility described in section 1905(d), or other facility under contract with a single pharmacy; or

''(III) the Secretary elects to treat as an exempted individual for purposes of clause (i).

''(iii) PROGRAM SIZE.—The Secretary shall establish policies, including the criteria developed under clause (i)(I) and the exemptions under clause (ii)(III), to ensure that the population of enrollees in a drug management program for at-risk beneficiaries operated by a prescription drug plan can be effectively managed by such plans.

''(iv) CLINICAL CONTACT.—With respect to each at-risk beneficiary for prescription drug abuse enrolled in a prescription drug plan offered by a PDP sponsor, the PDP sponsor shall contact the beneficiary's providers who have prescribed frequently abused drugs regarding whether prescribed medications are appropriate for such beneficiary's medical conditions.

''(D) SELECTION OF PRESCRIBERS.—

''(i) IN GENERAL.—With respect to each at-risk beneficiary for prescription drug abuse enrolled in a prescription drug plan offered by such sponsor, a PDP sponsor shall, based on the preferences submitted to the PDP sponsor by the beneficiary pursuant to clauses (ii)(III) and (iii)(V) of subparagraph (B) if applicable, select—

''(I) one, or, if the PDP sponsor reasonably determines it necessary to provide the beneficiary with reasonable access under clause (ii), more than one, individual who is authorized to prescribe frequently abused drugs (referred to in this paragraph as a 'prescriber') who may write prescriptions for such drugs for such beneficiary; and

''(II) one, or, if the PDP sponsor reasonably determines it necessary to provide the beneficiary with reasonable access under clause (ii), more than one, pharmacy that may dispense such drugs to such beneficiary.

''(ii) REASONABLE ACCESS.—In making the selection under this subparagraph, a PDP sponsor shall ensure, taking into account geographic location, beneficiary preference, impact on cost-sharing, and reasonable travel time, that the beneficiary continues to have reasonable access to drugs described in subparagraph (G), including—

''(I) for individuals with multiple residences; and

''(II) in the case of natural disasters and similar emergency situations.

''(iii) BENEFICIARY PREFERENCES.—

''(I) IN GENERAL.—If an at-risk beneficiary for prescription drug abuse submits preferences for which in-network prescribers and pharmacies the beneficiary would prefer the PDP sponsor select in response to a notice under subparagraph (B), the PDP sponsor shall—

''(aa) review such preferences;

''(bb) select or change the selection of a prescriber or pharmacy for the beneficiary based on such preferences; and

''(cc) inform the beneficiary of such selection or change of selection.

''(II) EXCEPTION.—In the case that the PDP sponsor determines that a change to the selection of a prescriber or pharmacy under item (bb) by the PDP sponsor is contributing or would contribute to prescription drug abuse or drug diversion by the beneficiary, the PDP sponsor may change the selection of a prescriber or pharmacy for the beneficiary. If the PDP sponsor changes the selection pursuant to the preceding sentence, the PDP sponsor shall provide the beneficiary with—

''(aa) at least 30 days written notice of the change of selection; and

''(bb) a rationale for the change.

''(III) TIMING.—An at-risk beneficiary for prescription drug abuse may choose to express their prescriber and pharmacy preference and communicate such preference to their PDP sponsor at any date while enrolled

in the program, including after a second notice under subparagraph (B)(iii) has been provided.

''(iv) CONFIRMATION.—Before selecting a prescriber or pharmacy under this subparagraph, a PDP sponsor must notify the prescriber and pharmacy that the beneficiary involved has been identified for inclusion in the drug management program for at-risk beneficiaries and that the prescriber and pharmacy has been selected as the beneficiary's designated prescriber and pharmacy.

''(E) APPEALS.—The identification of an individual as an at-risk beneficiary for prescription drug abuse under this paragraph, a coverage determination made under a drug management program for at-risk beneficiaries, and the selection of a prescriber or pharmacy under subparagraph (D) with respect to such individual shall be subject to an expedited reconsideration and appeal pursuant to subsection (h).

''(F) TERMINATION OF IDENTIFICATION.—

''(i) IN GENERAL.—The Secretary shall develop standards for the termination of identification of an individual as an at-risk beneficiary for prescription drug abuse under this paragraph. Under such standards such identification shall terminate as of the earlier of—

''(I) the date the individual demonstrates that the individual is no longer likely, in the absence of the restrictions under this paragraph, to be an at-risk beneficiary for prescription drug abuse described in subparagraph (C)(i); or

''(II) the end of such maximum period of identification as the Secretary may specify.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed as preventing a plan from identifying an individual as an at-risk beneficiary for prescription drug abuse under subparagraph (C)(i) after such termination on the basis of additional information on drug use occurring after the date of notice of such termination.

''(G) FREQUENTLY ABUSED DRUG.—For purposes of this subsection, the term 'frequently abused drug' means a drug that is determined by the Secretary to be frequently abused or diverted and that is—

''(i) a Controlled Drug Substance in Schedule CII; or

''(ii) within the same class or category of drugs as a Controlled Drug Substance in Schedule CII, as determined through notice and comment rulemaking.

''(H) DATA DISCLOSURE.—

''(i) DATA ON DECISION TO IMPOSE LIMITATION.—In the case of an at-risk beneficiary for prescription drug abuse (or an individual who is a potentially at-risk beneficiary for prescription drug abuse) whose access to coverage for frequently abused drugs under a prescription drug plan has been limited by a PDP sponsor under this paragraph, the Secretary shall establish rules and procedures to require such PDP sponsor to disclose data, including necessary individually identifiable health information, about the decision to impose such limitations and the limitations imposed by the PDP sponsor under this part.

''(ii) DATA TO REDUCE FRAUD, ABUSE, AND WASTE.—The Secretary shall establish rules and procedures to require PDP sponsors operating a drug management program for at-risk beneficiaries under this paragraph to provide the Secretary with such data as the Secretary determines appropriate for purposes of identifying patterns of prescription drug utilization for plan enrollees that are outside normal patterns and that may indicate fraudulent, medically unnecessary, or unsafe use.

''(I) SHARING OF INFORMATION FOR SUBSEQUENT PLAN ENROLLMENTS.—The Secretary shall establish procedures under which PDP sponsors who offer prescription drug plans shall share information with respect to individuals who are at-risk beneficiaries for prescription drug abuse (or individuals who are potentially at-risk beneficiaries for prescription drug abuse) and enrolled in a prescription drug plan and who subsequently disenroll from such plan and enroll in another prescription drug plan offered by another PDP sponsor.

''(J) PRIVACY ISSUES.—Prior to the implementation of the rules and procedures under this paragraph, the Secretary shall clarify privacy requirements, including requirements under the regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note), related to the sharing of data under subparagraphs (H) and (I) by PDP sponsors. Such clarification shall provide that the sharing of such data shall be considered to be protected health information in accordance with the requirements of the regulations promulgated pursuant to such section 264(c).

''(K) EDUCATION.—The Secretary shall provide education to enrollees in prescription drug plans of PDP sponsors and providers regarding the drug management program for at-risk beneficiaries described in this paragraph, including education—

''(i) provided through the improper payment outreach and education program described in section 1874A(h); and

''(ii) through current education efforts (such as State health insurance assistance programs described in subsection (a)(1)(A) of section 119 of the Medicare Improvements for Patients and Providers Act of 2008 (42 U.S.C. 1395b–3 note)) and materials directed toward such enrollees.

''(L) CMS COMPLIANCE REVIEW.—The Secretary shall ensure that existing plan sponsor compliance reviews and audit processes include the drug management programs for at-risk beneficiaries under this paragraph, including appeals processes under such programs.''.

(2) INFORMATION FOR CONSUMERS.—Section 1860D–4(a)(1)(B) of the Social Security Act (42 U.S.C. 1395w–104(a)(1)(B)) is amended by adding at the end the following:

''(v) The drug management program for at-risk beneficiaries under subsection (c)(5).''.

(3) DUAL ELIGIBLES.—Section 1860D–1(b)(3)(D) of the Social Security Act (42 U.S.C. 1395w–101(b)(3)(D)) is amended by inserting '', subject to such limits as the Secretary may establish for individuals identified pursuant to section 1860D–4(c)(5)'' after ''the Secretary''.

(b) UTILIZATION MANAGEMENT PROGRAMS.—Section 1860D–4(c) of the Social Security Act (42 U.S.C. 1395w–104(c)), as amended by subsection (a)(1), is amended—

(1) in paragraph (1), by inserting after subparagraph (D) the following new subparagraph:

''(E) A utilization management tool to prevent drug abuse (as described in paragraph (5)(A)).''; and

(2) by adding at the end the following new paragraph:

''(6) UTILIZATION MANAGEMENT TOOL TO PREVENT DRUG ABUSE.—

''(A) IN GENERAL.—A tool described in this paragraph is any of the following:

''(i) A utilization tool designed to prevent the abuse of frequently abused drugs by individuals and to prevent the diversion of such drugs at pharmacies.

''(ii) Retrospective utilization review to identify—

''(I) individuals that receive frequently abused drugs at a frequency or in amounts that are not clinically appropriate; and

''(II) providers of services or suppliers that may facilitate the abuse or diversion of frequently abused drugs by beneficiaries.

''(iii) Consultation with the contractor described in subparagraph (B) to verify if an individual enrolling in a prescription drug plan offered by a PDP sponsor has been previously identified by another PDP sponsor as an individual described in clause (ii)(I).

''(B) REPORTING.—A PDP sponsor offering a prescription drug plan in a State shall submit to the Secretary and the Medicare drug integrity contractor with which the Secretary has entered into a contract under section 1893 with respect to such State a report, on a monthly basis, containing information on—

''(i) any provider of services or supplier described in subparagraph (A)(ii)(II) that is identified by such plan sponsor during the 30-day period before such report is submitted; and

''(ii) the name and prescription records of individuals described in paragraph (5)(C).

''(C) CMS COMPLIANCE REVIEW.—The Secretary shall ensure that plan sponsor annual compliance reviews and program audits include a certification that utilization management tools under this paragraph are in compliance with the requirements for such tools.''.

(c) TREATMENT OF CERTAIN COMPLAINTS FOR PURPOSES OF QUALITY OR PERFORMANCE ASSESSMENT.—Section 1860D–42 of the Social Security Act (42 U.S.C. 1395w–152) is amended by adding at the end the following new subsection:

''(d) TREATMENT OF CERTAIN COMPLAINTS FOR PURPOSES OF QUALITY OR PERFORMANCE ASSESSMENT.—In conducting a quality or performance assessment of a PDP sponsor, the Secretary shall develop or utilize existing screening methods for reviewing and considering complaints that are received from enrollees in a prescription drug plan offered by such PDP sponsor and that are complaints regarding the lack of access by the individual to prescription drugs due to a drug management program for at-risk beneficiaries.''.

(d) SENSE OF CONGRESS REGARDING USE OF TECHNOLOGY TOOLS TO COMBAT FRAUD.—It is the sense of Congress that MA organizations and PDP sponsors should consider using e-prescribing and other health information technology tools to support combating fraud under MA–PD plans and prescription drug plans under parts C and D of the Medicare Program.

(e) GAO STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study on the implementation of the amendments made by this section, including the effectiveness of the at-risk beneficiaries for prescription drug abuse drug management programs authorized by section 1860D–4(c)(5) of the Social Security Act (42 U.S.C. 1395w–10(c)(5)), as added by subsection (a)(1). Such study shall include an analysis of—

(A) the impediments, if any, that impair the ability of individuals described in subparagraph (C) of such section 1860D–4(c)(5) to access clinically appropriate levels of prescription drugs;

(B) the effectiveness of the reasonable access protections under subparagraph (D)(ii) of such section 1860D–4(c)(5), including the impact on beneficiary access and health;

(C) how best to define the term ''designated pharmacy'', including whether the definition of such term should include an entity that is comprised of a number of locations that are under common ownership and that electronically share a real-time, online database and whether such a definition would help to protect and improve beneficiary access;

(D) the types of—

(i) individuals who, in the implementation of such section, are determined to be individuals described in such subparagraph; and

(ii) prescribers and pharmacies that are selected under subparagraph (D) of such section;

(E) the extent of prescription drug abuse beyond Controlled Drug Substances in Schedule CII in parts C and D of the Medicare program; and

(F) other areas determined appropriate by the Comptroller General.

(2) REPORT.—Not later than July 1, 2019, the Comptroller General of the United States shall submit to the appropriate committees of jurisdiction of Congress a report on the study conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Comptroller General determines to be appropriate.

(f) REPORT BY SECRETARY.—

(1) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the appropriate committees of jurisdiction of Congress a report on ways to improve upon the appeals process for Medicare beneficiaries with respect to prescription drug coverage under part D of title XVIII of the Social Security Act. Such report shall include an analysis comparing appeals processes under parts C and D of such title XVIII.

(2) FEEDBACK.—In development of the report described in paragraph (1), the Secretary of Health and Human Services shall solicit feedback on the current appeals process from stakeholders, such as beneficiaries, consumer advocates, plan sponsors, pharmacy benefit managers, pharmacists, providers, independent review entity evaluators, and pharmaceutical manufacturers.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in subsection (d)(2), the amendments made by this section shall apply to prescription drug plans for plan years beginning on or after January 1, 2018.

(2) STAKEHOLDER MEETINGS PRIOR TO EFFECTIVE DATE.—

(A) IN GENERAL.—Not later than January 1, 2017, the Secretary of Health and Human Services shall convene stakeholders, including individuals entitled to benefits under part A of title XVIII of the Social Security Act or enrolled under part B of such title of such Act, advocacy groups representing such individuals, clinicians, plan sponsors, pharmacists, retail pharmacies, entities delegated by plan sponsors, and biopharmaceutical manufacturers for input regarding the topics described in subparagraph (B). The input described in the preceding sentence shall be provided to the Secretary in sufficient time in order for the Secretary to take such input into account in promulgating the regulations pursuant to subparagraph (C).

(B) TOPICS DESCRIBED.—The topics described in this subparagraph are the topics of—

(i) the impact on cost-sharing and ensuring accessibility to prescription drugs for enrollees in prescription drug plans of PDP sponsors who are at-risk beneficiaries for prescription drug abuse (as defined in paragraph (5)(C) of section 1860D–4(c) of the Social Security Act (42 U.S.C. 1395w–10(c)));

(ii) the use of an expedited appeals process under which such an enrollee may appeal an identification of such enrollee as an at-risk beneficiary for prescription drug abuse under such paragraph (similar to the processes established under the Medicare Advantage program under part C of title XVIII of the Social Security Act);

(iii) the types of enrollees that should be treated as exempted individuals, as described in clause (ii) of such paragraph;

(iv) the manner in which terms and definitions in paragraph (5) of such section 1860D–4(c) should be applied, such as the use of clinical appropriateness in determining whether an enrollee is an at-risk beneficiary for prescription drug abuse as defined in subparagraph (C) of such paragraph (5);

(v) the information to be included in the notices described in subparagraph (B) of such section and the standardization of such notices;

(vi) with respect to a PDP sponsor that establishes a drug management program for at-risk beneficiaries under such paragraph (5), the responsibilities of such PDP sponsor with respect to the implementation of such program;

(vii) notices for plan enrollees at the point of sale that would explain why an at-risk beneficiary has been prohibited from receiving a prescription at a location outside of the designated pharmacy;

(viii) evidence-based prescribing guidelines for opiates; and

(ix) the sharing of claims data under parts A and B with PDP sponsors.

(C) RULEMAKING.—The Secretary of Health and Human Services shall, taking into account the input gathered pursuant to subparagraph (A) and after providing notice and an opportunity to comment, promulgate regulations to carry out the provisions of, and amendments made by subsections (a) and (b).

TITLE VIII—TRANSNATIONAL DRUG TRAFFICKING ACT

SEC. 801. SHORT TITLE.

This title may be cited as the ''Transnational Drug Trafficking Act of 2015''.

SEC. 802. POSSESSION, MANUFACTURE OR DISTRIBUTION FOR PURPOSES OF UNLAWFUL IMPORTATIONS.

Section 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 959) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) in subsection (a), by striking ''It shall'' and all that follows and inserting the following: ''It shall be unlawful for any person to manufacture or distribute a controlled substance in schedule I or II or flunitrazepam or a listed chemical intending, knowing, or having reasonable cause to believe that such substance or chemical will be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States.

''(b) It shall be unlawful for any person to manufacture or distribute a listed chemical—

''(1) intending or knowing that the listed chemical will be used to manufacture a controlled substance; and

''(2) intending, knowing, or having reasonable cause to believe that the controlled substance will be unlawfully imported into the United States.''.

SEC. 803. TRAFFICKING IN COUNTERFEIT GOODS OR SERVICES.

Chapter 113 of title 18, United States Code, is amended—

(1) in section 2318(b)(2), by striking ''section 2320(e)'' and inserting ''section 2320(f)''; and

(2) in section 2320—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

''(4) traffics in a drug and knowingly uses a counterfeit mark on or in connection with such drug,'';

(B) in subsection (b)(3), in the matter preceding subparagraph (A), by striking ''counterfeit drug'' and inserting ''drug that uses a counterfeit mark on or in connection with the drug''; and

(C) in subsection (f), by striking paragraph (6) and inserting the following:

''(6) the term 'drug' means a drug, as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).''.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that on Monday, March 14, at 4 p.m., the Senate proceed to executive session to consider the following nomination: Calendar No. 476, that there be 90 minutes for debate only on the nomination, equally divided in the usual form; that upon the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action and then the Senate resume legislative session without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.

SENATE ACCOMPLISHMENTS

Mr. GRASSLEY. Madam President, as many Iowans know, I made a practice of holding townhall meetings in each of the 99 counties of my State every year. It has become known in the media as a ''Full Grassley.'' That is not something I named it. That is something someone else named it. It is kind of a flattering name, but in some ways it does not make sense because the townhalls are not about Senator GRASSLEY. They are about hearing from Iowans whom I am proud to serve. They are about hearing about the real problems my constituents have, and, of course, from our end, trying to find practical solutions to those problems. That is what I work on every day. I suppose all of my colleagues would say that is what they work on every day.

On many occasions at my townhall meetings in recent years, Iowans have asked me why the Senate never gets anything done. Both parties probably shoulder some of the blame for this attitude out there at the grassroots, but the reality is that the most obvious, the most glaring, the most unmistakable reason for the Senate's recent paralysis is the way Democratic Leader REID ran it before he was toppled as majority leader.

When the Democratic leader was in control of the Senate, he was the one who decided not to empower his committee chairs to craft and advance bipartisan legislation. He decided not to

give all Members, Republican and Democratic alike, a real opportunity to participate in the process. He decided not to empower the Senate to address real problems that real people face every day.

Instead, he chose dysfunction and gridlock over practicality and problem solving. By November 2014, the American people had finally had enough. After the American people spoke, the Democratic leader no longer controlled the Senate. Since the Senate has been under Republican leadership, things have started to work again. You see it in the latest example of this bill passing almost unanimously. So this is an example of Senators partnering across the aisle. Legislation is moving. The result is real progress on real issues facing our country.

I am proud the Judiciary Committee has played its part. As chairman, my goal has been to open the process and seek as much consensus as possible. The results reflect that. We have reported 21 bills out of committee, all with bipartisan support. I would like to walk through some of these results because there is a lot of credit to go around on both sides of the aisle.

Last February the committee passed the Justice for Victims of Trafficking Act. We passed it unanimously, 19 to 0. The bill enhances penalties for human trafficking and equips law enforcement with new tools to target predators who traffic in innocent young people. The bill passed the Senate 99 to 0 and was passed into law.

Yes, there were some bumps along the way. When the Democratic leader realized that genuine bipartisanship had broken out and that we might actually accomplish something, a controversy had to be manufactured about the Hyde amendment on that particular trafficking bill, but eventually the Democratic leader took yes for an answer and the bill got done.

This victory was a credit to the leadership of one Democrat and one Republican—Senator CORNYN and Senator KLOBUCHAR. Their bill provided real solutions for real victims of trafficking. A few months later, in October, the committee passed the Sentencing Reform and Corrections Act. Sentencing reform is a difficult and complex issue. Many Senators have strongly held views. Despite that, the bill emerged from our committee with a strong 15-to-5 bipartisanship vote. My bill would recalibrate prison sentences for certain drug offenders, target violent criminals, and grant judges greater discretion at sentencing for low-level, nonviolent drug crimes. I am grateful for the Senators who have partnered with me on this legislation, especially Senators DURBIN, CORNYN, WHITEHOUSE, and LEE. I am hopeful that if we keep working together, landmark sentencing reform can be another major accomplishment of this Senate. Time is growing short, but I cannot think of a more productive use of the Senate's time than to make our criminal laws more just. This is another example of a real problem we can solve together.

Also, in July of last year, the committee passed my Juvenile Justice and Delinquency Prevention Reauthorization Act, again, without opposition. The bill will ensure that at-risk youth are fairly and effectively served by juvenile justice grant programs. These important programs provide the chance for kids to get back on the right track so they will not enter the criminal justice system as adults. Every one of these young people are worth helping to reach their greatest potential. Senator WHITEHOUSE, a Democrat from Rhode Island, and I are working hard to move this bill through the full Senate. I thank him for working with me on it.

There are many other bipartisan accomplishments of this Senate that the Judiciary Committee cannot take credit for. I will not try to go through all of them, of course, but one example that comes to mind was the outstanding work of Senator BURR, a Republican, Senator FEINSTEIN, a Democrat, on the cyber security bill. That legislation passed the Senate on a solid 74-to-21 vote. A conference version of it was later signed into law by the President. With reports of breaches of our personal data on an almost daily basis, it is self-evident that this bill helped to address a real problem that has affected millions of Americans.

That brings me to the Senate's passage of the bill that was just voted on, the Comprehensive Addiction and Recovery Act—CARA, for short. It passed today with an overwhelming bipartisan vote. This legislation reflects the Senate at its finest, working in a bipartisan way to address an awful epidemic that is gripping our country.

I thank the authors of CARA for their leadership in crafting the legislation and working with me to move it through the Judiciary Committee and out of that committee unanimously. In particular, I thank Senators PORTMAN, AYOTTE, WHITEHOUSE, and KLOBUCHAR; you see, two Democrats and two Republicans. Real lives will be saved because of the leadership of this bipartisan group. That is not something we can say every day around the Senate. I know the efforts of those Senators and others to address this epidemic stretch back a few years.

It is a shame the Democratic leader decided not to address this crisis at the early stage when he was deciding the agenda of the Senate, but he decided not to act, even in the face of mounting evidence that the country was facing a grave and gathering epidemic of heroin and opioid painkiller overdoses. Deaths from prescription opioid painkillers rose over 30 percent from 2007 to 2014. Heroin overdose deaths more than quadrupled during that time. Heroin seizures at the southwest border more than quadrupled as well. All the while, the Democratic leader never brought a bill to the floor to address the crisis.

So given the dysfunction that had overtaken the Senate not long ago, we should take a moment to appreciate the bipartisan process through which the Senate just passed this CARA bill. As the Republican chairman of the Judiciary Committee, I moved a Democratic bill through the committee. It passed without opposition. Then the Republican leader promptly scheduled the bill for floor consideration. I don't recall that ever happening under the former Democratic leadership. The Senate had rollcall votes on four amendments, although the Republican leader offered more such votes on Democratic amendments. All four of those amendments were offered by Democratic Senators, and the bill passed overwhelmingly, as amended. This process would have been unthinkable under the Democratic leader. This simply would not have happened. You know the statistics. There were 18 rollcall votes on amendments all during the year 2014. During 2015, we had 198 rollcall votes on amendments and only 4 more Republican amendments than Democratic amendments.

Yes, once again the Democratic leader tried to manufacture a controversy when this bill first came to the floor about a week ago Monday, this time over some alleged funding for this heroin-opioid epidemic. But when $400 million in newly appropriated money for it hasn't even been spent yet, well, that argument by the Democratic leader was a tough one to sell.

Over the last few days, the Democratic leader played some games with negotiations on a managers' package of amendments. The Republican side, the majority side, worked hard to clear amendments offered by many Democrats, including Senators DURBIN, GILLIBRAND, HEINRICH, KAINE, MCCASKILL, BLUMENTHAL, SCHATZ, HEITKAMP, and CARDIN, but the Democratic leader objected to completely uncontroversial, commonsense amendments that would be in the package offered by two Republicans, Senator JOHNSON and Senator KIRK. Why? Simply because these Republican Senators are up for reelection this year, and under those circumstances, we couldn't reach an agreement. So all these Democratic amendments didn't go because the Democratic leader had objection to two Republican, relatively noncontroversial amendments, one of them absolutely noncontroversial.

How noncontroversial were these amendments? Let me give you one example. Senator JOHNSON wanted to add the Indian Health Service as a member of the task force the bill creates to develop best prescribing practices for opioids. I suspect many Americans, including even people living in the State of Nevada, would think Senator JOHNSON's idea is a good one. Addiction is a problem for so many in our country, and the Native American community is unfortunately no exception. But this is the kind of dysfunction, the kind of gridlock that the Democratic leader is known for. A good idea becomes a bad idea if it is simply offered by a Member

of the Republican Party, and that especially is the case if you are a Republican up for reelection.

As CARA's name reflects, the bill addresses this epidemic comprehensively, supporting prevention, education, treatment, recovery, and law enforcement. CARA begins with prevention and education. The bill authorizes awareness and education campaigns so that the public understands the dangers of becoming addicted. It also creates a national task force to develop best prescribing practices, as I mentioned. The bill encourages the use of prescription drug monitoring programs, such as those in my State of Iowa, which help to detect and deter what is called doctor shopping behaviors by addicts. The bill authorizes an expansion of the Federal program that allows patients to safely dispose of old or unused medications so that these drugs don't fall into the hands of young people. In fact, along with a few other committee members, I helped start the original take-back program in 2010 through the Secure and Responsible Drug Disposal Act.

CARA also focuses on treatment and recovery. The bill authorizes programs to provide first responders with training to use naloxone, a drug that can reverse the effects of an opioid overdose and directly save lives. Critically, the bill provides that a set portion of naloxone funding go to rural areas, like much of Iowa, which are being affected most acutely. This is critical when someone overdoses and isn't near a hospital.

The bill also authorizes an expansion of Drug-Free Communities Act grants to those areas that are most dramatically affected by the opioid epidemic. And it also authorizes funds for programs that encourage the use of medication-assisted treatment, provide community-based support for those in recovery, and address the unique needs of pregnant and postpartum women who are addicted to opioids.

Finally, the bill also bolsters law enforcement efforts as well. The bill reauthorizes Federal funding for State task forces that specifically address heroin trafficking.

So in all these ways, CARA will help real people address the very real epidemic. The eastern part of my State has been hit the hardest. The human costs of what is happening across so many of these communities is incalculable. Every life that is lost or changed forever by this crisis is precious, especially for many young people who fall victim to addiction early in their lives. There is so much human potential at stake.

I can't wait until my next townhall meeting. I am going to be proud to explain how the Senate did something today that will help so many people in Iowa and around the Nation, Republicans and Democrats working together. Let's keep it going.

I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. UDALL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL. Madam President, I ask unanimous consent to speak in morning business for such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING DR. MIGUEL ENCINIAS

Mr. UDALL. Madam President, I rise today to remember a great New Mexican and a great American, Dr. Miguel Encinias, who passed away on Saturday, February 20, at the age of 92.

New Mexico has a long and proud tradition of military service. Dr. Encinias is often called ''New Mexico's most decorated veteran.'' He fought in three wars and was the recipient of 3 Distinguished Flying Crosses, 14 Air Medals, and 2 Purple Hearts. His military career is one of courage and sacrifice. He later played an important role in the creation of the World War II Memorial here in Washington, DC.

If the measure of a life is living to the utmost of one's talents and giving the utmost of one's self, Miguel Encinias is an inspiration to all of us. I think that is why he will long be remembered with such admiration and gratitude.

His service began at the young age of 16 when he joined the New Mexico National Guard in 1939. Within 4 years, he had become a second lieutenant and a pilot in the Army Air Corps. Over the next three decades he fought with distinction in three wars: World War II, the Korean war, and Vietnam.

As his friend and mine, Ralph Arellanes, who is chairman of the Hispano Roundtable of New Mexico, said of Miguel: Miguel flew 245 combat missions as a fighter pilot. Few American aviators in history have flown combat missions in three wars. Miguel was one of them.

He was shot down over Italy in 1944 and served over 15 months in a Nazi prison camp. He volunteered to go to Korea and was shot down again but not captured. He answered the call of his country many times with great courage and sacrifice.

Dr. Encinias retired as a lieutenant colonel in 1971, but if that was the conclusion of his storied military career, it was just the beginning of new accomplishments and new achievements. He returned to New Mexico and earned a doctorate in Hispanic literature at the University of New Mexico.

In an article about his life, the Albuquerque Journal said: ''As a scholar, educator, New Mexico historian, and decorated combat flyer in three wars, Miguel Encinias both studied and shaped history in a life that spanned nine decades.''

There was an article about Miguel in the Santa Fe New Mexican, and they put it this way: ''An ace in the air, a scholar on the ground.''

He earlier obtained a degree in political science at Georgetown University and a master's degree at the Institute of Political Studies in Paris.

In 1995 he was requested by President Clinton to serve on the World War II Memorial Advisory Board. By the time the memorial was built in 2004, Dr. Encinias was the only living member of the board to see it completed. It was a happy day for him.

In an interview with the Albuquerque Journal, Dr. Encinias's son, Juan-Pablo Encinias, summed up what so many who knew Dr. Encinias understood: ''It's kind of amazing how much he accomplished,'' his son said. ''He really didn't stop.''

Those accomplishments, according to the Journal, included teaching Hispanic literature at two universities and developing bilingual education in New Mexico schools.

Dr. Encinias also found the time to write several books on New Mexico history and to fund a theater group and a light opera company in Albuquerque.

His son Juan-Pablo also remarked to the Journal that Dr. Encinias ''was very just and felt very strongly about people getting their fair shake in life.''

Dr. Encinias was honored for his work for civil rights and social justice by the New Mexico LULAC branch in 2007 and the Hispano Roundtable of New Mexico in 2011. As important as the medals and honors are, they aren't the most important thing we will remember about Dr. Encinias. It is the example he set in always doing his best, in always giving back, both in wartime and at home.

His daughter Isabel shared with me that although her father had incredibly high standards and was very tough, he had an incredible amount of compassion and always fought for the underdog.

Whether risking his own life to save that of his fellow airmen or fighting for quality education and opportunity for everyone, Miguel Encinias committed himself to the needs of others.

On November 11, 1995, at the World War II Memorial site dedication, Dr. Encinias was introduced by the chairman of the Joint Chiefs of Staff. He received a standing ovation from President Clinton and everyone present. They knew they were seeing a true patriot and a true hero and a great American. On that day, President Clinton thanked Dr. Encinias and said for ''your truly remarkable service to our nation.''

To all who knew this extraordinary man and who mourn him now, we know his life was indeed a remarkable story of courage, of dedication, and of generosity of spirit.

Madam President, my State has lost one of its heroes. Over the course of a

long and distinguished life, Dr. Miguel Encinias always found ways to serve, and New Mexico and our Nation are better for it.

My wife Jill and I extend our sincere condolences to the Encinias family on the passing of Dr. Encinias. We honor his courage, we honor his service, and we mourn his loss with the family.

Thank you very much.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORKER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SALE OF FIGHTER JETS TO PAKISTAN

Mr. CORKER. Madam President, I rise to speak about the discharge vote that will take place momentarily. I just want to say that I know that many people in our country and certainly in this body have significant frustrations with the country of Pakistan. This Senator is one of those. I have been to Afghanistan multiple times. I have visited Pakistan multiple times. Our relationship is one that is very complex. Certainly, Pakistan has been duplicitous in many ways with us relative to their relationship with the Taliban and with Al Qaeda and, certainly and most importantly, as it relates to this particular topic, the Haqqani network.

Our country has worked with them to clear out the FATA areas, the Federally Administered Tribal Areas. I think most of us have seen the work that has taken place there, and they have worked with us closely in that regard.

There still are issues undoubtedly that exist relative to their relationship with the Haqqani network, in particular, but also the Taliban. At the same time, there are negotiations that are underway that are very important to create a lasting peace in Afghanistan. Even though they play both sides of the fence—and I understand that—and even though we have concerns about their relationship with the Haqqani network, they do play a role relative to how those negotiations are taking place.

I have issues with them. I think everyone in the country of Pakistan by this point knows that I have issues with them, at least those who are paying attention to this issue.

What this discharge petition is about today is that it is voting to discharge something to the Senate floor so that there can be a vote on ending the allowance of a sale of some fighter jets. These will be U.S.-made fighter jets. In spite of some of the rhetoric around this, this has nothing to do with the potential subsidy that could take place by U.S. taxpayers.

This is about one thing. It is about whether we as a country would prefer for Pakistan to buy American-made fighter jets or whether we would prefer for them to buy Russian jets or French jets. This is what this is about.

There are some issues that people have raised about potential subsidies for this. I know Senator CARDIN, who is on the floor right now, and myself both have a hold on that—a hold to ensure that there is some behavior changes that take place in Pakistan before any U.S. dollars go toward this sale.

But this vote is not about that. This vote is a vote about whether we believe that countries around the world are better off buying U.S. made materials or whether we think they should buy them from Russia or France. That is what this is about in its entirety.

We are seeking some behavior changes with Pakistan relative to how they are dealing with the Taliban, with how they are dealing with the Haqqani network. It is something that General Campbell, who has been in charge of Afghanistan from a military standpoint, has pushed for. We are working closely with our military and others to try to effect the behavior changes that are necessary for us to have an appropriate response in Afghanistan—but this is a foreign policy issue.

Again, everyone in this body, thankfully, is very concerned about our foreign policy. Foreign policy, I might say, sometimes has to have a degree of nuance to it. We are working with people and with relationships that matter. It matters deeply to the people who we have on the ground, the men and women in uniform in Afghanistan and other places. Our efforts around foreign policy are to do everything we can to ensure we are not utilizing men and women in uniform to solve a problem, because that happens when diplomacy fails.

So this is a very nuanced topic, and I can just say that the Senate deciding en bloc to block a sale to Pakistan of U.S.-made fighter jets is going to be a huge public embarrassment to the country of Pakistan, and there are better ways, in my opinion, for solving this problem. All of us want to see the behavior change, and I am privileged to be in a position to have some effect on the financing, as does Senator CARDIN, and we can deal with this issue in a more nuanced way.

I know some people will say that this is a great thing for back home. Our people back home will love this. Surely, surely, in this body when it comes to dealing with a country with nuclear arms and dealing with Afghanistan, where we have been for 14 years, how we deal with foreign policy will rise above just the immediate response and maybe misunderstandings even that people back home can have about this type of issue.

This relationship with Pakistan needs to move beyond the transactional way that it is carried out. I understand that. I understand that people are frustrated. But at the end of the day, our goal here as representatives of the United States is to see through good things happening for our country. That is what foreign policy is about. It is about pursuing our national interests.

It is my strong belief that the Senate's voting today, in essence, to begin the process of denying Pakistan the ability to purchase U.S. fighter jets is not a way to engender things that are good for our own U.S. national interests. A better way is for us to continue to put pressure on them as we are doing at present, placing holds on financing until they do some things to change their behavior and work with us more fully relative to the Haqqani network, in particular, but also Al Qaeda and the Taliban.

So I would urge my fellow citizens and fellow Senators to please think about the long-term interests of our country, to think about when a country is radicalized and has so many problems as the country of Pakistan has, the public embarrassment that will take place by our body doing this. Let's work together in other ways that actually can generate behavior change by dealing with this in a more subtle way than this blunt object that we are dealing with today.

I want to close with this—and I know Senator CARDIN wants to speak, and I know he has a meeting to go to. What we are voting on, if we discharge this, is that we are voting on whether we would rather for Pakistan to purchase U.S.-made fighter jets, which carry with that at least 30 years of maintenance, meaning that every single year the United States would be involved with these fighter jets. We could withdraw that at any time if we thought their behavior continued to be such that we didn't want to support it. It can stop. It maintains our leverage with Pakistan over the longer haul. That is what our selling them these pieces of equipment does. It maintains our leverage over them.

Today, publicly embarrassing them and sending them to Russia or to France to buy fighter jets ends that leverage and humiliates them at a time when, in spite of the fact that we don't like some of the things they do, it in essence damages our ability to continue the negotiations that are taking place relative to trying to bring a more lasting peace in Afghanistan.

I thank you for the time, Madam President. I yield the floor for my good friend and ranking member on the Foreign Relations Committee, Senator CARDIN.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Thank you, Madam President.

I want to thank Senator CORKER. The two of us have worked on the Senate Foreign Relations Committee without any partisanship. These are foreign policy issues that require the Senate to work together, and I want to thank Senator CORKER for his leadership on

the Senate Foreign Relations Committee on this issue and on many other issues.

Let me first try to explain what we believe will happen in the next 45 minutes. Under the Arms Export Control Act, the sale of military armament to Pakistan requires the administration to give formal notification to the Congress. Prior to that formal notification, there is an informal process where the administration will inform the Senate Foreign Relations Committee and the House Foreign Affairs Committee that they intend to make a sale. They did that in regard to the F–16s for Pakistan, and that is the issue we are talking about.

For several months we have been in negotiations with the administration—as well as with stakeholders with regard to the sale of the F–16 to Pakistan—because quite frankly we did have concerns. We had concerns as to how it would impact the region, including India. We had concerns about Pakistan being a nuclear weapons state. We had concerns about Pakistan's efforts for counterinsurgency. We had concerns about Pakistan's participation in the peace process with Afghanistan. All of those are issues we were able to get some discussions on and we think some progress to the F–16 sale.

The administration formally notified Congress of the F–16 sale on February 25. At that time the bipartisan leadership of the Senate Foreign Relations Committee and the House Foreign Affairs Committee had agreed the administration should go forward with the sale.

What we think will happen under the Arms Export Control Act—and any Member can offer a resolution of disapproval—is that Senator PAUL will be offering to bring up a resolution of this approval. We think that will take place in about 45 minutes. It is likely it will require a motion to proceed or to bring the motion forward, and it is possible the leader, the Republican leader, the majority leader, may offer a motion to table in regard to that motion.

I urge my colleagues to understand the next vote will be whether we are going to take up—or not—the resolution of disapproval.

Senator CORKER and I both urge our colleagues that this resolution not be approved, not be taken up; that we allow the sale to go forward but that we maintain our leverage, as Senator CORKER has explained, because there are many more issues involved before the sale becomes complete.

Quite frankly, the reason the F–16s are being recommended is because Pakistan needs the F–16s for their fight against counterinsurgency. I think all of my colleagues are aware of the mountainous terrain, territory that is in Pakistan on the Afghan border. Pakistan needs an air force capacity to deal with that counterinsurgency.

It is our military's judgment that these F–16s are important in regard to that fight against counterinsurgency; that it is in our interests, U.S. interests; that it is in the regional interests, including the stability of its neighbor, India; and it is in the interests of dealing with the fight against the extremists.

As I said earlier, the relationship with Pakistan is complicated. We have several areas of major concern in that relationship, and we fully understand the reasons Members would be concerned. We are a strategic partner with Pakistan in rooting out terrorism. Let me remind my colleagues, the people of Pakistan have had 40,000 deaths as a result of extremist activities within their borders. That is an incredible sacrifice that has been made in their campaign against terrorists, against extremists. They have the Haqqani network, which we know has taken out American interests in that region, they had the fight against ISIS, and they had the fight against LeT, which is a terrorist organization within Pakistan that has committed terrorist attacks in India.

We want them to focus on all of these extremists. At times we don't get the full cooperation of Pakistan for these to be the priorities they go after. Obviously, we want to continue our partnership with Pakistan, but we want them to deal with the threat of the Haqqani network. We want them to focus on the threats of ISIS. We want them to concentrate on the destabilizing impact that LeT has on the relationship between Pakistan, India, and the cause of problems in India. We want to see more progress.

On the second front, on the nuclear phase, Pakistan is the fastest growing nuclear stockpile in the world. Our relationship with Pakistan is critically important for the certainty, safety, and security of the command and control network of their nuclear arsenal. Are they doing everything we want them to do in that regard? No. Have we made significant progress in the safety of their nuclear stockpile? Yes. Do we want to continue our relationship so we can continue to make progress? Absolutely.

The third area we need Pakistan's cooperation is in bringing together all the stakeholders for a peaceful discussion of the peace talks in Afghanistan. The extreme elements that are located in Pakistan need to be part of those discussions. Pakistan can play a critical role in helping that come about. Has Pakistan been helpful? Quite frankly, they have. They have been working with us to get all the stakeholders together in the talks. Could they do more? Yes, we think they could do more.

What Chairman CORKER said is absolutely accurate. We would encourage our colleagues to vote against the resolution of disapproval or to support our efforts to keep that off the floor, first and foremost because the F–16 are needed by Afghanistan and U.S. interests to fight the extremists, but just as important, it maintains the ability of the United States to deal with Pakistan to bring about further progress in all the areas I have talked about. As the chairman said, the worst-case scenario is that we break our relationship with Pakistan and other countries step in, and our ability to get changes in Pakistan's practices as they relate to support or fighting terrorist organizations or nuclear nonproliferation and participation in the Afghan peace talks could be marginalized.

In order to maintain the type of bipartisan, bilateral pressure on the problematic elements of the security sector, but while supporting reformers in the military and civilian governments, we urge our colleagues that it is important we take this sale to the next level.

The last point—and Chairman CORKER pointed this out—we are not signing off on the foreign military financing part. The administration has brought forward a proposal for some reprogramming of funds to help pay for the F–16 sale to Pakistan. In other words, we would use some of the moneys we have already programmed for Afghanistan to be used to pay for the sale of the F–16s. That requires a signoff from the leadership of the two authorizing committees. Senator CORKER and I had not signed off on that—nor do we intend to sign off on that until we have further explanations on a lot of the issues Senator CORKER and I have already raised. We have ample ways of dealing with our bilateral relationship with Pakistan, allowing the sale formally to go forward by how the sale will be financed.

For all those reasons, I urge my colleagues to oppose Senator PAUL's resolution and allow us to continue the diplomatic path in regard to that region.

With that, I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Connecticut.

Mr. MURPHY. Madam President, I thank Senator CARDIN and Senator CORKER for how diligently they have worked over the course of the last several months, as both of them have stated on the floor, to make this sale much more palatable and to address many of the concerns that both the chairman and the ranking member had about the nature of the sale and this long history of conflict with the Pakistanis when it comes to our mutual concern of confronting terrorism.

The reason I come to the floor is because this body historically has had a history of deep engagement on questions of major arms sales, especially in regions as dangerous and as complicated as the Middle East. As it stands today, virtually the only two Members who are deeply and meaningfully engaged in the question of attaching conditions to these very important arms sales are the ranking member and the chairman of the Foreign Relations Committee. I trust their ability to hold the administration's feet to the fire—whether it be the Pakistanis', the Saudis', the Emirates' feet to the fire as they request weapons from the

United States, but this body writ large has to get back into the game of providing meaningful oversight on a radical and significant increase in the amount of arms sales the United States is providing to the rest of the world.

From 2011 to 2015, our arms exports have increased by 27 percent. When you compare these two periods, it is striking to note that during that period of time our arms sales to the Middle East have increased by 61 percent.

This Senate has, at its best moments, raised important questions about these sales. I bring you back to the 1980s, when the Senate raised important questions and concerns about the sale of AWACS to Saudi Arabia. On this side of the aisle, it was Senator BIDEN and Senator Kerry opposing those sales. Those motions of disapproval were ultimately unsuccessful, but through that process of deep congressional introspection, new conditions were placed on the sale of that technology to the Saudis that ended up a much better and safer deal for American national security interests and for the security of our partners in the region.

With respect to the specific sale of F–16 to Pakistan, my colleagues have already pointed out—and I think Senator PAUL will do a better job than I of pointing out—the ways in which our aims of fighting terrorism have been contradictory with the actions of the Pakistanis, whether it be their unwillingness to confront the Haqqani network, whether it be their oftentimes open coordination with elements of the Taliban that the United States is fighting inside Afghanistan. The Pakistanis have been an unreliable partner over the course of the last 10 years in the fight against extremism, but what I worry more about is that these F–16s will provide cover, will provide a substitute for truly meaningful action inside Pakistan to take on the roots of extremism. Frankly, it is too late in many respects to beat these extremist groups if they are so big, so powerful, so deadly that you have to bomb them from the air.

Today there are 20,000 madrassa, religious schools. Many, if not most, are funded by the Saudis, the Gulf States, and the Iranians and are often preaching an intolerant version of Islam that when perverted, forms the basis of the extremist groups the United States is fighting in the Middle East and throughout the world.

The Pakistanis have done little to nothing to try to reduce the influence of those madrassas, of those religious schools, and of the foreign funding that often breeds this intolerant version of religious teaching. In a sense, we let them off the hook by selling them new weapons systems that will, in effect, constantly force the Pakistanis to chase their own tail.

I think it is important to understand that the Pakistanis are not making the real meaningful contributions to rooting out extremism, and just handing out weapon systems on the back end doesn't do the job.

I would point this body to the path forward. This is an incredibly important conversation that we are having with respect to the F–16s, but we have other pending military sales that will directly involve the United States in regional civil wars and conflicts, unbeknownst often to the American people.

One of them is a major military sales agreement with the Saudis that would eventually resupply them for their bombing campaign in Yemen, a campaign that has killed hundreds of thousands of civilians, that has stopped emergency relief from reaching those who have been the victims of this humanitarian disaster, and frankly that has created space for the expansion of ISIS and Al Qaeda, groups that want to do damage and attack the United States, inside the newly ungovernable territory of Yemen. Yet we are going to be confronted with another military sale to Saudi Arabia that would double down the U.S. commitment on one side of a civil war that if you look at the reality, doesn't seem to be advancing our national security interests. It doesn't seem to be helping us win the fight against ISIS and Al Qaeda.

I hope that after the break we will have the opportunity to discuss that military sale as well because it is time for Congress to get back into the game when it comes to our constitutional responsibility to oversee the foreign policy led by the executive branch. It is time for Congress to start having a meaningful impact when it comes to these massive arms sales that often undermine U.S. national security and come without the necessary conditions to change the reality of the decisions made in places such as Pakistan.

I am going to support Senator PAUL's resolution today, although I hope in the future we will approach these resolutions of disapproval with a slightly greater degree of subtlety in this respect. This is an outright disapproval. If we vote in favor of it, this sale will not go forward. There is another way. Congress could pass a motion of disapproval with conditions. We could disapprove of a sale to Pakistan pending, for instance, their commitment to join the fight against the Haqqani network; contingent upon, for instance, their movement to implement a law to shut down the worst and most intolerant of the madrasas. I would suggest that should be our path forward when it comes to the sale to the Saudis. Simple conditions could be applied to that resolution—making sure the munitions we are selling to the Saudis aren't used to target civilians inside Yemen; committing the Saudis to open up pathways of humanitarian relief and assistance; a promise that none of the funding from the United States to the partners in the coalition to fight the Houthis will be used to directly aid extremist groups. That is probably the better path forward for this body to take.

This is a very blunt instrument, a resolution of disapproval. I think it is important for some of us to be on record supporting it to show that Congress is getting back in the game when it comes to overseeing this fairly substantial increase in arms sales to our named partners in the Middle East, but I think there is a better way forward. I hope that Senator PAUL and others, as we start to go about doing due diligence on future sales, will take a look at maybe a more meaningful contribution this body can take rather than expressing our outright unconditional disapproval. How can we make sure, if these arms sales go forward, that they go forward with conditions attached that are in the best interest of the United States and our partner nations?

Again, I thank Senators CORKER and CARDIN for their important work in the Foreign Relations Committee, of which I am a member, and I thank Senator PAUL for having the courage to bring this resolution to the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, let me first of all thank my colleague from the State of Connecticut for his comments. I, too, will be joining him and others in supporting the resolution to be brought forward in some moments by Senator PAUL. I, too, agree that this is a rather blunt instrument. A more strategic use of bringing some leverage to this kind of action would be a more appropriate path, and I hope that in future times, when we have a chance to review foreign arms sales, we will take that more nuanced approach.

Madam President, while I approve of much of what the Senator from Connecticut has said, I want to speak to this issue from a slightly different perspective, and that is the message that at least inadvertently we will be sending with approval of the sale of these jets. And let me again commend Senator CORKER and Senator CARDIN for appropriately looking at the issue of public financing of these sales. If we move forward with these sales without putting some markers down, I think we potentially not only do damage to holding Pakistan's feet to the fire in terms of the threat of terrorists in Afghanistan and elsewhere in the region but also potentially do damage to one of the most important relationships our country has, and that is the strategic relationship between the United States and India. This relationship has been one of enormous, growing importance. India has been a valuable and strategic partner of the United States and is a tremendous ally in promoting global peace and security. That has not always been the case. Relations between our two nations have been steadily improving over the past decade, ranging from approval on the Civilian Nuclear Agreement, to frequent coordination between our militaries, and at this point over $100 billion in bilateral trade. Prime Minister Modi in India has made a personal commitment to improving the ties between the United States and India. The Prime Minister

will come back to the United States at the end of this month.

Nowhere is the potential for our strategic relationship greater than in our bilateral defense relationship, which again has seen great progress over the past decade. Last year our two nations signed the framework that will advance military-to-military exchanges. We are also proceeding with joint development of defense technology, which seeks to increase defense sales and to create a cooperative technology and industrial relationship that can promote both capabilities in the United States and in India.

I viewed with some concern last month when the administration announced the sale of these eight F–16s to Pakistan. And again I want to commend the leadership of the Foreign Relations Committee for making very clear that even if this sale should go forward, the financing of this sale is still subject to further American review.

What brings me to wanting to support Senator PAUL's resolution is the fact that as recently as January of this year, Pakistani-based terrorists claimed responsibility for an attack against an Indian military base at Pathankot. The attack on this air force base, which resulted in the killing of Indian military forces, was a great tragedy. So far, Pakistan has refused to share intelligence or to turn over those suspects to the Indian Government.

With those kinds of actions, I cannot go ahead and continue this policy where we continue, in effect, to give Pakistan a pass, whether it is actions in the region vis-à-vis Afghanistan or within their own country but also in terms of their unwillingness to meet India even halfway in terms of trying to bring a greater stability to one of the regions that could potentially become a tinderbox in terms of the border regions between India and Pakistan.

So I will be supporting Senator PAUL's resolution. I hope the Government of Pakistan hears the concern of this Senator and other Senators. I hope they will act aggressively in terms of bringing justice to those terrorists who invaded Indian space and attacked the Indian Air Force base. Showing that kind of responsible behavior might lead to at least this Senator taking a different view in terms of future military sales.

With that, I yield the floor, and I recognize my colleague, who I believe will bring this resolution to the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

MOTION TO DISCHARGE—S.J. RES. 31

Mr. PAUL. Madam President, pursuant to the Arms Export Control Act of 1976, I move to discharge the Committee on Foreign Relations from further consideration of S.J. Res. 31, relating to the disapproval of the proposed foreign military sale to the Government of Pakistan.

The PRESIDING OFFICER. The motion is debatable for up to 1 hour.

Mr. PAUL. Madam President, I rise in opposition to the American taxpayers being forced to pay for fighter jets for Pakistan. Over $300 million from the American taxpayers will be designated to go to Pakistan to pay for eight new F–16s for Pakistan. We have a lot of problems here in our country, my friends. We have a lot of things going on in our country that need to be taken care of, and we don't have enough money to be sending it to Pakistan. I can't in good conscience look away as America crumbles at home and politicians tax us to send the money to corrupt and duplicitous regimes abroad.

When I travel across Kentucky and I see the look of despair in the eyes of out-of-work coal miners, when I see the anguish in the faces of those who live in constant poverty, I wonder why the establishment of both parties continues to send our money overseas to countries that take our money, take our arms, and laugh in our faces.

We have given $15 billion to Pakistan—$15 billion over the last decade—yet their previous President admits that Pakistan armed, aided, and abetted the Taliban. You remember the Taliban in Afghanistan that harbored and hosted bin Laden for a decade? Pakistan helped them. Pakistan was one of only two countries that recognized the Taliban. Why in the world would we be taxing the American people to send this money to Pakistan?

Remember when bin Laden escaped? We chased him and he escaped. Where did he go? To Pakistan. He lived for a decade in Pakistan. Where? About a mile away from their military academy. Somehow they missed him. There in a 15-foot-high walled compound, bin Laden stayed in Pakistan while we funneled billions upon billions of dollars to them.

Pakistan to this day is said to look away, to not look at the Haqqani network. In fact, it is accused that many members of their government are complicit with the Haqqani network. Who is the Haqqani network? It is a network of terrorists who kill Americans. We have American soldiers dying at the hands of Pakistani terrorists while that government looks the other way.

GEN John F. Campbell testified before Congress that the Haqqani network remains the most capable threat to U.S. forces in Afghanistan. Yet we are asked to send F–16s and good money after bad to a government in Pakistan that looks the other way.

Pakistan is, at best, a frenemy—part friend and a lot enemy. If Pakistan truly wants to be our ally, if Pakistan truly wants to help in the war on radical Islam, it should not require a bribe; it should not require the American taxpayer to subsidize arms sales. They already have 70 F–16s. They have an air force of F–16s. What would happen if we didn't send them eight more that we are being asked to pay for? Maybe they would listen. Maybe they would help us. Maybe they would be an honest broker in the fight against terrorism.

We are $19 trillion in debt. We borrow $1 million a minute. We don't have any money to send to Pakistan to bribe them to buy planes from us. We don't have the money. We have problems at home. Our infrastructure crumbles at home. We have longstanding poverty at home. We have problems in America, and we can't afford to borrow the money from China to send it to Pakistan.

In my State, in Kentucky, we have a dozen counties with unemployment nearly double the national rate. In Magoffin County, KY, 12.5 percent of people are out of work. Today, those who will vote to send money to Pakistan need to come with me to Kentucky. They need to come to Magoffin County, and they need to look people in the face who are out of work in America and explain to them why we should send money to Pakistan. We have people hurting here at home.

In Harlan, the President's war on coal has led to longstanding double-digit unemployment. In Harlan, KY, people are out of work. People live in poverty, and they don't understand why Congress is sending money to Pakistan.

In Leslie County, high unemployment prompts their citizens to ask: Why? Why is the government spending billions of dollars for advanced fighter jets for foreigners? They don't understand it. They can't understand, when they live from day to day, why their government is sending money to Pakistan.

As I travel around Kentucky, I ask my constituents: Should America send money and arms to a country that persecutes Christians? I have yet to meet a single voter who wants their tax dollars going to countries that persecute Christians.

In Pakistan, it is the law; it is in their Constitution that if you criticize the state religion, you can be put to death. Asia Bibi has been on death row for nearly 5 years. Asia Bibi is a Christian. Her crime? She went to the well to draw water, and the villagers began to stone her. They beat her with sticks until she was bleeding. They continued to stone her as they chanted ''Death, death to the Christian.''

The police finally arrived, and she thought she had been saved, only to be arrested by the Pakistani police. There she sits on death row for 5 years. Is it an ally? Is it a civilized nation that puts Christians to death for criticizing the state religion? I defy any Member of this body to go home and talk to the first voter. Go outside the Beltway. Leave Congress and drive outside the Beltway and stop at the first gas station or stop at the first grocery store

and ask anybody—Republican, Democrat, or Independent: Should we be sending money to a country that persecutes Christians?

Asia Bibi sits on death row for criticizing the state religion, and your money goes to support her government. What will happen to Pakistan if they don't get eight more F–16s? They will have only 70 F–16s.

Most of the politicians here simply don't care. They don't care whether Pakistan persecutes Christians. They know only one way. The one way is to open our wallet and bleed us dry and hope that someday Pakistan will change its behavior. Guess what. If you are not strong enough to vote for this resolution, if you think some kind of cajoling, flattery, and nice talk with empty words are going to change the behavior of Pakistan, you have another thought coming. It has been going on for decades.

When I forced a vote in the Foreign Relations Committee to say that countries which put Christians to death for criticizing the state religion—there are about 34 of these countries, a couple of dozen of them who received money from us, American tax dollars going to countries that persecute Christians. When I introduced the amendment to say: Guess what. Let's not do it anymore. Any country that has a law that compels a Christian and puts a Christian to death, that country would no longer receive our money. Do you know what the vote was? It was 18 to 2 from Washington politicians to keep sending good money after bad because they say: Oh, the moderates there are going to change their minds someday.

We have given them $15 billion, and I see no evidence of change in behavior. I see insolence, arrogance, and people who laugh as they cash our checks.

Is Pakistan our ally in the War on Terror? Well, not only did they help the Taliban that hosted Bin Laden for a decade, but when they finally got Bin Laden, we got him with evidence that was given to us by a doctor in Pakistan. His name is Shakil Afridi. Where is he now? Pakistan has locked him away in a dark, dank prison from which he will probably never be released.

Shakil Afridi has essentially been given a life sentence by Pakistan for the crime of helping the United States and helping all civilized nations get to Bin Laden. He sat under the noses of the Pakistani Government for a decade. We finally got him when Shakil Afridi helped us.

People aren't going to continue to help America if we don't help them, if we don't protect our human intelligence, if we don't protect those who are willing to help America. He sits and rots in a prison. What message do we send to Pakistan if we send them eight more F–16s and we tell you, the American taxpayer, you are paying for it? What message does that send to Pakistan? The message to Pakistan is that we will just keep thumbing our nose at America, we will keep cashing their checks, and we will laugh all the way to the bank as we do nothing to release the Christians on death row or to release the doctor who helped us.

Should we give planes to a country that imprisons these heroes—heroes who helped and put their lives on the line for our country?

Today we will vote on whether the American taxpayers should foot the bill. I have yet to meet a voter in my State of Kentucky or across America who thinks it is a good idea to send more money to Pakistan. We have a $19-trillion debt. We borrow $1 million a minute. We have no money. It is not even a surplus. They say we are going to influence Pakistan or they may rise up and say: Oh, the resolution will not stop the money. The heck it will not. If my resolution passes, if it becomes law, the eight jets will not go to Pakistan, they will not be subsidized, and not one penny of American tax dollars will go to Pakistan. That is the absolute truth. No matter what they tell you, this stops the sale. It stops the subsidy.

We have to borrow money from China to send it to Pakistan. Such a policy is insane and supported by no one outside of Washington. You go anywhere in America and ask them: Should we give money? Should the taxpayer be forced to give money to Pakistan, a country that persecutes Christians? Nobody is for it. Yet the vast and out-of-touch establishment in Washington continues to do it. Is it any wonder that people are unhappy with Washington? Is it any wonder that Americans are sick and tired of the status quo, sick and tired of people not listening to them?

We have no money in the Treasury. We are all out of money. This influences nothing, other than to tell the Pakistanis they can continue doing what they want. I urge my colleagues to vote against subsidized sales of fighter jets to Pakistan.

I reserve the remainder of my time.

Can the Chair tell me how much time I have remaining?

The PRESIDING OFFICER (Mr. SCOTT). The Senator has used 14 minutes.

Mr. PAUL. So I have 16 remaining?

The PRESIDING OFFICER. Yes.

Mr. DURBIN. Mr. President, I would like to say a few remarks about this resolution of disapproval.

While I oppose this measure, I share the junior Senator from Kentucky's frustration with some aspects of our relationship with Pakistan. Notably, I think the jailing of Dr. Shakil Afridi for 23 years under highly questionable charges is an outrage.

For those of you who don't remember, Dr. Afridi helped the United States locate Osama bin Laden. His approach may have been debatable, but one thing is clear—he doesn't deserve to languish in a Pakistani jail for more than two decades on manufactured charges.

I have also been troubled by the Pakistani military and intelligence service's support for militant groups that work against U.S. interests in the region. In fact, I would argue that many of these groups are also working against the long term interests of our friends in Pakistan as well, as evidenced by its own domestic terrorist problem.

I am also concerned that, despite important foreign aid given to Pakistan, there remains a troubling failure to address basic and urgent development needs—particularly education and schooling for girls. We also see continued cases of extreme religious intolerance, including death sentences for dubious charges of blasphemy.

At the same time, I also want to take a moment to acknowledge that Pakistan has suffered horrible losses in taking on militant groups within its own borders—something I don't think we always recognize.

And most importantly, I want to stress the importance of the Senate Foreign Relations Committee—let's allow it to do its work and thoroughly consider this resolution first, rather than rush it through the Senate.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. I move to table the motion to discharge.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Utah (Mr. LEE), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Utah (Mr. LEE) would have voted ''nay.''

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 71, nays 24, as follows:

[Rollcall Vote No. 35 Leg.]

YEAS—71

Alexander	Carper	Donnelly
Baldwin	Casey	Durbin
Barrasso	Cassidy	Enzi
Bennet	Coats	Ernst
Blumenthal	Cochran	Feinstein
Blunt	Coons	Fischer
Boozman	Corker	Flake
Burr	Cornyn	Franken
Cantwell	Cotton	Gardner
Cardin	Crapo	Graham

Hatch	Menendez	Sasse
Heitkamp	Merkley	Schumer
Hirono	Mikulski	Sessions
Inhofe	Murkowski	Shaheen
Isakson	Murray	Shelby
Johnson	Nelson	Stabenow
Kaine	Perdue	Sullivan
King	Peters	Thune
Klobuchar	Portman	Tillis
Lankford	Reed	Toomey
Leahy	Reid	Whitehouse
Markey	Risch	Wicker
McCain	Roberts	Wyden
McConnell	Rounds	

NAYS—24

Ayotte	Grassley	Paul
Booker	Heinrich	Schatz
Boxer	Heller	Scott
Brown	Hoeven	Tester
Capito	Kirk	Udall
Collins	Manchin	Vitter
Daines	Moran	Warner
Gillibrand	Murphy	Warren

NOT VOTING—5

Cruz	McCaskill	Sanders
Lee	Rubio	

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Oregon.

GENETICALLY MODIFIED FOOD

Mr. MERKLEY. Mr. President, today I would like to address a very important issue, which is the right for American citizens to know what is in their food. I am going to be talking about the topic of genetically modified ingredients in food. I will be pointing out that there are genetic modifications that are largely considered to have been beneficial and others that are largely considered to be causing significant challenges. In both cases, there is science to bring to bear around the benefits and there is science to bring to bear around the disadvantages. Ultimately, I will conclude—to give a preface here—that this is not a debate about the pros and cons. There is information on both sides, different aspects. What is at debate is whether our Federal Government wants to be the large, overbearing presence in the lives of Americans and tell them what to think, or whether we believe in our citizens' ability to use their own minds and make their own decisions. To be able to do that, they have to be able to know when there are genetically modified ingredients in the foods they are consuming.

Let's start with the point that there are significant benefits from various GM modified plants. One example is golden rice. Golden rice, as seen here, has been modified in order to produce a lot more vitamin A. So growing this in an area where there is a vitamin A deficiency has been beneficial to the help of local populations.

Let's take, for example, a certain form of carrot. It has been modified to produce an enzyme that helps rid the body of fatty substances. When you can't do that, you have Gaucher's disease. We have a lot of trouble with Gaucher's disease, with brain and bone damage, anemia, and bruises. But through the modification of these carrots, there is a solution, and should you be afflicted with Gaucher's disease, you would be very happy about that.

Let's take another example. These are sweet potatoes that have been modified to resist a number of viral infections common in South Africa. So a place where otherwise you may not be able to grow these sweet potatoes, where the local population might not be able to benefit from nutrition in these sweet potatoes, they can now do so. These are some of the examples of some of the benefits that have come from some forms of genetic modification of plants.

But just as there is science that shows benefits, there is also science showing concerns. I am going to start by explaining that the largest modification in America—the largest deployed modification—is to make plants such as corn, soybeans, and sugar beets resistant to an herbicide called glyphosate.

The use of glyphosate has increased dramatically over the last two decades. In 1994 we are talking about 7.4 million pounds—not very much. But by 2012, we are talking about 160 million pounds of this herbicide being put onto our crops.

Well, one's reaction may be this: OK, but is there any downside to that massive deployment of herbicides? Yes, in fact, there is. This herbicide is so efficient in killing weeds that it kills milkweed. Well, milkweed happens to grow in disturbed soil. So it has been a common companion to our agricultural world. Milkweed is the single substance that monarch butterflies feed on. So as the glyphosate expansion has increased over this time period, the monarch butterfly has radically decreased because its food supply has been dramatically reduced. This is not the only factor considered to affect the Monarch butterfly, but it is an example of a significant factor. That is something of which you think: What else could happen in the natural world as a result of changing dramatically the variety of plants that surround our farm fields?

Let's turn to another impact. Millions of pounds of glyphosate go on the fields, and much of it ends up running off the fields and running into our streams and rivers. It is an herbicide. So it has a profound impact on the makeup of organisms in those streams and rivers.

For example, it can have an impact on microorganisms, algae, and things that feed on that up the food chain—fish, mussels, amphibians, and so forth. We don't understand all the impacts of massive amounts of herbicides in our streams and rivers, but scientists are saying: Yes, there is an impact. Studies are underway to understand those impacts more thoroughly. Of course, we care about the health of our streams and rivers.

Let's take another example. Sometimes you just can't fool Mother Nature. One impact of the massive application of glyphosate is that weeds start to develop a resistance to it, and then you have to start to use more of it. Also, that is true in a different sphere. I am talking about a particular genetic modification that goes into the cells of plants and is designed to fend off the western corn rootworm.

The western corn rootworm eats corn when it is in the larvae stage—that is the worm stage—and it does so when it is in the beetle stage. Some beautiful examples are shown here. It can eat the pollination part of the corn so that the corn doesn't produce healthy kernels as well. It can eat the leaves. It pretty much loves the entire corn plant.

This genetic modification produces a pesticide inside the cell and was in the beginning very effective in killing these corn rootworms. But guess what. Mother Nature has a continuous stream of genetic mutations, and if you apply this to millions and millions of acres and millions of pounds, eventually Mother Nature produces a mutation that makes it immune to this pesticide. Then those immune rootworms start multiplying, and you have to start applying a pesticide again, and maybe you have to apply even more than before because they develop a resistance to it. That is exactly what is happening here. So that is a significant reverberation.

All I am trying to point out here is that this is not really an argument about science. Science can tell us that there have been occasions in which genetic modifications have had an initial beneficial impact, and science will tell us that there are situations in which the reverberations of using the genetically modified plants are having a negative impact. So that is where it stands. It is like any other technology. It can be beneficial. It can be harmful.

So the question is this: Does our government—the big hand of the Federal Government—reach out and say to our cities, our counties, and our States that there is only one answer to this and that is why we are going to ban you from letting citizens know what is in their food. Of course, there is no one answer. We have seen there are benefits and there are disadvantages. Quite frankly, I think it is just wrong for the Federal Government to take away our citizens' right to know. That is why I am doing all I can to publicize this at this moment.

Various States have wrestled on whether to provide information to citizens so that the citizens can decide on their own whether they have a product that has genetically modified ingredients. Most of our food products do because virtually all of our corn, sugar beets, and soybeans are genetically modified, but citizens can look at what type of genetic modification. They can respond and use their minds with information.

This is really what is beautiful in democracy. Government doesn't make up your mind for you. Government doesn't impose a certain framework in which you have to view the world.

Yet, right now, at this very moment, there are a group of Senators in this

body who want to impose those blinders on you, American citizens. They want to tell you how to think. They are supporting a bill that says the Federal Government will take one side of this argument and tell you it is the truth and spend your tax dollars publicizing it. This is the type of propaganda machine that you would expect outside of a democracy but not here in the ''we the people'' government of the United States of America—not here, where we value our citizens' ability to make their own choices. So it is very important that we wake up quickly and respond to this, because the simple truth is a group of very powerful companies are working right now to get a bill passed that will take away our citizens' right to know about GM ingredients in their products. This bill is called the DARK Act, or the Deny Americans the Right to Know Act, and it has passed out of committee. The majority leader has said it is a priority for him to put the DARK Act on the floor of this Senate next week with virtually no notice to the United States of America.

Most of these positions percolate inside committees for a length of time and then get digested on the floor for a length of time. But, no, there is an effort to slam this through—this imposition on the right to know in America. That is just absolutely wrong.

Now let me talk a little bit about how American citizens feel about this. There was a survey done at the end of 2015, just a couple of months ago. This was a nationwide survey of likely 2016 election voters done in November of 2015.

The question that was asked of the participants was this: As you may know, it has been proposed that the Food and Drug Administration, or the FDA, require foods that have been genetically engineered or contain genetically engineered ingredients to be labeled to indicate that. Would you favor or oppose requiring labels for foods that have been genetically engineered or contain genetically engineered ingredients?

After the respondent gives the answer, then the follow-up question is this: Is that strongly or not so strongly? Well, 89 percent of Americans say they favor mandatory labels on foods that have genetically modified ingredients. That is powerful. That is nine 9 of 10 Americans.

Furthermore, 77 percent of the respondents said that they not only favor mandatory labels but they strongly favor the proposal. Now, this is very unusual to have nine Americans line up on one side versus one on the other.

Is this something that has to do with party affiliation? Absolutely not. Across the great spectrum of ideologies in America, citizens agree in this poll, with 89 percent of Independents—the same as overall—84 percent of Republicans, and 92 percent of Democrats. In other words, regardless of party, basically 9 out of 10 individuals say the same thing on the right, on the left, and in the middle.

Well, that should be listened to up here on Capitol Hill because we are intended by constitutional design to be a ''we the people'' government, not the government of, by, and for powerful ag companies. If you want to serve in that kind of government, go to some other country because that is not the design of our Constitution.

Our responsibility is to the people of America. They don't like Big Government trying to tell them how to think, and that is why this DARK Act is just wrong.

There are some ideas floating around this building today. One of those ideas is, well, we will put a label on a food product that will be just a phone number, and if you, the citizen, want to know details about this product—whether it contains genetically modified ingredients—well, you can ring up this phone number and maybe somebody will answer your question. You can call the company, and the company will tell you what they think about their product.

Well, first, Americans don't want to stand there in the grocery store and start making phone calls to companies. Can you imagine, you are standing there—and you actually care about whether there is a GMO in this product. You are going to make a phone call. You are going to wait while you go through a telephone tree. You are probably going to have to speak to somebody overseas who may not even understand what you are asking, or you get a company spokesman who is going to lay out the company line and never really give you an answer. Why should you have to do that?

Think about the parallel situation. We have all these other ingredients on the package. We include things such as sea salt as opposed to salt. We have preservatives. We have colors that are incorporated into the food because people want to know about the colors, the food dyes that have gone into the food. They want to know about the preservatives that have gone into the food.

We even tell companies that on the label they have to tell the consumer whether the fish has been caught in the wild or raised on a farm. Why do we require that label? Well, we require that label because citizens want to know about the ingredients in their food—in this case, the makeup of their fish, because it is different. There are different farming practices between catching wild salmon and raising salmon on a farm, in a pond, or in an ocean-contained area. There are different impacts. Citizens care about that, so we require it to be disclosed.

We require our juice companies to say whether the juice is fresh or reconstituted. Why do we provide that information? Why do we require that? Because citizens want to know. There is a difference between the two products, and they want to know. It is their right to know what they put into their own bodies, what they feed to their families, what their children consume. It is their right to know. Again, 9 out of 10 Americans say this is important to them.

This telephone idea is just the worst possible scam. Let's put it frankly. Nobody is going to stand there comparing soups, making phone call after phone call after phone call. Nobody who wants to know if there is high fructose corn syrup in their food is going to stand there, look at a can, and dial phone number after phone number. That is why it is printed on the label. That makes it very simple.

There is another idea floating around here: Put a computer code on the product, and people can scan it with their smartphone and get information. Well, this may be even more ludicrous than the phone idea in terms of stripping the power of American citizens' right to know. First, you have to be in the grocery store, and here are the different cans of soup you are going to compare. Oh, let me take a picture of the first one with my phone. Oh, OK, now I have to go to the Web site. I am taking a picture of the bar code, and I am going to go to the Web site. OK, which page of this Web site do I go to? Oh, look, this Web site was written by the company that makes it.

They are making it hard for this information to be found. They are making it hard for this to be understood. They are not disclosing the details of the type of genetic modification. Well, that is absurd. Can any Member of this Chamber really tell me—can you stand and tell me that you are going to take pictures of 10 different products while your child is sitting in your grocery cart? And that is just to buy one thing on your grocery list. Does anyone here want to stand and claim they would do that? I think the silence speaks for itself.

Certainly we are in a situation where people don't want to take pictures of these codes with their cell phones because it reveals information about them that the companies collect on them. Why should they have to give up their privacy to know about an ingredient in their food?

Let's be clear. There are two scams being discussed right now by the majority leaders of this Chamber, this esteemed Chamber which should stand for free speech and knowledge, not suppressed speech and lack of knowledge. They want to send you down this rabbit hole of 800 numbers or this blind alley of computer bar codes rather than a simple indication on a package.

Let's recognize that this is a pretty easy problem to resolve because most of the world has figured it out—64 other countries, 28 members of the European Union, Japan, Australia, and Brazil. They all have a simple disclosure on the package, a consumer-friendly phrase or symbol. That symbol is straightforward. There is no smokescreen. There is no blind alley. There is no rabbit hole. There is no cleverness

over an 800 number or a bar code or another computer code called a quick response code. No, they simply give the information, the way we do on everything else, the way we do on preservatives, food colorings, core ingredients, wild-caught fish versus farm fish, and juice from concentrate versus fresh juice. They make it simple. They just have a simple marking on the package.

Do you know who else provides this simple information to their consumers? China. Do our citizens deserve less information than the Chinese, who live in a dictatorship? Why are Members of this Chamber trying to strip more information away from American citizens than does the dictatorship of China? That is just wrong.

There is an easy solution here. There are a number of reasonable arguments that Big Agriculture is making. They say: Look, we do not want 50 States producing 50 different label standards.

I absolutely agree.

They say: We don't want a bunch of counties and cities producing yet other label standards; that could go into the thousands.

Fair point.

One common way of doing this would make sense. You cannot have a warehouse that is serving three or four different States or multiple communities that need to have this product sorted and distributed, one group to here and one group to there. You can't keep it all straight. It is expensive. There are all these different labels. It is confusing. That is a fair point. I agree. Let's do one 50-State solution.

The industry says: We don't want anything pejorative. We don't want anything that says GM is scary or GM is bad.

I pointed out that there are some advantages to genetic modifications and there are some disadvantages. So I agree there too. Let's not put a marking on a package that is pejorative.

The industry says: We don't want anything on the front of the package. It takes up space. It may suggest there is something scary about this if you are putting it on the front of the package.

OK, fair enough. Let's not put it on the front of the package. I completely accept that point.

The industry says: There are several different ways we could do this. We would like flexibility.

Absolutely. Let's have flexibility.

So I have put together a bill which hits all these key points the food industry has raised. It is a 50-State solution. There is nothing on the front of the package. There is nothing pejorative. And it gives the type of flexibility the industry has talked about.

Under the bill I have put forward, they are allowed to put initials behind an ingredient in parentheses or to put an asterisk on the ingredient and put an explanation below or to put in a phrase—as Campbell Soup plans to do—that simply says: This product contains genetically modified ingredients. Campbell Soup is planning to do that because they say they want a relationship of full integrity with their customers. Shouldn't we all be for full integrity with our citizens? Doesn't that make a lot of sense?

Yet another option would be to put a simple symbol—any symbol chosen by the FDA, so certainly not one that suggests there is anything pejorative about it. Brazil uses a little ''t.'' OK, how about a little ''t'' in a triangle or in a box or something else that the FDA or the food companies would like?

The point is, if someone cares enough to pick up a package, turn it over, and look at the fine print on the ingredients, if they care enough to look, just as they might care enough to look up whether there is high fructose corn syrup, just as they might care enough to see if there are peanuts in it because they have a peanut allergy, or just because they want to look at the ingredients to see how many calories are in a product, if they care enough to pick it up and turn it over, a little symbol—all of those options are available under this type of reasonable compromise. It would appear on each product involved in interstate commerce. OK, so that is consistent, and that is a point made. It is clear. These symbols are clear.

The public that cares get educated. They know what to look for. It is easy to find. It is right there on the package. There is no sending you off on a wild goose chase through a phone tree and an 800 number. There is no proceeding to tell you that you have to use a smartphone, which many people don't have. They might not even have reception to be able to use it effectively if they wanted to. No. It is a simple, straightforward phrase or initials right there on the ingredients package. What could be more appropriate than the simplicity of that?

Many folks have stepped forward to say this makes tremendous sense. Campbell Soup said: Yes, we endorse this. This makes sense. Also, Nature's Path, Stonyfield, Ben & Jerry's, Amy's Kitchen, Consumers Union, the American Association for Justice, the National Sustainable Agriculture Coalition, and the Just Label It coalition.

Yes, OK, that is fine, we are not asking for something on the front of the package. It doesn't have to be on the front. It doesn't have to be scary. It can be in that tiny print on the ingredients page. When an earnest, sincere citizen wants to know, they have the right to know in a consumer-friendly fashion.

I particularly thank the Senators who have already signed on to endorse this legislation: Senator LEAHY and Senator BERNIE SANDERS, who come from Vermont, which has a State labeling bill that would be preempted by this bill. It would be replaced by this 50-State national standard. But because this is a fair standard for consumers, they are endorsing this bill. I also thank Senator TESTER of Montana, Senator FEINSTEIN of California, Senator MURPHY of Connecticut, Senator GILLIBRAND of New York, Senator BLUMENTHAL of Connecticut, Senator BOXER of California, Senator MARKEY of Massachusetts, and Senator HEINRICH of New Mexico. All parts of the country, different parts of the country, and they are all saying: You know what, our citizens, 9 to 1, want a simple, fair statement or symbol on the ingredients list. That is just the right way to go.

If you are going to step on the authority of States to provide information that citizens want, you have to provide a simple, clear, indication on the package. That is the deal. That is the fair compromise. That is standing up for citizens' right to know. That is honoring the public interest. That is a compromise in the classic sense that works for the big issues the companies are talking about. They don't want the expense from individual States and they don't want the complexity and confusion from individual States. What consumers want is a simple indication on the package.

Let's do the right thing. Let's not be worse than China and block our consumers from having access to information. Let's do the right thing that virtually every developed country has done and provide a simple, clear system for citizens to be able to know what is in their food.

The PRESIDING OFFICER. The Senator from North Carolina.

FILLING THE SUPREME COURT VACANCY

Mr. TILLIS. Mr. President, I appreciate the opportunity to come to the floor and talk a little about the ongoing dialogue we are having on the Supreme Court nomination.

Before I start this speech, I wanted to comment on something for those who think all we do is fight here. I think the Presiding Officer was at our bipartisan lunch. I think it is a great opportunity. So often we see the debate on the floor and the dialogue in the committee rooms, but we take the opportunity every month or so and Democrats and Republicans come together and we enjoy each other's company. We talk a little about policy but more about the folks back home. So I just wanted to let the American people know that because we happen to have differences, it doesn't mean we don't like and respect so many of our colleagues.

Today, though, I am talking about something that is a point of contention between Democrats and Republicans, and it relates to the open Supreme Court seat as a result of the tragic passing of Justice Scalia. Originally, I was going to come to the floor and provide a speech I had prepared, but I was in the Judiciary Committee today and I decided—probably against my staff's wishes—to deviate a little from the script and to talk about some of the facts that were put forth in the Judiciary Committee today.

One of the arguments we hear from Members of the Democratic Party is that somehow the Supreme Court has been shut down. That couldn't be further from the truth. Actually, since the passing of Justice Scalia, there have been some 12 arguments heard in the Supreme Court and 5 opinions. There will be several more.

As a matter of fact, over the course of history there have been a number of instances where the Supreme Court has had Justices recuse themselves or Justices go on a leave of absence for another duty. So there have been a number of instances where the Court continues to function just fine with eight, and sometimes even fewer than eight, Justices active in any given opinion. So to say for some reason until we make an appointment to the Supreme Court that the Supreme Court is going to cease to function defies the facts.

As a matter of fact, in the October 2014 session—the Supreme Court has two sessions, the first half of the year and the second half of the year. In October of 2014, there were 72 arguments heard before the Supreme Court. There were only 18 of them that actually were divided along ideological lines within the Court. So three-fourths of all the cases in 2014 were actually settled with significant numbers of people joining together to render an opinion. So the Court is working just fine, and it will continue to work just fine.

I would also argue that the idea put forth by some Members that the Supreme Court is suddenly going to be shut down for a year defies logic and history. The Supreme Court is already in session. They will go through probably the end of June or the beginning of July. There is no possible way, under normal circumstances, that we would have time to appoint a Supreme Court Justice who would be participating in this term. So what we are really talking about is the October term. If the October term of this year bears any resemblance to the October term of 2014, there may be 5 or 10 cases where the 9-member Court would be material. The vast majority of them are going to move through. That is why this idea of shutting down the third branch of government is disingenuous and really supporting a political agenda and less about whether the government is functioning properly.

The other thing I wanted to talk about before I get into some of the reasons I do not support nomination proceedings going through under President Obama is related to some history. Before I get to the history that specifically relates to the constitutional obligation of the Senate, the Senate rules, and maybe some of the positions that have been taken by Members of the minority in the past, I also want to talk about one other area that concerns me in this dialogue.

There has been a discussion about the backroom meetings, making the decisions. Well, members meet oftentimes—we tend to meet the majority of the time—in public settings, but members got together and we decided to come up with a policy that was a clear position that the majority of the members of the Judiciary Committee—and the majority of the members are today Republicans—that we were going to take on the nomination. We all agreed—all 11 of us—that we are not going to move forward with the nomination.

They can call it a backroom deal, but whether you would argue that is an improper practice, what I found interesting is that members of the Judiciary Committee who brought this up did something that I think was a profound show of disrespect to this institution. It happened a few years ago, when in a back room the leader of the then-majority, Senator REID, convinced all the members of the Democratic conference to vote on the nuclear option. The nuclear option is—well, it is great I guess for TV—but structurally the nuclear option is that throughout decades there was a 60-vote threshold for moving nominations through the Senate unless you had consensus to hold it down to 51 votes. In a back room, the then-majority leader, Senator REID, convinced his conference to come to this floor and break the rules to change the rules in order to prevent the minority from being able to weigh in on judicial nominations and a number of other nominations. In fact, after that rule was passed, after that decision was made in a back room and after those folks came to the floor and broke the rules to change the rules, they ended up confirming judges without any input from the then-minority Republicans.

So when people want to stand up here and say that somehow what we did was different, this is one nomination. This is a decision we made about one nomination, but we have a group of people—every single person on the Judiciary Committee, in fact, who are in the Democratic conference, voted to deny the minority from having what has been a decades-old tradition in the Senate to have the minority weigh in on nominations.

I would now like to get to some of the other discussions. First off, we have to recognize we are in the throes of the primary season for the Presidential nomination. It would be very difficult to live in the United States and not know a little about the primary that is going on. The people are in a position where, over a very few short months, they are going to make a decision. They are going to voice their vote, and I, for one, think the people should be allowed to weigh into this decision. I do believe many of the Senators on the other side of the aisle have felt the same way. In fact, I will go through a couple of quotes where they made it very clear. In fact, they are very trained and very articulate and can probably voice their position—which now is my position—better than I ever could.

One thing that comes up in this discussion is our constitutional obligation, and that is the obligation to advise and consent. Keep in mind, the advice and consent is not a constitutional obligation for the Senate to rubberstamp the decisions of the President. Quite the contrary. The whole idea of the three branches was to have certain checks and balances in place. So there absolutely was no concept on the part of the Founding Fathers to say when the President makes a decision, the Congress will rubberstamp that decision. We then have an equal authority to determine whether that nomination will come to a nominations process or we will simply decide not to take up the nomination.

Now, a lot of people think that is a new concept, but the reality is, it is a concept that has been in place for many years in the Senate rules. For people to say we always dispose of nominations in the term we are in defies the existence of this rule, which simply says: Should the Senate choose not to take up a nomination, then the next President will put forth another nomination for consideration.

Again, I think people are finessing what our responsibilities are and whether this is really something different or something that wasn't anticipated by the people who have come before us and who established the rules that govern the Senate.

I want to talk a little about what I think must be a very uncomfortable place for some Members of the minority to be; that is, their own history on the current situation in the Senate. We are in the middle of a campaign. We are in the middle of a tough campaign on both sides of the aisle, whether it is the Democratic primary or the Republican primary. People are engaging in a way they haven't in many years. Turnouts in many of the primaries have been more significant than they have been in many years. People are watching. So we have an opportunity to educate the people on this very important choice in terms of a Supreme Court nomination.

I, for one, think the nomination should be instructed by the vote that is cast in November for the President, and, actually, for that matter, the Senate congressional elections. Some people say: Well, the people have spoken and President Obama was reelected to a second term. That is true. And 2 years later the people spoke again, and I was elected to the Senate and Republicans were brought to a majority. So the people spoke in a different way. Just a few months from now we will get the most up-to-date read of where the American people are, who they want to lead the country, and who they want to nominate as the next Supreme Court Justice.

This quote has been famously reported in the press, and I couldn't say it any better than then-Senator BIDEN did. He talked about the need, at a certain point in time during the political

process, to set things aside, let the people speak, and let that be instructive to the Supreme Court nomination.

Incidentally, I know the Vice President, at the time he made this quote, was the chairman of the Judiciary Committee, the position Senator GRASSLEY currently holds. He was basically saying what Senator GRASSLEY has said and that I fully support. So I think Vice President BIDEN was right the first time. He seems to be stepping back on his words, but I don't think his words can be parsed. They were pretty well-articulated right here on the Senate floor.

Then we come to the minority leader. We now have the minority leader and others coming to the floor talking about what our constitutional duty is, but the minority leader came to this floor—right over there, not very far from where I am now—and he said:

> The duties of the Senate are set forth in the U.S. Constitution. Nowhere in that document does it say the Senate has a duty to give presidential appointees a vote.

I agree with Senator REID. And finally, we have one from my good friend from New York, Senator SCHUMER. Senator SCHUMER is a very articulate man. He is a practiced attorney, and there are many aspects of the man I admire. In another instance, in a very passionate speech given—it is on YouTube so you can all watch it—he has taken a very similar position; that circumstances get to a point to where maybe we need to hold nominations until we get the information we need that is instructive to the future nomination or the future vote or consent matter.

I agree with Senator REID's 2005 statement, I agree with Senator BIDEN, Chairman BIDEN, now-Vice President BIDEN's statement of 1992, and I agree with Senator SCHUMER's of 2007.

My colleagues, it is time for us to move on and recognize the position we have taken is a position that is going to stand. We can go to the American people back in our States, States like North Carolina, where we have a primary next week, and I will be traveling all across the State tomorrow and Saturday, back again on Monday. I will explain to them why I have taken the position I have, and when we do, all the games that are being played now, with one poll saying one thing or another poll saying another thing, we can cut through the noise and talk about what we are really trying to do.

What we are trying to do is to give the people an opportunity to voice where they want to take the direction of the Supreme Court, where they want to take the Nation in terms of the Presidency, and where they want to take the Nation in terms of the Congress. I am willing to bet on the people's voice, and I am looking forward to it being instructive to the ultimate decision I make about a Supreme Court nominee.

I love getting letters from folks in my State, so the last thing I leave you with is a quote from a lady named Lois from North Carolina. I think she does a good job of summing up my own feelings. She said:

> I really wish the discussions and hoopla could have waited a little longer after Judge Scalia's passing, but we are having the back and forth of what to do. As your constituent, I'm in agreement with the committee position of waiting until after we have a new President. Word out of the White House to the Senate is: Do your job. Well, I, for one, think you are doing your job. It's called checks and balances.

In the coming weeks, I am looking forward to continuing this debate. I want to especially note that Senator GRASSLEY is a wonderful Member of the Senate. He has support and admiration from both sides of the aisle. I appreciate his leadership on this matter. I appreciate Leader MCCONNELL's leadership on this matter. I look forward to getting back to North Carolina and hearing what the people would like for me to consider as we move forward with the nomination process.

I thank the Presiding Officer.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AIR SERVICES AGREEMENT WITH CUBA

Mr. FLAKE. Mr. President, last month we reached a milestone in the continuing reform of our policy toward Cuba. The United States and Cuba completed a bilateral air service agreement that is key to ensuring the continued travel of Americans to the island. The newly minted air services agreement will, for the first time in 50 years, provide scheduled air service between the United States and Cuba, including 20 daily flights to Havana and 10 daily flights to other Cuban airports.

As someone who believes that all Americans should have a chance to see a living museum of a failed socialistic experiment, I look forward to the day when all Americans can use Web sites they are familiar with to make reservations, even with their frequent flyer miles, to book flights to Havana and elsewhere in Cuba. Clearly, there is interest on our side of the Florida Strait. With easing of regulatory restrictions, authorized travel to Cuba by Americans has increased by more than 50 percent in just one year. Freedom to travel between the two countries will continue to open cultural and economic ties, benefiting the Cuban people and Americans alike.

While I ardently support everyone's right to travel to Cuba, key to the success will be ensuring that the initial flights being awarded by the Department of Transportation provide for the continued and expanded ability of the Cuban American community to travel to the island via regular air service. This should include adequate regular service to accommodate the growing demand from the largest and closest Cuban American population located in Miami-Dade County.

In addition, having traveled to Cuba multiple times over the years, I hope that the Department closely evaluates the complexity of operating there and ensures that those selected to operate these routes are up to the task—those with experience.

A failure-to-launch scenario would represent a critically missed opportunity represented by the potential of successfully scheduled air services between the United States and Cuba. We can't afford to let this opportunity go to waste.

I have long supported efforts to restore the rights of American citizens to travel to Cuba and have introduced legislation to lift the statutory ban on travel, along with my colleague from Vermont, Senator LEAHY. I am pleased to say that our legislation continues to gain bipartisan support.

As the situation changes on the ground with developments like regular air service, direct air service, and scheduled air service, I hope that thousands upon thousands of Americans will visit Cuba and Congress will do the right thing when it comes to changing our outdated law.

I yield back, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING JUSTICE ANTONIN SCALIA

Mr. SESSIONS. Mr. President, the Nation has lost one of the greatest Justices ever to sit on the Supreme Court, Antonin Scalia. My condolences and prayers go out to his wife of 55 years, Maureen, his 9 children, and 36 grandchildren.

My thought is that Justice Scalia's greatness was founded on the power of his ideas. His defense of those founding principles of America at the highest intellectual level is unprecedented, to my knowledge, in the United States. Over his career, he moved the legal world. As a young lawyer out of law school, I remember what the trends were and how Justice Scalia relentlessly, intellectually, aggressively, and soundly drove the message that many of the ideas that are out there today are inconsistent with the rule of law and the American tradition.

The trend was relentlessly toward activism. Judges were praised if they advanced the law—not when they followed the law, or served under the law,

or the Constitution, but if they advanced it. By advancing it, what that really means is you change it. If you advance it, it means the legislature hadn't passed something that you would like, or the Constitution doesn't advance an idea that you like, then you figure out a way to reinterpret the meaning of the words so it says what you would like it to say and what you wish the legislature had passed.

One of the bogus ideas at that time—you don't hear much about it anymore, but it was current, and it was mainstream then—was that the ink-stained parchment, well over 200 years old and right over in the Archives Building, was alive. Our Constitution, they said, was a living document.

Well, how ridiculous is that? The judges said that the Constitution gave them the power to update it, advance it, and make it say what they wanted it to say. They even contended that it was the duty of the judge, not just the privilege of the judge, to advance the words of the Constitution. Justice Scalia saw this as a direct threat, and he understood at the most fundamental level who was threatened by it, and that was ''we the people.''

You know how the Constitution begins with ''We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare . . . do ordain and establish''? Well, friends and colleagues, we establish this Constitution, the one we have, not the one some judge would like it to be or some politician would like it to be but the one we have.

He boldly criticized the idea that a mere five judges—it just takes five out of nine—with lifetime appointments who are totally unaccountable to the American people. We are prohibited from even reducing their pay, which I support because we want an independent judiciary.

Judges need to know they are given independence and a lifetime appointment because we trust them to serve under the Constitution and not above it. They serve under the laws duly passed by the elected representatives of the people of the United States, not above those laws. They were not given the power to set policies that they would like to set no matter how strongly they feel about it. That is not what they have been given to do. He boldly criticized those ideas and those individuals and didn't mind saying it in plain words: You are setting policy, you are not following the law.

I would say that Professor Van Aylstyne—while at William & Mary or Duke—had a great quote about this. He said: If you really honor the Constitution, if you really respect the Constitution, you will reinforce it as it is written whether you like it or not.

If judges today can twist the Constitution to make it say something it was not intended to mean, how might a new Court—five judges in a new age a decade or two from now—reinterpret the words to advance an agenda during that time? Isn't that a blow to the very concept of the democratic Republic we have? I think so.

I will tell you that this has been a long and tough intellectual battle. You don't hear many people say that paper document over in the Archives is a living thing. Of course it is not a living thing. It is a contract. The American people have a contract with their government. They gave it certain powers and reserved certain powers for themselves. They reserved certain powers for their States, and the Federal Government is a government with limited power. This is absolutely, undeniably fundamental, and people don't fully understand it today.

I remember when I was a U.S. attorney back in Alabama and an individual brought me a high school textbook. He said: I want you to see this.

The book said: How do you amend the Constitution? It talked about several different ways to amend the Constitution, such as Congress and the Constitutional Convention, but it also said by judicial decision.

He said: Mr. U.S. Attorney, I thought the judges were bound by the Constitution. They don't get to change the Constitution.

Well, of course that is correct. But, in effect, we have had many instances when judges, through their interpretation, have in effect amended the Constitution. It is an absolute legal heresy, and they should not do that. It weakens the power of the democracy.

One of the things that I think is very unfortunate is that judges have created an incredible amount of law that is contrary to common sense in the area of religion in the public life of America. Many of these cases are very confusing. But Justice Scalia, in a series of cases where he wrote the majority opinion, or wrote the dissent, or wrote concurring opinions, applied the principles of the Constitution as they were intended to lay out a lawful and commonsense framework for faith in the public square. I think that is a significant achievement.

When Chief Justice Roberts came before our committee for confirmation, I remember telling him: Sir, I would like you to try to clear up and bring some common sense to the expression of faith. You have a right to free speech in America, you have a right to the free exercise of religion under the Constitution, so how has it gotten around that you can be protected more in filthy speech than you can be protected in religious speech?

So as I said, Justice Scalia issued a series of opinions that were important on this subject. For example, in 1992, the Supreme Court decided Lee v. Weisman. This case involved a challenge to a Rhode Island public school policy that permitted a member of the clergy to deliver prayers at middle school graduation ceremonies. In this instance, a rabbi had delivered a prayer at one such ceremony, and one of the families in attendance that objected brought suit, alleging that the school's policy permitting prayer at graduation was a violation of the First Amendment's Establishment Clause. By a vote of 5-to-4, the Supreme Court concluded that the school's policy violated the Establishment Clause. Justice Scalia dissented. He wrote:

> In holding that the Establishment Clause prohibits invocations and benedictions at public school graduation ceremonies, the Court—with nary a mention that it is doing so—lays waste a tradition that is as old as public school graduation ceremonies themselves, and that is a component of an even more longstanding American tradition of nonsectarian prayer to God at public celebrations generally.

Two years later, the Supreme Court decided Board of Education of Kiryas Joel Village School District v. Grumet. This case involved a challenge to a New York statue that tracked village boundaries to create a public school district for practitioners of a strict form of Judaism known as Satmar Hasidim. By a vote of 6-to-3, the Court concluded that the government had drawn political boundaries on the basis of religious faith in violation of the First Amendment's Establishment Clause. Justice Scalia dissented. He wrote:

> the Founding Fathers would be astonished to find that the Establishment Clause—which they designed to insure that no one powerful sect or combination of sects could use political or governmental power to punish dissenters, has been employed to prohibit characteristically and admirably American accommodation of the religious practices—or more precisely, cultural peculiarities—of a tiny minority sect. . . . Once this Court has abandoned text and history as guides, nothing prevents it from calling religious toleration the establishment of religion.

Ten years later, in 2004, the Supreme Court decided Locke v. Davey. In this case, a student challenged a Washington State statute which created a scholarship for students enrolled ''at least half time in an eligible postsecondary institution in the state of Washington,'' but excluded from eligibility for this scholarship students seeking degrees in devotional theology. A student sued to enjoin Washington from refusing to award him a scholarship. By a vote of 7-to-2, the Supreme Court upheld the statute. Justice Scalia dissented. He wrote that:

> When the State makes a public benefit generally available, that benefit becomes part of the baseline against which burdens on religion are measured; and when the State withholds that benefit from some individuals solely on the basis of religion, it violates the Free Exercise Clause no less than if it had imposed a special tax. That is precisely what the State of Washington has done here. It has created a generally available public benefit, whose receipt is conditioned only on academic performance, income, and attendance at an accredited school. It has then carved out a solitary course of study for exclusion: theology.

The next year, the Supreme Court decided McCreary County v. ACLU of

Kentucky. This case involved a challenge to the placement of the Ten Commandments on the walls inside two Kentucky courthouses. By a vote of 5-to-4, the Supreme Court held that the placement of the Ten Commandments inside of courthouses was a violation of the First Amendment's Establishment Clause. Justice Scalia dissented. He wrote that:

> Historical practices demonstrate that there is a distance between the acknowledgment of a single Creator and the establishment of a religion. The former is, as Marsh v. Chambers put it, ''a tolerable acknowledgment of beliefs widely held among the people of this country.'' The three most popular religions in the United States, Christianity, Judaism, and Islam—which combined account for 97.7% of all believers—are monotheistic. All of them, moreover (Islam included), believe that the Ten Commandments were given by God to Moses, and are divine prescriptions for a virtuous life. Publicly honoring the Ten Commandments is thus indistinguishable, insofar as discriminating against other religions is concerned, from publicly honoring God. Both practices are recognized across such a broad and diverse range of the population—from Christians to Muslims—that they cannot be reasonably understood as a government endorsement of a particular religious viewpoint.

More recently in 2014, Justice Scalia dissented from a denial of certiorari in the case of Elmbrook School District v. Doe. In this case, the entire seventh circuit, over three dissents, held that a suburban Milwaukee public high school district violated the Establishment Clause of the First Amendment by holding its graduation in a nondenominational church. Justice Scalia wrote that:

> Some there are—many, perhaps—who are offended by public displays of religion. Religion, they believe, is a personal matter; if it must be given external manifestation, that should not occur in public places where others may be offended. I can understand that attitude: It parallels my own toward the playing in public of rock music or Stravinsky. And I too am especially annoyed when the intrusion upon my inner peace occurs while I am part of a captive audience, as on a municipal bus or in the waiting room of a public agency.
>
> In this case, at the request of the student bodies of the two relevant schools, the Elmbrook School District decided to hold its high-school graduation ceremonies at Elmbrook Church, a nondenominational Christian house of worship. The students of the first school to move its ceremonies preferred that site to what had been the usual venue, the school's gymnasium, which was cramped, hot, and uncomfortable. The church offered more space, air conditioning, and cushioned seating. No one disputes that the church was chosen only because of these amenities.
>
> In this case, it is beyond dispute that no religious exercise whatever occurred. At most, respondents complain that they took offense at being in a religious place. It bears emphasis that the original understanding of the kind of coercion that the Establishment Clause condemns was far narrower than the sort of peer-pressure coercion that this Court has recently held unconstitutional.

Although many of his dissents were memorable, not all of Justice Scalia's notable opinions on religion in public life were issued in dissent. In 1995, Justice Scalia wrote the opinion for the Court in Capitol Square Review and Advisory Board v. Pinette, where the Court rejected an Establishment Clause challenge to the Christmas season display of an unattended Latin cross in a plaza next to the Ohio State Capitol. Writing for the Court, Justice Scalia said:

> Respondents' religious display in Capitol Square was private expression. Our precedent establishes that private religious speech, far from being a First Amendment orphan, is as fully protected under the Free Speech Clause as secular private expression. Indeed, in Anglo-American history, at least, government suppression of speech has so commonly been directed precisely at religious speech that a free-speech clause without religion would be Hamlet without the prince.

And just last term, Justice Scalia wrote the opinion for the Court in EEOC v. Abercrombie & Fitch Stores, a case about accommodation on the basis of religion in the employment environment. In this case, a Muslim individual who wore a head scarf as part of her religious observation applied for a job at a clothing retailer, but was not hired due to the company's policy, which prohibited employees from wearing ''caps.'' In reversing the court of appeals in favor of the applicant, Justice Scalia wrote that:

> Congress defined ''religion'' for Title VII purposes as ''including all aspects of religious observance and practice, as well as belief.'' Thus, religious practice is one of the protected characteristics that cannot be accorded disparate treatment and must be accommodated.

As we see, these opinions by Justice Scalia involve parties of varied faiths—Christians, Jews, and Muslims. Regardless of the identity of the party, Justice Scalia's opinions on religion in public life consistently evidence a deep respect for the unique history of religious pluralism in this country and a heartfelt appreciation for its positive impact across the landscape of the nation. While some may say his opinions are not consistent, I disagree. Religion in American life is an important and complex subject. Judges must think carefully but not abandon common sense as so many opinions have. Justice Scalia saw limits on free exercise of religion when it came to the contention, for example, that one's religion required the use of drugs that a State had declared illegal.

So this is an important area that needs to be cleared up so that we can bring some reality to the question of the expression of religious conviction in public life. Because the Constitution says we shall not establish a religion—Congress shall not establish a religion. It doesn't say States couldn't establish a religion; it says Congress can't establish a religion. It also says ''nor shall Congress prohibit the free exercise thereof.'' So you can't prohibit the free exercise of religion.

I think we have forgotten the free exercise clause and over-interpreted the establishment of religion. Some States at the time had established religions. Most of the countries in Europe had a religion that they put in law for their country, and we said: No, we are not going to establish any religion here. You have the right to exercise your religious faith as you choose.

Madison and Jefferson particularly believed it was absolutely unacceptable for this government to tell people how to relate to that person they considered to be their creator. That was a personal relationship that ought to be respected and the government ought to have no role in it.

Like Madison and Jefferson, Justice Scalia, too, believed in American exceptionalism. Indeed, he was truly exceptional. Although he will be impossible to replace, his seat on the Supreme Court will eventually be filled by the next President. After that nominee is confirmed, his or her decisions will likely impact our Nation for the next 30 years and far beyond. Next year, when we debate this eventual nominee's qualifications to assume Justice Scalia's seat, we need look no further than his own words for wisdom to guide us as we consider our decision. In no uncertain terms, Justice Scalia's McCreary County dissent reminds us that:

> What distinguishes the rule of law from the dictatorship of a shifting Supreme Court majority is the absolutely indispensable requirement that judicial opinions be grounded in consistently applied principle. That is what prevents judges from ruling now this way, now that—thumbs up or thumbs down—as their personal preferences dictate.

That is the governing principle that Justice Scalia abided by—unwavering commitment to the rule of law even when reaching the outcome that the law dictated did not align with his policy preferences. This—above all things—is the duty of a judge or Justice, and it is a principle that has fallen by the wayside far too often in recent years. It is imperative that we keep these words in mind when we consider appointments not only to the Supreme Court, but all lifetime appointments to the Federal judiciary.

I thank the Presiding Officer and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. WYDEN. Mr. President, now that the Senate has passed the Comprehensive Addiction and Recovery Act, I wish to take a few moments to reflect on what I believe are going to be additional steps that are needed to really

put an end to the horrible opioid epidemic. This is a horrible, horrible health scourge that has carved a path of destruction throughout communities in Oregon and across our country.

Now, over the last several weeks, I have traveled around Oregon to spend time listening to experts. We heard powerful testimony in the Finance Committee, and I have spoken with colleagues here in the Senate about the urgency and the important scale of this national crisis. The message has been very clear: Our country is paying for a distorted set of priorities. Our citizens get hooked on opioids, there is not enough treatment, and enforcement falls short. My view is that is a trifecta of misplaced priorities.

What it says to me is that our country needs a fresh approach where prevention, better treatment, and tougher enforcement work in tandem. We have to have all three working together to really get on top of this horrible, horrible health scourge. The Congress ought to be working overtime on policies that start moving our Nation towards this tandem approach that I have described.

Now, my view is that the bill that was passed by the Senate takes the first step toward updating the country's out-of-date approach to substance abuse. More needs to be done, and that is what I and other colleagues have pushed hard to do. I very much hope that more can be done in this Congress.

As ranking member of the Finance Committee, we are required to pay for Medicare and Medicaid. I wish to spend a few minutes talking about the fundamental role that is going to play in stemming the tide of opioid abuse.

These are bedrock health programs, and they are expected to account for over a third of substance abuse-related spending in the upcoming years. We are talking about billions and billions of dollars. Medicare and Medicaid have an important role when it comes to preventing addiction at its source, and talking about prevention has to include talking about how these drugs are prescribed in the first place.

As I visited with citizens around Oregon, I was struck—and I know of the Presiding Officer's expertise in health care as a practitioner—by what I have come to call the prescription pendulum. Doctors were once criticized for not treating pain aggressively enough, and today they are criticized for prescribing too many opioids to manage pain. So in the days ahead, our country is going to have to look for solutions that get the balance right.

During the debate on this bill, the Senate considered an amendment I wrote that would have doubled the penalties for opioid manufacturers who give kickbacks to prescribers and put profits over patients. It has been well documented in recent years that companies are pushing the unapproved use of some drugs at the expense of patient safety. It is high time for real accountability when the manufacturers go too far.

My amendment would also have made significant progress to connect those struggling with addiction to appropriate treatment. Some parts of the bill the Senate passed crack down on those on Medicare who are suspected of abusing opioids. It is an enforcement-only approach, and my view is that the story cannot stop there. Without treatment, those addicted to opioids might try to get their pills on the street or turn to heroin. My amendment would have ensured that those who are at risk for opioid abuse are connected to meaningful treatment choices so they can better manage their pain and limit excessive prescriptions.

I also proposed an amendment that would have helped some of the most vulnerable Americans, including pregnant women on Medicaid who struggle with addiction. The costs of inaction here add up every single day for moms and their babies. A recent Reuters investigation found that, on average, an opioid-dependent baby is born every 19 minutes. These are high-risk pregnancies that can have lifelong consequences for mothers and their children. Some of these babies tragically aren't going to make it. Many of them are going to be placed in foster care if their mothers cannot break their addiction.

So it is critical that these women have and retain full access to pre- and post-natal care as well as addiction treatment. Yet, today, if a pregnant woman on Medicaid receives treatment for drug or alcohol dependency, in certain in-patient facilities, that woman loses her health coverage for the duration of her stay. That just defies common sense.

The good news is, the country has a pretty good idea of a straightforward solution. There is no reason someone who is pregnant should lose access to their health insurance. This amendment simply states that no pregnant woman would lose her Medicaid while she receives treatment for addiction. To be clear, this amendment doesn't instruct Medicaid to pay for these treatment services. That charge requires a broader debate. I do believe, though, in the meantime, access to services like prenatal care should not be restricted for pregnant women who want to receive care for their addiction.

It is unfortunate these amendments didn't make it into the Senate legislation today, but I have seen a number of times—and I look forward to working with my colleagues in the Senate—that sometimes we don't win on day one, and you have to come back again and again and again. A few weeks ago, a bill I authored well over a decade ago, the Internet Tax Freedom Act, finally got passed permanently into law. So sometimes when something is important, you just have to stay at it, and I want colleagues to know I think the CARA bill is a good start. It focuses on enforcement, but unless you get the prevention and treatment part of it in addition to enforcement, you are not going to get the job done properly.

The Congress obviously has some tough choices to make. If prevention and treatment aren't addressed upfront, the costs are going to be even higher—pregnant mothers giving birth to opioid-dependent babies, EMTs in emergency rooms dealing with overdose calls every night, county jails taking the place of needed treatment, able-bodied adults in the streets instead of working at a family wage job. American tax dollars need to be spent more wisely, and it is my view the Senate has to come back to this issue. It has to come back to this issue and get the job done right.

I indicated earlier that I am very much aware of the expertise of the Presiding Officer in health care and his involvement as a practitioner, and I look back, as I said, to how the prescription pendulum has moved. It wasn't very long ago when I was of the view that there wasn't enough done to manage pain. As patients began to insist on those kinds of drugs and therapies to help them with their pain, we saw they were able to get relief. The pendulum may have swung the other way now, and there is too much prescribing. I don't pretend to be the authority on how to get the prescription pendulum right, but I do know from listening to practitioners in the field, to citizens, to grieving parents, that you have to have more than enforcement. That is what the Senate has done with the bill that was passed today. The story must not end there. The Senate can do better in the days ahead. The Senate can fill in the rest of the story and ensure that in addition to enforcement, there will be prevention, there will be treatment, and a sensible policy that ensures that these three priorities work in tandem and is what the Senate pursues on a bipartisan basis in the days ahead.

WOMEN'S HEALTH CARE

Mr. WYDEN. Mr. President, I want to spend just a few minutes to discuss women's health care because I believe women's health care in America is in trouble—very deep trouble. It is in trouble in Congress, it is in trouble in the courts, and it is in trouble in our statehouses. In these bodies, I think there is a serious risk to women's access to affordable, high-quality health care. There is an assault on women's right to choose their own physicians and their own providers, and that assault is wrong. Drip by drip, State by State, the assault goes on.

The latest example is in Florida, where lawmakers seem to be heading down the same road that Texas and Louisiana have traveled, restricting the choices of women. This all began with a Texas law, HB2, that has been challenged all the way to the U.S. Supreme Court. Arguments were heard just last week. HB2 backers have argued the law is about protecting women's health. My view is that is pretty

much fiction. HB2 has very little to do with women's health. It is a thinly veiled scheme to block women's health choices with unjustifiable requirements for abortion clinics. The AMA and the American Congress of Obstetricians and Gynecologists—people who obviously have expertise on this issue—have said very clearly in a legal brief, an amicus brief, that the restrictions are ''contrary to accepted medical practice and are not based on scientific evidence.'' Despite the advice of the American Medical Association and the American Congress of Obstetricians and Gynecologists, Texas went ahead with the law anyway. If it stands, the number of clinics that provide abortion care will drop by more than three-quarters. Now HB2 backers say it is about preventing complications from abortion. Yet they ignore other procedures—colonoscopies, for example, that have much higher rates of complications. HB2 backers say women who live where these clinics have shuttered could go to other States, but the fact is, we are hearing that really isn't an option for so many women.

Louisiana just passed its own version of HB2. Just yesterday the news came down that legislators in Florida have passed a similar measure. The Florida bill goes one dangerous step further by going after funding for Planned Parenthood. Attacks on Planned Parenthood aren't anything new, not in statehouses like Tallahassee or here in the Congress. When you threaten Planned Parenthood in this way, you are going far beyond restricting access to abortion. Here is the list of vital women's health care services which have absolutely nothing to do with abortion, and these services which have nothing to do with abortion are under threat: pregnancy testing, birth control, prenatal services, HIV testing, cancer screenings, vaccinations, testing and treatment for sexually transmitted infections, basic physical exams, treatment for chronic conditions, pediatric care, hospital and specialist referrals, adoption referrals, nutrition programs.

The fact is, this assault on women's health care is going to hit disadvantaged, struggling women hard across our country. There are countless women across America enrolled in Medicaid who rely on Planned Parenthood and similar programs for their basic, essential medical care. It is their first line of defense for basic health care, particularly in rural communities in rural Oregon. The women know and trust their doctors at those clinics. Without those clinics, they aren't going to have anywhere to turn for their care. If you are working an hourly job, you have kids to care for on your own, it is pretty clear you are not going to find an easy way to take a day off work and travel far away for medical care. Yet these are the kind of laws that are being passed in States across America. These anti-woman laws are unfair and they are dangerous.

This will not be the last time I come to the floor to discuss this. My view is access to health care for women in this country is in trouble, and a number of the services I have talked about are essentially part of what is a constitutional right—a constitutional right. It doesn't just mean it is a constitutional right if you are well-off. It is a constitutional right because the U.S. Supreme Court has said it, and I intend to defend that constitutional right. I intend to do everything I can to build bipartisan support so that instead of women's health services being in deep trouble as I described today, women can know that those essential services are available for them across the country.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STUDENT'S FIRST AMENDMENT RIGHTS

Ms. HEITKAMP. Mr. President, I come to the floor today to talk about one of our most cherished rights as U.S. citizens; that is, the freedom of speech and why allowing our children and young people to exercise this right at a young age is critical to learning and understanding complex and tough issues and ideas.

The ability to effectively teach and learn journalism—and for other students to be challenged to engage in public discourse on tough issues—was severely hindered by the U.S. Supreme Court ruling in 1988 in Hazelwood School District v. Kuhlmeier. The Hazelwood case legitimized a school's decision to remove material about divorce and teen pregnancy from the pages of a student newspaper on the grounds that the material was overly mature for a high school audience.

Justice William Brennan, one of the First Amendment's greatest judicial champions, dissented from that ruling in words that resonate with us here today. He said: ''Instead of teaching children to respect the diversity of ideas that is fundamental to the American system and that our Constitution is a living reality, not parchment preserved under glass, the Court today teaches youth to discount important principles of our government as mere platitudes.''

History has vindicated Justice Brennan's dire warning. Students regularly report that they have been prevented from discussing matters of public importance in the pages of student media or, perhaps worse, they have restrained themselves from even attempting to address an issue of social or political concern in fear of adverse consequences. That is not an environment that values and empowers student voices, and it is not a climate conducive to the effective learning of civic participation. We can and must do better.

On the 25th anniversary of the Hazelwood decision in 2013, every major journalism education organization in the Nation enacted a resolution calling on schools and colleges to abandon reliance on the Hazelwood level of institutional control. The sentiment was perhaps best expressed by the Association for Education in Journalism and Mass Communication, the largest organization in the country of college journalism instructors, which stated that ''no legitimate . . . purpose is served by the censorship of student journalism even if it reflects unflatteringly on school policies and programs, candidly discusses sensitive social and political issues, or voices opinions challenging to majority views on a matter of public concern.''

Since then, nine States have statutes protecting the independence of student journalists to report on issues of public concern without fear, and two have comparable protections by way of the State board of education rules. The combined experience of these 11 States spans well over 160 years, demonstrating that young people are fully capable of exercising a measure of legally protected press freedom responsibly and without incident or harm.

I am proud to say that my own home State of North Dakota established a position of national leadership by enacting the John Wall New Voices of North Dakota Act in 2015. The statute was named in memory of a truly amazing educator, John Wall, who lived his own civics lesson by running for the North Dakota House of Representatives, where he served with great distinction for 10 years after retiring from a 34-year career as a public school teacher.

The New Voices Act passed the North Dakota State Legislature with bipartisan sponsorship and without a single negative vote. That is truly an amazing fact. As we think about the importance of student journalism, the importance of voicing opinions and the importance of learning the value of participation through the First Amendment or through speech, I am often reminded of a personal incident that I had in my family.

My daughter was not on the school newspaper when she was in high school, but she frequently wrote a column. One column that she wrote generated a lot of controversy in a very small town at a time when it was much more controversial. It was an article that promoted marriage equality. She ended up getting a lot of grief and a lot of negative attention as a result of writing that article. My daughter is pretty opinionated. So it didn't bother her too much.

But many years later, I received a letter from a mother. That letter from a mother talked about how she was in a same-sex relationship, had been most

of her life and most of her daughter's life, and how once my daughter had published this article in the Mandan school newspaper, it changed the outcome. It changed the way her daughter went to school every day because she knew she wasn't alone. She knew someone was there in that school who understood her challenges and supported her family. So where it may not move big issues—and it may not be a big, moving example like Hazelwood—it can, in fact, change outcomes. The ability to express yourself, the ability to be part of a community where we have open ideas is absolutely instrumental and critical to the future of our country.

When you look at the restrictions that still today are put on student press and student newspapers, we know we have to do better.

I applaud the new voices of North Dakota organization and its founder, Professor Steven Listopad of Valley City State University and those teachers, professors, and students around the country who engage in similar efforts for helping shine the Nation's attention on the urgent need to protect meaningful and candid journalism so that young people have an opportunity to participate and drive the civic dialogue about the world in which they live and they will eventually lead.

The skills learned and developed by student journalists and the roles they can play in driving public conversation among their peers speak to the indispensable role that journalism can play—if adequately supported by our schools—in educating the next generation for the careers of the future and for preparing our children to discuss, debate, and lead on important and controversial issues.

I think that, as we are moving forward and taking a look at what can be done, it is important that we all appreciate that the First Amendment is not something that you should just learn in school books. It is something that you must exercise. And the sooner you exercise that First Amendment right to speech, the sooner we recognize that young voices in this country are as critical as older voices and no student should be restricted or prevented from expressing an opinion and the stronger we will grow in our democracy.

I look forward to continuing to work on this issue. I look forward to taking on the difficult task of talking about what we can do nationally to advance this, but I mainly came to the floor to applaud the great State of North Dakota for recognizing the importance of students' First Amendment rights.

I encourage all Members in this Chamber to examine what happens at home with students' First Amendment rights, to provide leadership, to promote those rights in their State, and to potentially look at how we can reverse the Hazelwood decision so that we can grow a more confident, a more educated, and a more diverse population for our future.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SASSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING DOCTOR QUENTIN YOUNG

Mr. DURBIN. Mr. President, I would like to take a few minutes to talk about an extraordinary person who passed away on Monday, March 7, at the age of 92. Dr. Quentin Young was a dedicated physician and an advocate for civil rights in Chicago.

Some of Dr. Quentin's patients included the Rev. Martin Luther King, Jr., the Beatles, Studs Terkel, the late Mayor Harold Washington, and even President Obama.

Dr. Young's commitment to the common good is what makes him a legend. He spent 35 years at Cook County Hospital and 56 years of private practice in Hyde Park improving health care while fighting for social justice and racial equality. His autobiography is titled, ''Everybody In, Nobody Out: Memoirs of a Rebel Without a Pause.'' And he meant it.

Doctor Quentin Young grew up in Hyde Park in Chicago's Southside. And when America entered World War II, he enlisted in the Army and served his country honorably.

After returning from the war, Dr. Young graduated from medical school at Northwestern University and would go on to spend 35 years at Cook County Hospital treating patients and becoming a moral voice during the Civil Rights era. When people outside of Chicago hear the words Cook County and hospital, people think about the show ''ER'' and doctors resembling George Clooney. For the people in Chicago, they think of Dr. Quentin Young.

Dr. Young's experience at Cook County Hospital and his efforts during the Civil Rights movement were intertwined. In 1951, he was a founder of the Committee to End Discrimination in Chicago Medical Institutions, which focused on ending racist practices in Chicago's hospitals and clinics.

By 1960, the Cook County Hospital was serving the Black community and immigrant Mexican community almost exclusively. Eighty percent of Chicago's Black births and nearly half of all Black deaths were at Cook County Hospital. This place was one of the frontlines of social inequality and Dr. Young and his family fought to change that. His efforts were not limited to the Chicagoland area. Dr. Young was a founder and national chairman of the Medical Committee for Human Rights or MCHR, which formed in June 1964 to offer support and medical care for civil rights workers, community activists, and summer volunteers working in Mississippi during the Freedom Summer.

It was the MCHR that provided help and emergency medical care to antiwar protesters at the 1968 Democratic National Convention in Chicago. In October of that year, Dr. Young received a summons by the House Un-American Activities Committee for his involvement in MCHR. He valiantly defended the MCHR's work.

After Rev. Martin Luther King, Jr., was struck in the head by a rock while marching through a White neighborhood, Dr. Young was there to patch him up. He was not only Dr King's physician but a fellow marcher during the Marquette Park protest in 1966.

Dr. Young and the late Dr. Jorge Prieto, former head of the Chicago Board of Health, became the primary force behind the movement to found neighborhood medical clinics in the late 1960s. These clinics gave medical help to countless people when they couldn't afford to go to the doctor.

From 1972 to 1981, he served as chairman of Medicine at Cook County Hospital. His example helped bring many dedicated people back to the hospital, but it wasn't without challenges. The staff went on strike because of the lack of resources in 1975. Dr. Young sided with the young doctors, and the governing commission fired him for it. With loyalty, the striking staff took his office door off its hinges so management couldn't change the locks and held a 24-hour vigil outside his office until he regained his position after a court fight.

In 1980, Dr. Young founded the Chicago-based and Illinois-focused Health & Medicine Policy Research Group, which conducts research, education, policy development, and advocacy for policies that impact health systems to improve the health status of all people. He would go on to serve as Mayor Harold Washington's appointment as president to the Chicago Board of Health.

Dr. Quentin Young never lost his passion for providing equal access to health care for the people of Illinois. Since retiring from private practice in 2008, he fought hard for a single-payer system.

In 2001, at the age of 78, he walked 167 miles across Illinois, from Mississippi River to Lake Michigan, with former Governor Pat Quinn to promote access to health care.

He never wavered in his belief in humanity's ability and responsibility to make a more equal and just nation. My prayers and thoughts go out to his family, Michael, Ethan, Nancy, Polly, Barbara, William, Karen, and his nine grandchildren.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. LEAHY. Madam President, 8 years ago, I convened the first in a series of hearings in Vermont where the Senate Judiciary Committee examined

the growing problem of drug addiction in rural communities. As we gathered in Rutland in March 2008, the mayor noted in his opening statement that there was a part of him that wished that the committee did not have to be there in his city that day. He wished that his community was not facing the scourge of drug abuse and addiction that was creeping across rural America.

But in true Vermont fashion, Mayor Louras and the other community leaders, law enforcement officials, and health professionals who gathered with us that day in March 2008 did not shy away from the problem. Instead, we had an honest discussion about how to fight this problem together and about how the Federal Government could help. Over the past 8 years, we have continued this important conversation at other hearings I convened in St. Albans, in Barre, and again in Rutland. We have heard testimony from community leaders and officials throughout Vermont about the growing problem of opioid addiction. In St. Albans, for example, Dr. Fred Holmes told us tragic stories about teenagers getting hooked on OxyContin and other opioids and then committing crimes to support their habits. These stories have been heartbreaking.

Despite these difficult circumstances, I am struck by the determination of Vermonters to come together to address this crisis—and to do so not just through law enforcement and locking people up, but through comprehensive prevention, treatment, and recovery programs.

In Rutland, for example, Project VISION brings together city officials, law enforcement, and social services to work together, all in the same office, to confront the problems of drug abuse and related crime. What they have found is that something as simple as sharing office space improves communication and coordination and begins to turn the tide.

Mary Alice McKenzie, executive director of the Boys & Girls Club, testified at the most recent hearing in Rutland about children who are neglected because their parents are opioid addicts and how there is sometimes no money for food because parents have spent it on drugs. Kids are also becoming addicts at younger and younger ages. The Boys & Girls Club has responded by extending evening hours and staying open on Saturdays. They now serve dinner 6 nights a week and drive kids home after dark. They provide safety for these children. They are also working with schools and public health officials to provide education and prevent them from getting swept up in that world.

At that same hearing, Vermont's health department commissioner, Harry Chen, described to us Vermont's innovative and successful ''hub and spoke'' treatment model. This system has two levels of care, with the patients' needs determining the appropriate level. Although challenges remain and waiting lists are still too long, I believe this system can be a model for the Nation's response to the opioid crisis.

Earlier this year, we heard powerful testimony from Governor Shumlin about the progress that Vermont has made because of this comprehensive approach—but also about the work that still remains to be done. Vermont's focused and persistent efforts are now drawing attention and replication in communities across the Nation.

In many ways, the Comprehensive Addiction and Recovery Act, or CARA, builds upon the work in Vermont.

To specifically address the opioid problem in Vermont and other rural areas, I made sure that CARA will help get the overdose-reversal drug naloxone into more of our rural communities. Getting naloxone into more hands will save lives. I also ensured that CARA includes a new Federal grant program to fund expanded treatment options for heroin and opioid abuse and Federal funding to expand State-led anti-heroin task forces.

I am proud to be a cosponsor of CARA, and I am glad to see the Senate pass this bill. This bill is historic because it marks the first time that we are treating addiction like the public health crisis that it is. We are not imposing harsh and arbitrary mandatory minimum sentences on those who abuse drugs. We are not condemning the poor and sick among us to be warehoused in our Nation's jails. Today I am hopeful that we have finally learned our lesson from the failed war on drugs.

But our work is not done. The Senate missed an opportunity to provide real funding for this effort when Republicans blocked Senator SHAHEEN's amendment that would have provided for emergency supplemental appropriations, so we need to keep fighting to ensure that we provide the necessary resources to support implementation of this bill. In Vermont and across this country, there are few issues more pressing than opioid and heroin addiction, and I will not stop working with people throughout our State to help fight this epidemic.

Mr. TESTER. Mr. President, earlier today the Senate overwhelming passed the Comprehensive Addiction and Recovery Act, which is a good first step toward combatting the opioid addition epidemic facing our Nation. The bill authorizes expanded treatment options and empowers local health and law enforcement agencies to intensify efforts to combat opioid addiction. This bill is a good start, but there is a lot of work left to do to address this increasingly dire situation. This body needs to put real resources behind the initiatives we approved today and place a greater priority on investing in research for non-opioid alternatives to pain management.

The CDC estimated that, in 2014, overdose related to prescription pain killers killed nearly 19,000 Americans. In Montana alone, according to the Montana Department of Public Health and Human Services, prescription drug overdoses led to at least 369 deaths and more than 7,200 hospital inpatient admissions and emergency department encounters statewide over a recent 3-year period. The effects of opioid addiction are undisputedly devastating.

It is also important to keep in mind that chronic pain is a very real problem that affects millions of Americans. When discussing the negative consequences of opioids, we must also remember that effective treatments for chronic pain are absolutely necessary for those struggling with long-term pain management.

That is why I believe it is time to devote more energy and funding to the development of non-opioid painkillers. Early stage research in my home State of Montana is demonstrating incredible promise in developing non-opioid drugs that could help treat both chronic and acute pain. I am confident that medical professionals will eventually be empowered to offer their patients effective pain management alternatives that may significantly reduce our society's reliance on opioids.

I look forward to working with my colleagues in the coming months to find ways to invest in the research and development of non-opioid painkillers. In the meantime, I encourage Federal agencies, such as the National Institutes of Health, to ramp up focus on finding alternative treatments for chronic pain to reduce our Nation's dependency on opioids. Thank you.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mrs. MCCASKILL. Mr. President, I was necessarily absent for today's votes.

On S. 524, the Comprehensive Addiction and Recovery Act of 2015, I would have voted yea.

On the motion to table S.J. Res. 31, a joint resolution relating to the disapproval of the proposed foreign military sales to the Government of Pakistan of F–16 Block 52 aircraft, I would have voted yea.•

REMEMBERING JUSTICE ANTONIN SCALIA

Mr. INHOFE. Mr. President, on February 13, 2016, Supreme Court Justice Antonin Scalia passed away in his sleep. He was an enduring legacy of the Reagan administration and the conservative standard not only on the Supreme Court but for the entire American judicial community.

History will remember Scalia as a stalwart defender of the Constitution and a brilliant legal mind. He authored the majority opinion on countless rulings of the Court, preserving and protecting our Nation's founding principles. His intellectual honesty, as well as his humor, will be greatly missed.

Justice Scalia played a pivotal role in the shaping of constitutional interpretation throughout his 30-year tenure on the Supreme Court. He had within him a fervor for law and order; yet he demonstrated a warmth that resonated with many colleagues on both sides of the political divide.

Scalia built meaningful relationships across that divide which were indicative of the strength of his character. Hadley Arkes, an expert in constitutional law, said that Scalia was able to ''find something redeeming and likeable in just about everyone he met, regardless of politics.'' This was no doubt a reflection of his strong Christian background and tremendous character.

You can learn the character of a man best by listening to how those who knew him speak of him. Former colleagues and intellectual adversaries alike are unrestrained in their kind words for Justice Scalia.

Supreme Court Justice Stephen Breyer spoke fondly of the late Justice, saying: ''Nino sparkled with enthusiasm, energy, sense of humor, insight, and seriousness of purpose—the very qualities that I and his other colleagues have benefited from in more recent years.''

Justice Thomas described Scalia as a patriot with a true calling for interpreting the Constitution and noted that their relationship flourished based on that common interest. Justice Ruth Bader Ginsburg also described their relationship as close and ''how blessed she was to have a friend of such brilliance, high spirits, and quick wit.''

Scalia had a positive impact on so many lives as a Justice, a colleague, a father, and a friend. His demeanor was just and fair, but marked with personality and humor. Late Justice Scalia was a staunch defender of the Constitution, rendering unbiased opinions and a unique perspective.

Mr. VITTER. Mr. President, today I honor the late Justice of the Supreme Court of the United States Antonin Scalia.

During his many years of serving our country, Justice Scalia proved to be a great defender of our constitutional liberties. Regardless of one's politics, it is undeniable that Justice Scalia was a true patriot whose passion for upholding our American principles was matched only by his eloquence and intellect.

Justice Scalia's record of public service stretched from the time President Nixon appointed him as general counsel of the Office of Telecommunications Policy in 1971 to when President Reagan nominated him as an Associate Justice of the Supreme Court in 1986, where he served until his death in February 2016. Before and intermingled during this service, Justice Scalia also served as an extremely talented attorney in private practice, a brilliant law professor, including for my alma mater Tulane Law School in its summer programs, and an effective leader in the U.S. Justice Department at a number of levels.

One of the single most memorable events in my time in the Senate was when Justice Scalia agreed to visit with and speak to me and my staff. His presence and authority impressed all of us and, as he discussed a number of topics including the importance of protecting our constitutional rights; I admit to being awestruck. It was a great honor to hear directly from one of most significant jurists in American history, and I know my staff remember that day as clearly as I do.

One thing that distinguished Justice Scalia was not necessarily what he did, but what he chose not to do. As a staunch adherent of limited, constitutional government, on numerous occasions, he advocated for the Court to separate itself from political fights or matters involving individuals who are free to decide their own fate. Originalism, the theory that the clear meaning given to words in the Constitution by our Founding Fathers should be honored, was prevalent in Justice Scalia's decisions. He abhorred judicial activism, and he correctly understood that the place for instituting laws was in the legislature, where the will of the people is democratically represented.

I know that Justice Scalia will also be remembered for his upbeat nature, affability, charm, and wit. At the heart of his larger-than-life personality was an educator, a person who not only ruled on the law, but also took the opportunity to inform readers of his opinions about the history behind the decisions.

I commend his lifetime commitment as a public servant and hope his example will inspire us all as we work to respect the Constitution and protect the freedoms of all Americans. We would be wise to follow Justice Scalia's lead in remembering America's founding principles as we are deciding matters of the future.

I also wish to express our deepest condolences to his wife, Maureen, and to the rest of his family. I am honored to join with the rest of the United States Senate in celebrating the wonderful memory and lasting legacy of Justice Antonin Scalia.

Mr. WICKER. Mr. President, I join my colleagues in expressing the deepest respect and admiration for Supreme Court Justice Antonin Scalia. Our country has lost a brilliant, principled, and determined jurist.

For three decades, Justice Scalia invigorated the Supreme Court, becoming an icon for constitutional originalism. He had a remarkable ability to espouse legal theory with memorable turns of phrase, and he could expose gaps in opposing opinions with laserlike precision. He did not fear differences of opinion but embraced the intellectual challenge that conflicting viewpoints could offer. The enduring friendships he made with those across the ideological spectrum are a true testament to his indomitable scholarship.

Antonin Scalia had a distinguished career in law, academia, and public service before being confirmed to the DC Circuit and later the Supreme Court. The many accolades and achievements of his biography are well known. But Antonin, fondly known as ''Nino,'' was much more than an extraordinary legal mind. He was man of faith and family, raising nine children with his wife, Maureen.

His son, Christopher, wrote this in the Washington Post following his father's death: ''As proud as we are of his legacy as a jurist, of course it's his presence in our personal lives that we'll miss the most.'' To his children, he was a loving father who took them to Sunday mass, listened to Bach in his study, and never shied away from playfulness at the dinner table.

We will remember Justice Scalia in my home State of Mississippi, where we were honored to host him over the years. We shared with him our variety of southern hospitality during his regular visits to the Magnolia State in pursuit of duck, deer, and turkey. When he wasn't outdoors, he spent time educating the public, especially college students, delivering thought-provoking lectures at the University of Mississippi, Mississippi State University, the University of Southern Mississippi, William Carey University, and MUW.

Justice Scalia's unanimous confirmation as the first Italian-American Justice was a historic moment for the Supreme Court and the beginning of a legendary tenure that will have a profound effect for generations to come. He leaves a vibrant legacy—perhaps most notably characterized by his steadfast protection of the Constitution as the Framers intended it. As I said shortly after learning the news of his death, ''I like to think Antonin Scalia and James Madison are having the damnedest visit right now.''

Mr. HELLER. Mr. President, today we honor the life and public service of Supreme Court Justice Antonin Scalia, whose passing signifies a great loss for our country. Justice Scalia was a devoted family man, scholar, and tireless public servant. He faithfully served Nevadans and all Americans for over 30 years on our Nation's highest Court. My thoughts and prayers continue to go out to his wife, Maureen, and the entire Scalia family.

Born on March 11, 1936, to Salvatore and Catherine Scalia, Justice Scalia was a disciplined, intellectual conservative from a young age. A diligent student who studied his way to become valedictorian at Georgetown University and graduating magna cum laude at Harvard Law School, Justice Scalia began his legal career in Cleveland, OH in 1961. After practicing law for 6 years in Cleveland, Justice Scalia accepted a position teaching administrative law at the University of Virginia.

Justice Scalia entered public service in 1972, during which he served as general counsel for the Office of Telecommunications Policy and chairman of the Administrative Conference of

the United States. In these positions, he expanded his expertise in administrative law, a topic that interested him throughout his career. In 1974, Justice Scalia became the Assistant Attorney General for the Office of Legal Counsel. It was here that Justice Scalia would argue and later win his first case before the U.S. Supreme Court.

In 1982, President Ronald Reagan appointed Justice Scalia to the Court of Appeals for the District of Columbia. Justice Scalia's originalist mindset, keen perception, and witty writing caught the attention of President Reagan, making Justice Scalia a top prospect to fill a potential Supreme Court vacancy. In 1986, Justice Scalia was confirmed by the Senate upon the retirement of Chief Justice Warren Burger. As a Supreme Court Justice, Justice Scalia would dramatically change the Court through his powerful dissents and sharp oral arguments.

Throughout his over 30-year tenure on the bench, Justice Scalia never strayed from his conservative principles and steadfast dedication to upholding the Constitution. His prominent leadership and originalist philosophy will never be forgotten as his legacy will live on through generations. I ask my colleagues and all Nevadans to join me today in remembering and celebrating the life of Justice Antonin Scalia.

• Mr. CRUZ. Mr. President, Antonin Scalia was one of the greatest Supreme Court Justices in the history of our country. A lion of the law, Justice Scalia spent his tenure on the bench championing federalism, the separation of powers, and our fundamental liberties. He was a passionate defender of the Constitution—not the Constitution as it has been contorted and revised by generations of activist Justices, but the Constitution as it was understood by the people who ratified it and made it the law of the land. Scalia understood that if the Constitution's meaning was not grounded in its text, history, and structure, but could instead by revised by judicial fiat, then the people were no longer sovereign. No longer would the Nation be governed by law, which expresses the will of the people; it would be governed by, as Scalia put it, ''an unelected committee of nine.'' This, he believed, ''robs the People of the most important liberty they asserted in the Declaration of Independence and won in the Revolution of 1776: the freedom to govern themselves.''

As one of the leading advocates of this restrained judicial philosophy, Justice Scalia became an intellectual force on the Court, where he authored a number of noteworthy majority opinions. In 1997, for example, Scalia wrote the opinion in Printz v. United States, one of the few cases in the last century where the Supreme Court has actually limited the Federal Government's power to coerce the states. In 2001, in Kyllo v. United States, he led the Court in holding that the Fourth Amendment requires the government to obtain a warrant before using high-tech equipment to invade the sanctity of the home. And in 2008, he penned the lead opinion in District of Columbia v. Heller, which finally recognized the people's individual right under the Second Amendment to keep and bear arms.

As important as these majority opinions were, though, Justice Scalia was even better known for his dissents, in which he let his true personality—jovial, acerbic, and witty—fully shine through. Scalia understood that changing the languishing legal culture would take drastic measures, so he wrote his dissents with a specific target in mind: law students. His aim? To delight their senses and engage their brains. To this end, he liberally employed colorful metaphors, pithy phrases, and biting logic; and he mercilessly, yet playfully, exposed the abundant flaws in the writing and reasoning of other Justices. Pure applesauce. Jiggery-pokery. Argle-bargle. If you squinted hard enough, you could almost convince yourself that G.K. Chesterton had taken a seat on the Supreme Court.

But perhaps the highest compliment I can pay to Justice Scalia is this: Several of his key opinions went against some of his staunchest supporters—and they still loved him. Why is that?

The answer is simple: Even in disagreement, Justice Scalia's supporters had confidence that he did not make up his mind by reading the political tea leaves, by voting lockstep with ideological cohorts, or by working his way backward from a desired end to whatever means was necessary to reach that end. Rather, he actually attempted to interpret the law; that is, he consistently did his best to come to a conclusion based on the only items that make a Supreme Court opinion valid in the first place: text and logic.

You don't have to take my word on this, though. Unlike many in our modern society who espouse ''diversity'' yet surround themselves with ideological yes-men, Justice Scalia actively sought out opposing views. His typical practice was to hire at least one ''liberal'' law clerk per term so that he would always have someone calling him out for unexpected mistakes and weaknesses. And in the wake of Scalia's passing, one of those clerks—a self-identified liberal—wrote the following:

> If there was a true surprise during my year clerking for Scalia, it was how little reference he made to political outcomes. What he cared about was the law, and where the words on the page took him. More than any one opinion, this will be his lasting contribution to legal thought. Whatever our beliefs, he forced lawyers and scholars to engage on his terms—textual analysis and original meaning. He forced us all to acknowledge that words cannot mean anything we want them to mean; that we have to impose a degree of discipline on our thinking. A discipline I value to this day.

I first met Justice Scalia in 1996, when I was serving as a law clerk for Chief Justice William Rehnquist, who was a judicial gamechanger in his own right. And I had the good fortune of knowing Scalia personally for 20 years. He was brilliant, passionate, and full of humor. He adored his wife, Maureen; his nine children; and his 36 grandchildren. He had a zest for life. He relished anchovy pizzas at A.V. Ristorante Italiano, where he would take his law clerks and the clerks of other Justices. Over the decades, Scalia inspired and mentored a generation of conservatives on the bench and in the legal academy.

Any advocate who stood before Justice Scalia, as I was privileged to do nine times, knew to expect withering questions that would cut to the quick of the case. When he was with you—when he believed the law was on your side—he was ferociously with you. And when he was against you, he would relentlessly expose the flaws in your case.

President Ronald Reagan could not have picked a better person to exemplify the true, nonpartisan role of a judge. A philosopher-king Justice Scalia was not. Rather, he showed the world, with his trademark wit and impassioned personality, what a legitimate, limited, and principled judiciary would actually look like. An incomparable writer, Scalia's legacy will live on for generations. He wasn't perfect, but he was close. What his supporters—myself included—treasured especially was the rock-solid ground he gave us on which to expect so much more from everyone else. And in doing so, he, along with Chief Justice Rehnquist and others, helped spark a revolution on a Court where politics and power had been the only guideposts for decision-making for far too long. That, more than anything else, is Scalia's great contribution to the Nation and will be his steadfast legacy.•

HARRIET TUBMAN

Ms. MIKULSKI. Mr. President, I rise to honor the life and legacy of Harriet Tubman on Harriet Tubman Day. Harriet Tubman is a true trailblazer and one of the most inspiring people in the history of our Nation and in the history of the State of Maryland.

Tubman was born into slavery around 1822 in Maryland's Dorchester County on the Eastern Shore. After 30 years of enslavement, she escaped. But instead of staying up North with her newfound freedom, she returned to the Eastern Shore 13 times to lead her family and hundreds of other slaves to freedom, becoming the most well-known ''conductor'' of the Underground Railroad. Harriet Tubman was such a central figure in liberating slaves that many simply knew her as Moses.

In addition to her work liberating slaves through the Underground Railroad, Tubman served as a Union scout and spy during the Civil War. She was the first woman to lead an armed expedition, guiding the raid at Combahee

Ferry and liberating 700 slaves. After the war, she became an active leader in the women's suffrage movement and opened a home to serve the aging African-American community in her new hometown of Auburn, NY.

In 2014, Congress established the Harriet Tubman Underground Railroad National Historical Park, which creates a National Park on Maryland's Eastern Shore dedicated to tracing Tubman's early life and work leading the Underground Railroad. Congress also established the Harriet Tubman National Historical Park in Auburn, NY, which will commemorate her later years as an active participant in the women's suffrage movement and a caregiver for aging African Americans.

I am proud that Congress has recognized Harriet Tubman's lifelong dedication to our country through the establishment of these two national parks. We must continue to tell the stories of heroes like Harriet Tubman, amplify the voices of more women and people of color, and make sure they are equally represented in our national parks and monuments. I also urge Secretary Lew to include Harriet Tubman's portrait on our currency as the U.S. Department of the Treasury redesigns the $10 bill.

As Harriet Tubman said, ''Every great dream begins with a dreamer. Always remember, you have within you the strength, the patience, and the passion to reach for the stars to change the world.''

It is my hope that, as we commemorate this Harriet Tubman Day, we can all follow Harriet Tubman's example and work together to change the world for the better.

HONORING OFFICER ASHLEY GUINDON

Mrs. SHAHEEN. Mr. President, people across the Washington area were saddened by the death of Officer Ashley Guindon, slain in the line of duty just one day after being sworn into the Prince William County Police Department in Virginia. This brave police officer is also being mourned in New Hampshire, especially in her hometown of Merrimack, where the law enforcement community considers her one of their own. As Merrimack Police Chief Mark Doyle said: ''When any law enforcement officer is struck down, it leaves a hole in our hearts. The fact that she and her family are part of the Merrimack community drives that point home even more so.''

Ashley was the only child of Sharon and the late David Guindon, a Navy veteran who also served in the Marine Corps Reserve and later the New Hampshire National Guard. After graduating from Merrimack High in 2005, she followed in her father's footsteps by joining the Marine Corps Reserve. Ashley loved flying and went on to earn a bachelor's degree in aeronautical science from Embry-Riddle Aeronautical University in Florida and later a master's degree in forensic science. As a Marine Reservist for 6 years, she flew helicopters and used her forensic skills to assist the Mortuary Affairs Office.

Ashley had a passion for public service and was always eager to help people in need. She volunteered with a suicide prevention program and regularly spent Thanksgiving helping out at a soup kitchen. She is fondly remembered by teachers and classmates at Merrimack High as exceptionally kind and friendly and as the talented leader of the Merrimack Cardinals cheerleading team.

As a newly sworn-in police officer, Ashley was struck down while coming to the assistance of a woman who was being threatened by her husband. ''She has accomplished more in 28 years than I think I could in 100,'' Prince William County Police Chief Stephan Hudson told The Washington Post. ''That was her desire: to serve, to be involved with things that mattered, to give her life to something worth giving it to. And that's exactly what she did.''

In New Hampshire as in Virginia, the loss of a police officer is felt deeply in the local community and far beyond. We know that the work of law enforcement professionals is difficult and dangerous. They perform their duties with great professionalism and selflessness, putting their lives on the line every day.

Ashley Guindon worked and studied hard to become a superbly qualified law enforcement professional. She was proud to wear the badge and to be a police officer. She gave her life in the line of duty, coming to the assistance of a stranger. I join with so many others in the Granite State and across the Washington area in expressing my respect and admiration for this remarkable young woman and my deep condolences to Sharon Guindon and the entire family. I know how proud they are of Ashley. We are all proud of Ashley. She was America at its finest.

TRIBUTE TO JAMES BROWN

Mr. CASEY. Mr. President, today I wish to recognize James Walter Brown, a true public servant, an accomplished businessman, and a longtime family friend. Over the course of the last 30 years, Jim has served at some of the highest levels of the State and Federal Governments; most recently, as my chief of staff here in the Senate. For 9 years, my staff and I benefitted from his considerable experience, sage counsel, and signature personal charm.

Jim's impressive academic credentials prepared him well for success: a diploma from Scranton Preparatory School; an undergraduate degree from Villanova University; and a J.D. from the University of Virginia. He also has a combination of substantial public and private sector experience from which to draw. He began his public service career as a counsel and, later, staff director for the Subcommittee on Oversight for the House Banking Committee. After serving the Federal Government, Jim returned to Pennsylvania to join the prestigious Pennsylvania law firm, Dilworth Paxson, where my father was a partner. In a pattern that would be repeated throughout his career, Jim's skill and dedication were quickly recognized by those around him, and he made partner himself in just 4 short years.

When my father was elected Governor of Pennsylvania in 1986, he asked Jim to return to public service as the Secretary of the Department of General Services for the Commonwealth of Pennsylvania. He would serve only 10 months in that position before being called on again by my father, this time to take on the role of executive secretary to the Governor. Jim continued to prove his commitment to his work and to Pennsylvania, and in 1989, Governor Casey named him chief of staff at the young age of 37. Serving as one of the chief executive officers in one of the most populous States in the Nation is a daunting task, but Jim approached this challenge like he would every other in his life: with poise, determination, and a commitment to excellence. He served as chief of staff until late 1994. His strong and patient manner was crucial in guiding State government through the difficult months of 1993 while Governor Casey recuperated from serious health issues. After leaving State service, he continued his dedication to Pennsylvania through his service as chairman of the Pennsylvania Higher Education Facilities Authority, chairman of the Pennsylvania Public School Building Authority, and chairman of the Finance Committee of the Pennsylvania Housing Finance Agency.

When I was elected to the U.S. Senate in 2006, I knew Jim would be the best architect to help me build my Senate organization. He moved to recruit the best and brightest for our team and quickly set up a highly functional and transparent office to work for the best interests of the citizens of Pennsylvania. He fostered an internal culture of hard work and mutual respect and established a firm open door policy within the office. Jim eschewed the notion of a hierarchical Senate office and referred to himself as the ''first among equals,'' rolling up his sleeves ''for the good of the order,'' as he was fond of saying. He took a particular interest in the professional development of our junior staff and interns, happily engaging in countless career counseling sessions, as he called them. While some managers quickly forget about the staff who move on, Jim did the opposite; instead, he grew with care a formidable alumni association of past staff and interns, staying in touch with people as their careers took them to different posts here in Washington and beyond.

It is a rare honor to work with anyone of Jim's caliber, but rarer still when that person can be counted as one

of your closest friends. Over the years, from his time as a mid-level staffer in the House of Representatives, to the chief of staff to the Governor of Pennsylvania, from his success in the private sector, to his public service in the Senate, Jim has always stood out as exceptional. Serving in the Senate has been one the highest honors of my life, equaled only by the privilege of working with a man of such integrity and professionalism.

As Jim leaves Senate service, I must thank his patient wife Lynne, who tolerated her husband living in Washington for half of every week in the name of public service. While Jim's day job kept him closer to his son, Patrick; daughter-in law, Michelle; and daughter, Laura, I know he is eager to give his Buick a rest and spend more time back at home in the Commonwealth. I wish Jim and his entire family good health and good fortune as they embark on this next phase of their lives.

ADDITIONAL STATEMENTS

REMEMBERING LIEUTENANT JAMES J. GERAGHTY

• Mrs. SHAHEEN. Mr. President, I join with people across my State of New Hampshire in mourning the loss of State police Lieutenant James J. Geraghty, who passed away late last month after a valiant battle with cancer. He devoted his career to public service, serving in the U.S. Army, later as a police officer in Hudson, NH, and for the last 24 years as a State trooper.

''His priorities in life were well defined,'' said his friend and colleague, State police Lieutenant John Marasco. ''He was committed to his family, he was committed to this organization, and he was committed as the lieutenant overseeing the Major Crimes Unit to delivering justice to victims, many of whom were victims of homicide and relied on his voice to bring that justice to them.''

Jim, as he was known to family and friends, was born in Boston, MA, and grew up in Tewksbury. He attended St. John's Prep in Danvers, MA, and the University of Lowell before joining the U.S. Army in 1984. After assignments at U.S. Army bases in the southern United States and Germany, his love of New England motivated him to end his military service and return home for what would be a long career in law enforcement. He began his service with the police department in Hudson, NH, and went on to serve for two decades as a State trooper, respected by his colleagues as a model officer, mentor, and leader. He was promoted to detective sergeant in 2008 and took command of the major crimes unit. He retired in 2015.

Jim was deeply devoted to his wife of 30 years, Valerie, and their four adult children, Jimmy, Colleen, Katie, and Erin. Friends say that his mantra was ''family first.'' He cherished annual family vacations in Wells, ME. Instead of talking about himself, he would often speak glowingly about the achievements of his children.

At the 2015 Congressional Achievement Awards ceremony, Lieutenant Geraghty received a richly deserved Lifetime Achievement Award—the capstone of a distinguished career in public service. An inscription at Arlington National Cemetery accurately describes his service both in the military and in law enforcement: ''Not for fame or reward, nor lured by ambition or goaded by necessity, but in simple obedience to duty.''

I would like to express my gratitude to New Hampshire State police Lieutenant James Geraghty for his service and my sincere condolences to his beloved wife and family.•

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. McCAIN for the Committee on Armed Services.

*Eric K. Fanning, of the District of Columbia, to be Secretary of the Army.

By Mr. SHELBY for the Committee on Banking, Housing, and Urban Affairs.

*Adam J. Szubin, of the District of Columbia, to be Under Secretary for Terrorism and Financial Crimes.

By Mr. CORKER for the Committee on Foreign Relations.

*Robert Annan Riley III, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federated States of Micronesia.

Nominee: Robert Annan Riley, III.

Post: Micronesia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $10.00, 2015 Democratic National Committee; $25.00, 2015 Democratic Congressional Campaign Committee; $30.00, 2014 Democratic Congressional Campaign Committee; $10.00, 2013 Alison Lundergan Grimes; $5.00, 2013 Michelle Nunn; $5.00, 2013 Natalie Tennant; $396.75, 2012 Obama for America; $52.50, 2012 Democratic Senatorial Campaign Committee; $12.00, 2012 Democratic Party Wisconsin; $10.00, 2012 Democratic Congressional Campaign Committee; $35.00, 2011 Obama for America; $22.00, 2011 DFA Wisconsin.

2. Spouse: None.

3. Children and Spouses: Susan Kadidia Riley: None; Carol Ina Riley: None.

4. Parents: Elfrieda Mueller Riley (mother): None; Robert Annan Riley, Jr. (father): Deceased; John Kenny (stepfather): $125.00, 2015 Republican National Committee; $50.00, 2015 Heritage Funds; $10.00, 2015 Reagan Ranch; $65.00, 2015 National Republican Senatorial Committee; $121.00, 2014 Republican National Committee; $10.00, 2014 National Republican Survey; $80.00, 2014 Heritage Funds; $40.00, 2014 Reagan Ranch; $55.00, 2014 Ben Carson; $100.00, 2014 National Republican Senatorial Committee; $10.00, 2013 Republican National Committee; no contributions years 2011–2012.

5. Grandparents: Marie DeHez Riley (grandmother), Deceased; Robert Annan Riley, Sr. (grandfather), Deceased; Mathilda Engebrecht Mueller (grandmother), Deceased; Arthur Mueller (grandfather), Deceased.

6. Brothers and Spouses: Frank Arthur Riley (brother): $25.00, 2014 Ann McLane Kuster; $295.00, 2014 Democratic Congressional Campaign Committee; $35.00, 2013 Democratic Congressional Campaign Committee; $325.00, 2012 Democratic Congressional Campaign Committee; $50.00, 2012 Patrick Leahy's Green Mountain PAC; $50.00, 2012 Bob Kerrey; no contributions years 2011, 2015; Unni Skog (Frank Riley spouse): None; Richard Mueller Riley (brother): None; Tracey Riley (Richard Riley spouse): None.

7. Sisters and Spouses: Carol Marie DeHez Riley Gauer (sister): None; Richard John Gauer (Carol Riley spouse): None.

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*Karen Brevard Stewart, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Marshall Islands.

Nominee: Karen Brevard Stewart.

Post: Marshall Islands.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: No spouse.

3. Children and Spouses: No children.

4. Parents: Selden L. Stewart II—Deceased; Brevard N. Stewart—Deceased.

5. Grandparents: Selden L. Stewart—Deceased; Nancy Stewart—Deceased; Roy D. Stubbs—Deceased; Georgia S. Stubbs—Deceased.

6. Brothers and Spouses: Selden L. Stewart III—Deceased; (Spouse) Kathryn H. Stewart—None.

David N. Stewart and (Spouse) Christine L. Stewart: $75, 2011, Club for Growth, $80, 2011, Libertarian Party; $11, 2011, National Republican Senatorial Committee; $50, 2011, Jeff Flake for U.S. Senate; $40, 2012, Club for Growth Action; $40, 2012, Libertarian Party; $25, 2012, Republican National Committee; $75, 2013, Libertarian Party; $50, 2013, Club for Growth; $30, 2013, National Republican Senatorial Committee; $50, 2013, Rubio Victory Committee; $25, 2013, Madison Project; $25, 2014, Libertarian National Committee; $25, 2014, Club for Growth; $70, 2014, Terri Lynn Land for Senate; $25, 2015, Libertarian Party; $25, 2015, Marco Rubio for President; $7, 2015, Marco Rubio for President; $25, 2015, Ben Carson for President.

7. Sisters and Spouses: No sisters.

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*Catherine Ann Novelli, of Virginia, to be United States Alternate Governor of the European Bank for Reconstruction and Development.

*Matthew John Matthews, of Oregon, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as United States Senior Official for the Asia-Pacific Economic Cooperation (APEC) Forum.

*Amos J. Hochstein, of the District of Columbia, to be an Assistant Secretary of State (Energy Resources).

*Marcela Escobari, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development.

Mr. CORKER. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDs on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators .

The PRESIDING OFFICER. Without objection, it is so ordered.

*Foreign Service nominations beginning with Eric Del Valle and ending with Ryan Truxton, which nominations were received by the Senate and appeared in the Congressional Record on May 7, 2015.

*Foreign Service nominations beginning with Cheryl L. Anderson and ending with Melissa A. Williams, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

*Foreign Service nominations beginning with Jennifer M. Adams and ending with Sunil Sebastian Xavier, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

*Foreign Service nominations beginning with Daryl Arthur Brehm and ending with Melinda D. Sallyards, which nominations were received by the Senate and appeared in the Congressional Record on January 19, 2016.

*Foreign Service nominations beginning with Scott D. Hocklander and ending with Catherine Mary Trujillo, which nominations were received by the Senate and appeared in the Congressional Record on January 19, 2016.

*Foreign Service nomination of Holly S. Higgins.

*Foreign Service nomination of John McCaslin.

*Foreign Service nominations beginning with Laurie Farris and ending with James Rigassio, which nominations were received by the Senate and appeared in the Congressional Record on February 22, 2016.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ROUNDS:

S. 2660. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide for an evaluation and report on the costs of health care furnished by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWN (for himself, Mr. TILLIS, and Mr. COONS):

S. 2661. A bill to clarify the period of eligibility during which certain spouses are entitled to assistance under the Marine Gunnery Sergeant John David Fry Scholarship, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWN (for himself, Mr. DURBIN, and Mr. SCHUMER):

S. 2662. A bill to amend the Internal Revenue Code to include in income the unrepatriated earnings of groups that include an inverted corporation; to the Committee on Finance.

By Mr. MORAN:

S. 2663. A bill to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GARDNER:

S. 2664. A bill to designate the facility of the United States Postal Service located at 4910 Brighton Boulevard in Denver, Colorado, as the ''George Sakato Post Office''; to the Committee on Homeland Security and Governmental Affairs.

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

S. 2665. A bill to amend the Homeland Security Act of 2002 to require State and local coordination on cybersecurity with the national cybersecurity and communications integration center, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHUMER (for himself, Mr. DURBIN, Mr. BROWN, Mr. CARDIN, Mr. NELSON, Ms. STABENOW, Mr. MENENDEZ, and Ms. WARREN):

S. 2666. A bill to amend the Internal Revenue Code of 1986 to prevent earnings stripping of domestic corporations which are members of a worldwide group of corporations which includes an inverted corporation and to require agreements with respect to certain related party transactions with those members; to the Committee on Finance.

By Mr. WICKER:

S. 2667. A bill to designate the Gulf of Mexico Alliance as a Regional Coordination Partnership of the National Oceanic and Atmospheric Administration and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. COLLINS (for herself, Mr. REED, Mr. KIRK, Mr. DURBIN, and Mr. SCHATZ):

S. 2668. A bill to provide housing opportunities for individuals living with HIV or AIDS; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CORNYN (for himself and Mr. CARPER):

S. 2669. A bill to amend titles XIX and XXI of the Social Security Act to require States to provide to the Secretary of Health and Human Services certain information with respect to provider terminations, and for other purposes; to the Committee on Finance.

By Mr. VITTER:

S. 2670. A bill to provide for the operation of micro unmanned aircraft systems; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. DAINES (for himself, Mr. MORAN, Mr. GARDNER, Mr. COTTON, Mr. ROBERTS, Mr. INHOFE, Mr. RUBIO, Mr. KIRK, Mr. BOOZMAN, Mr. CRUZ, Mrs. ERNST, Mr. ISAKSON, Mr. SCOTT, Mr. VITTER, Mr. HATCH, and Mr. PERDUE):

S. Res. 396. A resolution expressing the sense of the Senate that individuals captured by the United States for supporting the Islamic State of Iraq and the Levant should be detained at United States Naval Station, Guantanamo Bay, Cuba; to the Committee on Foreign Relations.

By Ms. CANTWELL (for herself, Mr. CRAPO, Mr. TESTER, Mrs. MURRAY, and Ms. HEITKAMP):

S. Res. 397. A resolution supporting the recognition of 2016 as the ''Year of Pulses'' and acknowledging the nutritional benefit and important contribution to soil health of pulse crops; to the Committee on Agriculture, Nutrition, and Forestry.

ADDITIONAL COSPONSORS

S. 275

At the request of Mr. ISAKSON, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 553

At the request of Mr. CORKER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 624

At the request of Mr. BROWN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 683

At the request of Mr. BOOKER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 683, a bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and enable research into the medicinal properties of marijuana.

S. 979

At the request of Mr. NELSON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1110

At the request of Mr. ENZI, the names of the Senator from North Carolina (Mr. BURR), the Senator from Nevada (Mr. HELLER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from New Mexico (Mr. HEINRICH), the Senator from Indiana (Mr. DONNELLY), the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. UDALL), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Oregon (Mr. WYDEN), the Senator from California (Mrs. BOXER) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 1110, a

bill to direct the Secretary of Agriculture to publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in National Forest System trail maintenance, and for other purposes.

S. 1252

At the request of Mr. CASEY, the names of the Senator from Tennessee (Mr. CORKER) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 1252, a bill to authorize a comprehensive strategic approach for United States foreign assistance to developing countries to reduce global poverty and hunger, achieve food and nutrition security, promote inclusive, sustainable, agricultural-led economic growth, improve nutritional outcomes, especially for women and children, build resilience among vulnerable populations, and for other purposes.

S. 1390

At the request of Mr. GARDNER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1390, a bill to help provide relief to State education budgets during a recovering economy, to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians, and for other purposes.

S. 1446

At the request of Ms. HEITKAMP, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1446, a bill to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

S. 1512

At the request of Mr. CASEY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1512, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 1566

At the request of Mr. FRANKEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1566, a bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for coverage of oral anticancer drugs on terms no less favorable than the coverage provided for anticancer medications administered by a health care provider.

S. 1890

At the request of Mr. HATCH, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 2066

At the request of Mr. SASSE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2066, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 2185

At the request of Ms. HEITKAMP, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. BURR), the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mr. CORNYN), the Senator from Idaho (Mr. CRAPO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. MORAN), the Senator from South Dakota (Mr. THUNE), the Senator from North Carolina (Mr. TILLIS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2348

At the request of Mr. HATCH, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 2348, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

S. 2476

At the request of Mr. PORTMAN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2476, a bill to exclude power supply circuits, drivers, and devices designed to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination or ceiling fans using direct current motors from energy conservation standards for external power supplies.

S. 2495

At the request of Mr. CRAPO, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2495, a bill to amend the Social Security Act relating to the use of determinations made by the Commissioner.

S. 2496

At the request of Mr. COONS, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2496, a bill to provide flexibility for the Administrator of the Small Business Administration to increase the total amount of general business loans that may be guaranteed under section 7(a) of the Small Business Act.

S. 2512

At the request of Mr. FRANKEN, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 2512, a bill to expand the tropical disease product priority review voucher program to encourage treatments for Zika virus.

S. 2559

At the request of Mr. BURR, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2559, a bill to prohibit the modification, termination, abandonment, or transfer of the lease by which the United States acquired the land and waters containing Naval Station, Guantanamo Bay, Cuba.

S. 2563

At the request of Mr. MORAN, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 2563, a bill to affirm the importance of the land forces of the United States Armed Forces and to authorize fiscal year 2016 end-strength minimum levels for the active and reserve components of such land forces, and for other purposes.

S. 2572

At the request of Mr. TESTER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2572, a bill to make demonstration grants to eligible local educational agencies or consortia of eligible local educational agencies for the purpose of increasing the numbers of school nurses in public elementary schools and secondary schools.

S. 2595

At the request of Mr. CRAPO, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2621

At the request of Mr. MERKLEY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2621, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to genetically engineered food transparency and uniformity.

S. 2646

At the request of Mr. BURR, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2646, a bill to amend title 38, United States Code, to establish the Veterans Choice Program of the Department of Veterans Affairs to improve health care provided to veterans by the Department, and for other purposes.

S. 2650

At the request of Mr. THUNE, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2650, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income any prizes or awards won in competition in the Olympic Games or the Paralympic Games.

S.J. RES. 31

At the request of Mr. PAUL, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S.J. Res. 31, a joint resolution relating to the disapproval of the proposed foreign military sale to the Government of Pakistan of F–16 Block 52 aircraft.

S. RES. 368

At the request of Mr. CARDIN, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. Res. 368, a resolution supporting efforts by the Government of Colombia to pursue peace and the end of the country's enduring internal armed conflict and recognizing United States support for Colombia at the 15th anniversary of Plan Colombia.

S. RES. 370

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 370, a resolution recognizing that for nearly 40 years, the United States and the Association of South East Asian Nations (ASEAN) have worked toward stability, prosperity, and peace in Southeast Asia.

S. RES. 378

At the request of Mr. JOHNSON, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 378, a resolution expressing the sense of the Senate regarding the courageous work and life of Russian opposition leader Boris Yefimovich Nemtsov and renewing the call for a full and transparent investigation into the tragic murder of Boris Yefimovich Nemtsov in Moscow on February 27, 2015.

S. RES. 383

At the request of Mr. PERDUE, the names of the Senator from California (Mrs. BOXER) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. Res. 383, a resolution recognizing the importance of the United States-Israel economic relationship and encouraging new areas of cooperation.

At the request of Mr. COONS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 383, supra.

S. RES. 388

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 388, a resolution supporting the goals of International Women's Day.

S. RES. 391

At the request of Mr. ROBERTS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Res. 391, a resolution expressing the sense of the Senate to oppose the transfer of foreign enemy combatants from the detention facilities at United States Naval Station, Guantanamo Bay, Cuba, to the United States homeland.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. REED, Mr. KIRK, Mr. DURBIN, and Mr. SCHATZ):

S. 2668. A bill to provide housing opportunities for individuals living with HIV or AIDS; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am pleased to be joining my colleague, Senator COLLINS, in introducing a bill to update the funding formula for the Housing Opportunities for Persons with AIDS, or HOPWA, program.

HOPWA is a program within the Department of Housing and Urban Development, HUD, that provides state and local governments with resources to ensure that stable housing and supportive services are available for low-income individuals living with HIV/AIDS and their families.

Stable and affordable housing is a critical component of treatment for HIV-positive individuals. More than half of this population will face homelessness or an unstable housing situation at some point during the course of their illness. Medication for treatment is extremely expensive, and the assistance offered by HOPWA results in better management of this illness, reduces the risk of HIV transmission, and ensures that better public health outcomes can be achieved.

Our bipartisan legislation seeks to strengthen HOPWA by improving the accuracy of the formula used to distribute funding to housing programs that benefit people living with HIV/AIDS. This improved funding formula would take into account the number of persons currently living in a community with HIV/AIDS.

HOPWA's current funding formula instead considers the cumulative number of individuals diagnosed with HIV in a community since 1981, and includes those individuals who have since passed away. In fact, according to HUD, 55 percent of the cases used to determine funding allocations under the current formula are deceased individuals. As a result, this diverts already limited funding from communities that are dealing with the effects of this epidemic most acutely today

Our bill proposes a more accurate formula that will protect low-income individuals living with HIV/AIDS and their families and will better target federal resources to the states and localities with the greatest need today. In short, we hope to make the program more effective and responsive in addressing the current needs of communities.

Furthermore, to ease the move to a fairer allocation of resources, the bill transitions current grantees to the new formula over a 5-year period. Grantees will not lose more than 5 percent of their share of HOPWA formula funds in each successive year until fiscal year 2021 and cannot gain more than 10 percent of their share in each successive fiscal year.

I thank Senator COLLINS for her partnership, and I urge my colleagues to support this bipartisan bill, which will enable communities to provide care to those living with HIV/AIDS by ensuring that their current housing challenges can be addressed.

By Mr. CORNYN (for himself and Mr. CARPER):

S. 2669. A bill to amend titles XIX and XXI of the Social Security Act to require States to provide to the Secretary of Health and Human Services certain information with respect to provider terminations, and for other purposes; to the Committee on Finance.

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

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

S. 2669

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 ''Ensuring Removal of Terminated Providers from Medicaid and CHIP Act''.

SEC. 2. INCREASING OVERSIGHT OF TERMINATION OF MEDICAID PROVIDERS.

(a) INCREASED OVERSIGHT AND REPORTING.—

(1) STATE REPORTING REQUIREMENTS.—Section 1902(kk) of the Social Security Act (42 U.S.C. 1396a(kk)) is amended—

(A) by redesignating paragraph (8) as paragraph (9); and

(B) by inserting after paragraph (7) the following new paragraph:

''(8) PROVIDER TERMINATIONS.—

''(A) IN GENERAL.—Beginning on July 1, 2018, in the case of a notification under subsection (a)(41) with respect to a termination for a reason specified in section 455.101 of title 42, Code of Federal Regulations (as in effect on November 1, 2015), or for any other reason specified by the Secretary, of the participation of a provider of services or any other person under the State plan, the State, not later than 21 business days after the effective date of such termination, submits to the Secretary with respect to any such provider or person, as appropriate—

''(i) the name of such provider or person;

''(ii) the provider type of such provider or person;

''(iii) the specialty of such provider's or person's practice;

''(iv) the date of birth, Social Security number, national provider identifier, Federal taxpayer identification number, and the State license or certification number of such provider or person;

''(v) the reason for the termination;

''(vi) a copy of the notice of termination sent to the provider or person;

''(vii) the date on which such termination is effective, as specified in the notice; and

''(viii) any other information required by the Secretary.

''(B) EFFECTIVE DATE DEFINED.—For purposes of this paragraph, the term 'effective date' means, with respect to a termination described in subparagraph (A), the later of—

''(i) the date on which such termination is effective, as specified in the notice of such termination; or

''(ii) the date on which all appeal rights applicable to such termination have been exhausted or the timeline for any such appeal has expired.''.

(2) CONTRACT REQUIREMENT FOR MANAGED CARE ENTITIES.—Section 1932(d) of the Social Security Act (42 U.S.C. 1396u–2(d)) is amended by adding at the end the following new paragraph:

''(5) CONTRACT REQUIREMENT FOR MANAGED CARE ENTITIES.—With respect to any contract with a managed care entity under section 1903(m) or 1905(t)(3) (as applicable), no later than July 1, 2018, such contract shall include a provision that providers of services or persons terminated (as described in section 1902(kk)(8)) from participation under this title, title XVIII, or title XXI be terminated from participating under this title as a provider in any network of such entity that serves individuals eligible to receive medical assistance under this title.''.

(3) TERMINATION NOTIFICATION DATABASE.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended by adding at the end the following new subsection:

''(ll) TERMINATION NOTIFICATION DATABASE.—In the case of a provider of services or any other person whose participation under this title, title XVIII, or title XXI is terminated (as described in subsection (kk)(8)), the Secretary shall, not later than 21 business days after the date on which the Secretary terminates such participation under title XVIII or is notified of such termination under subsection (a)(41) (as applicable), review such termination and, if the Secretary determines appropriate, include such termination in any database or similar system developed pursuant to section 6401(b)(2) of the Patient Protection and Affordable Care Act (42 U.S.C. 1395cc note).''.

(4) NO FEDERAL FUNDS FOR ITEMS AND SERVICES FURNISHED BY TERMINATED PROVIDERS.—Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended—

(A) in subsection (i)(2)—

(i) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(ii) in subparagraph (B), by striking ''or'' at the end; and

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

''(D) beginning not later than July 1, 2018, under the plan by any provider of services or person whose participation in the State plan is terminated (as described in section 1902(kk)(8)) after the date that is 60 days after the date on which such termination is included in the database or other system under section 1902(ll); or''; and

(B) in subsection (m), by inserting after paragraph (2) the following new paragraph:

''(3) No payment shall be made under this title to a State with respect to expenditures incurred by the State for payment for services provided by a managed care entity (as defined under section 1932(a)(1)) under the State plan under this title (or under a waiver of the plan) unless the State—

''(A) beginning on July 1, 2018, has a contract with such entity that complies with the requirement specified in section 1932(d)(5); and

''(B) beginning on January 1, 2018, complies with the requirement specified in section 1932(d)(6)(A).''.

(5) DEVELOPMENT OF UNIFORM TERMINOLOGY FOR REASONS FOR PROVIDER TERMINATION.—Not later than July 1, 2017, the Secretary of Health and Human Services shall, in consultation with the heads of State agencies administering State Medicaid plans (or waivers of such plans), issue regulations establishing uniform terminology to be used with respect to specifying reasons under subparagraph (A)(v) of paragraph (8) of section 1902(kk) of the Social Security Act (42 U.S.C. 1396a(kk)), as amended by paragraph (1), for the termination (as described in such paragraph) of the participation of certain providers in the Medicaid program under title XIX of such Act or the Children's Health Insurance Program under title XXI of such Act.

(6) CONFORMING AMENDMENT.—Section 1902(a)(41) of the Social Security Act (42 U.S.C. 1396a(a)(41)) is amended by striking ''provide that whenever'' and inserting ''provide, in accordance with subsection (kk)(8) (as applicable), that whenever''.

(b) INCREASING AVAILABILITY OF MEDICAID PROVIDER INFORMATION.—

(1) FFS PROVIDER ENROLLMENT.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended by inserting after paragraph (77) the following new paragraph:

''(78) provide that, not later than January 1, 2017, in the case of a State plan that provides medical assistance on a fee-for-service basis, the State shall require each provider furnishing items and services to individuals eligible to receive medical assistance under such plan to enroll with the State agency and provide to the State agency the provider's identifying information, including the name, specialty, date of birth, Social Security number, national provider identifier, Federal taxpayer identification number, and the State license or certification number of the provider;''.

(2) MANAGED CARE PROVIDER ENROLLMENT.—Section 1932(d) of the Social Security Act (42 U.S.C. 1396u–2(d)), as amended by subsection (a)(2), is amended by adding at the end the following new paragraph:

''(6) ENROLLMENT OF PARTICIPATING PROVIDERS.—

''(A) IN GENERAL.—Beginning not later than January 1, 2018, a State shall require that, in order to participate as a provider in the network of a managed care entity that provides services to, or orders, prescribes, refers, or certifies eligibility for services for, individuals who are eligible for medical assistance under the State plan under this title and who are enrolled with the entity, the provider is enrolled with the State agency administering the State plan under this title. Such enrollment shall include providing to the State agency the provider's identifying information, including the name, specialty, date of birth, Social Security number, national provider identifier, Federal taxpayer identification number, and the State license or certification number of the provider.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed as requiring a provider described in such subparagraph to provide services to individuals who are not enrolled with a managed care entity under this title.''.

(c) COORDINATION WITH CHIP.—

(1) IN GENERAL.—Section 2107(e)(1) of the Social Security Act (42 U.S.C. 1397gg(e)(1)) is amended—

(A) by redesignating subparagraphs (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (L), (M), (N), and (O) as subparagraphs (D), (E), (F), (G), (H), (I), (J), (K), (M), (N), (O), (P), (Q), and (R), respectively;

(B) by inserting after subparagraph (A) the following new subparagraphs:

''(B) Section 1902(a)(39) (relating to termination of participation of certain providers).

''(C) Section 1902(a)(78) (relating to enrollment of providers participating in State plans providing medical assistance on a fee-for-service basis).'';

(C) by inserting after subparagraph (K) (as redesignated by subparagraph (A)) the following new subparagraph:

''(L) Section 1903(m)(3) (relating to limitation on payment with respect to managed care).''; and

(D) in subparagraph (P) (as redesignated by subparagraph (A)), by striking ''(a)(2)(C) and (h)'' and inserting ''(a)(2)(C) (relating to Indian enrollment), (d)(5) (relating to contract requirement for managed care entities), (d)(6) (relating to enrollment of providers participating with a managed care entity), and (h) (relating to special rules with respect to Indian enrollees, Indian health care providers, and Indian managed care entities)''.

(2) EXCLUDING FROM MEDICAID PROVIDERS EXCLUDED FROM CHIP.—Section 1902(a)(39) of the Social Security Act (42 U.S.C. 1396a(a)(39)) is amended by striking ''title XVIII or any other State plan under this title'' and inserting ''title XVIII, any other State plan under this title, or any State child health plan under title XXI''.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as changing or limiting the appeal rights of providers or the process for appeals of States under the Social Security Act.

(e) OIG REPORT.—Not later than March 31, 2020, the Inspector General of the Department of Health and Human Services shall submit to Congress a report on the implementation of the amendments made by this section. Such report shall include the following:

(1) An assessment of the extent to which providers who are included under subsection (ll) of section 1902 of the Social Security Act (42 U.S.C. 1396a) (as added by subsection (a)(3)) in the database or similar system referred to in such subsection are terminated (as described in subsection (kk)(8) of such section, as added by subsection (a)(1)) from participation in all State plans under title XIX of such Act.

(2) Information on the amount of Federal financial participation paid to States under section 1903 of such Act in violation of the limitation on such payment specified in subsections (i)(2)(D) and subsection (m)(3) of such section, as added by subsection (a)(4).

(3) An assessment of the extent to which contracts with managed care entities under title XIX of such Act comply with the requirement specified in section 1932(d)(5) of such Act, as added by subsection (a)(2).

(4) An assessment of the extent to which providers have been enrolled under section 1902(a)(78) or 1932(d)(6)(A) of such Act (42 U.S.C. 1396a(a)(78), 1396u–2(d)(6)(A)) with State agencies administering State plans under title XIX of such Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 396—EXPRESSING THE SENSE OF THE SENATE THAT INDIVIDUALS CAPTURED BY THE UNITED STATES FOR SUPPORTING THE ISLAMIC STATE OF IRAQ AND THE LEVANT SHOULD BE DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA

Mr. DAINES (for himself, Mr. MORAN, Mr. GARDNER, Mr. COTTON, Mr. ROBERTS, Mr. INHOFE, Mr. RUBIO, Mr. KIRK, Mr. BOOZMAN, Mr. CRUZ, Mrs. ERNST, Mr. ISAKSON, Mr. SCOTT, Mr. VITTER, Mr. HATCH, and Mr. PERDUE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 396

Resolved, That it is the sense of the Senate that—

(1) the Islamic State of Iraq and the Levant (ISIL) has declared war on the United States;

(2) the United States Armed Forces are currently engaged in combat operations against ISIL;

(3) in conducting combat operations against ISIL, the United States has captured and detained individuals associated with ISIL and will likely capture and hold additional ISIL detainees;

(4) following the horrific terrorist attacks on September 11, 2001, the United States determined that it would detain at United States Naval Station, Guantanamo Bay, Cuba, individuals who had engaged in, aided, or abetted, or conspired to commit, acts of international terrorism, or acts in preparation therefor, that have caused, threaten to cause, or have as their aim to cause, injury to or adverse effects on the United States, its citizens, national security, foreign policy, or economy;

(5) members of ISIL captured by the United States during combat operations against ISIL meet such criteria for continued detention at United States Naval Station, Guantanamo Bay; and

(6) all individuals captured by the United States during combat operations against ISIL that meet such criteria by their affiliation with ISIL must be detained outside the United States and its territories and should transferred to United States Naval Station, Guantanamo Bay.

SENATE RESOLUTION 397—SUPPORTING THE RECOGNITION OF 2016 AS THE ''YEAR OF PULSES'' AND ACKNOWLEDGING THE NUTRITIONAL BENEFIT AND IMPORTANT CONTRIBUTION TO SOIL HEALTH OF PULSE CROPS

Ms. CANTWELL (for herself, Mr. CRAPO, Mr. TESTER, Mrs. MURRAY, and Ms. HEITKAMP) submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. RES. 397

Whereas the United States will celebrate 2016 as the ''Year of Pulses'';

Whereas the 68th United Nations General Assembly declared 2016 as the International Year of Pulses;

Whereas a pulse is a dry, edible seed of a plant in the legume family, including a dry bean, dry pea, lentil, or chickpea;

Whereas pulse crops are grown in abundance in Arizona, California, Colorado, Idaho, Kansas, Michigan, Minnesota, Montana, Nebraska, New York, North Dakota, Oregon, South Dakota, Texas, Washington, Wisconsin, and Wyoming;

Whereas a pulse is an important component of a nutritious diet and is high in plant-based protein, vitamins, fiber, and minerals, including iron, potassium, magnesium, and zinc;

Whereas a pulse helps prevent serious and chronic illness, including heart disease, cancer, diabetes, and stroke;

Whereas a legume serves as an important rotation crop, keeps soil fertile, and improves overall soil health by replenishing nitrogen;

Whereas a pulse crop provides food security and nutrition to much of the developing world as a low-cost source of protein; and

Whereas a pulse crop is an important economic development crop for small farmers, for both domestic production and export potential: Now, therefore, be it

Resolved, That the Senate supports—

(1) the recognition of 2016 as the ''Year of Pulses'';

(2) the participation by representatives of the Federal Government in events and activities organized pursuant to the observance by the United Nations of the International Year of Pulses in 2016; and

(3) the future funding of programs to support the cultivation and consumption of pulses.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. COTTON. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 10, 2016, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. COTTON. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 10, 2016, at 11:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. COTTON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 10, 2016, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. COTTON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 10, 2016, at 10:15 a.m., to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. COTTON. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 10, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. COTTON. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 10, 2016, at 2 p.m., in room SH–219 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. COTTON. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on March 10, 2016, at 10 a.m., in room SR–428A of the Russell Office Building to conduct a hearing entitled ''Up in the Air: Examining the Commercial Applications of Unmanned Aircraft for Small Business.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. COTTON. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 10, 2016, at 9:30 a.m., to conduct a hearing entitled ''Review of the Affordable Care Act Health Insurance CO-OP Program.''

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of Calendar Nos. 474 and 475; that the nominations be confirmed en bloc and the motions to be reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE COAST GUARD

The following named officer for appointment in the United States Coast Guard Reserve in the grade indicated under title 10, U.S.C., section 12203(a):

To be rear admiral

Francis S. Pelkowski

The following named officer for appointment to a position of importance and responsibility as Deputy Commandant for Operations in the United States Coast Guard and to the grade indicated under title 14, U.S.C., section 50:

To be vice admiral

Rear Adm. Fred M. Midgette

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative sessions.

ORDERS FOR MONDAY, MARCH 14, 2016

Mr. SASSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, March 14; that following the prayer and pledge the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader

remarks, the Senate be in a period of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, MARCH 14, 2016, AT 3 P.M.

Mr. SASSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:27 p.m., adjourned until Monday, March 14, 2016, at 3 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 10, 2016:

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be rear admiral

FRANCIS S. PELKOWSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY AS DEPUTY COMMANDANT FOR OPERATIONS IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. FRED M. MIDGETTE

EXTENSIONS OF REMARKS

CONGRATULATING JUDGE CYNTHIA RUFE ON WINNING THE 2016 BUCKS CO. WOMEN'S HISTORY MONTH AWARD

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2016

Mr. FITZPATRICK. Mr. Speaker, U.S. District Court Judge Cynthia M. Rufe is the recipient of the 2016 Bucks County Women's History Month Award, presented annually to distinguished women whose professional and civic achievements have ''made a difference.''

Her career began as a high school teacher, later an attorney, leader and mentor. Judge Rufe was a member of the panel that established a county-wide system to provide free legal representation to civil litigants and also worked with the Bucks County district attorney's office to establish safe protocols for women and child abuse victims. Prior to her appointment to the federal bench, Judge Rufe served with honor and distinction in the Court of Common Pleas of Bucks County, Pennsylvania. I had the great pleasure of working with Judge Rufe on issues of mutual concern during my years as a County Commissioner in Doylestown.

Judge Rufe continues to advocate for legal education and mentors law students and new attorneys and regularly presents legal and ethics courses to state and local bar associations. Additionally, she serves as a faculty member of the TIPS Trial Academy. As the granddaughter of immigrants, Judge Rufe takes great pride in her frequent role in naturalization ceremonies, welcoming new American citizens with sincere and inspiring words.

The Women's History Month Award presented to Judge Rufe is one page in the story of generations of women whose belief in equality and justice motivated them to make a difference in society, ultimately affecting the lives of subsequent generations. Judge Rufe exemplifies a belief in our nation's inherent values, including the rule of law and justice and, in so doing, has set an example for women who may choose to follow in her footsteps.

FEMA DISASTER ASSISTANCE REFORM ACT OF 2015

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise to express my strong support for H.R. 1471, the ''FEMA Disaster Assistance Reform Act of 2015.''

The Federal Emergency Management Act (FEMA), which was signed into law in 1979 by President Carter, provides support to improve our capability to prepare for, protect against, respond to, recover from and mitigate all hazards.

Under the Clinton Administration FEMA became the premier emergency response organization in the world.

Mr. Speaker, we all remember the disastrous response to Hurricane Katrina in New Orleans, Louisiana and the management mistakes that cost so many innocent Americans their lives.

Since that time FEMA has vastly improved its organization and response protocols to disasters throughout the country.

An example is FEMA's response to the 2015 historic floods in of Houston, Texas, which helped saved countless lives.

H.R. 1471 reauthorizes FEMA through Fiscal Year 2018 authorizes millions per year up to $947 million in annual appropriations, and authorizes the National Urban Search and Rescue Response System.

This legislation also contains several provisions intended to reduce future losses from disasters and to improve the recovery process for victims and affected communities.

In addition the bill provides for a study of disaster costs and why they have continued to increase and gives greater weight to severe localized impact and adjusts disaster relief policies to reflect this change.

To protect families and individuals H.R. 1471 prohibits FEMA from initiating new action to recover disaster assistance payments made to an individual or household more than three years after the payments were made, or to recover emergency assistance funds owed by an individual or household more than three years after the funds were determined to be owed.

Mr. Speaker, H.R. 1471, ''FEMA Disaster Assistance Reform Act of 2015'' provides many changes that will allow this vital agency to operate effectively and respond quickly to the areas in this country where its services are needed most.

HONORING THE NATIONAL CHAMPION NORTHWEST MISSOURI STATE UNIVERSITY FOOTBALL PROGRAM

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to congratulate the Northwest Missouri State University Football Program on their ninth appearance and fifth title in the NCAA Division II National Championship. It isn't every day that a team from the 6th District of Missouri wins a National Championship, but thanks to the Northwest Bearcats it is starting to become a tradition.

On December 19, 2015, the Northwest Bearcats took on the Shepard University Rams in a game at Children's Mercy Park in Kansas City, Kansas. Although the competition was undeniably tough, I never doubted the ability of our team. So when Representative Alex Mooney of West Virginia challenged me to a wager over the game—I gladly accepted. As all of Missouri cheered, the Bearcat football team, under the leadership and direction of Head Coach Adam Dorrel, defeated the Rams 34–7 and sealed their place in sports history as one of only two NCAA Division II teams to win five National Championship titles.

Mr. Speaker, I proudly ask you to join me in commending the accomplishments of the Northwest Missouri Football Team for their tremendous undefeated season and title.

CONGRATULATING CAPTAIN THOMAS ROCHE

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2016

Mr. FITZPATRICK. Mr. Speaker, congratulations to Captain Thomas M. Roche on the occasion of his retirement from the Lower Makefield Township Police Department. Throughout his 42-year career in the township, Capt. Roche distinguished himself with his contributions, service and responsibilities, including oversight of the police department's internal affairs investigations, traffic safety unit, events and planning and as deputy emergency management coordinator. Furthermore, his supervisors recognized the key role he played in the Lower Makefield department's award and designation in the Pennsylvania Accreditation program. Prior to joining the department, Capt. Roche was a proud member of the United States Army in Chu Lai, Republic of Vietnam and also as a member of the military police, stationed at several Army bases in the U.S. He is a decorated veteran and a dedicated member of the law enforcement community, Capt. Roche has set a fine example of public service for others to follow and begins his retirement with the appreciation of the citizens he willingly served.

RECOGNIZING THE 125TH ANNIVERSARY OF THE WILLIAM FENTON HOWE FAMILY IN PORT ORCHARD, WASHINGTON

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2016

Mr. KILMER. Mr. Speaker, I rise today to honor the William Fenton Howe family for their contributions to the history of the Pacific Northwest and to recognize their 125th anniversary of calling the city of Port Orchard, Washington, home.

In 1888 the William Fenton Howe family migrated from Altoona, Pennsylvania, to Tacoma in what was then the Washington Territory.

On March 6, 1891, William Fenton Howe moved his family to the town of Sidney, now known as Port Orchard, on the shores of the Sinclair Inlet of Puget Sound. The family, which consisted of his wife Emma and children Harry, William, Edwin, Roy, and Edith, moved into the house located at 307 Cline Street, which remains standing today.

At the time of the Howe family's arrival, Sidney was becoming known for its lumber industry, pottery works, small business, and agricultural opportunities. In 1890, Sidney became the first town in Kitsap County to incorporate and was chosen as the county seat, and later renamed Port Orchard. The Howe family was a leader in the business community and contributed to the town's growth by establishing Howe Hardware, the first hardware store in the community.

In 1895 the Howe family suffered a devastating year with the death of Emma Howe and a fire at Howe Hardware. After the losses, William Fenton Howe left his children with various families in the community and headed north to Alaska to pursue opportunities to provide for them.

William Fenton Howe, a savvy businessman, set out to make his mark in Alaska's booming mining industry. Not only did Mr. Howe know how to manage a hardware store, but he was also a skilled tinsmith and built stoves for the miners while they looked for gold. One of his sons, Edwin Scott Howe, joined in the pursuit of "mining the miner" as they built stoves that prevented the miners from facing certain death in the Arctic wilderness of Nome, Alaska.

In Port Orchard, William Fenton Howe's children continued their father's legacy in the business community. After the death of William Fenton Howe, sons Edwin and Harry opened Howe Brothers Hardware as partners. The family also owned and operated Howe Oil Company and Howe Motor Company, a Ford dealership still in operation after 103 years. Deeply embedded in the community, members of the Howe family served on town council, were engaged in civic organizations, and rallied the community to bring electric power to Port Orchard and the Washington Veterans Home Retsil to Kitsap County.

Mr. Speaker, the Howe family has a long lineage of public service in the business community as well as in local government and local organizations. In 2013, the Howe family was one of five families to be recognized for their contributions to Port Orchard and the surrounding area by the Kitsap County Historical Society. I am honored to recognize the Howe family's contributions to the community of Port Orchard and recognize their 125th anniversary on this past Sunday, March 6, 2016.

NANCY DAVIS REAGAN: TIRELESS ADVOCATE FOR DRUG ABUSE PREVENTION, ALZHEIMER'S DISEASE RESEARCH AND FORMER FIRST LADY OF THE UNITED STATES

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise to pay tribute to Nancy Davis Reagan, the former First Lady of the United States, who died on March 6, 2016 at her home in California at the age of 94.

Born July 6, 1921, in New York, New York, Nancy Davis Reagan was the only child of Kenneth Robbins, a salesman, and Edith Luckett Robbins, an actress.

In 1929, Edith Luckett Robbins married a prominent Chicago neurosurgeon, Loyal Davis, who adopted young Nancy in 1931.

Nancy Davis studied drama at Smith College where she earned a baccalaureate degree in 1943.

After college, Nancy Davis followed her dreams to pursue a career in acting.

Her first role was a nonspeaking part in the touring company production of Ramshackle Inn.

The play eventually made it to Broadway in New York City, where Nancy Davis landed a minor role in the 1946 musical Lute Song, starring Yul Brynner and Mary Martin.

In 1949, Nancy Davis noticed that her name was listed on the Hollywood blacklist, which was established by the film industry to warn studios and producers of individuals suspected of being communist sympathizers.

This case of mistaken identity resulted in Nancy Davis meeting the love of her life and husband, Ronald Reagan, who at that time was the president of the Screen Actors Guild.

They were married on March 4, 1952, and within a few years daughter Patty and son Ronald were born, joining Maureen and Michael, Ronald Reagan's children by a prior marriage.

Nancy Reagan became California's first lady in 1967, when her husband was elected to Governor of California.

In 1980, Nancy Reagan became the First Lady of the United States when her husband was elected the 40th President of the United States.

As First lady she championed the "Just Say No" campaign to help dissuade youth from using and abusing drugs.

Nancy Reagan worked tirelessly to retrieve a number of White House antiques, which had been in storage, and placed them throughout the Executive Mansion.

During the Reagan Administration, Nancy Reagan was known most importantly as the president's personal protector.

After her husband's term was completed Nancy established the Nancy Reagan Foundation to support after-school drug prevention programs.

Nancy Reagan and President Ronald Reagan retired to the "Reagan Ranch" in Santa Barbara where they devoted much of their time to the Ronald Reagan Presidential Library.

After President Reagan was diagnosed with Alzheimer's Disease in 1994, the couple founded the Ronald and Nancy Reagan Research Institute, located in Chicago, Illinois.

As Ronald Reagan's disease progressed, Nancy became the primary caregiver for her husband.

After President Ronald Reagan's death in 2004, Nancy Reagan became a supporter of stem-cell research.

Nancy Reagan was a true symbol of American elegance during her time as First Lady of the United States and a tireless advocate for those Americans who suffer from Alzheimer's Disease.

Mr. Speaker, I ask the House to take a moment of silence in remembrance of this extraordinary woman who transcended political lines.

HONORING PERCY CONWAY AND THE HI-STYLING BEAUTY CENTER ON 50 YEARS OF SUCCESS

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2016

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Mr. Percy Conway who is celebrating 50 years as owner of Conway's Hi-Styling Beauty Center in Fairmont, Illinois.

Mr. Conway has been barbering since he was ten years old on his father's porch in Canton, Mississippi. Looking for work he moved to Illinois in 1950 and settled in Fairmont, an unincorporated area between Lockport and Joliet. He got a job at Mastic Tile Company in Joliet, but was called to serve his country in the Korean War.

After his return from the Army, he saw a need for jobs and services in Fairmont so he decided to become an entrepreneur and opened the Hi-Styling Beauty Center. When he opened his shop, roads in Fairmont barely existed and some areas had no water service. While serving his customers, he frequently listened to their concerns with the state of the community.

Rather than confine himself to his barbershop. Mr. Conway saw an opportunity to help his community. He was elected to the Lockport Township Board of Trustees where he served for twenty years.

While on the Board of Trustees he worked to secure a $1.3 million loan from the federal government to install sewer and water services. This work opened the door to new improvements to the area including paved roads and small business opportunities.

Through his work, Fairmont has changed into the diverse community it is today. Percy Conway can still be found most days at Hi-Styling Beauty Center, imparting his wisdom. He also serves on the boards of several nonprofits and remains involved at Shiloh Baptist Church.

Mr. Speaker, I ask my colleagues to join me in thanking Mr. Percy Conway for all he has done for his community and to congratulate him on 50 years of business success.

Daily Digest

HIGHLIGHTS

Senate passed S. 524, Comprehensive Addiction and Recovery Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S1397–S1444

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 2660–2670, and S. Res. 396–397. **Page S1439**

Measures Passed:

Comprehensive Addiction and Recovery Act: By 94 yeas to 1 nay (Vote No. 34), Senate passed S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use. **Pages S1403–16**

Measures Considered:

Military Sale of F–16 Aircraft to Pakistan: By 71 yeas to 24 nays (Vote No. 35), Senate tabled the motion to discharge the Foreign Relations Committee from further consideration of S.J. Res. 31, relating to the disapproval of the proposed foreign military sale to the Government of Pakistan of F–16 Block 52 aircraft. **Pages S1422–24**

King Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 4 p.m., on Monday, March 14, 2016, Senate begin consideration of the nomination of John B. King, of New York, to be Secretary of Education; that there be 90 minutes for debate only on the nomination, equally divided in the usual form; that upon the use or yielding back of time, Senate vote on confirmation of the nomination, without intervening action or debate. **Page S1416**

Nominations Confirmed: Senate confirmed the following nominations:

2 Coast Guard nominations in the rank of admiral. **Page S1443, S1444**

Executive Reports of Committees: **Pages S1438–39**

Additional Cosponsors: **Pages S1439–41**

Statements on Introduced Bills/Resolutions: **Pages S1441–43**

Additional Statements: **Page S1438**

Authorities for Committees to Meet: **Page S1443**

Record Votes: Two record votes were taken today. (Total—35) **Pages S1404, S1423–24**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:27 p.m., until 3 p.m. on Monday, March 14, 2016. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S1443–44.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF EDUCATION

Committee on Appropriations: Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies concluded a hearing to examine proposed budget estimates and justification for fiscal year 2017 for the Department of Education, after receiving testimony from John King, Acting Secretary of Education.

APPROPRIATIONS: NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a hearing to examine proposed budget estimates and justification for fiscal year 2017 for the National Aeronautics and Space Administration, after receiving testimony from Charles F. Bolden, Jr., Administrator, National Aeronautics and Space Administration.

APPROPRIATIONS: DEPARTMENT OF VETERANS AFFAIRS

Committee on Appropriations: Subcommittee on Military Construction and Veterans Affairs, and Related Agencies concluded a hearing to examine proposed budget estimates and justification for fiscal year 2017 and fiscal year 2018 for the Department of Veterans Affairs, after receiving testimony from Robert A. McDonald, Secretary, David J. Shulkin, Under Secretary for Health, Veterans Health Administration, and Danny G. I. Pummill, Acting Under Secretary for Benefits, Veterans Benefits Administration, all of the Department of Veterans Affairs.

APPROPRIATIONS: DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies concluded a hearing to examine proposed budget estimates and justification for fiscal year 2017 for the Department of Housing and Urban Development, after receiving testimony from Julian Castro, Secretary, and David A. Montoya, Inspector General, Office of Inspector General, both of the Department of Housing and Urban Development.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine United States Strategic Command, United States Northern Command, and United States Southern Command programs and budget in review of the Defense Authorization Request for fiscal year 2017 and the Future Years Defense Program, after receiving testimony from Admiral Cecil E. D. Haney, USN, Commander, United States Strategic Command, Admiral William E. Gortney, USN, Commander, United States Northern Command, and Commander, North American Aerospace Defense Command, and Admiral Kurt W. Tidd, USN, Commander, United States Southern Command, all of the Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nomination of Eric K. Fanning, of the District of Columbia, to be Secretary of the Army, Department of Defense.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nomination of Adam J. Szubin, of the District of Columbia, to be Under Secretary for Terrorism and Financial Crimes, Department of the Treasury.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 1252, to authorize a comprehensive strategic approach for United States foreign assistance to developing countries to reduce global poverty and hunger, achieve food and nutrition security, promote inclusive, sustainable, agricultural-led economic growth, improve nutritional outcomes, especially for women and children, build resilience among vulnerable populations, with an amendment in the nature of a substitute;

S. Res. 375, raising awareness of modern slavery;

S. Res. 368, supporting efforts by the Government of Colombia to pursue peace and the end of the country's enduring internal armed conflict and recognizing United States support for Colombia at the 15th anniversary of Plan Colombia;

S. Res. 388, supporting the goals of International Women's Day, S. Res. 383, recognizing the importance of the United States-Israel economic relationship and encouraging new areas of cooperation, with amendments;

S. Res. 392, expressing the sense of the Senate regarding the prosecution and conviction of former President Mohamed Nasheed without due process and urging the Government of the Maldives to take all necessary steps to redress this injustice, to release all political prisoners, and to ensure due process and freedom from political prosecution for all the people of the Maldives;

S. Res. 378, expressing the sense of the Senate regarding the courageous work and life of Russian opposition leader Boris Yefimovich Nemtsov and renewing the call for a full and transparent investigation into the tragic murder of Boris Yefimovich Nemtsov in Moscow on February 27, 2015;

S. Res. 383, recognizing the importance of the United States-Israel economic relationship and encouraging new areas of cooperation; and

The nominations of Catherine Ann Novelli, of Virginia, to be Alternate Governor of the European Bank for Reconstruction and Development, Marcela Escobari, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development, and Karen Brevard Stewart, of Florida, to be Ambassador to the Republic of the Marshall Islands, Amos J. Hochstein, of the District of Columbia, to be an Assistant Secretary (Energy Resources), Robert Annan Riley III, of Florida, to be Ambassador to the Federated States of Micronesia, Matthew John Matthews, of Oregon, for the rank of Ambassador during his tenure of service as Senior Official for the Asia-Pacific Economic Cooperation (APEC) Forum, and routine lists in the Foreign Service, all of the Department of State.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Mark Sobel, of Virginia, to be Executive Director of the International Monetary Fund, R. David Harden, of Maryland, to be an Assistant Aministrator of the United States Agency for International Development, and Stephen Michael Schwartz, of Maryland, to be Ambassador to the Federal Republic of Somalia, Kelly Keiderling-Franz, of Virginia, to be Ambassador to the Oriental Republic of Uruguay, Elizabeth Holzhall Richard, of Virginia, to be Ambassador to the Lebanese Republic, Christine Ann Elder, of Kentucky, to be Ambassador to the Republic of Liberia, and Adam H. Sterling, of Virginia, to be Ambassador to the Slovak Republic, all of the Department of State, after the nominees testified and answered questions in their own behalf.

ACA HEALTH INSURANCE CONSUMER OPERATED AND ORIENTED PLAN PROGRAM

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine the Affordable Care Act health insurance Consumer Operated and Oriented Plan program, after receiving testimony from Andy Slavitt, Acting Administrator, and Kevin Counihan, Marketplace Chief Executive Officer, and Deputy Administrator, both of the Centers for Medicare and Medicaid Services, Department of Health and Human Services; and Scott E. Harrington, University of Pennsylvania Wharton School, Philadelphia.

COMMERCIAL APPLICATIONS OF UNMANNED AIRCRAFT

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine the commercial applications of unmanned aircraft for small businesses, including an original bill entitled, "Micro Drone Safety and Innovation Act", S. 2658, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2016 through 2017, S. 2156, to amend title 18, United States Code, to provide a criminal penalty for launching drones that interfere with fighting fires affecting Federal property or responding to disasters affecting interstate or foreign commerce, S. 1314, to establish an interim rule for the operation of small unmanned aircraft for commercial purposes and their safe integration into the national airspace system, S. 2626, to authorize the operation of unmanned aircraft systems by institutions of higher education for educational and research purposes, and S. 635, to amend the FAA Modernization and Reform Act of 2012 to provide guidance and limitations regarding the integration of unmanned aircraft systems into United States airspace, after receiving testimony from Brian Wynne, Association for Unmanned Vehicle Systems International, and Eli Dourado, George Mason University Mercatus Center Technology Policy Program, both of Arlington, Virginia; Tim Canoll, Air Line Pilots Association, International, Washington, D.C.; Thomas W. Vaneck, Physical Sciences Inc., Andover, Massachusetts; and Gregory S. McNeal, Pepperdine University, Santa Monica, California.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 4721–4728; were introduced. Page H1301

Additional Cosponsors: Page H1302

Reports Filed: Reports were filed today as follows:

H.R. 1820, to authorize the Secretary of the Interior to retire coal preference right lease applications for which the Secretary has made an affirmative commercial quantities determination, and for other purposes (H. Rept. 114–446);

H.R. 2857, to facilitate the addition of park administration at the Coltsville National Historical Park, and for other purposes, with an amendment (H. Rept. 114–447);

H.R. 3079, to take certain Federal land located in Tuolumne County, California, into trust for the benefit of the Tuolumne Band of Me-Wuk Indians, and

for other purposes, with an amendment (H. Rept. 114–448); and

Supplemental Report on H.R. 4596, to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements (H. Rept. 114–444, Part 2).

Page H1301

Speaker: Read a letter from the Speaker wherein he appointed Representative Holding to act as Speaker pro tempore for today. **Page H1155**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Reverend Michael Siconolfi, Society of Jesus, Quantico, VA. **Page H1155**

Supplemental Report: Agreed that the Committee on Energy and Commerce be authorized to file a supplemental report on H.R. 4596, to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements. **Page H1155**

Committee on Transportation and Infrastructure—Communication: Read a letter from Chairman Shuster wherein he transmitted copies of resolutions to authorize 13 prospectuses, including six alteration projects and three construction projects, included in the General Services Administration's Capital Investment and Leasing Programs. The resolutions were adopted by the Committee on Transportation and Infrastructure on March 2, 2016.

Pages H1155–H1300

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H1155.

Senate Referral: S. 2426 was held at the desk.

Quorum Calls—Votes: There were no yea-and-nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 11:30 a.m. and adjourned at 11:35 a.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D198)*

S. 238, to amend title 18, United States Code, to authorize the Director of the Bureau of Prisons to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons. Signed on March 9, 2016. (Public Law 114–133)

S. 1596, to designate the facility of the United States Postal Service located at 2082 Stringtown Road in Grove City, Ohio, as the "Specialist Joseph W. Riley Post Office Building". Signed on March 9, 2016. (Public Law 114–134)

COMMITTEE MEETINGS FOR MONDAY, MARCH 14, 2016

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Appropriations, Subcommittee on Financial Services and General Government, budget hearing on the Office of Personnel Management, 3 p.m., 2359 Rayburn.

Committee on Energy and Commerce, Full Committee, markup on H.R. 2666, the "No Rate Regulation of Broadband Internet Access Act"; and H.R. 4725, the "Common Sense Savings Act of 2016", 5 p.m., 2322 Rayburn.

Committee on Rules, Full Committee, hearing on H.R. 3797, the "SENSE Act"; and H.R. 4596, the "Small Business Broadband Deployment Act", 4 p.m., H–313 Capitol.

Next Meeting of the SENATE

3 p.m., Monday, March 14

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 4 p.m.), Senate will begin consideration of the nomination of John B. King, of New York, to be Secretary of Education. At approximately 5:30 p.m., Senate will vote on confirmation of the nomination.

Next Meeting of the HOUSE OF REPRESENTATIVES

12 p.m., Monday, March 14

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Fitzpatrick, Michael G., Pa., E291, E291
Graves, Sam, Mo., E291
Jackson Lee, Sheila, Tex., E291, E292
Kilmer, Derek, Wash., E291
Lipinski, Daniel, Ill., E292

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