United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162 WASHINGTON, WEDNESDAY, APRIL 20, 2016 No. 61

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 20, 2016.

I hereby appoint the Honorable JOHN J. DUNCAN, Jr. to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

PUERTO RICO AND WHO WILL BAIL OUT AMERICA?

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

Mr. BROOKS of Alabama. Mr. Speaker, America has blown through the $19 trillion debt mark and rapidly approaches the $20 trillion debt mark.

The nonpartisan Congressional Budget Office warns Washington that America faces an unending string of trillion-dollar-a-year deficits beginning a mere 6 years from now and that America's debt will blow through the $29 trillion debt mark in a decade. Further, as debt principal and interest rates surge, America's debt service costs will increase by $600 billion a year within a decade.

For perspective, $600 billion is more than America spends on national defense, which begs the question: Where will that $600 billion in additional debt service cost come from?

America must learn from financially reckless nations like Greece and Venezuela, and from Puerto Rico, an American territory that has had its credit rating cut to junk bond status and is defaulting on its $70 billion in debt. For emphasis, Puerto Rico owes roughly 40 percent of all Puerto Rican tax collections, $4.1 billion, in debt payments this year. That is tax revenues not building roads, not educating children, and not growing the economy.

Puerto Rico, like America, suffers from a bloated central government, welfare programs that undermine the work ethic, decades of financial mismanagement by elected leaders, and a resulting anemic economy and shrinking job market that causes roughly 7,000 citizens to flee Puerto Rico each month.

Only 40 percent of Puerto Ricans are employed or looking for work. Why bother to get a job when American taxpayers pay Puerto Ricans to not work by doling out free food, free health care, and other welfare worth $1,743 per month, almost $600 more than minimum wage take-home earnings?

Puerto Rico's debt defaults and resulting economic morass have forced Puerto Rico to delay tax refunds, fire public sector workers, raise sales taxes to a record 11.5 percent, and close over 100 schools.

Unfortunately, these austerity measures, and more, are inadequate because Puerto Rico's self-serving and financially irresponsible elected officials waited too long. Puerto Rico still cannot pay its bills or creditors.

Puerto Rico Governor Alejandro Padilla recently stated that, if Congress does not intervene, ''a humanitarian crisis will envelop the 3.5 million American citizens on the island.''

Puerto Rico asks Congress to let Puerto Rico default on its legal operations via bankruptcy or force American taxpayers to bail out Puerto Rico's decades of financial mismanagement. Never mind that, according to a 2010 Government Accountability Office report, mainland American taxpayers already subsidize Puerto Rico to the tune of $16 billion per year, or roughly $4,500 per Puerto Rican.

As Puerto Rico desperately seeks an American taxpayer bailout, Americans should ask: Who will bail out America when America defaults on its debt?

Mr. Speaker, America must learn from Puerto Rico, a territory that is spiraling into bankruptcy and insolvency because of a $20,000-per-capita debt burden—a debt burden, I might add, that is three times better than America's $60,000-per-capita debt burden.

If America's creditors stop loaning America money, if America is forced to go cold turkey on its debt addiction, America could be forced to slash military pay or eliminate the volunteer Army altogether and go back to a draft, cut Social Security and Medicare benefits, and the like.

Mr. Speaker, America's spending binge and accompanying debt and deficits are unsustainable. If voters do not elect financially responsible officials to Washington, America will endure the same debilitating insolvency and bankruptcy that wreaks havoc in Greece and Puerto Rico—with one major difference. Unlike Greece, which has been bailed out three times by the European community, and unlike Puerto Rico, which may yet be bailed out by American taxpayers, there is no one—no one—who can or will bail out America.

Printed on recycled paper.

AN OPEN LETTER TO PRESIDENT BARACK OBAMA

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

Mr. SCHIFF. Mr. Speaker, an open letter to President Barack Obama.

Dear Mr. President:

In 2009, less than a year after assuming the Presidency, you accepted the Nobel Peace Prize. You began your acceptance of this honor by acknowledging that it was bestowed at the ''beginning, and not the end of, my labors on the world stage.''

You spoke on that day with eloquence and conviction about fundamental human rights, rights that are endowed not by accidents of birth like nationality or ethnicity or gender, but by our common humanity. And the principles that you articulated have indeed guided and defined your Presidency.

In your foreign policy, you have emphasized the rights of ethnic and religious minorities worldwide and put these causes closer to the center of our foreign policy. You have extended aid to refugees fleeing horrific violence. You established the Atrocities Prevention Board to coordinate and monitor our efforts to prevent mass atrocities and genocide.

In a few days, you will have a chance to add to your legacy. On April 24, the world will mark 101 years since the systemic extermination of 1.5 million Armenians by the Ottoman Empire, from 1915 to 1923. The facts of the slaughter are beyond dispute, and I know that you are well-acquainted with these horrors visited upon the Armenian people, having spoken eloquently about them as a Senator.

I have sat with survivors of the genocide, men and women, their numbers dwindling year after year, and heard them recall the destruction of their lives and their families and all they had known. As children, they were forced from their homes and saw their family beaten, raped, and murdered. They fled across continents and oceans to build lives in our Nation.

Mr. President, for them and for their descendants, the word ''genocide'' is sacred because it means that the world has not and will not forget. To deny genocide, on the other hand, is profane. It is, in the words of Elie Wiesel, a ''double killing.''

This April 24 will be your final opportunity to use the Presidency to speak plainly about the genocide. In past years as President, you have described the campaign of murder and displacement against the Armenian people as a ''mass atrocity,'' which it surely was.

But, of course, it was also much more; and you have avoided using the word ''genocide,'' even though it has been universally applied by scholars and historians of the period. In fact, as you know better than most, the Ottoman Empire's campaign to annihilate the Armenian people was a prime example of what Raphael Lemkin was trying to describe when he coined the very term, ''genocide.''

I know that, as you consider your words this year, you will hear the same voices as in the past who will tell you to hold your tongue and speak in euphemisms. They will say that the time is not right, or that Turkey is too strategically important, or that we should not risk their ire over something that happened a century ago. Mr. President, regardless of what you say on April 24, there can be little doubt that Turkey will do exactly as it has always done in its relations with the United States, and that is whatever Turkey believes to be in its self-interest.

Many of our European allies and world leaders, including Pope Francis, have recognized the genocide, yet they have continued to work closely with Turkey because that has been in Turkey's interest. The same will be true after U.S. recognition of the genocide.

I dearly hope, as do millions of Armenians descended from genocide survivors around the world, that you take this final opportunity to call the Armenian genocide what it was—genocide; to say that the Ottoman Empire committed this grotesque crime against the Armenians, but their campaign of extermination failed; and that, above all, we will never forget and we will never again be intimidated into silence. Let this be part of your legacy, and you will see future administrations follow your example.

When you spoke in Oslo more than 7 years ago, you closed your remarks by returning to the counsel of Dr. Martin Luther King and said: ''I refuse to accept the idea that the 'isness' of man's present condition makes him morally incapable of reaching up for the eternal 'oughtness' that forever confronts him.''

Mr. President, confronting painful, difficult but vital questions ''is'' who you are. Help us be the America we ''ought'' to be, that beacon of freedom and dignity that shines its light on the darkness of human history and exposes the vile crime of genocide.

Sincerely, Adam Schiff.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair and not to a perceived viewing audience.

CELEBRATING SOUTH FLORIDA'S NATIONAL PARKS

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to highlight south Florida's wild and wonderful national parks—Biscayne, Dry Tortugas, and Everglades—during National Park Week and the National Park Service Centennial.

American Pulitzer Prize-winning writer and historian Wallace Stegner is quoted as having said that our national parks were ''the best idea we have ever had. Absolutely American, absolutely democratic, they reflect us at our best rather than our worst.''

Indeed, south Florida is supremely fortunate to have Superintendent Pedro Ramos in charge of Dry Tortugas and Everglades National Parks. Superintendent Ramos understands and appreciates the importance of public access, the importance of the public's experiences, and the importance of continuing to reconnect the people of south Florida with the natural lands and waters that surround and support our community.

Ultimately, enhancing public access and recreational opportunities in our national parks are vital to conserving America's natural and cultural heritage. That is why I am so troubled, Mr. Speaker, by the fishing access restrictions included in the 2015 general management plan of another iconic south Florida park, Biscayne National Park.

The plan's marine reserve zone imposes a permanent moratorium on fishing across 10,500 acres of State waters, including 30 percent of the reef tract, denying fishing access to families and professional fishermen alike, without adequate scientific evidence to back it up.

My Preserving Public Access to Public Waters Act, which passed the House in February as part of the SHARE Act, and its newly introduced Senate counterpart, from Senators BILL CASSIDY and MARCO RUBIO, would help ensure that Federal bureaucrats and special interest groups do not overrule local community needs and concerns in this way anymore.

□ 1015

If our national parks are to remain absolutely American and absolutely democratic, then it is long since time for the National Park Service to consistently represent the Federal Government at its best rather than at its worst once again.

The Park Service's stated mission is to preserve ''unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of this and future generations by cooperating with partners to extend the benefits of natural and cultural resources conservation and outdoor recreation throughout the country and the world.''

Everglades National Park Superintendent Ramos has demonstrated that he is a true ambassador for this lofty and worthy mission. He represents the National Park Service and the Federal Government at its best: open and inclusive, seeking balanced solutions, and guided by a profound sense of service to the American people.

Meanwhile, Biscayne's general management plan represents some of the worst aspects of the National Park Service and the Federal Government. It is focused so much on a narrow definition of preservation that it continually and completely fails the National Park Service's mission and disregards a whole community of park users.

What is worse, with the varied threats facing south Florida's coral reefs, from changing ocean conditions to water quality issues, today fishing is a relatively minor contributor to coral reef decline in Biscayne.

The real effect of Biscayne's marine reserve zone plan will be to continue losing coral at a drastic pace while also undercutting the public support needed to develop and implement real solutions to what ails our reefs.

The National Park Service can, should, and must do better, and they should look to Superintendent Ramos and his leadership over similar issues at Everglades National Park for inspiration.

Everglades National Park's own recently finalized general management plan, lauded by both fishermen and environmentalists, clearly represents what is possible when guided by a true sense of the Park's mission.

CELEBRATING EARTH DAY

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

Mr. QUIGLEY. Mr. Speaker, as we celebrate our 46th Earth Day, it is critical that we recognize the opportunities that stem from addressing some of our most pressing environmental problems.

All too often we hear the argument that environmental policies are agents of economic destruction. From the Clean Power Plan to renewable energy development and energy-efficient technologies, every time a new environmental policy is proposed, we hear the same rhetoric: This will kill jobs, drive up costs, destroy trade, and stifle America's ability to succeed.

But the reality is those claims are simply not true. They have been debunked and proven wrong time and again, but the truth doesn't seem to matter when it comes to protecting our environment.

Without a doubt, one of America's greatest assets is the ingenuity of its people. Throughout our Nation's history, American innovation has triumphed in the face of great challenges. Unleashing that American innovation can bring big wins for both the environment and the economy.

There is no better example of this than when we look at our renewable energy sector. For decades, America has chased the promise of clean, domestic energy.

In recent years, costs for numerous critical clean energy technologies—wind power, solar panels, super-energy-efficient LED lights and electric vehicles—have fallen dramatically.

The accompanying surge in deployment has been impressive. While these technologies still represent a small percentage of their respective markets, that share is expanding at a rapid pace and influencing other markets.

Today the U.S. generates 3 times as much wind power and 20 times as much solar power as we did in 2008. This kind of thinking will help States meet the EPA's requirements laid out in the Clean Power Plan.

Compared with fossil fuel technologies, which are typically mechanized and capital-intensive, the renewable energy industry is more labor-intensive.

This means that, on the average, more jobs are created for each unit of electricity generated from renewable sources than from fossil fuels.

In addition to creating new jobs, increasing our use of renewable energy offers more important economic development benefits. Local governments collect property and income taxes and other payments from renewable energy project owners while owners of the land that wind projects are built on also receive lease payments ranging from $3,000 to $6,000 per megawatt of installed capacity.

A new study from the U.S. Energy Information Administration suggests that, in the coming year, the booming solar sector will add more new electricity-generating capacity than any other energy sector, including natural gas and wind.

The more we support clean energy innovation and new technological ideas, the better positioned we are to reap the economic rewards.

Examples of those wins are all around, leading to States and communities investing in clean energy innovation and developing smart, low-cost technologies to help reduce energy costs.

On this front, my home State of Illinois is moving full steam ahead. The city of Chicago has partnered with utility companies and citizen groups to work on a new initiative to get 1 million smart thermostats into northern Illinois homes by 2020.

The innovative partnership offers rebates that will nearly halve the cost of thermostats that allow residents to control the temperatures of their homes via mobile devices. This helps us once again move the needle against climate change.

Of course, clean energy technology isn't our only energy innovation success story. Energy efficiency is truly our Nation's greatest energy achievement.

Without the gains in energy efficiency made since 1973, it is estimated that today's U.S. economy would require 60 percent more energy than we currently consume.

Energy efficiency improvements over the last 40 years have reduced our national energy bill by more than $700 billion.

Instead of working from the assumption that tighter regulations will hurt our government's export share, we should focus on the edge that we gain from innovation.

This Earth Day, I challenge my colleagues to realize the opportunity that climate change provides us and support solutions that allow us to turn what used to be daunting challenges into profitable opportunities.

MINNESOTA'S SIXTH CONGRESSIONAL DISTRICT IS THE LAND OF HOCKEY

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

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to congratulate two young men from my district, Riley Tuft and Nick Althaus; Nick Althaus for his memorable performance at the Minnesota High School State Hockey Tournament last month, and Riley Tuft for his performance on the hockey rink all year.

Riley Tuft of Blaine has been named Mr. Hockey, an award given to the best high school senior hockey player in our great State of Minnesota. This season alone, Tuft scored an incredible 49 goals and had 36 assists for 85 points in only 31 games. That is an amazing 2.74 points per game.

Nick Althaus of St. Cloud won the Frank Brimsek Award, an annual award given to Minnesota's top senior goaltender.

In Minnesota, hockey is not just a sport, it is a way of life. Many young men and women work and train to win and participate in the best State hockey tournament in the country.

Congratulations to Nick and Riley for their hard work and incredible success this year, and best of luck in the future, both on and off the rink.

A STRONG WOMAN—INSIDE AND OUT

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to recognize the strength and endurance of St. Cloud native Laura Knoblach, who just, last month, became the youngest woman to finish a double triathlon.

Laura finished the Double ANVIL Ultra Triathlon, a rigorous event that consisted of swimming 4.8 miles, biking 224 miles, and running two consecutive marathons. She finished all of this in less than 36 hours.

Not only did Laura complete an arduous triathlon, but she did so for a good cause. She created a GoFundMe page titled ''A Tri to End Trafficking,'' which raised money to help educate South African girls and prevent them from becoming victims of sex trafficking.

Laura Knoblach is currently a junior at the University of Boulder in Colorado, where she studies secondary education and majors in English and Spanish. She hopes to one day teach English as a second language.

I have no doubt that Laura will accomplish all of her goals and more, as she is the perfect example that anything is possible if you work hard enough.

A COACH REMEMBERED

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to remember the astounding life and legacy of Coach Dean Taylor, who recently passed away.

Coach Taylor founded the football program at Sartell High School and built it into the powerhouse program it is today.

From Sartell, he went on to become an assistant coach at St. John's University for eight seasons and then became head coach at St. Cloud Cathedral from 2009 to 2012. Coach Taylor's impressive football resume ultimately led to his induction into the Minnesota State Coaches Association Hall of Fame.

However, it is not just the X's and O's of coaching that we will remember about Coach Taylor. Coach Taylor will also—and maybe even more importantly—be remembered for the incredible impact he made on the lives of all the student athletes he touched.

Condolences to his wife, Kathy; his children, Steve and Kristi; as well as his many friends and loved ones. I thank you for sharing your husband and father with our community.

RESTORING AMERICANS' TRUST IN GOVERNMENT

Mr. EMMER of Minnesota. Mr. Speaker, in recognition of the fact that

we just experienced yet another tax day in America, I rise today to discuss a Federal agency that the American people have become extremely disenchanted with, the Internal Revenue Service.

Over recent years, Americans have watched information coming out detailing the inappropriate and unfortunate conduct by the IRS playing politics rather than implementing policy.

The American people should not fear that a government agency will make decisions based on partisan politics, which is why it is crucial Congress address this problem now and not in the future.

This is why I cosponsored H.R. 1798, which will prohibit the Department of the Treasury from assigning a tax status to organizations based on their political beliefs and activities.

I thank my colleague, Congressman RANDY NEUGEBAUER, and Senator TED CRUZ for their efforts in this initiative to restore some of the faith and trust the American people have lost in its institution of government.

END HUNGER NOW

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

Mr. MCGOVERN. Mr. Speaker, on April 1, thousands of poor Americans started losing their SNAP, or food stamp, benefits.

All told, over the course of this year, as many as 1 million adults will be cut off from SNAP. That is because one of the harshest provisions in the 1996 welfare reform law says that adults working less than 20 hours a week or not enrolled in a job training program can only receive 3 months of SNAP in a 36-month period.

The problem is, however, that many areas of the country haven't fully recovered from the recession. There are no open jobs, and worker training slots are all full.

The economic recovery has been uneven across the country, and for many individuals—through no fault of their own—getting back to work has been difficult.

At the height of the recession, Governors across this country, both Democratic and Republican, asked the U.S. Department of Agriculture to allow them to temporarily waive work requirements and provide SNAP benefits to unemployed, childless adults for longer periods of time.

But now some Governors are refusing to extend those work waivers even in areas of their States with high unemployment. For 1 million of the poorest Americans, to lose food assistance in the midst of this is unconscionable.

Mr. Speaker, we are talking about the poorest of the poor. These are childless adults whose income averages 29 percent of the poverty line, or about $3,400 a year, a year. No one can live on that.

Many face multiple barriers to employment, including disability, limited education, and chronic homelessness. Their employment can be sporadic, often cycling in and out of low-wage jobs with unpredictable hours that do not lift them out of poverty.

What is most appalling is that about 60,000 of those who will be cut off from SNAP this year are veterans. That is right. These are the brave men and women who stood up to protect our country, and now we don't have the decency to help them put food on the table when they come home. We should be ashamed.

Mr. Speaker, let me be clear about something. The 3-month limit on childless adults receiving SNAP is not a work requirement, despite what some of my Republican colleagues say. It is a time limit. There is no requirement that States offer work or job training to those who are about to lose their benefit. There is nothing here that incentivizes work. Rather, it penalizes those who are struggling the most.

Work requirements and other Federal assistance programs typically require people to look for work or accept any job or job training slot that is offered, but do not cut people off who are willing to work and are looking for a job simply because they cannot find one.

But that is not the case with SNAP. So individuals who have been searching for a job for months, who have applied to every job posting they have seen, and who can't get into a job training program because the wait list is too long are punished.

Study after study shows that the longer someone is unemployed, the harder it is to get hired. It is baffling to me that the Republicans' answer to them is: Sorry. You are out of luck.

The Bureau of Labor Statistics estimates that it takes someone who is unemployed about 6 months of looking to find a job.

□ 1030

That is twice as long as the 3-month time limit. For the life of me, I can't understand how making someone hungrier helps them find a job faster. We should be making people's lives better, not harder.

This notion that some on the Republican side peddle that somehow SNAP is this overly generous program that people are just jumping to get into, it is ridiculous. It is false. The average SNAP benefit is $1.40 per meal per day. That is meager. It is inadequate.

And this idea that SNAP is the root of our budget problems is outrageous. New data released from the Department of Treasury just last week shows that SNAP spending is falling. In the first half of the current fiscal year, SNAP spending was at its lowest level since 2010. Not only that, but SNAP caseloads are falling, too. That is due to the improving economy.

SNAP operated like it was supposed to during the recession. It was expanded to meet the needs of the millions who lost their jobs, of middle class families who never imagined they would need food assistance in the first place. And now, as our economy improves, fewer people need the assistance. But we are not there yet.

Cutting 1 million of the poorest Americans off from food assistance is wrong. Increasing hunger is wrong. And I would say to the Republican leadership of this House, the narrative that you have put forward about those in poverty does not reflect the reality. Rather than demonize the poor and diminish their struggle, we ought to come together to help, not hurt, people. We ought to end hunger now. This war on the poor has to stop.

IMPEACHMENT OF JOHN KOSKINEN

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

Mr. LOUDERMILK. Mr. Speaker, I rise today to speak about the subject of justice.

As we look around the Capitol, there are effigies and paintings. Even in this Chamber, there are paintings of George Washington, Thomas Jefferson, George Mason, the visionaries of this Nation who envisioned a Nation and a government that was committed to liberty, tempered by law and justice. Their idea of justice was an equal application of the law to everyone, that there weren't two sets of laws—one law for the citizen and a different law for the bureaucrat or the elected official—but all laws were equally applied to every person.

I want to tell you the story of two Johns and how the law doesn't apply equally. The first John is a Mr. John Yates who, in 2007, was fishing for grouper in the Gulf of Mexico when a State conservation officer, who had Federal authority, approached his boat and asked to inspect his catch. Upon the inspection, he found that there were 72 grouper that were suspected to be under the minimum size. He ordered Mr. Yates to return to shore.

Now, Mr. Yates understood that this was not a serious crime, it was actually a civil action, and he could face a fine or he could lose his fishing license, a license issued by the government that he made his living with. But Mr. Yates made a mistake. He made a bad decision, because he ordered those suspect fish to be thrown back into the water. It was a mistake.

But after being punished for what he did wrong, catching small fish, 4 years later, in 2011, Mr. Yates was convicted of a Federal offense of destroying evidence under the Sarbanes-Oxley statutes. He went to jail. He also spent 3 years on a supervised release program for a Federal offense of destroying or tampering with evidence.

When the government wants to seek justice upon a citizen, there are over 4,500 criminal statutes and an endless

number of regulations that can be enforced criminally that they can use to find a way to punish you for a deed, regardless of how minor or major it was. But that doesn't always apply to the government itself.

The same year that John Yates was sent to jail for destroying small fish, the House Committee on Oversight and Government Reform issued a subpoena to another John, who was then, and is still, the Commissioner of the IRS, John Koskinen.

They demanded that he provide, under subpoena by the force of law, all of the documents relating to Lois Lerner and the targeting of conservative groups by the IRS. However, instead of responding to that subpoena, the IRS destroyed over 24,000 of those documents. But yet, today, Mr. Koskinen is still the Commissioner of the IRS.

There are two types of enforcement of laws in this Nation—one for the citizen and one for the government official. You see, the Sarbanes-Oxley catchall that has been used to successfully prosecute for destruction of cars and weapons, even bodies, as well as documents and evidence, excludes government agencies.

The American people deserve justice. But we do have one tool, and that is the tool of this Congress to impeach those who violate the trust of the American citizens.

Mr. Speaker, I have cosponsored, with the chairman of the House Committee on Oversight and Government Reform, House Resolution 494, which would bring the Commissioner of the IRS before this body on charges of impeachment for violating the trust of the American people.

Mr. Speaker, I ask that that resolution be brought forward and be brought forward in this House for a vote so that justice will be served and we can once again restore the confidence of the American people that there is one definition of justice in this Nation, and that is equal application of the law for everyone.

COMMENDING STATE OFFICIALS ON SIGNING THE ABLE ACT

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to commend lawmakers in Pennsylvania's House and Senate for their work on passing the Commonwealth's new ABLE, or Achieving a Better Life Experience Act, which was signed into law by the Pennsylvania Governor on Monday.

The measure's passage at the State level follows the signing of a 2014 Federal law, also known as the ABLE Act. I was happy to cosponsor that legislation along with a majority of my colleagues here in the House of Representatives. The law empowers people with disabilities and their families to create flexible accounts to help save for medical and dental care, education, community-based support, employment training, housing, and transportation.

The State law passed easily in the Pennsylvania House and Senate last week, clearing the way for the State to administer the new accounts created by the Federal law.

The State eliminates a $2,000 cap on cash assets for medical assistance for those with certain intellectual and developmental disabilities, which acted as a financial roadblock preventing individuals from reaching their full potential.

Mr. Speaker, thanks to this new law, parents of children with developmental and intellectual disabilities will be able to save up to $100,000, with no impact on eligibility for medical assistance.

Last week here in Washington, I joined the National Down Syndrome Society, where I was proud to be presented with their Champion of Change Award. I also had the chance to connect with people from Pennsylvania's Fifth Congressional District, including Alek Masters. Alek is a wonderful young man who, despite living with Down syndrome, is an Eagle Scout, the highest honor earned by the members of the Boy Scouts of America.

I also was with Isabel Ross, a toddler from Centre County who attended the event with her parents, Steve and Raquel.

There are so many people such as Alek and Isabel across the Pennsylvania Fifth Congressional District, the Commonwealth of Pennsylvania, and our great Nation. Alek is already making a difference in his community, and this new law ensures that he and Isabel, along with the help of their parents, can work towards achieving their goals.

I know that the ABLE Act, on both the State and the Federal level, will play a role in improving the lives of those who are living with developmental and intellectual disabilities. I firmly believe that our communities will be much better because of it.

HONORING BROTHER JAMES GAFFNEY

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

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Brother James Gaffney who, after 28 years, will retire from his storied career as president of Lewis University in Romeoville, Illinois.

Born and raised on the west side of Chicago, Brother Gaffney attended St. Mel High School. While at St. Mel, he became involved in outreach and youth service programs with the De La Salle Christian Brothers. It was at this time that Brother Gaffney heard his calling to become a brother and elected to attend seminary at St. Mary's University in Minnesota.

Brother Gaffney went on to receive his BA from St. Mary's University and several master's degrees from both St. Mary's and Manhattan College in New York. He also holds a doctorate in pastoral theology from the University of St. Mary of the Lake in Mundelein, Illinois.

Brother Gaffney's teaching career started at the Christian Brothers High School in St. Joseph, Missouri. He also served for 11 years at the provincial for the De La Salle Christian Brothers in the Chicago district.

Brother Gaffney was chosen to be president of Lewis University in 1988. Under his leadership, the school's student body nearly tripled in size, dozens of new programs were added, and several new educational sites were built around the Chicago area and the Nation, including one in Albuquerque, New Mexico. He guided the university to nationwide recognition and influenced students around the world.

In 2015, Lewis University honored Brother Gaffney by naming him an honorary founder of the university because of the tremendous contributions he made to the school's growth.

In addition to his service to the school, Brother Gaffney is active in numerous other organizations. He chairs the Community Foundation of Will County, as well as the Lasallian Association of College and University Presidents. He is a member and former chair of the Federation of Independent Illinois Colleges and Universities, and a board member and former chair of the South Metropolitan Regional Higher Education Consortium and the Great Lakes Valley Athletic Conference.

Brother Gaffney has also been the recipient of countless awards in connection with Lewis University. Most recently, he was awarded with the Brother John Johnston FSC Award, which honors those dedicated to the Lasallian mission of providing education to all youth, as well as the Distinguished Citizen Award from the Rainbow Council Boy Scouts of America.

I have had a number of opportunities to spend time with Brother Gaffney since Lewis University was added to my district in 2013. I have always been impressed by his strong commitment to the university and its Catholic and Lasallian mission. It is obvious in his interactions with students, faculty, staff, trustees, and everyone who is a part of Lewis University. He knows his flock and they know him, and the respect and love between them is mutual. There could not be a higher dedication that anyone has as an educator and as a Catholic Brother.

Mr. Speaker, I ask my colleagues to join me in thanking Brother James Gaffney for all he has done in his 28 years as president of Lewis University, and to congratulate him on his retirement. Lewis University and its students have greatly benefited from his long tenure leading the school, and we all look forward to his continued service.

WATER AND ESA

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

Mr. COSTA. Mr. Speaker, I rise today to speak on the need to fix California's broken water system, a broken water system that no longer can provide for the needs of the State of California, designed years ago for a population of 20 million and the agriculture that we had in the sixties. Today we have 41 million people. By the year 2030, it is estimated California will have 50 million people.

The water system we have today cannot sustain a growing State. As solutions are offered, I believe amending the Endangered Species Act to more effectively protect species while minimizing the harm to California communities should be a part of this conversation.

The ESA has an important role in ensuring species protection, but it is clear that there are major challenges with its implementation. In California, one of those challenges is the Act's implementation limits on the ability to move water from north to south when we have an excess of water in the system, as we have had over the last 5 months.

□ 1045

Simply put, California faced 4 record dry years, which was noted throughout the country and throughout the world; and, this year, we had El Nino conditions that gave us average and above average rain and snow in northern California.

Now, I don't believe anybody thought that 1 year of good rainfall would completely dig us out of the devastating circumstances that California farmers, farmworkers, and farm communities have faced; but, last December, I was hopeful because the rain and snow conditions that were occurring, coupled with the weather forecasting, indicated that there was a high likelihood that there would be enough water in the system to help recover—but not end—the devastating drought conditions that the San Joaquin Valley faced as well as other parts of California. However, as a result of what I believe are flawed biological opinions that govern the operations of the water projects that move water from north to south, we failed to pump over 244,000 acre-feet of water that would have been very helpful today in areas that were most impacted by the drought conditions and still are.

Some farmers, this year, are receiving only 5 percent of their total allocation. It is made worse because, over the last 2 years, they received a zero water allocation because of these conditions that I am stating. To put it in perspective, this year, 7 million acre-feet of water flowed through the Sacramento-San Joaquin Bay-Delta system out to the ocean, and only 963,000 acre-feet were pumped for human and agricultural use. Seven million acre-feet went through the delta out to the ocean, and we pumped less than 1 million acre-feet for human and agricultural use.

This is unconscionable in a State that has been ravaged by drought for the last 4 years. It also was avoidable. There is a host of technical reasons as to why this water flowed into the ocean, but the simple fact is that conservative decisionmaking, enabled by inflexible provisions in the biological opinions that were promulgated under the Endangered Species Act, led to this avoidable outcome.

Therefore, it is time to reform the Endangered Species Act because it needs to be more flexible in order to provide adaptability to changing conditions. It is time to reform the Endangered Species Act because it must effectively recover species, which it doesn't do, and not simply maintain an unsustainable status quo like that in California, especially when you have a drought crisis. Finally, it is time to reform the Endangered Species Act because both people and our environment deserve better.

I look forward to working with my colleagues to update the Endangered Species Act for today's conditions and not for those of the past.

RECESS

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

Accordingly (at 10 o'clock and 47 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend John DeSocio, St. Mary's Catholic Church, Elmira, New York, offered the following prayer:

Lord, make me an instrument of Your peace.

Where there is hatred, let me sow love;

Where there is injury, pardon;

Where there is doubt, faith;

Where there is despair, hope;

Where there is darkness, light;

Where there is sadness, joy.

O divine Master, grant that I may not so much seek to be consoled as to console, to be understood as to understand, and to be loved as to love.

For it is in giving that we receive, it is in pardoning that we are pardoned, and it is in dying to self that we are born to eternal life.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. DOLD) come forward and lead the House in the Pledge of Allegiance.

Mr. DOLD 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.

WELCOMING REVEREND JOHN A. DESOCIO

The SPEAKER. Without objection, the gentleman from New York (Mr. REED) is recognized for 1 minute.

There was no objection.

Mr. REED. Mr. Speaker, I rise today, and it is my pleasure and privilege to host the Very Reverend John A. DeSocio, pastor of St. Mary's Church in Elmira, New York, for today's opening prayer over the House of Representatives.

Father DeSocio has committed his life to both his faith and his country, displaying an extraordinary level of service and dedication to others.

The Elmira-Corning native dedicated his early years to service in his community by volunteer firefighting. He went on to complete his undergraduate career at St. John Fisher College in Pittsford, New York. He would later receive his master of divinity and master of arts from Saint Bernard's Seminary in Rochester, New York. Father DeSocio was ultimately ordained as a Roman Catholic priest in 1978. Father was also chaplain for Ithaca College.

Mr. Speaker, in 1992, which I am very proud of, Father DeSocio was commissioned in the U.S. Navy and served 17 years before being honorably discharged in 2009.

Following his military service, Father returned to his hometown and resumed working with groups like Lions International, the Knights of Columbus, and the Southport and Elmira volunteer fire departments.

He is a pillar in our community, Mr. Speaker, and we are tremendously honored to have him with us here today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

VETERANS ACHIEVE JOBS IN SOUTH CAROLINA

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

Mr. WILSON of South Carolina. Mr. Speaker, just 5 years ago, South Carolina veterans struggled to find a job, facing an unemployment rate of over 20 percent. Today, veteran unemployment has dropped to just 4.4 percent, one of the lowest in the country. Veterans have unique training, education, and experiences that are valuable to any workplace.

Last month I hosted the fourth annual Veteran Resource Fairs in the Midlands and the Aiken/Barnwell communities. These resource fairs bring together over 40 agencies and employers to help returned veterans find a job.

I was grateful to partner with Operation Palmetto Employment under the leadership of Program Director Elisa Edwards, the South Carolina Army National Guard with Colonel Ronnie Taylor, Shannon Banks, Fred Pasley, led by Adjutant General Bob Livingston, and the Department of Employment and Workforce directed by Cheryl Stanton.

I appreciate the work of the community leaders; the National Federation of Independent Business, NFIB; and the U.S. Chamber of Commerce for their work promoting efforts to hire veterans. I believe that we should assist those who defend our freedoms to be a top priority.

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

VICTIMS OF GUN VIOLENCE

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

Mr. PETERS. Mr. Speaker, Columbine, Colorado, April 20, 1999:

William ''Dave'' Sanders, 47 years old;
Isaiah Shoels, 18 years old;
Lauren Townsend, 18 years old;
Cassie Bernall, 17 years old;
Cory Depooter, 17 years old;
Rachel Scott, 17 years old;
John Tomlin, 16 years old;
Kyle Velazquez, 16 years old;
Mathew Kechter, 16 years old;
Kelly Fleming, 16 years old;
Daniel Rohrbough, 15 years old;
Daniel Mauser, 15 years old;
Steven Curnow, 14 years old.

CONGRATULATING DANIEL DENNIS

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

Mr. DOLD. Mr. Speaker, I rise today to recognize the achievements of Daniel Dennis.

Just this past week, Daniel earned the right to represent the United States in the 2016 Olympic Games being held in Rio as a member of the United States Wrestling Team. He is one of only six wrestlers who were selected.

Throughout his career, Daniel has stood out as a rare talent in the sport. While he attended Grant Township High School in Fox Lake, Illinois, Daniel set the school record for career wins, technical defaults, and most team points.

Daniel built upon that success while wrestling at the University of Iowa, where he was a two-time All-American and placed second at the NCAA championships.

Congratulations to Daniel on being named to the Olympic Wrestling Team. We wish you good luck as you take your talents to the international stage. We are all rooting for you to bring home the gold to Illinois' 10th Congressional District.

DAPA AND SOPHIE

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

Ms. HAHN. Mr. Speaker, you might recognize this image. This is a photo of Sophie Cruz, my 6-year-old constituent from South Gate, California, who made headlines when she ran through the barricades to meet Pope Francis last year.

Sophie is one of 5 million children who is an American citizen but whose parents are undocumented and face deportation. She asked Pope Francis to support DAPA, a program which could prevent her family from being separated.

On Monday, DAPA was deliberated in the Supreme Court, and now the fate of millions of children like Sophie and their families is in the hands of the Justices.

Sophie was in D.C. on Monday ready to tell her story. She rallied a crowd of hundreds of people on the Supreme Court steps and asked the Justices to think about her family.

I could not be more proud of Sophie. But a 6-year-old girl, however courageous she may be, should not have to come all the way to Washington, D.C., to advocate for fixing the broken immigration system. That is our job.

The Supreme Court should unfreeze DAPA—but we in Congress need to finally pass comprehensive immigration reform—for Sophie and for millions of children she represents.

LOUISIANA IS STILL FEELING THE IMPACTS OF DEEPWATER HORIZON

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

Mr. GRAVES of Louisiana. Mr. Speaker, 6 years ago on April 20, 2010, the Deepwater Horizon exploded and resulted in the loss of 11 lives, destroying or disrupting many families, businesses, restaurants, and livelihoods of south Louisiana, which is known as the Sportsman's Paradise, profoundly impacting recreational and commercial fishing and oiling in my home State of Louisiana, over 600 miles of what is known as one of the most productive ecosystems on the North American continent.

Mr. Speaker, since that time, countless hours have been invested by State, local, and Federal employees trying to help restore and recover the Gulf. It resulted in one of the largest settlements, in fact, the largest settlement, from a single company in United States history.

Mr. Speaker, during the height of that disaster, we heard the administration, the President and others talking about the importance of this productive ecosystem. Yet, since that time, we have seen nothing but Federal actions to take funds away from restoring and protecting coastal Louisiana.

Mr. Speaker, we are asking the administration to remain consistent and to honor those lives that were lost and to honor the coast of Louisiana.

EARTH DAY

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

Mr. CICILLINE. Mr. Speaker, this Friday, April 22, is Earth Day, a time to remember our responsibility to be good stewards of this planet and our urgent responsibility to respond to global climate change.

Ninety-seven percent of climate scientists agree that human activity is causing global warming. The evidence is all around us. The last 11 months have been the hottest such months on record. Sea levels have risen more than half a foot in the last century. Glaciers around the world are in retreat.

We cannot afford to ignore this any longer. It is critical that Congress take up legislation to address the dangers of climate change and to reduce greenhouse gas emissions.

We have to end the subsidies to Big Oil companies, take up the Clean Ocean and Safe Tourism Anti-Drilling Act, which my colleague, Mr. PALLONE, has introduced, take up H.R. 1814 to permanently reauthorize the Land and Conservation Fund, and work together to respond to this urgent challenge.

History will not judge this Chamber kindly if we fail to act. All of us have a responsibility to address the threat of climate change before it is too late.

THANKING STEVE BEGNOCHE FOR HIS SERVICE

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

Mr. HUIZENGA of Michigan. Mr. Speaker, today I rise to thank Steve Begnoche for his service to the city of Ludington, Mason County, and the Second Congressional District in Michigan.

Last Thursday, Steve hung up his hat as the managing editor of the Ludington Daily News. For the past 29 years, Steve served the Ludington community with the type of journalistic

integrity that all residents should expect from their newspapers.

As a newsman, Steve challenged the status quo while giving all sides a fair shake. Steve also played a vital role as a journalist on the national stage by reporting how economically important the S. S. Badger, the last of the Great Lakes ferries, was not only for Ludington, but also for the entire State of Michigan, the Great Lakes, and even Wisconsin.

Frankly, they don't make them like Steve anymore.

Steve, thank you for your countless hours of hard work to ensure residents of northwest Michigan had accurate and reliable reporting.

I hope you will be able to enjoy spending time with your grandchildren while still providing a thoughtful column for the Ludington Daily News now and again. Thanks, my friend.

NEW JOINT ECONOMIC COMMITTEE REPORT ON GENDER PAY INEQUALITY

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, last week I released a new report by the Democratic staff of the Joint Economic Committee about the effects of the gender pay gap on women and families in America. This report on gender pay inequality is the most comprehensive, up-to-date report on the gender pay gap.

A typical woman working full time and year-round is paid only 79 cents to the male dollar. This adds up to a loss of roughly $10,800 per year, and it compounds over a lifetime to roughly a half a million dollars in less pay than a man because of the pay gap.

Over a lifetime, this jeopardizes a woman's retirement because the lower pay results in a lower pension, lower Social Security, lower savings, and contributes to the fact that women over 75 years of age are twice as likely as their male counterparts to live in poverty. Millions of women, children, families, and husbands are hurt by unequal pay for equal work.

Let's finally make equal pay a reality by passing the Paycheck Fairness Act and finally putting women into the Constitution for equality.

YOUNG WOMEN'S LEADERSHIP PROGRAM

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

Ms. MCSALLY. Mr. Speaker, with education and opportunity, women can transform a society. This is true all around the world, but especially in America, where women still have untapped potential.

As a society, we must do a better job of showing girls they can be whatever they want to be and making sure they have the opportunity to achieve their fullest potential.

That is why, on June 11, my office will hold southern Arizona's first ever Congressional Young Women's Leadership Program. This one-day event provides young women currently in high school with the opportunity to meet and interact with successful women from southern Arizona who hold leadership roles in a variety of fields.

Quite simply, this program is about encouraging young women to be fearless, dream big, and let nothing stand in their way.

The deadline for applications, which can be found on my Web site, mcsallyhouse.gov, is May 9.

I encourage high school girls throughout the Second Congressional District to take advantage of this unique opportunity and apply at my Web site.

□ 1215

FUNDING FOR NATIONAL SCIENCE FOUNDATION RESEARCH

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

Mr. MCNERNEY. Mr. Speaker, as a mathematician, it is my pleasure to discuss recent developments in the topic of prime numbers. Historically, it was assumed that prime numbers were randomly distributed in the sense that any large section of consecutive integers would have an equal number of primes ending in 1, 3, 7, and 9.

Prime numbers are used in generating pseudo random numbers, found in all sorts of applications, and in some methods of encryption. Heck, even the lowly cicada insects only emerge after a prime number of years to avoid regularly appearing predators.

Recently, Dr. Soundararajan and Dr. Lemke Oliver, both of Stanford University working under NSF funding, discovered that consecutive prime numbers have preferences for the digits they end in. For example, consecutive primes don't like having the same digit, while primes ending in 9 prefer to be followed by primes ending in 1. We must provide funding to the National Science Foundation to investigate this and other important mathematical questions.

CONGRATULATING MID-AMERICA SCIENCE MUSEUM

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

Mr. WESTERMAN. Mr. Speaker, I rise today to congratulate Mid-America Science Museum in my hometown of Hot Springs, Arkansas, for being awarded the 2016 National Medal for Museum and Library Service.

Mid-America has not only made a difference in the lives of local families, but it has impacted generations of Arkansans. The museum's focus on bringing science education to the masses in a fun way has made it a leader in the State and Nation.

Mid-America's recent expansion continues its mission, bringing science to life for generations to come. The museum's 2016 national medal confirms what we in Arkansas have known for many year—that Mid-America is a world-class museum, providing world-class educational experience to Arkansas' next generation.

LET'S GET BACK TO DOING AMERICA'S BUSINESS

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

Mr. JEFFRIES. Mr. Speaker, when House Republicans came to power, they promised to effectively govern on behalf of the American people. But instead, over the last 5 years, House Republicans have majored in obstruction, minored in dysfunction, and pursued a degree in legislative malpractice.

House Republicans are responsible for painful sequestration cuts, responsible for a 16-day government shutdown that cost the American people $24 billion in lost economic productivity, responsible for constantly undermining the full faith and credit of the United States of America, and are now responsible for the failure to deliver an on-time budget.

The American people have had enough. It is time to invest in transportation and infrastructure, invest in education and job training, invest in technology and innovation, and abandon the reckless efforts of House Republicans to obstruct any progress on behalf of the American people. Let's get back to doing their business.

WAR ON DRUGS

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

Mr. BLUMENAUER. Mr. Speaker, I just returned from the United Nations where there is a special session on the drug problems. This is a serious and complex issue, but the war on drugs, where we have spent over $1 trillion, has been an abject failure.

Drugs are still readily plentiful in the United States, the cost is down, and we have caught hundreds of thousands of innocent people in Latin American countries in the crossfire. Yet, the United States is on the sidelines here. There are countries that are stepping forward for reform, for harm reduction, trying to deal with the death penalty. Yet, the United States is trying to balance out the reformers of seeking a middle ground between them and Iran and China and Russia.

That is not what the United States should be doing. We should be involved in reform. We should minimize the danger that is a result of misguided practice. We can deescalate this and make

a difference for people around the world and, in fact, do a better job of dealing with the drug problem in America.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. GRAVES of Louisiana) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 20, 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 April 20, 2016 at 9:26 a.m.:

That the Senate passed H.R. 2722.
That the Senate passed S. 2755.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

IRS OVERSIGHT WHILE ELIMINATING SPENDING (OWES) ACT OF 2016

Mr. SMITH of Missouri. Mr. Speaker, pursuant to House Resolution 687, I call up the bill (H.R. 4885) to require that user fees collected by the Internal Revenue Service be deposited into the general fund of the Treasury, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 687, in lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–50 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 4885

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 ''IRS Oversight While Eliminating Spending (OWES) Act of 2016''.

SEC. 2. DEPOSIT OF IRS USER FEES INTO GENERAL FUND OF THE TREASURY.

(a) IN GENERAL.—The second sentence of section 3 of title I of Public Law 103–329 (26 U.S.C. 7801 note), under the heading ''ADMINISTRATIVE PROVISIONS-INTERNAL REVENUE SERVICE'', is amended by striking ''The Secretary of the Treasury may spend'' and all that follows through ''and thereafter:'' and inserting the following: ''Any fees collected pursuant to this section shall be deposited in the general fund of the Treasury and shall not be expended by the Internal Revenue Service unless provided by an appropriations Act:''.

(b) CONFORMING AMENDMENT.—The last proviso of such section is amended by striking ''and how they are being expended by the Service''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fees collected after the date of the enactment of this Act.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Missouri (Mr. SMITH) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. SMITH of Missouri. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative day in which to revise and extend their remarks and include extraneous materials on H.R. 4885, currently under consideration.

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

There was no objection.

Mr. SMITH of Missouri. Mr. Speaker, I yield myself such time as I may consume.

The IRS OWES Act is about protecting the American taxpayer, those who elected us to represent them, from an IRS proven incapable of best serving their interests.

President Thomas Jefferson said: ''When the people fear the government, there is tyranny. When the government fears the people, there is liberty.''

Right now, the people of Missouri's Eighth District fear the IRS. They fear an unjust audit, political or religious targeting, and, most recently, they fear spending an average of 8 hours to complete their tax returns. That is simply not right.

This bill is about liberating the folks of Missouri, along with all Americans, from the IRS. It is about making the IRS beholden to them and not the other way around. And it is about exerting our Article I authority of the power of the purse of Congress, making sure that unelected bureaucrats are not spending taxpayer money improperly and unwisely.

A Democrat Congressman from the State of Missouri once said: ''I come from a State that raises corn and cotton, cockleburs, and Democrats. And frothy eloquence neither convinces, nor satisfies me. I'm from Missouri; you've got to show me.''

The IRS has not shown this body, they have not proven to the Missourians whom I represent, and they have not proven to the American people that they are responsible stewards of user fees. Through user fees, the IRS collects almost $500 million. It is nothing but a slush fund.

Mr. Speaker, that is why we filed the IRS OWES Act. It provides Congress and the American public with greater oversight in how the IRS is spending valuable taxpayer resources.

As is, the IRS collects various user fees that sit in an account where they can spend the money without Congressional approval. In the past, the IRS dedicated significant amounts of its collected user fees to improving the services provided to taxpayers who need assistance.

The IRS in the past few years has turned these fees into a slush fund, diverting this money away from serving the taxpayer and, instead, putting it towards whatever they want—in particular, the implementation of ObamaCare mandates, something Congress has specifically withheld funding for.

In 2014, the IRS allocated $183 million in user fees to serving the needs of taxpayers. That is 44 percent of the entire slush fund. Yet, in 2015, the IRS allocated a mere $49 million in user fees to help taxpayers. That is 10 percent. So in one year, they went from 44 percent of serving taxpayers to 10 percent in serving taxpayers, at their own discretion.

Just yesterday I asked the IRS Commissioner in a hearing whether it was Congress or the IRS that cut funding for taxpayer customer service. Here were my questions and his answers:

''In 2014, you appropriated $183 million for taxpayer assistance; is that correct?''

The Commissioner said: ''Yes.''

I then followed up: ''In 2015, you appropriated $49 million for taxpayer assistance; is that correct?''

The Commissioner said: ''That is correct.''

I then followed up: ''So it was your decision to cut taxpayer assistance by $130 million; is that correct?''

The Commissioner of the IRS said: ''Yes.''

Instead of using those resources to grow taxpayer services, reduce wait times, and improve the public's interactions with the IRS, they are dedicating close to $200 million on technology to help implement and track the ObamaCare mandates. It is no wonder that last year the Commissioner of the IRS would call the level of taxpayer services abysmal. That is simply unacceptable.

The pattern here is alarming. When the IRS has discretion, the agency uses that discretion in ways that harm Americans. It is the duty of the IRS to work for the taxpayers, not against them.

I encourage my colleagues to do the citizens they represent a favor and support the IRS OWES Act.

I reserve the balance of my time.

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

Here is the story. Here are the honest facts.

Republicans have cut the IRS budget by close to $1 billion over the past 5 years. This bill is just another budget cut, further reducing the IRS' budget by as much as $500 million.

The consequences of these budget cuts for taxpayers are significant, as you can see from this chart. What has happened since 2011 is the appropriations have gone down and waiting times have gone up. The average wait is shown by this blue line. The dollars

are in the yellow. The only improvement was when we appropriated a couple hundred million dollars at the initiative of Democrats, and the waiting times went down as money went up.

The Republicans who complain about poor IRS customer service, they have only to look in the mirror to see who is responsible. Here are the facts.

Republican cuts to the IRS budget from 2010 to 2015 resulted in—and everyone listen to this—13,000 fewer full-time IRS employees; a significant number of taxpayer phone calls being dropped, as indicated by this chart; delays in much-needed upgrades to information technology and cybersecurity; and the lowest level of audits in a decade with less than 1 percent of taxpayers being audited last year. This is all despite the fact that the number of tax returns being filed increased by $9 million, or 7 percent, since 2010.

□ 1230

This effort today is motivated entirely by politics instead of good policy. The IRS has had the authority to offset the cost of taxpayer services with user fees since 1995. The Republicans have never tried to tamper with that. This is the first time the Republicans have tried to prevent the IRS from using these moneys.

We heard the Republicans argue that the IRS used some of this funding to implement the Affordable Care Act. True, as those are taxpayer services. Taxpayers are applying for help through the Affordable Care Act. It is the IRS' responsibility to implement that. The IRS is doing exactly what they should be doing: implementing a law passed by Congress, a law that has resulted in there being 20 million more Americans with healthcare coverage.

This bill is, in essence, another effort—it might be—what?—No. 63, 64, 65—to undermine healthcare reform. That is really what this is all about, and the gentleman who presented the case made that case. The IRS' helping people get access to healthcare reform is a taxpayer service.

The White House issued a Statement of Administration Policy, which reads, if the President were presented with this bill, his senior advisers would recommend he veto it.

The statement reads as follows: ''By further constraining IRS resources, H.R. 4885 would have detrimental effects on the IRS' ability to provide quality service to taxpayers, administer the Tax Code, and enforce tax laws.''

That is really what this is all about.

The statement continues: ''The IRS needs more resources, not fewer, to deter tax cheats, serve honest taxpayers, and protect taxpayer data.''

The Republicans are using these IRS bills this week to attack the IRS and its employees as a distraction. They don't want hardworking Americans to know what they missed the deadline on: to come up with a budget. They are doing absolutely nothing to help the people of Flint or of Puerto Rico, who so desperately need our help.

I urge my colleagues to vote ''no'' for the reasons outlined by this chart: for the need of more resources for customer services and to thwart a further effort by the Republicans to undermine the ACA, which has meant so much to millions and millions and millions of Americans from all walks of life. This should be resoundingly voted down, surely by us Democrats, who believe in customer service and who want the ACA implemented, not destroyed by the Republican Party of this House or of the Senate.

I reserve the balance of my time.

Mr. SMITH of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I thank my colleague from Missouri for bringing this bill to the floor and for his leadership in holding the IRS accountable.

Mr. Speaker, I guess we should start with the question of who is attacking whom. When you look at the actions of the IRS, especially in the last few years—and we have exposed this through our oversight here in this House majority—we have found it is the IRS that has been attacking the hardworking taxpayers of this country.

It has not only been documented, but it has come out in hearings that the IRS was actually targeting people—American citizens—based on their political views. The IRS was. You could expect this, maybe, in a Third World country where the government would actually be attacking people based on their political views, but, here in America, this IRS was doing just that, and we exposed it.

One is seeing with the bill that Congressman SMITH is bringing forward that the IRS has created, in essence, a slush fund, using user fees for things that weren't even intended and that aren't even in the purview of Congress. What are they afraid of? Why are they afraid of having some real transparency so that we can actually hold the IRS accountable for these user fees? Hundreds of millions of dollars of user fees, by the way, are paid by hardworking families out there who are struggling to get by. When somebody actually calls the IRS hotline right now, estimates are that fewer than 40 percent of Americans who call the IRS hotline to get help are able to get help.

The IRS is not helping people they are supposed to be helping. They have these slush funds, and they don't want them to be under the purview of Congress? What are they afraid of hiding? Is it, maybe, that we are going to expose more things, like they are using taxpayer money to target people? Maybe we are going to expose more things, like they were actually hiring people who were fired from the IRS because they were improperly accessing people's taxpayer data, or the fact that they have given out bonuses to people when they can't even show they have a customer service plan.

When one is looking at so many abuses by the IRS, it is an agency that is out of control. Now we have a bill by the gentleman from Missouri to at least bring some of that into the purview of Congress so that it is exposed in the sunshine of transparency. Why be against transparency? Let's pass this bill.

Mr. LEVIN. Mr. Speaker, I yield myself 2 minutes.

Look, as happened yesterday, I expect the Republicans to try to bring up the issue relating to the IRS and how it handled 501(c)(4) applications. As I did yesterday, I just want to read an answer given by the inspector general on this issue.

On May 17, 2013, I asked him as follows: ''Did you find any evidence of political motivation in the selection of the tax exemption applications?''

Inspector George said: ''We did not, sir.''

Next, customer service. You have the gall to come forth here and complain about customer service when you cut the IRS' budget over 5 years by almost $900 million. That really takes gall. It is so inconsistent. As I said earlier, look in the mirror, and you will see who is responsible for those problems.

I want to finish by saying: Slush fund? Implementing healthcare reform that has helped 20 million people, that is a slush fund? No. That is the implementation by the IRS of a necessary function that affects the lives and the health care of millions of Americans.

So you are really bankrupt to come forth here and support this bill.

Mr. Speaker, I ask unanimous consent that the gentleman from Oregon (Mr. BLUMENAUER) control the remainder of my time.

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

There was no objection.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. SMITH of Missouri. Mr. Speaker, I yield myself 1 minute.

I would like to respond to the gentleman's prior comments.

As a matter of fact, since fiscal year 2013, in budget sequestration, Congress has either maintained or increased funding for taxpayer services each and every year—never cutting it one time. Any cuts to taxpayer services have come at the clear discretion of the IRS Commissioner.

Yesterday, in committee, the IRS Commissioner said that it was his discretion to cut taxpayer services. In fact, in the last year, they cut $134 million. In the last 4 years, Congress has not cut $1 in taxpayer services; so let's get the record straight while we are on the House floor.

I yield 2 minutes to the gentlewoman from Kansas (Ms. JENKINS), a member of the Ways and Means Committee and the vice chair of the Conference.

Ms. JENKINS of Kansas. I thank the gentleman for yielding.

Mr. Speaker, I am pleased to come to the House floor in support of the IRS Oversight While Eliminating Spending Act, sponsored by my colleague, Mr. SMITH.

I spent many years practicing in the tax area as a certified public accountant, so I understand firsthand why tax day has become a dreaded annual burden to so many Americans. The economy has yet to rebound from the recession, and wage growth is stagnant; but, in 2016, individuals will spend more on their taxes than on clothing, food, and housing combined.

While Americans continue to face the threat of increasing taxes—thanks to this administration—the tax process has gotten only more complicated and confusing. On top of that, the IRS has mishandled taxpayer funds, has provided inadequate customer service, and has proven to be unwilling or unable to change.

This commonsense legislation brings us one step closer to providing the proper oversight over the IRS' activities. At the moment, the IRS currently charges user fees, and Congress has no say as to how these fees are used.

I am extremely disappointed this agency is playing politics with these fees. They cut the fees allocated to customer service by 73 percent this year, and they reallocated those funds in an effort to try to extract additional fees from the American taxpayer. Folks are already paying more than enough in taxes.

If the IRS wants taxpayers to pay fees, then they need to account for how they are using every last cent of that money. Oversight from Congress will ensure no frivolous use by a wasteful IRS.

I urge my colleagues to support this legislation. We cannot continue to reward inefficient bureaucracies. The American people deserve to have a say in how the IRS spends our hard-earned tax dollars.

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

It is painful to listen to some of the rhetoric here on the floor that suggests that, somehow, the use of resources by the IRS is not dealing with customer service. The gentleman admitted that, under Republican leadership, they have worked to not fund the necessary resources for the Affordable Care Act. Now, this is a bill that is law. This is a bill that is impacting 16 million Americans, and 7.3 million people have gotten the tax credits.

I would ask the gentleman from Missouri what the impact would be on 7.3 million taxpayers if we had no money available to implement the Affordable Care Act.

I yield to the gentleman from Missouri.

Mr. SMITH of Missouri. Mr. Speaker, the question that we have before us is: Did we appropriate adequate funding for taxpayer services?

Mr. BLUMENAUER. In reclaiming my time, I am asking the gentleman: What would be the impact on the 7.3 million people who are claiming the tax credit under the Affordable Care Act, which you have not yet repealed and which still is the law of the land? What would the impact be on them if you had your way and there was no money?

I yield to the gentleman from Missouri.

Mr. SMITH of Missouri. Mr. Speaker, the law of the land is Article I of the Constitution. Congress has the power of the purse to appropriate funds, and Congress appropriated the funds in 2016, but the IRS is not following that appropriately. This is wrong.

Mr. BLUMENAUER. In reclaiming my time, if I may reframe the question, because I am not trying to trick the gentleman. I want to know what the impact would be on 7.3 million people if there were no money available to implement the Affordable Care Act.

I yield to the gentleman from Missouri.

Mr. SMITH of Missouri. Mr. Speaker, what I am talking about is that Congress appropriated the necessary resources. The gentleman is talking about there being over $11 billion to the IRS, and they cannot appropriate the funds correctly.

Mr. BLUMENAUER. Mr. Speaker, in reclaiming my time, I would appreciate the gentleman, on his own time, elaborating on this, and the gentleman is not answering.

What would be the impact, as the gentleman said in his opening statement, if the money were not allocated to implement the Affordable Care Act? It is sort of a backdoor way via the budget process, which you can control, to defund the Affordable Care Act.

The fact is, for those 7.3 million people who get the tax credit and for the over 17 million Americans who have received health care under the Affordable Care Act, being able to implement the law is customer service. I would think that my Republican friends would become very cranky if the bureaucracy in the IRS just decided that they weren't going to implement part of the law. So what the IRS has done within some areas that it does have budgetary discretion is to make sure that there are adequate people to try and implement these provisions.

□ 1245

Now, it is true that the Tax Code becomes more and more complex, but that is not the fault of the IRS. Those are the people who are charged with implementing what Congress does.

Since I have been in Congress—and my Republican friends have been in charge most of this time—the Tax Code has become longer, more complex, even as they have cut back the resources to that critical agency.

What business assaults its accounts receivable department?

The Internal Revenue Service is the largest customer service agency in the world, and they have a very difficult job because Congress in the last 25 years has cut 30,000 people out of the workforce. In the last 10 years, we have seen an additional reduction.

I am glad that our Republican friends were embarrassed because of their continued cuts to the IRS budget and the service got so bad that they restored almost $300 million.

But it is not, by any stretch of the imagination, enough to give the service that we want, and it does not make up for the fact that the IRS has a legal obligation to administer the Affordable Care Act, which is still on the books, which is serving millions of Americans and has become more complex and actually more onerous for individual taxpayers.

Remember, they have made changes to make a sharper cliff if people make a mistake in the estimate of their income because it is graduated. You get less help the more money you make.

Under the Republican assault on the Affordable Care Act, there is more of a cliff that faces people if they have a change in circumstance. If they misallocate, if they lose a job, if they get a bonus, that can have significant consequences.

Mr. Speaker, the United States Internal Revenue Service has been a whipping boy for everybody. This a service that people love to hate. Republicans have taken their war against taxes to high art by assaulting the IRS, making it hard to serve, and attacking it repeatedly.

Mr. Speaker, this has significant consequences. The United States relies on voluntary compliance from the taxpayers. Every 1 percent less voluntary compliance costs the taxpayers $30 billion that could be used to reduce the deficit or to pay for badly needed services or maybe rebuild our fraying infrastructure. This has consequences.

Now, I would respectfully suggest that this is a cut of a half billion dollars to a budget that is already stressed and can't deal with the needs of today.

People in the IRS are dealing with a computer system that those of you who took computer science in the 1960s—I didn't—but you would feel comfortable with some of the programming language they have.

It is hopelessly out of date. The employees are overwhelmed on the phone lines. And Congress keeps changing the Tax Code.

Taking away a half billion dollars in user fees and throwing it into the general fund makes it very unlikely that it will be available for the priorities that are going to be necessary to administer the IRS.

My friend doesn't care if the Affordable Care Act is not administered. In fact, he would rather that it not be administered, but that is not the law. That is not fair to the taxpayers.

Taking away these user fees, putting it in the appropriations process, is going to have sort of a grab bag in Congress for those moneys, and I don't know where those would end up.

But given the composition and the attitude of the people who control it now, it wouldn't be available to administer the Affordable Care Act, something the IRS is obligated to do and which we owe to the American people.

I reserve the balance of my time.

Mr. SMITH of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Speaker, the American people are fed up with the IRS and rightfully so. With such a troubled and incompetent record, it is hard to imagine how anyone could trust this corrupt agency.

This week the House will take action, thanks in large part to my friend and colleague from Missouri (Mr. SMITH). We will pass a series of bills to rein in the IRS and bring much-needed accountability to this broken and dysfunctional agency.

We will take steps to end the politicization of the IRS, which has illegally and intentionally targeted conservative Americans.

We will vote to eliminate the IRS slush fund—and I call it a slush fund—that has allowed this agency to skirt congressional authority.

We will vote to make sure that IRS employees are held to the same standards as the taxpayers by firing those who are delinquent in their own taxes.

These are commonsense steps that need to be taken, but we cannot truly solve these problems and bring real change to the Internal Revenue Service under the current leadership of Commissioner John Koskinen.

Mr. Koskinen has blatantly lied under oath and misled congressional investigators. He has supported Lois Lerner's track record of deceit and obstruction. It is time for him to go.

As a cosponsor of legislation to impeach Commissioner Koskinen, I call on congressional leaders to bring that bill forward as well.

American taxpayers deserve much better than they are getting, and we need to turn the page on Mr. Koskinen's failed leadership.

Mr. BLUMENAUER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), a senior member of the Ways and Means Committee and someone who understands the value of protecting the Federal Government's accounts receivable department.

Mr. DOGGETT. Mr. Speaker, Monday, as all Americans know, was, of course, Tax Day. Today should be officially designated as ''Republican Tax Distraction Day'' because that is exactly what is going on here.

Rather than address the many inequities and complexities in our tax system, Republicans distract by attacking the tax collector, which is one of the oldest tactics around that goes back, I guess, many civilizations.

I believe it was Mark Twain who suggested the difference between a taxidermist and a tax collector is that the taxidermist only takes your skin.

The problem we have today is that there are many of our largest and most profitable corporations that don't have any skin in the game.

For the patriotic taxpayers that were out there last weekend trying to figure out how they would complete their taxes and how they would make the payments or who were lined up on Monday night at the post office to make their payments—those taxpayers have a lot of boxes on their tax form, but they don't have one that they can check that shifts their income off to some offshore tax haven. They can't decide that they will just defer paying on some of their income until they feel like it.

Yet, some of America's largest and most profitable companies use just these type of tax loopholes to dramatically lower their tax bill. These Republicans, especially on the House Ways and Means Committee, have shown no interest in addressing the problem whatsoever.

Only last week a major development before this Republican tax development was a report that found that 20 percent of large, profitable corporations paid no Federal income tax in 2012, the last year of the survey.

That is no. That is none. That is zero. That is zilch. It is not what those folks that were working last weekend trying to figure out their taxes were faced with, but it is what is occurring.

If Republicans were serious about making the Internal Revenue Service work better, they would be addressing injustices like this instead of making it worse by slashing the IRS budget. Shorting that budget is short-circuiting the collection of taxes from all those people that are out there trying to dodge their taxes.

Under these Republican budgets, almost one in four of the enforcement tax staff at the IRS have been eliminated over the last 7 years. Every additional dollar that we spend on tax enforcement yields an estimated $4 in increased revenue.

Even a remarkable return on investment like that is modest compared to the return that America's largest corporations are getting by lobbying this Congress and participating in the political process. Oxfam America this month reported that tax dodging by multinationals is costing the United States perhaps as much as $111 billion each year.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BLUMENAUER. Mr. Speaker, I yield an additional 1 minute to the gentleman from Texas.

Mr. DOGGETT. Mr. Speaker, recovering that revenue could pay for the entire budget of The National Institutes of Health, the Centers for Disease Control, and the Department of Education.

Tax dodging is not a victimless crime. It is like those seaside resorts where you hear: Grandpa went to the Caymans and all I got was this lousy T-shirt.

Well, you don't get a T-shirt out of this kind of tax dodging, but you do get a tax bill, because the hardworking American families and small businesses that are picking up the tab for all of those loopholes are having to pay more than their fair share.

What we should be doing on this Republican Tax Distraction Day is getting about those loopholes and seeing that the IRS enforces our laws fairly and equitably. That is not being done today.

This and the rest of this package should be rejected in favor of a system that is fair to all Americans.

Mr. SMITH of Missouri. Mr. Speaker, I yield 2 minutes to the fine gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Mr. Speaker, I want to point out that most folks in this room today and right now understand that there is an effort underway to pursue tax reform, to make our Tax Code simpler, easier to enforce, and to actually prevent the need to even pass legislation such as the IRS OWES Act.

Until such time, we need legislation like this because it will bring much-needed transparency to an agency with a proven track record of poor management.

The IRS' offenses include targeting taxpayers and irresponsibly directing resources away from its core function of taxpayer services, resulting in the abysmal 2015 tax filing system.

It has probably been said in this room before, but this simple bill would subject IRS user fees to congressional oversight by directing them to the Treasury's general fund and subjecting them to the congressional appropriations process.

In 2014, the IRS only used 44 percent of its user fees account on taxpayer services. Last year this number dropped significantly, with the IRS using only 10 percent of its user fees account on taxpayer services.

American taxpayers all over the country felt the pain of that choice last year. Our tax system depends on voluntary compliance. Poor taxpayer assistance like the IRS provided last year would likely encourage taxpayers to perhaps cheat and actually make it more difficult for taxpayers to even comply.

According to a GAO report, last year only 38 percent of callers wanting to speak to an IRS representative were able to reach one. This is unacceptable from an agency whose core function is revenue collection.

H.R. 4885 will strengthen congressional oversight over the IRS not by limiting funding, but by ensuring the IRS uses its funding for its core functions of revenue collection and taxpayer assistance and not for unrelated purposes, which make it harder for taxpayers to comply with an already complicated Tax Code.

Mr. BLUMENAUER. Will the gentleman yield?

Mr. SMITH of Nebraska. I yield to the gentleman from Oregon.

Mr. BLUMENAUER. Who are the 7.3 million people who get the tax credit

under the Affordable Care Act? Does helping them fall within your definition of taxpayer assistance?

Mr. SMITH of Nebraska. I don't want innocent people to be hurt. And with what has taken place at the IRS, I would hope all of us would agree it is unacceptable.

Mr. BLUMENAUER. Let me rephrase my question:

Does assisting the 7.3 million people who get tax credits under the Affordable Care Act qualify in your definition of taxpayer assistance?

Mr. SMITH of Nebraska. Well, I don't have the actual definition at the top of my mind. But, clearly, the IRS has chosen priorities—some over others—that I think——

Mr. BLUMENAUER. If I have more time later, I would be happy to be involved in a colloquy with you on this.

Mr. SMITH of Nebraska. Mr. Speaker, I urge the passage of this bill.

□ 1300

Mr. BLUMENAUER. Mr. Speaker, I yield myself 20 seconds.

It is striking that somehow giving assistance to 7.3 million people who get the tax credits—16 million people who are under the Affordable Care Act—to implement that does not fall within the definition of taxpayer assistance. And my friends, Smith, neither one of them, could actually answer that, and I think it is telling.

Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. BECERRA), the distinguished leader of the Democratic Caucus and a senior member of the Committee on Ways and Means, who thinks that we ought to provide service to our taxpayers.

Mr. BECERRA. Mr. Speaker, one of the easiest things you can do to get people to cheer for you is to bash someone or something that everyone loves to hate, as you have heard it said before. I don't know if there is a better example of this than the IRS. Everyone loves to hate the IRS.

At the end of the day, though, if you want to have our troops paid, if you want to have our security handled at our airports, if you want to make sure that our national parks are protected, you need to have the revenues; and so we need the IRS so that all of us who voluntarily are supposed to pay our taxes do so and pay our fair share.

Again, we could all point to the story of the case where the IRS flubbed it, didn't do a good job, and so it is easy to pile on. If we could create a pinata that looked like the IRS, I guarantee you it would be the hottest selling pinata in the history of pinata making. So let's just put that on the table. Let's grant that to everyone. It is easy to bash the IRS.

Let's go to this bill, though. What will this bill do?

First, it does some really strange things, and then it does some really harmful things. But worse than that, it is never going to become law. So we are spending time talking about something that is never going to become law.

But on what the bill does, let me give you a clear example of why it is so unfortunate that we do this IRS bashing. One of these provisions tells the IRS that it cannot retain the dollars it collects as user fees for having provided services to individuals or corporations that seek out special services from the IRS.

You have got a big corporation; you just broke it up into pieces; you want to make sure you are filing your taxes correctly. You need a special advisory opinion from the IRS, which isn't something they typically do for most Americans, so they say: Well, that is extra stuff; we are going to have to charge you a user fee for having done that for you.

Principally, these user fees come from wealthier companies or wealthier individuals who have more complicated tax filings that they have to submit. We charge them that because not every American has to request that kind of service from the IRS. IRS collects that fee.

This bill says: IRS, you don't get to keep the money, even though you had to provide the service and pull your resources and your personnel from doing the regular taxpayers' filings and examining those to do this special work. You cannot keep that even though you expended resources to do that work.

The best way I could compare it is to a situation I encountered recently. I participated in a funeral service, and it was a very dignified service. At the end of the service in the place of worship in the church, we all caravanned together with the hearse and the family of the deceased individual to the cemetery. It was a long line of vehicles. It was a great service. A lot of people showed up.

We were fortunate to have the assistance of police officers who directed traffic because we went through a whole bunch of intersections. We had to make sure that, to the degree possible, we didn't disrupt traffic a whole lot and we didn't have a whole bunch of accidents on the way to the cemetery. It all worked out perfectly. At the end, once we reached the cemetery, the officers left.

Now, the officers did that job not because that is the usual course of business for police officers in our cities and our counties. They did that because the police department offers that service so that we don't disrupt the greater activity around our city when there is a funeral. That way you offer the dignity to that family as well in the services for that deceased individual. You pay for that service to the police department because you pulled police officers off their regular beat to do that work. That is a user fee.

The SPEAKER pro tempore (Mr. ROTHFUS). The time of the gentleman has expired.

Mr. BLUMENAUER. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. BECERRA. Mr. Speaker, this bill's proposal on user fees is tantamount to telling the police department: You must provide that service for people to be able to have their funeral service, but you will not get compensated for your police officers being pulled from their regular duty of protecting our streets to help with that funeral service.

It is inane. It is crazy to do that. So rather than do bills that are going to go nowhere, let's get our job done. We get elected to do some very important things. On the tax side, we certainly could do what Mr. DOGGETT mentioned earlier. Let's go after those Benedict Arnolds who decide they are going to leave the country not because they want to go live somewhere else, it is that they don't want to pay taxes in America. So they are going to leave their place of legal residency as America. They are still going to have their home here, but they are just going to call home somewhere else for legal purposes so they don't pay taxes. Billions of dollars we are losing, we know, as a result of corporations and all our wealthy individuals incorporating in places like the Cayman Islands.

Secondly, all the money that is being spent in campaigns today is being done by what are called not-for-profit organizations that we used to think used to do social welfare.

Now guess what they are doing?

They are spending their money on campaigns. We need to stop that as well. That is what we should be doing—doing our job, not taking money out of an agency that is trying to make sure that we do this the right way for everyone who pays their fair share of taxes.

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

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

I hope that there is an opportunity here for us to take a hard look at some of the issues surrounding the Republican assault on the IRS. We have documented that they have dramatically cut not just the resources, but the ability of people to implement it. There has been a refusal to hire people in some cases who make for the government $5,000 an hour or more.

Now, these are people who would be dealing with audits for the people who, you know, for one reason or another give themselves the benefit of the doubt when it comes to filling out the tax form. So this audit function makes a significant amount of money for the taxpayers, money that doesn't have to come from increased taxes or reduced services.

Mr. Speaker, there is a tax gap. It is well known and well documented, $400 to $450 billion or more a year. Being able to adequately fund the Internal Revenue Service will enable the government to deal with an amount of money that is due and payable and owing, and it is usually because they have more money to lose track of or to be able to have different alternatives for how they characterize it or how

they choose to move forward. It tends to be larger, they tend to be business enterprises and people who have more money.

But it is not just dealing with the audit function. I had a fascinating roundtable discussion in my hometown last month where I had attorneys and accountants who specialize in the practice dealing with tax practices. They were lamenting the problems, not just the fact that there isn't effective audits anymore. They think there are very few. But it is more fundamental than that.

They often will look one of their clients in the eye and say: Yes, you are right, there is a problem. The mistake is in your favor, but because the service level has been allowed to deteriorate so badly, it will cost you more money in my fees to get the $500 or $2,000 error corrected.

That just makes one cringe. Now, the notice that somehow putting money to implement the Affordable Care Act is not customer service is ludicrous, and I tried to get my friends on the other side of the aisle to talk to me about customer service.

How is it not customer service to help people with the tax credits that are involved with the Affordable Care Act, which over 7 million people get?

How is it not customer service to make sure that it is administered fairly for over 16 million people who fall under the Affordable Care Act?

Absolutely it is. This $500 million cut would further degrade the ability to provide the service that not only should we require, but our employees in the IRS want. I would strongly urge the rejection of this ill-guided proposal.

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

Mr. SMITH of Missouri. Mr. Speaker, I yield myself the balance of my time.

The IRS has not shown this body, they have not shown the Missourians that I represent, and they have not shown all of the American taxpayers that they have been good stewards of user fees. They have a slush fund of nearly $500 million. This body, over a course since fiscal year 2013, has not cut $1; not $1 has this body cut in assistance to taxpayer services to the IRS.

The Commissioner yesterday testified before the Committee on Ways and Means and said that he is the one who cut $134 million last year alone in taxpayer services. The government is supposed to help serve the people. The people are not supposed to serve the government.

Mr. Speaker, there should not be one agency that is independent of Congress. Agencies were created by Congress. They should be funded by Congress. And no agency should have a $500 million slush fund that they can decide to spend the money any way that they want. This is not an uncommon practice for us to require agencies, when they collect user fees, to have congressional oversight and to be subject to appropriations. We are just trying to make sure that the IRS is held accountable, like numerous other agencies.

Mr. Speaker, I ask the body to support this great piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 687, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BLUMENAUER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PERMISSION TO POSTPONE ADOPTION OF MOTION TO RECOMMIT ON H.R. 1206, NO HIRES FOR THE DELINQUENT IRS ACT

Mr. SMITH of Missouri. Mr. Speaker, I ask unanimous consent that the question of adopting a motion to recommit on H.R. 1206 may be subject to postponement as though under clause 8 of rule XX.

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

There was no objection.

□ 1315

NO HIRES FOR THE DELINQUENT IRS ACT

Mr. HOLDING. Mr. Speaker, pursuant to House Resolution 687, I call up the bill (H.R. 1206) to prohibit the hiring of additional Internal Revenue Service employees until the Secretary of the Treasury certifies that no employee of the Internal Revenue Service has a seriously delinquent tax debt, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 687, in lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–47 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1206

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 ''No Hires for the Delinquent IRS Act''.

SEC. 2. PROHIBITION ON IRS HIRING OF NEW EMPLOYEES UNTIL CERTIFICATION THAT NO IRS EMPLOYEE HAS A SERIOUSLY DELINQUENT TAX DEBT.

(a) IN GENERAL.—No officer or employee of the United States may extend an offer of employment in the Internal Revenue Service to any individual until after the Secretary of the Treasury has submitted to Congress either the certification described in subsection (b) or the report described in subsection (c).

(b) CERTIFICATION.—

(1) IN GENERAL.—The certification referred to in subsection (a) is a written certification by the Secretary that the Internal Revenue Service does not employ any individual who has a seriously delinquent tax debt.

(2) SERIOUSLY DELINQUENT TAX DEBT.—For purposes of this section, the term ''seriously delinquent tax debt'' means an outstanding debt under the Internal Revenue Code of 1986 for which a notice of lien has been filed in public records pursuant to section 6323 of such Code, except that such term does not include—

(A) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or section 7122 of such Code;

(B) a debt with respect to which a collection due process hearing under section 6330 of such Code, or relief under subsection (a), (b), or (f) of section 6015 of such Code, is requested or pending;

(C) a debt with respect to which a levy has been made under section 6331 of such Code (or a debt with respect to which the individual agrees to be subject to a levy made under such section); and

(D) a debt with respect to which relief under section 6343(a)(1)(D) of such Code is granted.

(c) REPORT.—The report referred to in subsection (a) is a report that—

(1) states that the certification described in subsection (b) cannot be made;

(2) provides an explanation of why such certification is not possible;

(3) outlines the remedial actions that would be required for the Secretary to be in a position to so certify; and

(4) provides an indication of the time that would be required for those actions to be completed.

(d) EFFECTIVE DATE.—This section shall apply to offers of employment extended after December 31, 2016.

SEC. 3. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

After 1 hour of debate, it shall be in order to consider the further amendment printed in House Report 114–502, if offered by the Member designated in the report, which shall be considered read and shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent.

The gentleman from North Carolina (Mr. HOLDING) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. HOLDING. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1206, currently under consideration.

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

There was no objection.

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

H.R. 1206, the No Hires for the Delinquent IRS Act, prohibits the IRS from expanding its workforce unless the agency either certifies to Congress that IRS employees do not have seriously delinquent tax debts or explains why the agency is unable to provide this required certification.

I want to commend my friend and colleague from North Carolina (Mr. ROUZER) for helping bring attention to the fact that some of the IRS' own employees, Mr. Speaker, have serious delinquencies on their personal tax obligations.

The American public expects IRS employees—the same people, the same employees that audit American taxpayers—to abide by the Federal tax laws they enforce. However, Mr. Speaker, just last year, the Treasury Inspector General for Tax Administration reviewed the IRS' handling of employees that were found to have willfully violated the tax laws. So, that is how the IRS is handling the matter of their own employees who have willfully violated the tax law.

Shockingly, Mr. Speaker, in 61 percent of those cases of IRS employees who have willfully violated the tax law, the IRS decided to retain the employees and failed to document why these employees were not fired.

Mr. Speaker, this is unacceptable and the American people deserve better. Allowing IRS employees to continue administering our tax laws when they, themselves, are in violation of that law undermines the trust of the American taxpayer.

My friend Mr. ROUZER's legislation is an important step forward towards creating accountability and restoring the public's trust in the IRS.

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

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

This is really a couple of sad days for this institution. Here we are filling in time with bills that are going nowhere and are deeply mistaken. No action on the budget, no action on the tragedy in Flint, no action on the needs of Puerto Rico, no action on Zika—essentially, the Republicans are about no action. So instead, they bring up this series of bills, and now, H.R. 1206.

Let's look at it carefully. What this bill says is that the IRS cannot hire a single person until the Secretary of the Treasury issues a written certification that not a single employee in the entire agency has a serious tax debt. So when an employee quits or is terminated, that position could not be filled until an examination was completed of the tax status of every one of the 80,000 IRS employees.

Realistically, to certify that no single employee has a significant tax debt, the IRS would need to immediately and continuously terminate any employee with a Federal tax lien. The IRS already has the authority to terminate an employee for delinquent taxes. This was established in 1998 in section 1203 of the IRS Restructuring and Reform Act.

The White House's Statement of Administration Policy says that the bill is ''unworkable in operation, as 'seriously delinquent' debts could be as low as $1 and tax liens are recorded on a case-by-case basis.''

This bill is yet another politically motivated attack on the IRS and its 80,000 employees, who have one of the lowest rates of tax delinquency in the Federal Government at around 1 percent.

I wish you would just look at the chart and see where the IRS is compared to the Congress. If you are really worried, ladies and gentlemen, about tax delinquency, we would need to look no further than here in the House, where tax delinquency among employees is more than 5 percent.

The administration opposes this bill, stating further: ''These bills would impose unnecessary constraints on the Internal Revenue Service's operations without improving the agency's ability to administer the Tax Code and serve taxpayers.''

As I said at the beginning, there is a lot of work that should be undertaken in this House. Instead, this is essentially an empty Chamber with empty legislation. These bills are nothing more than a distraction to cover up the basic failure of the Republican majority to bring on legislation that would truly meet the needs of the American people. I urge that we oppose this bill.

I reserve the balance of my time.

Mr. Speaker, I ask unanimous consent that the gentleman from Georgia (Mr. LEWIS), a most distinguished member of our committee, control the remainder of my time.

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

There was no objection.

Mr. HOLDING. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. ROUZER), the sponsor of this legislation.

Mr. ROUZER. I thank my colleague and friend from North Carolina (Mr. HOLDING) for yielding time to discuss this bill.

Mr. Speaker, I filed this bill, H.R. 1206, the No Hires for the Delinquent IRS Act, in response to reading news reports of more than 1,500 employees at the IRS who willfully failed to follow their own tax guidelines and, in a number of cases, were found to be seriously delinquent on their taxes.

For starters, it is the height of hypocrisy for the very agency that is charged with collecting taxes to have employees who refuse to adhere to the standards and guidelines which the rest of us must follow and abide by. Of course, this is in addition to the egregious behavior and abuse of power some in the agency displayed when they targeted organizations for their political affiliations and beliefs. We all remember how the IRS misled taxpayers and the Congress in an effort to deny that such activity ever even occurred. Thankfully, the truth always has a way of being revealed, at least eventually.

I think we can all agree that the American people deserve a government that works for them, not against them. Certainly, the IRS is one of the most cumbersome, customer-unfriendly agencies in the Federal Government, regardless of how much they are funded. Anyone who denies this hasn't been listening to the American people.

Now, let me be clear. There are plenty of fine civil servants working hard at the IRS and in all other agencies of the Federal Government. It is the culture of arrogance and unchecked bureaucratic power that has developed within these agencies that is the problem and is the catalyst for the type of disregard and double standard this bill aims to help address. This culture starts with the leadership at the top.

Mr. Speaker, this bill is very simple. It prohibits the IRS from hiring any new additional employees until the agency can certify that every one of their employees who are out of step with the tax requirements imposed on the American people have a plan to achieve compliance. Now, who can argue against this?

For all the moaning and groaning I have heard from the other side of the aisle the past couple of days, this is not a bill that merits even one vote of opposition. This is a commonsense bill that will help encourage the IRS to clean up its act, and I encourage my colleagues to vote for it.

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

Mr. Speaker, I rise in strong opposition to the bill, H.R. 1206, preventing the IRS from hiring anyone—not one person, not one individual—until the IRS proves that there is not a single employee in the entire agency with a serious tax debt.

Mr. Speaker, I ask: How can a hiring freeze possibly help taxpayers? Every person in this body knows that the IRS already has the authority to fire anyone—any employee—for serious Federal tax issues. Congress gave the IRS this power in section 1203 of the IRS Restructuring and Reform Act. It was signed into law in 1998, and it is working.

Last year, Mr. Speaker, the Department of the Treasury had a lower tax delinquency rate than any Federal agency and lower than the American public. It was lower than the Congress.

This is a mean piece of legislation and it is not right. It is not fair. It is

mean-spirited. So, I ask you: Why do we want to punish these Federal employees? Why do we want to go after the majority of IRS workers who are just hardworking, dedicated public servants? More importantly, Mr. Speaker, what good does this bill do?

Every year—not one year, but every year—the IRS is expected to do more with less. We cannot get blood from a turnip. This legislation does nothing to help taxpayers get the service they need and deserve. It does nothing—not one thing—to fight identity theft. This does nothing to stop stolen returns. It does nothing to help the taxpayers speak to a live IRS staff person in a timely manner.

Mr. Speaker, this bill is all about a message. It is a talking point. It is so sad that we have come to this point. As a Congress, we can do better.

Mr. Speaker, some of us here are ready to do the people's work. This is purely a waste of time. As Mr. LEVIN stated, this piece of legislation is not going anywhere.

Last week, I introduced the Taxpayer Protection Act. My bill responds to the real needs of American taxpayers.

□ 1330

There are many other good ideas to help taxpayers, but these bills are not being considered by this body this week.

Instead, Mr. Speaker, we are considering a bill, as I said before, that is mean, downright mean, a bill that is unnecessary, a bill that would do more harm than good.

We owe it to ourselves and we owe it to the American people, to the American taxpayer, to do better. We can do better.

Mr. Speaker, I urge each and every one of my colleagues to vote ''no'' on this pointless and harmful piece of legislation. It is the right thing to do, to vote ''no.'' This is not good for the Congress. It is not good for the Ways and Means Committee.

Why do we want to point? It is pointless to punish one IRS worker. More than 80,000 employees, and for one person, just one person, one individual, for tax debt, then they cannot hire an employee.

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

Mr. HOLDING. Mr. Speaker, the American people deserve and expect all IRS employees to abide by the Federal tax laws that the IRS is charged with administrating, period, end of story.

I yield 2 minutes to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise today in support of the No Hires for the Delinquent IRS Act.

Between 2004 and 2013, nearly 1,600 IRS employees intentionally violated tax laws, according to the Treasury Inspector General for Tax Administration.

Just last year, the same Inspector General reported that the IRS rehired 141 former employees who had bungled their own tax returns. Five of those rehires had intentionally failed to file their returns at all.

Think about that for a moment. The Federal bureaucrats who are responsible for ensuring the American people pay their taxes are not paying their own taxes, and they face no repercussion for botching their own returns.

This is one more example of how Washington is out of touch with the people it is meant to serve. It is no wonder the American people do not have faith in this Federal agency.

This bill will require the IRS to exclusively hire employees who pay their own taxes. It is essential to protecting American taxpayers and ensuring the IRS is held accountable. It is just common sense.

I urge my colleagues to join me in supporting H.R. 1206.

Mr. LEWIS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I thank the gentleman.

This bill is just the next segment of Republican Tax Distraction Day.

Certainly, we should focus on misconduct, on delinquencies, from whatever the source. But here, on Republicans Tax Distraction Day, they are about distracting attention from their failure to address the real problem with reference to delinquencies and misconduct, and that is a problem that they have just shown total indifference about.

For anyone who was listening even a little bit last week, world news around the globe focused on something called the Panama Papers, 11.5 million files explored over the course of an entire year by the International Consortium of Investigative Journalists detailing how some people, especially the very wealthy, have used the secrecy of an offshore tax haven in Panama to avoid paying their taxes and, in some cases, illegal money laundering by organized crime and other forms of official corruption. This isn't just an American problem, but there is no American exceptionalism to it either. It is an international problem.

Our European allies have responded to the Panama Papers by initiating new efforts to try to get at this problem of tax abuse. And the truth of the matter is, this is just the tip of the iceberg with this 11.5 million papers because it is only about abuse in one of a number of secret tax havens.

But, of course, it did not attract universal attention. If you were in Beijing today and you were to search for the Panama Papers on the Web, what you would find is: Sorry, no relevant material.

There is another place that you will find nothing about the Panama Papers, and that is in the House Ways and Means Committee and the Republican Caucus because they haven't been interested. They have shown constant indifference to problems that are generated from these tax havens, from the dodging, from the avoidance, from the evasion that has been going on, when that ought to be the focus of our attention. Instead of real abuse, they focus on imagined abuse.

And keep in mind, by the way, this particular piece of legislation is designed to cover IRS employees for their delinquencies. They bother to exempt the Congress of the United States from that provision.

But I think the focus ought to be on these abuses and delinquencies that are occurring in other places that are costing us real dollars. The Panama Papers show the importance of our working together with our allies to address lawlessness and money laundering and tax evasion. They show why we need to be participating in the Base Erosion and Profit Shifting initiative.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEWIS. I yield the gentleman another 30 seconds.

Mr. DOGGETT. They show why the Stop Tax Haven Abuse legislation that I have introduced and the Corporate EXIT Fairness Act, to deal with those who renounce their citizenship, why they deserve a hearing and attention, the attention that they are not getting today or any day from this Republican Congress.

If this Congress will do nothing to address this tax evasion and avoidance, the least we can do is to do no harm. But today's action does do harm. Rather than getting at the real problems, they seek to limit an already underfunded agency.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. LEWIS. I yield the gentleman another 30 seconds.

Mr. DOGGETT. They seek to limit, impair, and hinder an already underfunded agency in doing its job of tax avoidance so that everyone contributes to the costs of our national security and vital services.

We need to be strengthening the law, ensuring fair enforcement, and ensuring that we have the resources necessary to keep America the strongest country in the world.

Mr. HOLDING. Mr. Speaker, it is pretty straightforward. The IRS needs to earn and keep the trust of the American taxpayer. And I say ''earn'' with emphasis because the IRS has lost the trust of the American taxpayer.

Allowing IRS employees to continue administering our tax laws when they are in violation of the law undermines the people's trust. It does not earn the people's trust.

Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I say thank you, Mr. Chairman, and thank you to my colleagues for their hard work on this package of bills to rein in the IRS and make it more accountable to taxpayers.

Earlier this week, the taxpayers in my home State of Michigan and across the country reflected on another year of a tax burden that is too high and take-home pay that is too low. But not only is our current tax system broken, the agency in charge of enforcing it is, too. Time after time, the IRS has proven that it can't be trusted to clean up its act and fails to practice what it preaches.

In a report last year, the IRS inspector general found that hundreds of employees are violating IRS guidelines and failing to pay their personal tax obligations. Those are obligations, and I tend to think that the good employees of the IRS would be encouraged as well if their colleagues paid their taxes.

The No Hires for the Delinquent IRS Act would simply—and this is what we are talking about—prevent the IRS from any additional hiring until it verifies that its current employees have paid their own taxes.

Now, a good friend and colleague of mine has described this as a waste of time. The single mom in Monroe, Michigan, doesn't think that this is a waste of time. The family farmer in Jackson doesn't think that this is a waste of time. The small-business owner in Charlotte doesn't think that this is a waste of time. Why? Because they all have to pay their taxes on time.

People who work at the IRS should have to play by the same rules as everyone else does. And, in fact, that might assist them in making sure that congressional employees pay their taxes too, and any other department of the Federal Government pays their taxes too, because why? They pay their taxes, and now they can do what their job asks them to do.

The good colleague and gentleman from Georgia understands, I am certain, the principle that we both know well, where it says: To whom much is given, much is required. Much responsibility has been given to the IRS, and much is required. Pay your taxes.

I urge my colleagues to support this commonsense bill.

Mr. LEWIS. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I enjoyed listening to my friend from Michigan, and I would just say why shouldn't we lead by example here in Congress, to whom much has been given? Shouldn't we have the credibility?

I would have supported this bill in Ways and Means, with one simple amendment. I offered an amendment to apply the same provisions to Congress.

The House of Representatives has a worse record of compliance with our employees than the IRS. The IRS has the best record in the Federal Government. Every single department in the executive branch has a better record in Congress.

Why should we have over 500 people on that chart not paying their taxes?

If it is such a great idea that you can implement this smoothly and simply for the IRS, why shouldn't it be easier to implement with Congress, which has about 10 percent of the employees but has four times more delinquency?

Well, people on the committee were all aflutter. They did not, on a technical basis, allow me to offer this amendment, so I went to the Rules Committee.

I think this is a good principle. People ought to pay their taxes. But if you are going to use a sledgehammer like this and it is possible to administer, why doesn't it apply to Congress?

Congress sets the rules. Congress funds the IRS. Congress passes that crazy Internal Revenue Code that people hate and then blame the IRS for administering what Congress passed.

Now, I am mystified. If this is not just a stunt to try and divert attention from the fact that Congress and the Republican leadership has been attacking the IRS, defunding it, making its job a difficult job under the best of circumstances, why not apply it to Congress?

Why shouldn't we set the example, particularly when we have more people under our employment who are on that big list? Don't we lead by example? Shouldn't people look to us?

The hypocrisy in not allowing my amendment to apply to Congress may be one of the reasons why Congress is the only entity in the Federal Government that has probably lower ratings than the IRS. It is because we are not willing to be accountable, because we play games, because we do things that we know will never be enacted into law but would be a good sound bite on somebody's Web site or a quick interview.

□ 1345

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEWIS. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. I am going to give all of my colleagues an opportunity to step up and to cosponsor legislation that would extend to Congress the same degree of scrutiny as they want to have for the IRS.

Even though the IRS problem is much smaller than ours—it is less than one-quarter—what is good for the goose is good for the gander. I don't know if this is sauce, but I would invite my colleagues to step up and not play games. Have Congress be accountable.

Mr. HOLDING. Mr. Speaker, the American people deserve and expect IRS employees to follow the same tax laws that they administer. It is very simple.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. ROUZER), the sponsor of the legislation.

Mr. ROUZER. Mr. Speaker, there are several things that come to mind here. Number one, each Member of Congress is held accountable every 2 years by the voters of their respective district.

The last time I checked, this is referred to as the people's House. We are either here to represent our constituencies and our people back home or we are representing the bureaucracy of the Federal Government.

Now, I don't know what side my other colleagues, particularly on the other side of the aisle, care to be on as it relates to this, but I personally think it is important to represent our people back home, not the bureaucracies here in Washington, D.C.

The other thing I have heard as it relates to this bill is it is mean. My goodness. What is mean about this? All it says is, when the IRS can certify that their employees who are delinquent have a plan to get back into compliance, they are able to hire again. Until then, there is a freeze on hiring.

There is nothing mean about that. It is just good common sense. It is an encouragement, and it is an incentive for the IRS to clean up its act.

Then we hear about the funding issue. I have never ever, ever once heard the other side say that there was plenty of funding for any Federal agency, the IRS or any agency.

I will tell you what is mean and what is destructive is an obstructive, intrusive Federal Government that does not allow the individual American people and our families to do what they do best, and that is grow a business, make a profit, and create jobs.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HOLDING. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. ROUZER. I read somewhere not long ago that rules and regulations of the IRS and elsewhere have cost this economy $2 trillion in the last fiscal year—$2 trillion.

If we got rid of the rules and regulations that are harming the economy and that are keeping our economy from growing at a robust pace, then the IRS would end up having a whole lot more money.

Mr. BLUMENAUER. Will the gentleman yield for a question?

Mr. ROUZER. I yield to the gentleman from Oregon.

Mr. BLUMENAUER. Why shouldn't we have the same rule apply to the 10,000 employees of the House of Representatives?

Mr. ROUZER. This bill is about accountability. Every Member of this Congress is held accountable every 2 years.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. LEWIS. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I want to thank my colleague for yielding.

Mr. Speaker, I rise in strong opposition to H.R. 1206, which would restrict the IRS' ability to hire qualified personnel until it has documented that

each one of its 80,000 employees has not violated an unusual, uncertain tax standard. This legislation is totally unnecessary and promises to further undermine taxpayer service and tax enforcement.

First of all, it is totally unnecessary, suggesting that IRS employees are tax delinquent when, in reality, IRS employees demonstrate a tax compliance rate much higher than that of Members of Congress or other Federal agencies.

Indeed, 99 percent of IRS employees are tax compliant in contrast to only 95 percent of the House of Representatives.

Further, IRS employees already are subject to the Federal Payment Levy Program that can levy Federal salaries to recover tax debts. Certainly, this is a bill in search of a problem.

Secondly, this bill would further impede the ability of the IRS to serve taxpayers and enforce tax laws. Due to Republican insistence on dramatically reducing the IRS funding by over $1 billion in the last 5 years, the IRS has already experienced extraordinary reductions in personnel and service.

Seven former IRS Commissioners from both parties have spoken about this unprecedented reduction and its negative impact on our tax system.

My constituents, your constituents, and constituents all over the country have suffered enough. Our national debt has suffered. Every time we collect $1, that yields another $4 in revenue.

So I would urge my colleagues to vote against this bill. I certainly will do so.

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

Mr. Speaker, the gentleman notes the Federal Payment Levy Program. I would like to clarify that this bill would only treat an employee as seriously delinquent in the most egregious case where no payments were being made because wages can be levied under the Federal Payment Levy Program. Most employees would fall within one of the exceptions and would be within the definition of seriously delinquent.

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

Mr. LEWIS. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy.

Mr. Speaker, I like the notion of accountability. It is true that we are up for election every other year, and I am sure that my friend from North Carolina has a system in his office to make sure that the 18 people who work for him are not on this list of over 500 people. But that is not a suitable accountability. We are talking about an entire agency.

I think there is no good reason that we shouldn't have the same sort of accountability for almost 10,000 people who work for the House of Representatives.

Shouldn't we collectively set an example? After all, there are four times as many people who have tax delinquency who work for the House of Representatives.

Why shouldn't we set an example? If it can be easily administered and we want to send a message, why don't we send a message that we care about it?

We can learn from the gentleman about his system to make sure there are no tax delinquencies in his office. I would like to know that, and I am sure the leadership of the House of Representatives would like to implement it here.

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

Mr. LEWIS. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to this bill. It would hamstring the IRS and would make no real impact on tax avoidance in the United States. This bill is shameful.

If we are serious about cracking down on tax dodging, we would focus on ending corporate inversions. Our government must stand up and say to these corporations: Stop cheating the American people.

We cannot continue to allow corporations to pretend that they are American companies reaping the benefits that this country has to offer and all the while claiming to be a foreign corporation when the tax bill comes. They don't pay their fair share of taxes in the United States.

Corporations are cheating the American people out of revenue that could make such a real difference in the lives of children and families so that they can dodge taxes and gouge prices.

A quote from an article in The New York Times last week by Nicholas Kristof says: ''The Real Welfare Cheats. One academic study found that tax dodging by major corporations costs the U.S. Treasury up to $111 billion a year. By my math, less than one-fifth of that annually would mean more than enough to pay the additional costs of full-day prekindergarten for all 4-year-olds''—that is about $15 billion—''prevent lead poisoning in tens of thousands of children ($2 billion), provide books and parent coaching for at-risk kids across the country ($1 billion) and end family homelessness ($2 billion).''

The administration has issued new rules to curb inversions, but the Congress—the Congress—needs to work to end this abhorrent practice.

It is absurd that the U.S. Treasury does not have the authority to share a list of inverted corporations with other government agencies. Congress can give them that authority.

It is up to us to make sure that Treasury can provide such a list. Congress also needs to strengthen the definition of an inverted corporation in the Tax Code. We should also consider inversions a deal breaker when we dole out Federal contracts.

Inverted corporations should not receive Federal contracts. They are bad actors, and we should not be rewarding them with lucrative contracts for moving their mailboxes to avoid paying their taxes in the United States.

That is why Congressman DOGGETT and I introduced the No Federal Contracts for Corporate Deserters Act, so that inverted companies will no longer be able to benefit from Federal contracts at the expense of companies who do pay their fair share.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. LEWIS. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. DELAURO. Instead of pursuing this unnecessary and misguided bill that would punish the IRS, but honestly makes very little impact on tax avoidance, what we should do is we need to go after those corporations. They game our system at the expense of the American taxpayer of up to almost $11 billion.

Wouldn't every American like to have an opportunity to be able to say that they can send their kid to school, that they don't have to risk homelessness, and that they can provide their kid with an education instead of these corporations taking and ripping off the United States?

Let's get real on the floor of this House of Representatives. Do you want to do the right thing? Do you want to do what is morally responsible? Then, let us end these inverted corporations. Let them pay their fair share of taxes or tell them that it is illegal and that we can prosecute them.

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

Mr. Speaker, let me make a point that is being lost in the debate here. Current law actually requires that the IRS fire willfully noncompliant employees unless they have reasonable cause for not paying their taxes. That is current law.

Yet, in most cases—61 percent of cases, Mr. Speaker—the IRS fails to even document why delinquent employees were not penalized.

In addition, Mr. Speaker—and I think the American people would be stunned to hear this—there are instances of IRS employees who are delinquent in their taxes who have not only not been fired, but have received bonuses.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. ROUZER).

Mr. ROUZER. Mr. Speaker, I have listened to this debate today and the discussion about inversions. There is a broader point that is missed here.

Inversions aren't even an issue if America is the most attractive place to do business. Capital investment goes where it is welcome, not where it is unwelcome.

Why do you hear about inversions today? It is because we have an outdated Tax Code that significantly needs reform. It is because we have more rules and regulations than we

have ever had before that are stifling the economy to the tune of $2 trillion annually. It is because we have a healthcare law in place that is killing the economy and job growth.

I can't tell you how many businesses I meet and go and visit all across the district that are sitting right at 49 employees. I wonder why. It is because of the healthcare law that is unworkable and destroying the American economy.

Again, capital and investment goes where it is welcome. How do we make that possible again? We reform our Tax Code so that this is the most attractive place to do business in the world. We get rid of the rules and regulations that make it so difficult to do business, all the rules and regulations coming out of labor, EPA, and everywhere else.

□ 1400

It is not just one, it is all of them. It is death by a thousand cuts. I can't tell you how many people I have talked to all across my district who say: DAVID, do you know what? Business is just no fun anymore.

And so they are plotting their exit strategy. They are not plotting the strategy of growth. They are plotting a strategy to exit and retire with what they have been able to achieve so far.

Here is the fundamental question of this bill. Are we going to be on the side of the American people? Or are we going to be on the side of the bureaucracy? Are we going to defend the EPA? Are we going to defend the IRS? Are we going to defend the Department of Labor? Are we going to defend all these rules and regulations that are killing the American economy? Or are we going to stand with the American people? That is the question before us today.

Mr. LEWIS. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. POCAN)

Mr. POCAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this week represents another missed opportunity for Congress to take action on the challenges facing the American people.

I understand that we are at this point because the majority can't pass a budget, they can't take action to combat the Zika virus, they can't help the people of Flint, Michigan, and they can't address the opiate crisis.

Unfortunately, your right wing and your extreme right wing can't seem to agree with each other. Instead of taking real action, we are going to vote today to prohibit the IRS from hiring any new employees until the Treasury certifies that none of the agency's existing employees have unpaid taxes.

This legislation is both unworkable and unnecessary. IRS employees have a tax compliance rate of over 99 percent, but a hiring freeze will hinder our ability to go after the real tax cheats in this country, and that is something we should all be able to agree on.

Instead of arbitrary changes to the IRS, Congress needs to take action to make our Tax Code work for the American people instead of corporate interests, something that is conspicuously absent from your debate today.

Let's talk about how we can close loopholes that allow multinational corporations to pay nothing in Federal income taxes while working class Americans and small businesses pay their fair share.

Let's have a debate about the corporate tax dodgers who are able to shift their headquarters out of the country with a stroke of the pen, all while continuing to use our American infrastructure resources and customer base.

Let's talk about the thousands and thousands of tax-dodging corporations, including the 18,000 corporations that are registered to a single building in the Cayman Islands, a building full of post office boxes.

Today corporate profits are at an all-time high, but the share of Federal revenue from corporate taxes continues to shrink, dropping from 33 percent of the revenue in 1952 to less than 10 percent today.

While many corporations complain about the 35 percent statutory tax rate, the reality is the effective tax rate is much lower. In fact, a 2013 GAO report found that U.S. corporations pay an effective tax rate of just 12.6 percent. A recent study from Oxfam found that U.S. corporations are currently hiding $1.4 trillion in profits from domestic taxation in tax havens like in Panama and the Cayman Islands.

While corporations dodge paying their fair share in taxes, the burden falls to the middle class and the small businesses in all of our districts, and that is just wrong. That is the reality of why we are here with these useless bills in consideration this week. Once again, the majority can't pass a budget well past the required deadline. Let's have a serious conversation about how we can adjust our Tax Code away from the corporate interests and in favor of working families.

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

Mr. LEWIS. Mr. Speaker, we owe it to ourselves and we owe it to the American taxpayers to do better. As a body, we can do better, much better.

Mr. Speaker, I encourage each and every one of my colleagues to vote ''no,'' to vote ''no'' on this pointless and harmful piece of legislation. This bill is not worthy of the paper that it is written on. Vote ''no'' on this mean-spirited bill. It is not the way to go.

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

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

The Internal Revenue Service, the people who work there, most of them, like most Americans, pay their taxes. The Internal Revenue Service is charged, obviously, with administering the Tax Code, they are charged with collecting taxes.

I served a long time in the U.S. Attorney's Office, and I can tell you that the Internal Revenue Service is probably the most intimidating Federal agency of the whole panoply of Federal agencies. The American people have a right to expect IRS employees, these IRS employees who are auditing taxpayers, collecting taxes, to abide by Federal tax laws.

Mr. Speaker, that is why there is a law on the books that says the IRS can fire an employee who is delinquent on their taxes. That is why I found it so amazing that when the Treasury Inspector General for Tax Administration went and did an investigation, they found that the IRS, the bureaucrats that run the IRS, in 61 percent of the cases where you had an IRS employee that was delinquent on their taxes, that they were not fired.

Further, it was shocking to find that there were cases when these employees who were delinquent on their taxes were not only not fired, but they received a bonus.

This is unacceptable and the American people deserve better. Allowing IRS employees to continue administering our tax laws when they themselves are in violation of that law undermines the trust of the American taxpayer.

I urge my colleagues to vote ''yea,'' on my colleague, Mr. ROUZER's legislation, H.R. 1206. It is an important step forward in creating accountability and restoring the public's trust in the IRS.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). All time for debate on the bill has expired.

The Chair understands that the amendment printed in House Report 114–502 will not be offered.

Pursuant to the rule, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. KILDEE. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KILDEE. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Kildee moves to recommit the bill H.R. 1206 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendments:

Page 3, after line 11, insert the following:

(d) SPECIAL RULE OF APPLICABILITY.—This section shall not apply for any year if the Federal tax delinquency rate for either chamber of Congress is greater than the Federal delinquency tax rate for the Department of Treasury, as published by the Internal Revenue Service in its Federal Employee/Retiree Delinquency Initiative (FERDI) for the prior year.

Page 3, line 12, strike ''(D)'' AND INSERT ''(E)''.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. KILDEE. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

This Republican bill is unnecessary because the IRS already, as has been said, has rules in place to terminate employees that are delinquent on their taxes. But it is important to note that out of the entire Federal Government, the employees of the Treasury Department have the lowest tax delinquency rate, a rate of 1.19 percent, one-fourth the delinquency rate for the U.S. House of Representatives, which is over 5 percent, and substantially lower than the delinquency rate for the general public, which is about 9 percent.

My motion would stop this bill from going into effect in any year that the Federal tax delinquency rate of either the House or the Senate is more than that of the Treasury Department. It is that simple.

You know what we are doing here. We are taking precious time on the floor of this House of Representatives to deal with a bill that will go nowhere, that has no impact, and is simply a talking point to continue to beat up the IRS.

Meanwhile, we have public health crises taking place. The Zika crisis, which endangers pregnant women, what have we done on the floor of the House to deal with that real crisis? What have you brought to the floor for us to vote on? Nothing.

And in my own hometown of Flint, Michigan, a city of 100,000 people who now for 2 years have not been able to drink water that comes from the tap because it has been poisoned by the terrible decisions of its State government, a community in crisis that has every right to expect that its government, its Federal Government, would come to the aid of these people, 100,000 people poisoned by their own State government in crisis, 9,000 children under the age of 6 who for 2 years have had lead going into their bodies. Lead is a neurotoxin.

Three people today in Michigan have been criminally charged for inflicting this terrible tragedy on my hometown, a city in America in crisis, facing a disaster. And what is the response of the United States Congress? What is the response of the Republican leadership?

Not 1 minute devoted to coming up with a solution for the people in Flint. Nothing. More messaging bills, more talk, no help for people in crisis, no effort to deal with the Zika crisis, and nothing, nothing for this great American city facing an existential threat and facing generations of impacts, unless the State, that so far has failed to step up, and the Federal Government act.

I sat through the hearings that have been held here in the United States Congress and listened to Members, Democrats and Republicans, offer concern and offer sympathy. But when I introduced the Families of Flint Act, an effort that would share equally the responsibility for solving this terrible crisis between the State and Federal Government, rather than arguing about who was at fault—we all have a sense that the State of Michigan is at greatest fault—but rather than litigating that question, we seek to solve the problem.

Not only do I not yet have one Republican cosponsor who has been willing to step up, nearly 100 Democrats have, and I am sure there will be more. And I asked for help from my friends on the other side, but no time on this floor has been devoted to what is clearly one of the biggest crises facing this Nation—a great American city facing a threat, a literal threat to its existence, a threat to the health of those people, a threat to the future of those children.

One of the first votes I cast when I came here to the House of Representatives was to cast a vote to provide relief to the victims of Hurricane Sandy, not my district, not my community, not my region, but fellow Americans.

□ 1415

I was proud of that vote. I was proud that, at that moment, on that day, as a Member of the House of Representatives, I was first an American, and when other Americans were suffering, we were willing to help. Why not Flint? Why spend time on these meaningless political messaging bills when there are real problems in this country that need to be addressed?

Mr. Speaker, I ask that we put aside this nonsense and get to the work that the American people sent us here to do.

I yield back the balance of my time.

Mr. HOLDING. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 5 minutes.

Mr. HOLDING. Mr. Speaker, the motion to recommit is an attempt by the minority to gloss over the IRS' failure to enforce its rules for IRS employee conduct and over its failure to protect taxpayer dollars.

Quite simply, this bill would require the IRS to report to Congress as to whether it has employees with seriously delinquent tax debt or to report why it cannot provide that information to Congress.

As I have said multiple times, the American people deserve and expect IRS employees to follow the same tax laws that they administer. That is an expectation of the IRS; so it is not surprising that the IRS would have a low rate of delinquency amongst its employees. IRS employees should know that it is current law. Current law actually requires that the IRS fire willfully tax-noncompliant employees unless they have reasonable cause for not paying their taxes. What is shocking is that, in most cases, Mr. Speaker, the IRS leadership fails to even document why delinquent employees are not penalized, and 61 percent were not penalized for having delinquent taxes.

This legislation, Mr. Speaker, is a critical step forward in restoring accountability and trust in the IRS. It is a trust that has been broken—a trust, I would argue, that doesn't exist between the people and the IRS.

I urge my colleagues to make the IRS accountable to the American people—to vote against the motion to recommit and to vote ''yes'' on H.R. 1206.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. KILDEE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the order of the House of today, further proceedings on this question will be postponed.

RECESS

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

Accordingly (at 2 o'clock and 18 minutes p.m.), the House stood in recess.

□ 1530

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 3 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the order of the House of today, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

The motion to recommit on H.R. 1206;

Passage of H.R. 1206, if ordered; and

Passage of H.R. 4885.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

NO HIRES FOR THE DELINQUENT IRS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 1206) to prohibit the hiring of additional Internal Revenue Service employees

until the Secretary of the Treasury certifies that no employee of the Internal Revenue Service has a seriously delinquent tax debt, offered by the gentleman from Michigan (Mr. KILDEE), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 177, nays 245, not voting 11, as follows:

[Roll No. 159]

YEAS—177

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NAYS—245

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Beyer
Fattah
Fincher
Hoyer
Israel
Lujan Grisham (NM)
Matsui
Payne
Sewell (AL)
Van Hollen
Wilson (FL)

□ 1550

Messrs. BROOKS of Alabama, GOSAR, GOHMERT, RATCLIFFE, DESJARLAIS, MEADOWS, NUGENT, SCALISE, HANNA, LAMALFA, MICA, SANFORD, BISHOP of Utah, and ROONEY of Florida changed their vote from ''yea'' to ''nay.''

Messrs. TAKANO, DANNY DAVIS of Illinois, Ms. TSONGAS, and Mr. NADLER changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 254, noes 170, not voting 9, as follows:

[Roll No. 160]

AYES—254

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup

Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—170

Adams
Aguilar
Bass
Beatty
Becerra
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Beyer
Fattah
Fincher
Hoyer
Lujan Grisham (NM)
Matsui
Payne
Sewell (AL)
Van Hollen

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1558

Mr. NORCROSS changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 4498, HELPING ANGELS LEAD OUR STARTUPS ACT

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

Mr. SESSIONS. Mr. Speaker, this morning, the Rules Committee issued an announcement outlining the amendment process for H.R. 4498, the HALOS Act.

The amendment deadline has been set for Monday, April 25, at 3 p.m. For the text of the bill as reported by the Committee on Financial Services and for more details, please contact me or the Rules Committee Web site. Our staff is also available to answer any questions that may arise from any Member of our body.

IRS OVERSIGHT WHILE ELIMINATING SPENDING (OWES) ACT OF 2016

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 4885) to require that user fees collected by the Internal Revenue Service be deposited into the general fund of the Treasury, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 245, nays 179, not voting 9, as follows:

[Roll No. 161]

YEAS—245

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—179

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)

Scott, David	Takano	Velázquez
Serrano	Thompson (CA)	Visclosky
Sherman	Thompson (MS)	Walz
Sinema	Titus	Wasserman Schultz
Sires	Tonko	Waters, Maxine
Slaughter	Torres	Watson Coleman
Smith (WA)	Tsongas	Welch
Speier	Vargas	Wilson (FL)
Swalwell (CA)	Veasey	Yarmuth
Takai	Vela	

NOT VOTING—9

Beyer	Lujan Grisham (NM)	Sewell (AL)
Fattah	Matsui	Van Hollen
Fincher	Payne	
Hoyer		

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas) (during the vote). There are 2 minutes remaining.

□ 1609

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, on rollcall No. 159 on the Motion to Recommit H.R. 1206, I am not recorded due to a family emergency. Had I been present, I would have voted "aye."

On rollcall No. 160 on H.R. 1206, I am not recorded due to a family emergency. Had I been present, I would have voted "nay."

On rollcall No. 161 on H.R. 4885, I am not recorded due to a family emergency. Had I been present, I would have voted "nay."

HOUR OF MEETING ON TOMORROW

Mr. WALKER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

HONORING BOBBY ROBERTS

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

Mr. HILL. Mr. Speaker, I rise in honor of the lifetime of civic contributions and the legacy of one of Arkansas' great leaders, Bobby Roberts.

Bobby will be greatly missed after his retiring earlier this year from a 27-year career of service to our library system, particularly in his helping assure the growth of educational libraries and humanities throughout our State.

In assuming the role of executive director of the Central Arkansas Library System in 1989, Bobby helped take the system to new heights—expanding from 6 libraries to a total of 14, including 9 branches in the city of Little Rock.

Bobby Roberts has made our central Arkansas community better read, better networked, and better led. I extend my best regards in this next chapter of his life.

HACK THE PENTAGON BUG BOUNTY PROGRAM

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

Mr. LANGEVIN. Mr. Speaker, on Monday, the Department of Defense kicked off the first bug bounty program in the history of the Federal Government. Like similar programs used in industry, Hack the Pentagon is based on a coordinated vulnerability disclosure process. If a security researcher finds a security problem in public-facing Web sites that are operated by the DOD, he or she can submit it for review. Should the bug represent a security risk, the Department will then pay the researcher a bounty for his or her work.

Coordinated vulnerability programs allow us to crowdsource security, encouraging curious minds to share their discoveries responsibly while providing accountability for institutions that operate or develop software.

I congratulate Secretary Carter for his leadership in creating this program, and I hope other agencies consider adopting programs like this of their own.

Mr. Speaker, I encourage any hackers out there to check out Hack the Pentagon site and help make the pilot program a success.

CAMERAS IN THE SUPREME COURT

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

Mr. POE of Texas. Mr. Speaker, the Supreme Court of the United States heard the historical case of United States v. Texas, on Monday, regarding executive overreach.

People all over the country are interested in this case, but only a handful of spectators could see the public proceedings. The courtroom is small, and seating is limited. If the public has the right to be present in the courtroom of the Supreme Court, the public should be allowed to view the proceedings in their entirety on television or through live streaming.

Imagine the benefit to law school students to see actual proceedings of the Supreme Court. Also, the public is concerned and wants to know what happens behind those closed doors. It is time to educate the world about what actually occurs in the most important court in the world—the United States Supreme Court.

I was one of the first judges in Texas to allow cameras in the courtroom. All the naysayers said it wouldn't work, but it did. It was a benefit to all. Let the world know what happens in the Supreme Court. Allow these cameras.

Currently, Representative CONNOLLY from Virginia and I are cosponsoring a bill to do exactly this. It is better to show all of the proceedings to the public than to rely on a 30-second sound bite from a news reporter on television during the 5 o'clock news.

And that is just the way it is.

□ 1615

GOVERNMENT BY THE PEOPLE ACT

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, in this often colorful Presidential election, which has gotten much attention not only here in the United States but around the world, it occurred to me in watching the coverage last night that there is actually something the majority of Americans and probably a majority of both those who are supporting Donald Trump and those who are supporting BERNIE SANDERS agree on; that is that they believe Washington, D.C., is bought and paid for.

Mr. Speaker, as someone who has chosen public service as a profession, that deeply concerns me.

A majority of Americans believe right now that we are all tainted by this campaign finance process, even though I believe that most who have chosen this profession are good and honorable people who are wanting to do the right thing. The fact is we are all tainted by the way in which our campaigns are financed, but we can change that.

It is time for public financing of elections. It is time for H.R. 20, Government By the People Act. Let's get all of the outside money entirely out of the system and return the confidence that the people will have in their elected officials.

HONORING DOYLE AND REBECCA CORMAN FOR THEIR IMPACT ON CENTRE COUNTY YOUTH

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to congratulate Doyle and Becky Corman for earning the Joe and Sue Paterno Community Impact Award in recognizing their dedication and their contributions to the youth of Centre County, Pennsylvania.

The Juniata Valley Council of the Boy Scouts of America, which I had spent more than three decades serving within the Council as a scoutmaster, executive board member, and president, offers the award. Given my history with the Council, I can tell you that the Cormans follow a long line of men and women who have dedicated their lives to the service of their community.

Mr. Corman served as a State Senator from Centre County for more than 20 years, from 1977 to 1998. Over the years, he and his wife, Becky, have provided vital support for community organizations, including the Boy Scouts, the YMCA, a scholarship to Penn State University, and much, much more.

They are also the parents of Pennsylvania State Majority Leader Jake Corman. The Cormans are a real credit to Centre County and its communities.

I congratulate the Cormans on this award, and I look forward to many more years of their work for our region's youth.

HOUSTON FLOODING ASSISTANCE

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

Ms. JACKSON LEE. Mr. Speaker, I just returned from my district which I might say is under water with, again, another torrential rain that has caused so many Houstonians and those in the surrounding areas to suffer. We did this with Tropical Storm Allison last year in May 2015, and now again in 2016.

You see the depth of devastation by the families that I visited at M.O. Campbell and in apartment complexes. First, let me thank the mayor and county government officials who are working so hard.

We need to move as quickly as possible for the Presidential declaration of natural disaster. I know it is a process, and I accept that. But we also have to have a way of investing in the infrastructure of overcoming the terrible aspect of places where water comes with no place to go.

We need a national infrastructure effort and one that involves the State of Texas and Houston, Harris County, as well because we lost eight lives.

Finally, let me say, Mr. Speaker, as I indicate to the Texas Department of Transportation that receives Federal funds, we must put flashing lights and signals where there are underpasses where people have died. We have to save lives.

I will continue to fight for housing and for the Federal declaration and for FEMA. People are suffering, and we are going to work with them and give them hope.

EARTH DAY

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in honor of Earth Day, which we will celebrate this Friday. Each year on Earth Day we recommit to preserving a healthy and sustainable environment for our future generations.

When Pope Francis addressed Congress over 6 months ago, he called for a courageous and responsible effort to redirect our steps and to avert the most serious effects of the environmental deterioration caused by human activity.

That is why I believe that the greatest thing that this Chamber can do right now in honor of Earth Day is to fully reauthorize the Land and Water Conservation Fund.

The Land and Water Conservation Fund has provided critical funding to help protect and preserve our natural areas, our water resources, and our cultural heritage.

So it is an important source of funding that allows so many of our Nation's urban youth to understand the environment, to get to know the wilderness, to gain that valuable understanding and respect for wildlife and our environment.

We must act responsibly and permanently reauthorize the Land and Water Conservation Fund.

EARTH DAY

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

Mr. LOWENTHAL. Mr. Speaker, this Earth Day, we celebrate the historic steps that most of the world's countries, from tiny island nations to the biggest polluters, are taking to reduce pollution and to improve the state of our climate.

On Earth Day, more than 160 countries, including the United States, are signing the landmark Paris climate agreement, taking the next step toward creating a healthier and a safer environment for our communities and protecting our families and our children's health.

I am proud that the United States is leading this effort. I urge my colleagues to throw out those tired and false talking points about international inaction.

Instead, capitalize on this global effort by supporting a swift transition away from dirty fuels toward a future of low-cost, locally made clean energy.

This is our time to lead. Happy Earth Day 2016.

HONORING TONY R. RICHISON

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

Ms. FUDGE. Mr. Speaker, I rise in honor of Tony Richison, a veteran from Ohio's 11th Congressional District who died on March 30.

Mr. Richison and I were friends for many years. He was a respected leader in our community and served as a member of my selection panel for military service academy nominations.

Known for his big personality and love of service to his Nation, Mr. Richison entered the Army at age 16. He served for 10 years during the Korean war and received a Bronze Star for his bravery.

As a champion for returning servicemen and -women, he founded Veterans for Ohio, a nonprofit that provided assistance to veterans in Cuyahoga County.

Through his work, more than 30 veterans won disability claims and more than 80 gained much-needed housing and medical assistance.

Mr. Richison was a patriot, a community leader, and an advocate. The State of Ohio is indebted to him for his service and sacrifice. He will be greatly missed.

CONGRATULATING EAST BRUNSWICK HIGH SCHOOL

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

Mrs. WATSON COLEMAN. Mr. Speaker, I rise today to recognize the hard work of East Brunswick High School's We the People team. We the People is a civic education program that has reached more than 28 million students since its inception in 1987.

Each year approximately 1,200 students from across the country demonstrate their knowledge of complex constitutional principles in both historical and contemporary contexts.

This week a talented group of young minds from East Brunswick High School in my district will compete for one of ten spots in the final round of competition. I wish both the coach and the team the best of luck and continued success.

CONGRATULATING SECOND CONGRESSIONAL DISTRICT APPOINTEES TO MILITARY ACADEMIES

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

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to congratulate the following young men and women from the Second Congressional District on their appointments to one of our Nation's military academies:

Miss Sara Elizabeth Burton from Hedgesville High School in Berkley County and Mr. Zane Kessler from Teays Valley Christian Academy in Putnam County have both received appointments to the United States Air Force Academy.

Mr. Drew Polczynski from Jefferson High School in Jefferson County received appointments from both the Merchant Marine Academy and West Point. His mother, Julie, informs me that he plans on attending West Point in the fall.

Mr. Charles Willis from Carlisle High School received a Presidential appointment to West Point.

Finally, Mr. Jeremy Hammes from Herbert Hoover High School in Kanawha County and Mr. Seth Kirby from Wirt County High School have both received appointments from West Point.

Congratulations to all of these hardworking, dedicated, intelligent, and patriotic young men and women on their appointments.

NATIONAL FINANCIAL CAPABILITY MONTH

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

Mr. SHERMAN. Mr. Speaker, I join President Obama in recognizing April as National Financial Capability Month and highlight the vital role that the American Institute of Certified Public Accountants and State CPA societies play in educating all Americans.

CPAs have been leaders in increasing the financial capacity of Americans by creating and distributing free programs, tools, and resources.

Through the American Institute of CPAs' 360 Degrees of Financial Literacy program, some tens of thousands of CPAs volunteer to educate Americans and to open doors to the middle class.

The AICPA National CPA Financial Literacy Commission leads a nationwide effort to advance financial literacy. This is the tenth year of the Feed the Pig program, the AICPA's public service campaign along with the Ad Council that provides free resources to make smart saving decisions.

Literacy begins with the letters A, B, C. Financial literacy begins with the letters C, P, A.

POVERTY, OPPORTUNITY, AND UPWARD MOBILITY

The SPEAKER pro tempore (Mr. WALKER). Under the Speaker's announced policy of January 6, 2015, the gentleman from Arkansas (Mr. HILL) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. HILL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of this Special Order.

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

There was no objection.

Mr. HILL. Mr. Speaker, in today's Special Order, my colleagues and I will focus on the important work being done in all of our communities to expand opportunity, alleviate poverty, and promote upward mobility for all Americans.

I want to personally acknowledge Speaker RYAN for his focus and leadership on this important issue and his efforts to energize local leaders to explore new, effective policies for combating poverty in the United States.

In 2014, we marked 50 years since the Great Society program was commenced by President Johnson. Over the past 25 years, Congress has taken numerous steps intended to reduce poverty in the United States, but these have not had the long-term effects that many expected.

This is largely because of an undue focus on welfare reform rather than just identifying specifically and focusing on addressing the underlying causes of poverty.

Identifying opportunities for self-improvement, addressing the increased growth in poverty and the pernicious effects across the U.S. are of keen interest to me, particularly given Arkansas' elevated poverty rate of 19.7 percent of our population.

□ 1630

I believe it is crucial to focus our attention on identifying ways to empower individuals to take control of their own livelihoods and futures so that they no longer feel that they must rely on external programs that, at best, only play an ancillary role in improving economic circumstances and, at worst, perpetuate intergenerational cycles of poverty.

In these important discussions surrounding poverty in America, I also believe it is critical that we focus on our rural, as well as urban, populations. In my view, the President's policies and proposals have largely ignored the needs of our rural communities that continue to struggle.

Arkansas has a significant population of rural, low-income families, whose hardships are often overlooked in the bigger picture of poverty reduction. That is because rural poverty occurs in lower population concentrations, and some deem the plight of rural poverty to be less acute than that in urban areas. It is important that both faces of poverty be recognized and that solutions be applicable and readily adaptable to a variety of circumstances and regions.

This past year, all of us in the House were graced with a visit by the Holy Father, Pope Francis. The Holy Father has stated that the principle of subsidiarity affords freedom at every level of society to work and to innovate.

The Pope argued passionately that day that attempts to resolve all problems through uniform regulations or technical interventions can lead to overlooking the complexities of local problems which demand the active participation of all members of the community.

In tackling the social challenges of the globe, the Pope expressed there are no uniform recipes. There is no one path to a solution. Instead, the Pope called on the principles of stewardship, subsidiarity, and collaboration to seek solutions.

Last year I started the Community Empowerment Initiative in my hometown of Little Rock to consider key strategies for tackling poverty reduction in Arkansas' Second Congressional District. The CEI also seeks to encourage community engagement and help educate communities to value their strength and identify their assets to foster community ownership and encourage individuals to be aware and involved in rejuvenating our communities and lives.

I am grateful for my colleagues who have joined me today to discuss this important topic. I look forward to sharing some of the success stories from my own district and highlighting action that Congress can take to support local initiatives.

I yield to the gentleman from North Carolina (Mr. WALKER). I invite him to come to the podium and talk about his experiences. He is a freshman Member of Congress with me. I have very much enjoyed getting to know Representative WALKER. He brings a unique perspective to this. I welcome my friend from North Carolina.

Mr. WALKER. Mr. Speaker, I thank the gentleman from Arkansas for taking the lead on this and talking about some issues that are very important to us. I do agree, since President Johnson's War on Poverty began in 1964, the United States taxpayers have spent over $22 trillion on anti-poverty programs. Yet, for many places in this country, poverty is worse, hunger is worse. Even in our district in the triad, we have places where there are food deserts and food insecurities.

After 50 years, we have to ask ourselves, have we seen any real progress in our communities. Families have been caught up in this generational cycle of dependence that has depleted the resources in many of our communities.

Somewhere along the way, the Federal Government missed the mark. We have created programs that measure success on how many people we put on Federal programs, not measured by how many people we are able to move off programs for upward mobility.

Last week, former Congressman J. C. Watts and I toured North Carolina's Sixth District, my home district. We saw passionate community members working to combat many aspects of poverty. Some were working with limited Federal Government assistance; some were doing so without any involvement from the Federal Government. These community members have found successful ways to feed the hungry in our food deserts and educate former inmates to become employable, contributing members of our society.

One nonprofit that we toured was the Welfare Reform Liaison Project in Greensboro, North Carolina. They work with a coalition of community partners under Project Re-Entry. Their goal is bringing the inside to the outside by assisting former offenders returning to the community after serving prison sentences.

It is not just about the program. We have to love the least of these—as people of faith, we are called to do so—and understanding that sometimes we must

put the relationship before the policy to achieve maximum success.

Another wonderful nonprofit we toured was BackPack Beginnings, 100 percent volunteer driven and community run. They directly provide food and necessities to children in need to make a positive and lasting impact on their health and their future well-being.

One county has no State or federally funded weekend feeding programs. These people have come behind to offer assistance for schoolchildren, and BackPack Beginnings works to fill that gap, all without the Federal Government's involvement, serving 4,000 children in 38 county schools.

Members of the people's House are committed to finding ideas that work to address the underlying causes of poverty and empower local community. I am proud to be part of that with my dear friend and colleague, the gentleman from Arkansas, FRENCH HILL.

Mr. HILL. Mr. Speaker, I thank Mr. WALKER for his contributions. I appreciate his thoughts.

When I think about one of the most challenging things that we face in our country, I think about homelessness. When I first became a Member of Congress, it was one of particular interest to me to learn what was happening in Little Rock about homelessness because Arkansas has the third highest rate for children and families in homelessness, so it was a keen issue.

One place I found that was a major success story in using private money and some public money was an entity called Our House. It was founded back in 1987 to address the gap in services for central Arkansas' working homeless and homeless families. They now have a 7-acre campus in downtown Little Rock, and Our House empowers homeless and near-homeless families and individuals to succeed in the workplace.

Between 110 and 120 men, women, and children call Our House's campus home every night, and it serves about 1,800 people annually, about 75 percent of whom are coming to Our House completely homeless. But the shelter's goal is not just simply to provide a safe place for a few nights. It is to permanently break the cycle of homelessness by equipping the working homeless with the skills to be successful in the workforce.

In her decade of leadership of Our House as executive director, Georgia Mjartan has done a remarkable job overseeing the expansion and growth of the shelter into a one-stop shop to address the root causes of poverty. She has collected the many stories of hope from the people who have been touched by her work.

One that particularly touched me was the story of a young woman who didn't graduate from high school, was unable to pay her rent and support her children on the very little money that she made from working in the fast food industry.

When she got to Our House, she was dejected and without a sense of purpose or hope for the future. Within a few months, she was receiving training that she needed to earn her GED, and she was securing a job that paid a living wage.

Two years after leaving Our House, she went back to tell Georgia about the turn her life had taken. As the head teacher for a daycare center, she had acquired her own place, continued the saving practices that she had learned at Our House, and was putting money away for her own kids to go to college.

Mr. Speaker, that is the kind of model that we need in this country to make a permanent break for our working poor.

I now yield to the gentleman from Ohio (Mr. CHABOT). I ask my friend, a distinguished member of the Committee on Small Business, to talk about his views on what we can be doing in this area.

Mr. CHABOT. Mr. Speaker, I thank the gentleman for yielding, and I thank the gentleman from Arkansas (Mr. HILL) for his leadership in this very important area.

Mr. Speaker, when families in this country struggle, it is appropriate that we take reasonable steps to help them through a rough patch. We have several programs designed to do just that, like the Food Stamp program. It is also known now as the SNAP program, or the Supplemental Nutrition Assistance Program, which provides a short-term safety net for those who have fallen on hard times.

However, the Food Stamp program, like most welfare programs, was never intended to become a way of life for its recipients. Unfortunately, that is exactly what has happened. That is what has happened to far too many people in this country. It is supposed to be temporary help to the truly needy. Unfortunately, to many, it has become a permanent way of life.

To address this growing problem, we need to take steps to help people get off public assistance and back on their own feet. One way to do this is to enact strong work and job training requirements for those able to work.

That is why I introduced legislation, H.R. 4849, a couple weeks ago to restore and strengthen work requirements for able-bodied adults enrolled in the Food Stamp program, or SNAP program. Under this legislation, in order to continue to receive benefits, those recipients able to work must either find employment—which is what we would certainly prefer—or participate in a job training program in order to enable them to get work or to volunteer for the community in some eligible capacity.

So real help to other people in need in the community. That seems very reasonable that somebody who is receiving benefits, tax dollars, would actually give something back to the community or be on the path to better themselves so that they can get off the need to rely on their fellow citizens and on their own two feet, as we said before.

The legislation also addresses waste and abuse in the Food Stamp—or SNAP—program by expunging unused benefits after a 90-day period. The intent of the Food Stamp program is to assist those families in need on an as-needed basis. If a recipient hasn't utilized all their benefits after 90 days, which is a reasonable period of time, I think, then the recipient has not really demonstrated the need for those funds. So let's use those unused funds to help some other truly needy people or let's give that money back to the taxpayers, where it came from in the first place.

Ohio did a study and they found that in 25 people, there was $300,000 sitting in the SNAP account that they hadn't used, just building up. Unfortunately, that is oftentimes funds that are going to end up in either fraud or are going to be used for other purposes that was never intended for food stamps.

Food stamps are supposed to help people, the truly needy, not be there to end up being used for gambling purposes, buying lottery tickets, or to buy drugs or alcohol or anything like that. So this takes some of the abuses, I think, out of the system.

Mr. Speaker, these are commonsense reforms that will help make sure that food stamps go to those who actually need them while at the same time protecting our tax dollars from those who would take advantage of the system.

I want to thank, again, the gentleman from Arkansas, FRENCH HILL, for his leadership on this issue. This is a very important issue. There is a lot of money, unfortunately, that gets wasted in a lot of these programs. Let's make sure that the safety net is really helping people and not being abused. I thank him for his leadership on this issue.

Mr. HILL. I thank my distinguished friend from Ohio.

Mr. Speaker, I yield to the gentleman from Illinois (Mr. DOLD). A distinguished member of the Committee on Ways and Means and a former member of the Committee on Financial Services, Mr. DOLD has been quite keen on ways to improve opportunities for people throughout the metropolitan Chicago area. I welcome the gentleman and look forward to his remarks.

Mr. DOLD. Mr. Speaker, I certainly want to thank my good friend from Arkansas for leading this Special Order on a topic that, frankly, is extremely important. It is a nonpartisan issue from my perspective because really what we are talking about is how do we enable some of the neediest folks among us in our communities all across our country to be able to provide for themselves. I think, obviously, one of those key ingredients is about getting a good job.

Ultimately, as we look over the past period of time, since the War on Poverty began, our country has spent over $20 trillion—over $20 trillion—to move

the needle from about 15 percent in poverty to what it is today at about 14.6 percent in poverty. I submit to you that that is criminal, that so many today, after spending so many resources, are still in poverty.

Whether it be housing needs, whether it be nutrition needs, ultimately what this really boils down to, I would argue, is that we need to be focusing on how do we get evidence-based reforms. How do we focus on outcomes? How do we know that the assistance that is out there—because there isn't a community member out there who doesn't want to help a neighbor.

I would submit to you, the stories that I see when I go up into north Chicago, into Waukegan, into Des Plaines and into Round Lake, these are areas around my district where, honestly, we have people who are struggling to make ends meet, those who require assistance.

Frankly, we need to be able to have a springboard and, frankly, we need to think outside of the box about programs that are enabling individuals to be able to have better outcomes so that we don't have a cycle of poverty, but yet we are able to break that cycle and actually talk about TANF reforms, talk about how do we get some education reforms.

□ 1645

Just last week I spent some time over at the Lake County Jail talking to inmates who oftentimes come out of prison with little hope of being able to find a job. And we know the statistics right off the bat. If they don't find a job within 6 months, they have a 66 percent chance of going right back into prison. That doesn't help them, that doesn't help our community. That is at a huge cost. We need to focus on our outcomes.

So one of the things that certainly I think that we ought to be looking at, one of the things that the Committee on Ways and Means has been looking at, and a piece of legislation that I have offered, is talking about how we get people into a job, accelerating individuals, accelerating those hard-working Americans that want to be able to stand on their own two feet in a job.

And this would be a pilot program. Because the one thing that we do know, Mr. HILL, is that a one-size-fits-all mentality is not going to work. We know a one-size-fits-all mentality doesn't work with education, a one-size-fits-all mentality doesn't work with pick your program.

We need to allow innovators in our country that know what works well in Arkansas, what works well in New York. We are going to hear from our good friend, Mr. REED, if he ever decides to get up and get to a microphone. We are going to hear from all those folks that, again, a one-size-fits-all mentality does not work.

This would be a pilot program that would enable these institutions, that would enable different States to run a pilot program to enable employers to be able to pick up, let's say, half the cost of a person's salary for the first 12 months. So the government would pick up half, the employer would pick up half. The idea there is that we would be able to offset some of that on-the-job training that is so very, very critical.

The other thing that I think we ought to be looking at is social impact partnerships, another interesting idea. Representative TODD YOUNG, also a member of the Committee on Ways and Means, introduced a bill that I am a cosponsor of. It is a bipartisan piece of legislation that will allow private investment in local communities for new public-private partnerships.

I think this is enormously important. If the programs are successful, then the government will have reimbursed the investors, which is a practical way of doing it. We are going to reward success, and it will breed more success.

The unemployment rate today, if we were to go and pick up the paper, will say it is around 5 percent. And yet I know if you go into Waukegan, Illinois, today, for African American males, the unemployment rate is 43 percent. That is criminal. Frankly, we can and must do better. So it is about coming up with ideas about rewarding outcomes, about focusing on job training, about focusing on education.

At the Lake County Jail last week, I went in and they were actually doing GED classes. I am thrilled that we are actually trying to empower people with education and some of the skills necessary to empower them when they get out, but we have so much more work to do, so much more work to be able to allow them to be able to have a chance at getting that job to be able to provide food for their families, be able to put a roof over their head.

The Lake County Housing Authority, run by David Northern, again, is an organization that is working hard and is actually doing some innovative things. They are actually putting people into work, giving them a roof over their head, and actually having some forced savings. They are putting them through a program so that when they graduate from this program, they actually are graduating not only with a good job, they are graduating with a roof over their head. They are also graduating with the savings account full of about anywhere between $4,000, $6,000, and $8,000—savings that they didn't know that they could have, putting them on a completely different path.

This weekend I was at the Eddie Washington Center up in Waukegan. They just had their graduation. These are grown men that have hit rock bottom. They have gone in for help. And the Eddie Washington Center is an agency that will provide a roof over their head for these men. They will get them jobs and tasks to do in order to help run the facility. They will get them put into a job, and then they work through this process. It is a program that lasts anywhere between 6 and 9 months. But at the end of that 6 to 9 months, they have a graduation.

Again, these are individuals that have a job. They have built up that ability, that discipline. They have got a roof over their head, they have had a change in their life, and they have been put on a different path. They, too, also are required to save and have a bank account.

It is about trying to do things differently. Again, I think that is what we are trying to do. We are trying to do things differently and have an outcome, because the one thing that we know is that poverty doesn't discriminate, in the sense that it can be in Arkansas, Illinois, New York, and Nevada. It can be all over the place. Frankly, we need to find a way that we minimize the amount of poverty in our Nation.

So I am delighted to be here today. And I want to thank my good friend from Arkansas for not only organizing this time here on the floor, but for shining a light on things that, frankly, we have so much more work to do on. So much more work to do. Frankly, we need to make sure that they know that we want better outcomes. We want better outcomes for these individuals that are struggling day in and day out.

So, again, I am honored to be up here again today. I want to thank my good friend for yielding to me. I look forward to working with you and, frankly, all the Members of this body because in the 114th Congress, we need to make it our mission to end poverty as we know it. I look forward to working with you all.

Mr. HILL. I thank the gentleman from Illinois. I appreciate his passion for this issue and his hands-on approach about finding things in his community and district that work. I believe that we all can share that information and learn from each other, which is a key purpose for this hour.

Mr. Speaker, last week, Representative TIPTON and I were up in Manhattan. We went to The Doe Fund. What an impressive operation that is. I came away so renewed in faith. What is going on there in New York, where they face an enormous avalanche of challenges, is so well tackled by the men and women of The Doe Fund. I look forward to talking about that, but it is a nice segue for me to yield to the gentleman from western New York, (Mr. REED), my good friend and a distinguished member of the Committee on Ways and Means, for his views on how we can tackle poverty.

Mr. REED. I thank the gentleman from Arkansas for yielding and for taking the leadership in putting this Special Order together to discuss poverty in America.

Before I get into some of the substance, I want to talk about this from a personal perspective. I have 11 older brothers and sisters. My father passed when I was 2. I was raised by a single

mom. It was tough. But she always taught me the lessons of life that have carried me through, and that is to have a good attitude, a positive, optimistic attitude, a commitment to hard work, a commitment to discipline, and a commitment to respect our fellow man.

So I come here to this floor this evening as a Republican to say to all of America: We care. We care about our fellow American citizens that are stuck in poverty for generations.

As my colleague from Illinois had indicated, we have spent over $20 trillion out of the Federal coffers of hard-working American taxpayer dollars on the war on poverty. And the harsh reality is that war has been lost.

The policies and the visions of old must change. We must attack this issue in a new model by, first, demonstrating to our fellow citizens that we do care, that we are not here to penalize, to judge, but what we are here to do is offer a new vision.

I know my colleagues on the other side of the aisle often chastise us Republicans as people who want to take things away and that we don't really care about those people that are suffering in America. That frustrates me, that angers me, because we do care.

And what we are saying to those fellow American citizens is that we are offering a new way of dealing with this issue. We want to empower you. We want to provide an opportunity for you and your family to flourish.

How do we do that?

How we do that is what we are talking about here tonight, as my good friend from Arkansas has opened his remarks with. We empower people to have an opportunity to have the tools that really will combat and cure poverty in America, and that is a good-paying job, a good education.

Before my father passed, my mom and dad had a promise to each other. They recognized and they talked to me and now I am passing it on to my kids in my household that education is key to the success that you will experience in life in America.

So what we need to do is make sure that education is provided to this generation in a way that empowers them with the tools to pull themselves out of poverty. We also have to recognize that the work ethic in America is what makes us strong, that provide these opportunities, and that we should not have policies out of Washington, D.C., on this war on poverty that have penalized work as people try to rebuild themselves and pull themselves out of poverty.

We should have a reform of what they call the welfare cliff. What that essentially is, if you are going back to work, you are essentially penalized because your benefits are pulled away from you.

What we need is a commonsense system that says: We are going to stand with you. Life is going to throw you curve balls. We will give you a helping hand and stand with you so long as we stand together and you move yourself and stand on your own two feet as you go forward.

That is what this welfare cliff reform is all about. It is about making sure that the programs have resources that encourage and promote education and technical training and skills that people can then put to their own uses so that they can have a job for themselves and their family.

I will end with this. We have a system, too, that essentially says: In this war on poverty, we are going to gauge success by how much money you spend on this program. We are going to gauge success by how many people come to the government office and see you on a day-to-day basis.

What we need is a system that changes that whole metric and that essentially says to the system: You know what we are going to gauge success on? How many people you move out of poverty and into that position where they stand on their own two feet. It is not just the money that is spent, but the lives that you fundamentally have changed because you stood with them through that difficult time.

So as we go forward, I applaud my colleague from Arkansas. I applaud my colleagues that have come here tonight to demonstrate that, as Republicans on this side of the aisle, we are not going to continue the status quo of decades of failure on the war on poverty.

We need to do better. We have an obligation. I will roll up my sleeves with any colleague on the other side of the aisle and say: This is the time we come together. Because it is not a Democrat or Republican issue. That is an American issue. And enough is enough.

Mr. HILL. I thank the gentleman from New York. I appreciate his comments and I appreciate his personal testimony today about the importance of this issue. It is a bipartisan issue. It requires all of us working together.

The concept behind our discussion is new ideas, new directions, because what we have done for the last 50 years is not working. And somebody who has been a leader on the Committee on Financial Services for seeking out the best ideas, particularly in how we can tackle a housing solution for so many people in need of quality housing, is the distinguished gentleman from Missouri (Mr. LUETKEMEYER), chairman of our Subcommittee on Housing and Insurance.

Mr. LUETKEMEYER. I thank the gentleman from Arkansas. We certainly are appreciative of all the remarks of my colleagues who are here this evening—and Mr. HARDY, who is following—with regard to this important issue and something that the Speaker is focusing on, which is poverty and upward mobility.

Mr. HILL took time out of his schedule last year to invite me to his district. We were able to go down and visit with some of the residents in public housing units, and we had some great conversations with them.

□ 1700

We also met with some community leaders there in Little Rock and discussed the underlying causes of poverty and those charged with identifying opportunities for people in their communities.

I certainly appreciate the gentleman's commitment to this conversation. I know that he is patient about it. He has spent lots of time with it and is again, this evening, spending more time, so I congratulate him on that.

This past fall, I had the honor of joining several of my colleagues in New Orleans, and we were examining the state of housing in New Orleans 10 years after Hurricane Katrina. We wanted to find out what the local housing authority had done right, what they had done wrong, what their problems, what their pitfalls, and what their barriers have been in trying to get things done because, basically, they had to start from scratch.

Everybody saw the devastation of the hurricane, people living in houses that were devastated, if they were still standing at all, and so it was very interesting to visit that. We visited not just the sites, but the residents themselves.

I will never forget the story of one of the ladies who lived in public housing there. She lived there all her life, lived in public housing all her life, and she was raising her children in public housing; but she had a goal that she was going to escape this public housing, and she was going to have her children escape public housing and someday own her own home.

To her credit, that particular day, she was so tickled, I will never forget, the smile was from ear to ear. Her son had just received notification that he was approved for a loan to be able to go buy his first house. He had escaped public housing and had fulfilled her dream for not only herself, but her children as well. It was very encouraging, rewarding, and you could see the pride in her.

I think that is the thing that we need to be looking for for all of the folks who don't want handouts, they want hands up. They want to be able to provide for themselves and lift themselves out of this. All we need to do is enable that to happen.

So we must replicate that story, and I think that we can do that.

I am proud to say that the House Republicans are leading the charge by doing this with this Speaker's Task Force on Poverty, Opportunity, and Upward Mobility, and with the hard work of Mr. HILL this evening putting this together to explain to people our positions, to identify new ways to promote independence and dignity.

As chairman of the Subcommittee on Housing and Insurance, we are a part of that task force. We are a part of this discussion that we are having, and I am glad to be a part of it as well.

We must develop 21st century solutions for housing assistance with a

higher purpose than simply perpetuating programs that marginalize American families.

Over the past 16 months, as part of my duties as chairman, I have spent time meeting with public housing authorities from not just across my own State, but around the United States as well. One thing is clear: the status quo is not good enough.

In our committee, we have also commemorated the 50th anniversary of the Department of Housing and Urban Development by holding a series of hearings to examine whether or not HUD has fulfilled its mission of providing housing opportunities for those in need.

Since fiscal year 2002, the Federal Government has given more than $550 billion to HUD, 60 percent of which, the annual funding goes to the Office of Public and Indian Housing. The Section 8 budget alone increased 71 percent between fiscal years 2002 and 2013.

Unfortunately, for HUD, success isn't measured in the number of Federal programs or in dollars spent. I have had no indication from anyone that the growing need is anywhere close to being met. The reality is that the funding situation isn't getting better, so asking for more Federal dollars isn't the solution. It is time to roll up our sleeves and work together to build a stronger housing safety net.

I am proud to work with my colleague and my friend, Mr. CLEAVER from Missouri—two guys from the ''Show-Me'' State to show them how to get it done—and we passed H.R. 3700. I am the first to point out this legislation wouldn't necessarily change the world, and it won't end homelessness overnight or meet overwhelming need for affordable housing, but it does reform the outdated and duplicative housing policies and programs that haven't been touched in decades and represents a first step in a long journey to reforming our housing system. The bill passed the House by a vote of 427–0, and I encourage the Senate to pass it without further delay.

Let me close by throwing a few more statistics and a couple of other little thoughts I have here as well out very quickly.

I had the opportunity to visit with some folks from Great Britain; and when we talk about a housing problem or discuss housing in this country, we don't really know the size of the problem because, in Great Britain, they have 17 percent of their people living in public housing, where here it is about 4. The average age of the child living in Great Britain with their parents is 35. Holy Cow. This is not acceptable, but that is where they are with their housing programs in their country.

In our country, 60 percent of the people that live in public housing are seniors and disabled. So a lot of times, let's remember, we are talking about the 40 percent whom we need to find ways to move them out, to empower them, to encourage them to be able to get out on their own, but the other 60 percent are folks that probably need to be in this particular subsidized situation where they can have an opportunity to live in their own home.

I mentioned a while ago I was in New Orleans, and it was interesting to see that the part that they had rebuilt was interesting from the standpoint that it wasn't just building these tenements where people would be stacked on top of each other, but they were building communities. They would build mixed-use buildings, where you have not just people who would rent and be subsidized, but people who would rent and be able to afford to rent themselves, as well as people who owned the property. These mixed-use properties, by doing this, they were able to actually form communities.

So I think there is a model there for us to look at and to begin to consider how to get these things done.

Another thing, the PHA Administrator came by my office last week. He was in town, and we discussed, again, how to work with this 40 percent to get them to find ways to get out on their own and to enable them. Work requirements are something. He said: Hey, they work.

If you give people the opportunity to work and perhaps transition from what they have, as Mr. REED talked about a while ago, I believe it was, this welfare cliff, if you can find a way to sort of feather that thing so that they can slowly transition off, there are lots of folks who want to be able to move from subsidized apartments to their own home, to owning their own home.

I think, at the end of the day, we in Congress need to find a way to get our economy going because the best way to solve this whole problem is with a job. If people have a job, a good-paying job, they can afford to go out and begin to rent on their own and then, hopefully, be able to, at some point, own on their own.

That should be the dream for everyone, like this lady, a while ago, I was talking about from New Orleans. That was her dream. That is the dream of most people in this country. If that is the case, we need to find a way to do that, and the best way is to improve our economy so they have jobs to be able to pay that.

At the end of the day, I think we need to remember that we want people to have not just a place where they can live, but where they can have a life. I think if that is our goal, we will keep our priorities in perspective, and we will be able to do the job of helping our citizens, our constituents, and the folks of this great country.

Mr. Speaker, I thank, again, the gentleman from Arkansas for his great work on this and having me be a part of it this evening.

Mr. HILL. I thank my colleague from Missouri. I enjoy so much our service together on the Financial Services Committee, and I appreciate his leadership in tackling the puzzle of how to create a housing mission that helps people that need it the most.

Mr. Speaker, I yield to the gentleman from Nevada (Mr. HARDY), my good friend, who is a fellow member of the freshman class in this Congress.

Mr. HARDY. Mr. Speaker, I thank my friend from Arkansas for coming and hosting this serious discussion on the serious issues in this country.

According to the Census Bureau, 15 percent of the population is living below the poverty level. For States that were hit hardest in the 2008 economic downturn, like Nevada, the recession is not just a memory for too many, it is still a reality.

At the lowest point, Nevada's unemployment rate was an astronomical 13.7 percent, and the poverty rate was at 16.2 percent. The only thing that is more stark than that number is the fact that, despite the improvement of the national unemployment rate, the national poverty rate has not budged in the last 4 years.

But there is a silver lining here, and it is in the Silver State. Unlike national figures on poverty, Nevada has seen poverty rates drop as the unemployment rate has dropped also.

One of the most effective ways that my State has been able to improve the lives of the most impoverished is through smart community involvement on the local level. Unlike so many Federal approaches that operate on a one-size-fits-all solution, local, community-based solutions are tailored and are specific to community and, in many cases, conditions of each individual's needs.

These approaches work best because they are closest to the situation and usually have the best understanding of the factors on the ground. The impoverished aren't always just a statistic to their community. They are neighbors; they are friends; they are loved ones.

In my community, there is an organization that not only has ideas, but it is actually acting on them and putting them to work in the community to improve the situation. The Hope for Prisoners program, whose mission is to help ex-offenders reintegrate into society and find gainful employment, is a model for success. Jon Ponder, the Hope for Prisoner leader, brings together families, religious leaders, business leaders, and law enforcement to break this vicious cycle that plagues many communities and ours, also.

The various community members act in a selfless service, often using their own time and their own money to make a difference. That is something that we need to get back in this country is that selfless service.

And remember: Who is your neighbor? Folks, where I grew up, everybody was your neighbor, even if you had never met them. We have a responsibility to reach out and give of ourselves.

These are things that Jon Ponder has done. Various community members like Jon Ponder have graduated individuals out of this program. One of

those graduates has started a successful small business, Love's Barbershop. Not only is Love's owner a contributing member of the community, Love's Barbershop lifts the entire community by creating jobs for other Nevada families.

In the case of Hope for Prisoners, the participants join the program on a voluntary basis. If an individual is not ready and willing to break the cycle of incarceration and poverty, no solution will find success.

Investment does not end with those going through the program, however. The success of local, community-based solutions has shown everyone involved to be fully invested. The local businesses employing the participants have bought in completely to working with the program and are willing to give ex-offenders a shot, a shot at working hard, earning a wage, and contributing to society.

Local law enforcement have also been invested. Rather than simply policing the streets as crime stoppers, they are active partners in the community. They work in tandem with the entire community.

The idea of mentoring individuals is such a powerful tool that we all have, and it is available to us. Are you using that tool that is available to you?

Remember: Who is your neighbor? We can make a difference.

Jon and Hope for Prisoners have taken this idea of mentoring and turned it into a job creator and, more importantly, a lifesaver. While Hope has been operating for only 5 years, they have been able to help more than 1,000 people in southern Nevada, with only a 6 percent re-incarceration rate.

Too often, individuals released from incarceration face the uncertainty of a future plagued by limited employment opportunities available to them. Without employment, these individuals become at risk for re-incarceration or poverty and homelessness.

Programs like Hope for Prisoners work. The numbers and the survivors speak for themselves.

While there is still much to do to address poverty in our country, we should all be looking to our States for examples. States are not only the national laboratories of industry, they can also be the laboratories for hope.

Mr. HILL. Mr. Speaker, I thank the gentleman from Nevada. I am so inspired by the success that he talks about in Nevada on a local level that is working and how powerful mentoring is.

□ 1715

I mentioned a few minutes ago that our colleague, Representative TIPTON from Colorado, and I were up in New York last week. We visited The Doe Fund, which just recently celebrated 30 years of fighting homelessness and hopelessness in the boroughs of New York. They provide affordable and supportive housing for individuals and families struggling with chronic homelessness.

They are famous because of their Ready, Willing & Able program, the bright, colorful uniforms all across the boroughs of New York that provides homeless and formerly incarcerated individuals with transitional work, housing, case management, life skills, education assistance, occupational training, job readiness, and graduate services.

About 2,000 individuals per year are helped through The Doe Fund's extensive network of training and jobs. It is exactly the kind of thing, Mr. Speaker, that we want in all of our cities where citizens come together and help the least of these, those coming off parole and those trapped in alcohol or drug abuse.

My hats are off to Harriet McDonald, the executive vice president and cofounder, and her husband of The Doe Fund and all that they are doing good and the success they have by the number of former Doe Fund beneficiaries, like Don Pridgen, who now is a caseworker helping his fellow citizens as an alumnus of The Doe Fund.

Arthur Brooks said recently at the American Enterprise Institute: ''The Doe Fund is an extraordinary success not just because of its numbers (it has lower criminal recidivism and higher work attachment than virtually any other program for the homeless in New York City) but because it specializes in taking care of some of the most difficult members of society—the hardest cases.''

That is what impressed Representative TIPTON and me on our visit last week. My friend from Nevada was talking about mentoring, and that is so essential, in my view, to the idea of educational attainment because, truly, if the best program to end poverty is a good job, we have got to stop the horrendous dropout rates that we have.

We have to have people that have the kind of mentoring they are not getting, potentially, from their family or in their school system only to be able to stay in school and think ahead about their future, to have aspirations for their future. If we can close that gap of staying in school, we can close that learning gap as well.

Some programs in my district that have impressed me in this regard are, first, Greenbrier High School. Greenbrier High School is a public school in a rural part of my district that is doing both skill workforce training while students are in high school as well as getting them up to 2 years—2 years, Mr. Speaker—of college credit by partnering with the University of Arkansas at Little Rock to have a dual enrollment system.

This saves families money and gets people the kind of educational attainment that we want. This is all done in the confines of a successful, locally controlled local public school.

Representative BROOKS of Indiana stopped me this week and said that she couldn't be with us for this important hour of discussion about the ways and means of beating poverty in our society, and she wanted me to say—and I think it is illustrated by Greenbrier High School, Mr. Speaker—that, if we could lower dropout rates, we, in turn, could change the direction of family success and family income.

My friend from Nevada was talking about mentoring programs, and we have a bright story there in Little Rock with Donald Northcross, founder of the OK Program. OK stands for ''our kids.''

Donald is a former deputy sheriff in Sacramento, California, who moved to Little Rock, inspired by the work, vision, and leadership of Fitz Hill, president of Arkansas Baptist College in Little Rock.

Donald was troubled by the violence and despair that he found in Black communities in California and the growing incarceration rates of young Black men.

Determined to make a difference, Donald founded the OK Program back in 1990 and is now spreading it across the United States with a goal of using it as a way to mentor young African American males while they are in their middle school years and through high school years to make sure that they are on the right track.

These are just a few examples of what you are hearing around all of our districts whenever I travel in the U.S. about how people are banding together as citizens in our great country to tackle poverty using local resources and local ingenuity.

I hope, Mr. Speaker, that we can come back in a few months and talk about this issue again and give more Members an opportunity.

I want to thank those that joined me today on the floor to discuss this important issue about how we alleviate poverty in our States and our local communities and how we overcome barriers of our existing Federal programs or other program barriers that are preventing success. There is no doubt that we have unique, successful opportunities throughout this country to beat this challenge.

I look forward to continuing to work with my colleagues in the House and the Speaker's Task Force on Poverty, Opportunity, and Upward Mobility. I thank Speaker RYAN for his personal dedication and leadership to this topic across our country.

I want to thank our team in Arkansas and in Washington, D.C., and my staff for their commitment to this issue and how we are coming together to find solutions in the Second Congressional District to both urban and rural challenges.

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

DEMOCRACY SPRING: MONEY IN POLITICS

The SPEAKER pro tempore (Mr. MOONEY of West Virginia). Under the Speaker's announced policy of January

6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. WATSON COLEMAN. Mr. Speaker, in a 10-day march that started on April 11, thousands of Americans came to Washington, D.C., from all over the country to fight for one thing: our democracy.

In peaceful protests right outside this building, Capitol Police arrested more than 1,300 of them as they called on this body to make basic changes to reinforce the institution that makes the United States so special.

The reason they marched is simple, Mr. Speaker. In a Nation founded on the will of the people, States have systematically disenfranchised those same people and it is the will of well-funded special interests that now run our elections.

We have found ourselves in this predicament primarily through inaction, the same kind of inaction poised to give the Supreme Court the longest vacancy in nearly 100 years.

These folks came to the Capitol to ask our leaders to do something, and their requests are pretty simple.

For starters, they want to see the restoration of the Voting Rights Act to prevent voter discrimination in the 21st century because voting discrimination does still exist, something Chief Justice Roberts acknowledged even as he struck down parts of the original Voting Rights Act.

It is targeted against voters of color, those with language barriers, and those with disabilities. And Congress should be doing something about it.

That is not the only call that came out of last week's rallies, though. They also want updates to our election day procedures, updates that are sorely needed.

In a world as technologically advanced as ours where you can pay for your lunch with your phone and use a fingerprint to unlock your computer, we have hours-long wait times at some voting polls. We have provisional ballots and ineffective, if not outright confusing, notification systems for how, when, and where to register to vote. It is another issue Congress should be doing something about.

But perhaps the most important issue that these rallies brought to the table is the need to make sure that the voices of real people, not those of corporations or special interests, are what are heard in our elections. For that, we need to create a path back from Citizens United that allows us to regulate how money is raised and spent in elections.

Because of that ruling, we need a constitutional amendment that makes clear what common sense already dictates: corporations are not people and shouldn't get a say in who governs our Nation.

What is really interesting here is that the work has already been done. The call of these protesters wasn't for Congress to investigate or draft or identify solutions to these problems.

The solutions already exist. They asked that we pass a few pieces of legislation that will put our democracy back where it belongs: with the people.

So, Mr. Speaker, I stand in solidarity with the individuals who came to Washington last week for Democracy Spring. I stand in strong support of reforms to how we run elections and how we ensure the right to vote.

I urge my colleagues to follow suit in saving our democracy.

Mr. Speaker, it is my pleasure to yield to the gentlewoman from Illinois, JAN SCHAKOWSKY, a U.S. Representative.

Ms. SCHAKOWSKY. I thank my colleague so much for taking the leadership this evening on such an important and central issue. It is really about our democracy.

Our country has long been known and respected around the world as a beacon of democracy. We aspire to let every person participate in our system of government and give each person's views and votes equal weight. But today our democracy itself is in jeopardy.

Instead of promoting voter participation, States are erecting barriers to keep Americans from voting. Instead of giving people an equal voice in our elections, corporations and the wealthy are claiming outsized influence. The Supreme Court, tasked with protecting our rights, is being crippled by congressional inaction.

Over the past days, thousands of Americans have come to Washington to demand that we restore American democracy. I join them in their call for action: Pass the Voting Rights Amendment Act, stop the outsized role that money plays in politics, and fill the vacancy on our Supreme Court.

Last year marked the 50th anniversary of the Voting Rights Act. The Voting Rights Act broadened access to democracy and fulfilled the promise of the 15th Amendment. It ensured that every American had the opportunity to take part in the democratic process.

But in recent years, courts and State legislatures have torn away at these rights. In 2013, the Supreme Court rolled back voter protections with its misguided Shelby County decision, striking down key provisions of the Voting Rights Act.

Before the Shelby County decision, the Voting Rights Act required States with a history of voter discrimination to clear any changes that they wanted to make to their voting laws in advance.

What happened when this provision got struck down? No surprise. Certain States rushed to pass new voting restrictions.

On the very day of the ruling, Texas officials announced they would implement a photo ID law that had previously been blocked.

North Carolina went even further, imposing a strict photo ID law as well as cutting back early voting and reducing the time period for voter registration. This law disproportionately affects communities of color.

This November is the first Presidential election since the weakening of the Voting Rights Act. Sixteen States now have new voting restrictions in place.

The Voting Rights Amendment Act, introduced by my Republican colleague, Mr. SENSENBRENNER, would restore key protections of the Voting Rights Act.

Despite bipartisan support for this bill, House leadership has simply failed to take action. The inaction is unforgivable.

But voting rights are not the only part of our democratic process that is under attack. Citizens United, another misguided Supreme Court decision, has unleashed a flood of money from rich donors and powerful corporations that is now drowning out the voice of the American people.

In the 2014 elections, the top 100 donors to super-PACs gave nearly as much as 4.75 million small donors combined. This election cycle, the Koch brothers alone have pledged to spend almost $900 million.

□ 1730

Just in the early phase of the 2016 Presidential race, 158 families were responsible for more than half of all the money raised in Presidential campaigns.

The American people want action. They are demanding that we get money out of politics—the big money. Congress continues to ignore the will of the American people. Republican leadership has failed to take legislative action to address the egregious spending allowed by the Citizens United Supreme Court decision. For example, they haven't brought up H.R. 20, the Government By the People Act, which would provide matching funds for candidates who agree to rely on small donors to fund their campaigns. This would empower individuals to support candidates and balance the influence of big money.

This is the sort of legislation the House ought to be considering. We don't just need legislative fixes, though. Repairing our democracy also requires confirming justices who understand that corporations are not people and money is not speech. But here, too, Republicans are refusing to do their job.

On March 16, President Obama fulfilled his constitutional duty—you can read it in the Constitution—by nominating D.C. Circuit Court Judge

Merrick Garland to fill the vacancy on the Supreme Court. But even before Garland's nomination was announced—in fact, just about an hour after Judge Antonin Scalia passed away—Senator Majority Leader MITCH MCCONNELL promised nothing but obstruction. He said he would not hold a hearing, he would not have a vote, and that this was going to wait until the next election.

Republican Senators have refused to hold hearings, they have refused to have an up-or-down vote, and many of them have refused to even meet with the nominee at all. Even those Senate Republicans who haven't publicly endorsed this obstruction are doing the bare minimum. They may have courtesy meetings, they may even say they would support hearings, or maybe even a vote, but words are not enough. We need action, not photo ops.

The Constitution makes clear that the President—the sitting President, this President, Barack Obama—nominates judges to the Supreme Court. Then the Senate's job is to advise and consent on the President's nominee. It doesn't say: and you only do it in the first 7 years of a President's term, and you don't do anything in the last year of a President's term. There is simply no excuse for the Senate to resist taking any action.

I find it really disrespectful to the American people and I find it disrespectful to this President that they are saying that he cannot have the right; as every other President in history, even in the last year of his term, has had to nominate and have considered, and, in fact, all of those nominated in the last year were actually approved. So there is no excuse for the Senate to resist taking any action.

Senate Republicans are putting politics ahead of the Constitution. That is not democracy. Big donors are not democracy. Taking away voting rights is not democracy.

It is time for this House of Representatives to really represent the American people, listen to their calls for change, and take action to strengthen our democracy.

Again, I thank my colleague for yielding.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank the gentlewoman from Illinois for her very eloquent and very important remarks.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentlewoman from New Jersey, who has led these Special Orders for communicating to the American people, and the gentlewoman from Chicago, Illinois, who has a history and record of reform. I thank the Congresswoman for her very well-stated challenge in a message and effort.

Let me also thank those hundreds who have seen the inside of a Washington, D.C., jail. They have done so in the name of those who cannot speak for themselves—the millions of Americans who sit languishing because decisions are made against them and not for them. Unfortunately, big money, inertia, and the Congress not doing its job has taken the dominant place in American history.

Hundreds of Democracy Spring protestors were arrested on Capitol Hill. We heard them repeatedly over the last week. Having had the experience of standing before the Sudanese embassy, standing in a fight for immigration reform myself, as well participating by way of fight and registering people to vote in the deep South in the aftermath of the 1965 Voting Rights Act, I think that protest and petition is a right of the American people—peaceful protest and petition—and I want to applaud those who sacrificed or stood their ground protesting the inertia of this Congress and the help that is needed by millions of Americans.

Democracy Spring should be an agenda that all of us can support. It is, in fact, one that speaks to the question of how we are going to treat the least of those and how we are going to do what is right for the American people.

There is no doubt, I think, if you were to ask one of our leading fighters in one of the States with the most draconian voter right laws, Reverend William Barber, who will be on the Hill tomorrow, he will know firsthand what voter suppression is all about. Clearly, it is an indictment of the undermining of the Bill of Rights, due process under the Fifth Amendment, and equal protection under the law.

There are examples of voter ID laws where thousands are barred from voting. Maybe mistakenly the States did not realize that they did not have the offices, like Texas in over 80 counties, where individuals were supposed to get their voter ID; or in Alabama, where the Governor closed offices where people were to get their voter ID; or in other States, of course, where other reasons have been put forth—the stopping of early vote or the lessening of early vote by North Carolina, and, of course, the voter ID law.

After section 5 of the Voting Rights Act was eviscerated, destroyed, in the Shelby case by the United States Supreme Court, despite having the right to have a disagreement with me—they are the Supreme Court—they were absolutely wrong. As Justice Ginsburg said: For you would not stop using polio vaccine because you have not seen polio in the United States in any large way for a very long time.

That is what we stand here on the floor today to talk about. That there is a need for a reckoning in this country that those who are part of Democracy Spring are standing up for. That is to ensure the restoration of the Voting Rights Act that is fair.

Mr. Speaker, I believe the Voting Rights Act protects all of our rights to vote, irrespective of color. It does not respect color. It only indicates that if you have been barred from voting unfairly, then we have the right—the Federal Government, the Department of Justice—to review that.

Lo and behold, section 5 saved money, millions of dollars, in fact. My own State has used millions of dollars, millions of tax dollars, to pursue and fight the Voting Rights Act, when in actuality the Voting Rights Act saves money.

If a jurisdiction like, for example, Pasadena, Texas, which redid their city council structure that eliminated Hispanics from being able to even win in that city—if they had been able to have their particular process reviewed and found that it is in violation of the Voting Rights Act and unconstitutional to one vote, one person, then they may not have foolishly constructed that scheme and done one that maybe all parties could work together on. I believe in that.

I have done some wonderful things with bipartisan friends, Republicans and Democrats, working on important issues. Criminal justice happens to be one of them. But that did not happen. So now section 2 becomes the arm of the way of trying to solve these problems, and, of course, in doing so, we have lost our way.

Let me say that I was here when President Bush signed into law the 1965 reauthorization, the 1965 Voting Rights Act, worked on it extensively and submitted amendments. Happily, it was voted for with a large margin by a bipartisan Congress 98–0 in the United States Senate, and a big celebration in the White House celebrating the signing of the reauthorization of the Voting Rights Act with section 5 after 15,000 pages of testimony.

Why can't we do that?

The American people deserve that kind of response. Democracy Spring, you are right, let us reauthorize the Voting Rights Act of 1965.

That draws me as well to the issue of the Supreme Court Justice and to recognize that constitutionally we are in a no man's land. No man's land is that we have taken the Constitution and, unfortunately, we burned it. The Senate has the responsibility of advice and consent, and it has a responsibility to address the question of the missing Supreme Court Justice.

Justice Scalia was grounded in conservatism. All of us respected that. We disagreed on many occasions, but Justice Scalia wrote opinions that everybody agreed with. When it was a majority court, when there were others who had previously disagreed on other matters, they agreed.

That is the way the Supreme Court works, but if you block from even a consideration or a meeting or a hearing, then you are literally tearing up the Constitution, ripping it up, and burning it up. Democracy Spring were willing to go to jail because they believe that is wrong, and I join them and stand with them in their protests and their petition.

Now, let me step away for just a moment—my colleague and I will get

back—but I must say that I am, again, mourning the loss of those in my district who lost their lives through this terrible storm over these last couple of days. We expect rain to continue. I wanted to just make sure that, as I indicated yesterday when I was in my district, we are praying for their families.

As Members of the United States Congress, I am hoping that we will find a way to work with places like New Orleans and Houston, Texas, who are 50 feet below sea level, that we are not just getting a hurricane. People understand hurricanes, they understand tornados, and they understand earthquakes. They don't understand just plain rain that comes up to 20 inches or more and you are literally under water, as we were in the spring of 2015 and now we are again. Homes destroyed of the most vulnerable of my constituents, those who are most impoverished.

I cite this because I am in the midst of discussing that we should be doing our job. One of those issues is to look at the cost and the relationship to lives lost, to doing an infrastructure system, a retention system, and other systems that have been represented as being helpful, trying to work with various constituencies so they don't have to go through that again.

Dying in one's car in an underpass, dying in one's car, can't get out, we had at least four people. We are up to eight. As I said, no one would understand it. It is not a flaring hurricane: Oh, you had a terrible hurricane, we understand it. Tornado. Oh, you had an earthquake, like the tragedy in Ecuador and Japan. We offer our sympathy to them.

They don't understand just rain that causes loss of life—truck drivers, a young mother, a mechanical engineer. What are the horrors of dying in your car, drowning, and you are thinking someone is coming? You are using your cell phone, you think you see lights, and no one is showing up.

I am burdened by this. I wanted to acknowledge them and offer my sympathy, and hope that tomorrow I will again come to the floor for a moment of silence.

Let me step back to this because it ties in that we have to do our job here in Congress. All of us in our districts have had instances where the Congress' failure or the Federal Government's failure probably has impacted in some way some terrible loss of life.

As I continue, we need a Supreme Court Justice, we need the reauthorization of the Voting Rights Act, and, as I just indicated, we need an infrastructure bill. We passed one, but we need one that gets into the weeds of these questions dealing with flooding and the loss of life and the loss of property that we have.

□ 1745

Finally, let me say this since I was here during this, and I use the Constitution in a way that, I think, is very, very important.

I had a bill that I introduced that said a corporation is not a person. Citizens United is premised on that fact. The decision came down from the United States Supreme Court 5 years ago. That decision was the opening of the door of the dominance of big money over politics, and politics and policy has grown, seemingly without restraint and with dire consequences for representative self-government.

''A functioning democracy requires a government responsive to the people—'' we call ourselves the ''people's House'' ''—considered as political equals, where we each have a say in the public policy decisions that affect our lives. It is profoundly antidemocratic for anyone to be able to purchase political power and when a small elite makes up a donor class that is able to shape our government and our public policy.''

I offer that as an article written by Liz Kennedy on January 15, 2015: ''Top Five Ways Citizens United Harms Democracy and Top Five Ways We're Fighting to Take Democracy Back.''

She goes on to talk about how big money allows the wealthy elite few to overpower other voices. That sounds very familiar in the fight against gun violence and in the inability to get any gun legislation passed whether it has to do with gun storage bills that I have, whether it has to do with protecting our children, whether it has to do with background checks or with immunity that has been given to gun manufacturers and keeping away people like the Sandy Hook families or, maybe, families out of Chicago, where my colleague has been working so hard, Congresswoman KELLY.

''Secret political spending exploded after Citizens United because the disclosure requirements relied on by the Court do not yet exist.''

No. 3: ''The purported 'independence' of outside spending is often a farce, allowing for evasion of contribution limits and disclosure requirements.''

She goes on to cite that big money in politics distorts representation and makes one group bigger than the other group.

Then No. 5: ''The Supreme Court's decisions have distorted the Constitution by preventing commonsense rules to protect representative self-government.'' Might I say that that deals with the gun legislation as well.

I think I will close with the simple words that we must do our jobs. We need to do our jobs. One of the reasons that we are in Court on the DACA and DAPA is that Congress did not do its job, and the President has the constitutional authority that says to take care, which means that that President, whoever he is, does have prosecutorial authority and discretion on how laws should be enforced, i.e., the immigration laws.

The President is absolutely right. I do not know how the Supreme Court is going to rule. I would ask that they be very attentive to doing this in a constitutional manner, which means they have the ability to look at the Take Care Clause. That may not work, but they have the ability to look at standing; and I would make the argument that none of the States have been injured, because, as for all of the things that they are arguing about—driver's licenses and otherwise—they don't have to do anything.

The President is saying that these individuals will not be deported because they are not dangerous. He is not saying that States need to provide them with benefits, and they should not, by interpretation, suggest that he is dictating to them unfunded mandates of items that he has not asked. That is not in his executive order. It does not say what benefits they are supposed to get. In essence, in the President's doing his work, unfortunately, he is now being penalized for helping and following the Constitution.

We have a Presidential campaign going on, and the one thing that I can be proud of is that the candidates who are now running in the Democratic primary have made it very clear of their opposition to big money in politics, of their opposition to Citizens United, and of their willingness to fight against it.

In particular, I want to quote from the Boston Globe on then-Secretary Clinton: ''She took a mostly hands-off approach to Wall Street regulation.'' She stayed away from it. She is not immersed in big money, which is a plus for all of us. She understands the people's voice must be heard and realizes that we must do something with Citizens United.

I have joined in cosponsoring a constitutional amendment to change it, but in whatever way that we can move forward to change it, the voices of the people must speak. Public finance is a reputable and reasonable way to run Presidential campaigns and to run all of our campaigns, but until it is done, it is important for us to listen to the voices of the people and to make sure that, however big money comes in, it does not carry this House—this body and the other body—on its back, marching towards legislation that will not help the American people.

Democracy Spring was a movement of quality and dignity, and I am here today to thank them for their willingness to peacefully petition and protest. Over the years and decades, America has seen those protests peacefully leading to, as Dr. King might say, a promised land in which all of us can enjoy the benefits of what America truly stands for.

Mrs. WATSON COLEMAN. I am always grateful for the gentlewoman from Texas who comes and shares her wisdom and her passion and her concern.

Mr. Speaker, as we close out this Special Order hour, I just want to share a few more comments.

We should be doing whatever we can to ensure that every American is able to participate in the democratic process and ensure that elected officials

truly represent the voices of their constituents. The right to vote and the elections in which we cast our ballots are the foundations of our democracy, and policymakers should be strengthening those systems and expanding that right whenever and wherever possible. Instead, for the past few years, we have been restricting it.

In a Nation whose founding documents begin with ''we the people of the United States,'' the local, State, and Federal Government should champion the cause of ensuring that every single American can make his voice heard with as little difficulty as possible. I support every effort to do so, and I urge my colleagues to do the same.

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

RESTORING RESPECT FOR AMERICA'S RULE OF LAW

The SPEAKER pro tempore (Mr. MOOLENAAR). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it is my privilege to have the opportunity to address you here on the floor of the United States House of Representatives.

I listened to a lot of discussion here with which I disagree, of course; but I keep hearing this term ''do your job'' that seems to echo out of the left constantly. ''Do your job.''

One of the arguments is that the President of the United States has a constitutional right to nominate to the Supreme Court. He does. That is pretty clear in the Constitution. However, the Senate determines what advice is, and the Senate determines that which is consent, and no nomination to the Federal court can move forward without the Senate's advice and consent. It is the Senate's job then to evaluate the President's nominations, and they can do so with or without hearings, with or without interviews. The Senate writes its own rules just like the House writes its own rules, Mr. Speaker. I would like to put this back in perspective here.

We have a lameduck President who has made appointments to the Supreme Court, which seems to believe that the Constitution means what they want it to mean, and they want to read it to say what they want it to say rather than what it actually says and rather than what it actually was understood to mean at the time of its ratification.

When you have Justices on the Supreme Court who embody that belief, who act on that belief, then we here who take an oath to support and defend the Constitution—and that is, actually, all of us here in the House of Representatives, Mr. Speaker, and everyone in the United States Senate for that matter—recognize that, if we are going to support and defend the Constitution and encourage the nomination and the advice and the consent and the confirmation of the Senate and encourage then a Presidential appointment to the Supreme Court of someone, we know the President is incapable of nominating anyone to the Supreme Court who actually believes what the Constitution says and what it was understood to mean at the time of its ratification. He has demonstrated that in the past with his appointments to the Court. He will demonstrate that again.

We have a Constitution to preserve, protect, defend, and support and defend, so our obligation then is to say: Mr. President, you are a lameduck. Let's stick with the tradition; let's stick with the practice; let's stick with the statements that have been made by a number of Democrats in the past when the shoe was on the other foot. People like JOE BIDEN and HARRY REID and CHUCK SCHUMER all would agree with Senator CHUCK GRASSLEY: no hearing, no confirmation in the Senate, no vote in the Judiciary Committee, and no vote on the floor of the Senate for this lameduck President's appointments because we have a Constitution that has got to be restored, and instead of being restored, it would be destroyed by another Presidential appointment.

We were sitting with a deadlocked Court that sat 4½ to 4½ out of a 9-member Court, and you could kind of toss a coin on whether you would get a decision that came down on what the Constitution said and what the law said or what they preferred the policy was. There are a couple of bad examples of that. This is even with the stellar Justice Scalia's sitting on the bench not even a year ago on June 24 and June 25.

On the 24th of June, the Court came down with a decision in King v. Burwell, in which the Chief Justice of the Supreme Court decided that he could write words into ObamaCare that didn't exist. They were not passed by this Congress—not by either Chamber of this Congress, as a matter of fact. It wasn't a phrase that was conferenced out or was something that was contested. It was never in the bill. It was the phrase that read, ''or Federal Government.'' Had that component been in ObamaCare, then the Federal Government could have gone into the States and established the exchanges in the States that refused to establish exchanges to comply with the suggestion that came from this Congress, by the way, by hook, by crook, by legislative shenanigans, just to quote some Democrats who lamented at the methodology they had to go through to push ObamaCare down the throats of the American people.

In any case, the law never enabled the Federal Government to establish exchanges in the States, and the Constitution doesn't allow that authority. In my opinion, there is no enumerated power for the Federal Government to create exchanges for health insurance policies within the States; but the Supreme Court ruled with the majority opinion, which was written by the Chief Justice of the Supreme Court, that they could add words into ObamaCare. Where it reads that the States may establish exchanges, they added that the States or Federal Government may establish exchanges. They made it up, and they wrapped themselves in the cloak of constitutional authority in Marbury v. Madison and in a whole series of, presumably, precedent cases along the line. That was June 24, on Thursday.

That would kick the breath out of your gut to hear that, if you are a constitutionalist, and it would bring you to a sad state of mourning. You would lay your head down on the pillow at night, having trouble sleeping, thinking: What am I going to do tomorrow? I couldn't react today. What am I going to do tomorrow? Lord, wake me up with an idea on how to preserve our Constitution.

The Supreme Court of the United States believes that they can write law when here, in Article I of our Constitution, Mr. Speaker, it reads: ''All legislative powers herein granted shall be vested in a Congress of the United States.'' That is here, in the House and the Senate. Article I, which are the first words of our Constitution, reads: ''all legislative powers''; but the Supreme Court, wrapped in the cloak of Marbury v. Madison and their imagination of what ''precedence'' and ''stare decisis'' might mean to them decides that they can write words into the law. A Supreme Court writing law.

Then the next morning—that morning that I was hopeful that I would wake up with an idea on how to address a Supreme Court that has overreached—there came the next decision at 9 my time, 10 D.C. time. It was the decision of Obergefell, in which the Supreme Court created a new command in the Constitution. Not just discovered a right that never existed—they manufactured a command.

There is no right in the Constitution for a same-sex marriage. There is no reference in there at all. There is not one single Founding Father who would have ever accepted an idea that they had founded a nation that embodied within our Declaration or our ratified Constitution or the subsequent amendments that there was some right, let alone a command, to a same-sex marriage. That is a completely manufactured—not just a right but a command—by the Supreme Court of the United States.

I have some history with this. The Supreme Court of the State of Iowa did the same thing to Iowans in 2009. I sat in the legislature and was an author of the Defense of Marriage Act in about 1998.

□ 1800

One of the pieces of debate was why do we need to bother to do this. Yes, it would make sense if marriage were threatened. But it was so far beyond the pale that why would we bother to do this. We saw litigation coming in

Hawaii at that period of time that was trying to force same-sex marriage on America.

We wrote—and I was one of the authors of it—the Defense of Marriage Act and put it into Iowa law. And from 1998, 11 years later, the Supreme Court of the State of Iowa created a command for same-sex marriage in Iowa.

Iowans rose up and threw three of them off the bench the following election in November of 2010 not because of the policy decision, but because they had not kept their oath of office to support and defend the Constitution.

They are obligated to read and understand and believe the Constitution and then issue their judgments based upon the law, the text of the law, and, as an ancillary component of this, the intent of the legislature itself.

Because, after all, the legislature is the voice of the people. The judges are not. They are unelected. They are appointed for life. They are unaccountable.

So there it was on June 25, 2015, on Friday, that the Supreme Court manufactured a command for same-sex marriage. Now, this is appalling to me, Mr. Speaker, because I can read this Constitution and understand what it means. I could read the precedent cases along the way that have flowed from Marbury on down to today.

It is no longer possible to look at this Supreme Court and discern what a likely decision of the Court might be by studying the text of the Constitution and the text of the law because we have a Court that will make it up as they go along, write law as they go, and discover what they would call a new right in the 14th Amendment to the Constitution, equal protection under the law. There is equal protection already. There has long been equal protection.

That amendment was about making sure that babies who were born to the newly freed slaves post-Civil war would be American citizens and they would enjoy all of the rights and all of the privileges of being a citizen of the United States. A person that enjoyed personhood in good standing, that is what the—the 13th Amendment ended slavery, and the 14th Amendment guaranteed equal rights.

Now this Court has twisted it into a command that there is not a difference between a man and a woman when it comes to joining them together in matrimony. Well, there is a difference. It has been husband and wife in every one of these States until such time as the activists got busy.

Those are the kinds of things that, if the States want to establish same-sex marriage, so be it. That is the voice of the people. It is constitutional, and it fits the structure of our United States Constitution, along with the various State constitutions and the structure of the rule of law.

But if a court wants to manufacture a new right, let alone a new command, that is wrong. And this Congress ought to speak up. We need a President that will appoint Justices to the Supreme Court that will rule on the text of the Constitution, its original meaning, and on the understanding of what the text of that Constitution says.

So I would back up to the King v. Burwell decision, Mr. Speaker, and add this for the benefit of those folks that are listening in. And maybe there are some staff at the Supreme Court that are listening.

If you discover a law, if it is a law like ObamaCare that comes before the Supreme Court and you the read the text of that and it doesn't include ''or Federal Government'' and you believe that Congress wanted the Federal Government to be able to establish the exchanges or intended to write that into the law, you don't get to just write it in and say that is what they really meant. You have to remand it back to Congress and tell us: This is what the law says.

So, therefore, if Congress wants the law to say something different, we have to amend it here in the House and the Senate and get a Presidential signature on it. That is the constitutional structure of this government that we have, Mr. Speaker.

It is a bit frustrating for me to listen to the dialogue otherwise that the Senate is not doing their job because they withhold a Presidential appointment when you have a President that has proven that he is not going to put up an appointment that will protect our Constitution.

This is the time we must defend our Constitution. We must nominate and elect a President of the United States who will make those appointments to the Supreme Court, who believe the Constitution means what it says.

Mr. Speaker, I didn't actually come here to talk about that. That is my rebuttal to what I have listened to for the last 40 minutes or so.

IMMIGRATION

Mr. KING of Iowa. Mr. Speaker, I came here to talk about the rule of law, for sure. Part of this is stimulated by an immigration hearing that we had yesterday in the House Judiciary's Immigration and Border Security Subcommittee.

This is the type of hearing that I have listened to too many times. It was one of the hardest hearings I have sat through in my time here in this Congress, Mr. Speaker.

This was a hearing that had witnesses, such as Sheriff Jenkins from Frederick County, Maryland, who has been enforcing immigration law and standing up for the rule of law.

He has been prudently using the legal and justifiable evidence that he had before him, and he has been criticized for his effectiveness by the people that don't want to enforce the law. He is a good witness, Sheriff Jenkins.

Additionally, we had witnesses from two families that were suffering tragically. One of them was the mother of Joshua Wilkerson. Her name is Laura Wilkerson. She has testified before the Judiciary Committee in the past at least once.

I have met her at an immigration event in Richmond, Virginia, on another occasion and listened to the tragic, tragic story of her son, Joshua, who was essentially abducted from his school—he was about a sophomore in high school or so—and hauled outside of town where he was beaten mercilessly and bludgeoned and finally murdered.

The perpetrator, an illegal alien who law enforcement had encountered and released onto the streets of America, who had no business being in America in the first place and who law enforcement already had picked up at least once—this illegal alien beat this boy to death.

Then he went and bought gasoline and burned his body. He hauled his body out and poured gasoline on it and burned Joshua Wilkerson's body. Then he went and took a shower and went to a movie, as if it was just another day in the life of.

Well, Mr. Speaker, it was another day in the life of America and Americans. It was another life lost to an illegal criminal alien who was unlawfully present in America and who had no business to be here, one who had been encountered by law enforcement officers in the past, one whom I believe ICE declined to pick up and place into removal proceedings. This happens every day in this country. It happens hundreds of times in this country each year.

These incidents of illegal aliens that are arrested and turned loose on the street because the President has this idea of prioritization or prosecutorial discretion are costing lives in America. They are costing, in the end, thousands of lives in America.

It was a sad, sad story told by Laura Wilkerson yesterday. She had the courage and the heart to come here and share her story with us and to place that awful, brutal, ghastly memory again into her mind's eye and pour that forth into the CONGRESSIONAL RECORD so that some of us will soak that up and be mobilized to do something more, to do something more to resist the President's policy of amnesty, de facto amnesty, amnesty by executive edict, that has been part and parcel of the Obama policy since the beginning of his time here in office, and it has been getting worse and worse every month.

I thank God for Laura Wilkerson. I ask God to bless the life and the memory and the soul of Joshua Wilkerson, who has paid a tremendously high price because we have an ideological President who, I would say to the other side of the aisle, is not doing his job. In fact, he is ordering law enforcement officers not to do their job.

Federal law requires that, when immigration law enforcement officers encounter an individual who is unlawfully present in the United States, ''he

shall be placed in removal proceedings.'' That is the law.

Our Border Patrol officers are told that, if you are here to enforce the law and you are determined to do so, you better get yourself another job. They have become the welcome wagon on the southern border.

Now, most anybody that crosses that border and makes it across the Rio Grande River or across the land border that stretches from Texas all the way across through New Mexico, Arizona, California, to the Pacific Ocean knows, if you just claim asylum, you can be a refugee and this Federal Government will roll out the welcome wagon.

Former Member of Congress Michele Bachmann and I stood on the banks of the Rio Grande River at Roma, Texas, here a summer and a half or so ago and watched as they inflated a raft on the other side of the river, two coyotes.

It was a fairly good size raft. They helped a lady into that raft on a Sunday afternoon in broad daylight exactly at the shift change for the Border Patrol.

They helped a pregnant lady into the raft. She had two little bags of her property. They brought that raft across the river, brought it up to the shoreline under the eyes of the city police and the Border Patrol, but it was shift change.

One of the coyotes got out of the raft while the other one stabilized it. They helped the pregnant lady out of the raft and onto U.S. shores and then handed her two little ditty bags. He then got back into the raft.

The two coyotes went back across the river, deflated the raft, folded it up, put it in the trunk of their car. It was a car that we had watched go around and around over there, knowing that it was a coyote car because they recognized it from the U.S. side of the river.

The lady stood there. She and her unborn baby and her two ditty bags were waiting for the Border Patrol to show up. It takes a little longer during the shift change, but they show up, no doubt. I didn't follow this case any further, and they would have preferred that I didn't.

Here is what I will predict happened: She applied for asylum, the baby is now born, and the baby is an American citizen. She is the parent of an anchor baby.

Well, that is the kind of person that Barack Obama has granted a de facto, at least a temporary, amnesty to for the Deferred Action for Parents of—I keep wanting to tell you what that word means to me, but the parents of Americans is what the President would like to call it—Deferred Action for Parents of Americans, DAPA.

Well, I watched one of those parents of Americans—a parent now—come across the border in an inflatable raft with two coyotes. They got paid something to do that. I don't know how much.

Now the President has issued the edict that we grant this de facto permit, this amnesty, for the parents of anchor babies to be staying free in the United States.

That suspends the rule of law. It defies the rule of law. It defies the very law, the specified law, itself.

That case was heard before the Supreme Court this week, Mr. Speaker. The question is: Does the President have prosecutorial authority, prosecutorial discretion?

Well, the precedents along prosecutorial discretion—and I don't know that the Supreme Court has ever heard and ruled on a case of prosecutorial discretion. I believe they have not.

But the precedents that are out there in the lower courts and the practice has been that, if a chief executive officer can project his policy through his subordinates, they have to pick and choose which cases they will prosecute.

Well, when they do that, that is called prosecutorial discretion. It has to be on an individual basis only, and that is by the words of the former Secretary of Homeland Security Janet Napolitano, who testified before the Judiciary Committee to that extent.

In the first Morton memo that brought out this prosecutorial discretion, it creates four different categories or groups of people.

So they are utilizing categories or groups of people, declaring it to be prosecutorial discretion, when, in fact, it is not prosecutorial discretion because it applies to groups of people. It created four different groups of people.

That is the story of Joshua Wilkerson.

The witness sitting next to Laura Wilkerson is Michelle Root of Modale, Iowa. Michelle Root is the grieving mother of a 21-year-old daughter who was a 4.0 student at Bellevue University.

She wanted to become a law enforcement investigator. She had the best grades that you could possibly have, living and loving life. She had graduated and enjoyed the graduation ceremonies the day before when an illegal, criminal alien, drunk-driving perpetrator, ran her down and rear-ended her in the street and killed Sarah Root.

Sarah Root was a 4.0 student with the world ahead of her, wanting to contribute to this country, to life, to society, living and loving life. Her life was abruptly ended by a criminal alien who had been encountered by law enforcement before whose immigration attorneys knew him.

□ 1815

Two of them have been quoted in the newspaper at this point. He had been released. He had been released onto the streets where he now had three times the blood alcohol content allowable by law, drag racing in the streets, killed Sarah Root. Her mother, Michelle, told the story yesterday of her daughter, whom she loved so deeply, and all through the rest of her life and her family's life, they will carry this hole, this ache in their heart that didn't need to be.

Sarah Root would be alive today if the President had done his job, if law enforcement had been allowed to do their job, if ICE had responded when local law enforcement called them, and if ICE—and on top of that, sometimes ICE issues a detainer, and local law enforcement releases them from a sanctuary city.

This is mixed up both ways. We have ICE, who is prohibited from doing its job, who sometimes won't when they want to; local law enforcement who won't cooperate with ICE because ICE sent out a letter a year-and-a-half ago or so that said ICE detainers are a recommendation, they are no longer mandatory.

Congress passed a law and directed the Department of Homeland Security to establish the rule that would have the force and effect of law that ICE detainers are mandatory. They wrote the rule that ICE detainers are mandatory, and Dan Ragsdale, the interim director of ICE, issued a letter that said to all local law enforcement: no, it is a recommendation, it is not mandatory.

Now we have in this confused, jumbled-up mess of the refusal to enforce the law, to take care that the laws are faithfully executed—we have the deaths of our children—our children—Joshua Wilkerson, Sarah Root.

And while Sarah Root's mother is in transit to come here to testify—by the way, this drunk driving, illegal alien, homicidal accident that killed Sarah Root, the 4.0 student happened—I keep hearing about the valedictorians that come across the river. Sarah was very close to being the valedictorian of her college class. She didn't get a chance to live and love life beyond 1 day after her graduation.

While her mother is here with tears in her eyes, flying from Omaha where this tragedy took place, to testify before the United States Congress, there is another incident in Omaha, this time a very similar incident, another illegal alien who had been incarcerated before or picked up before and released again.

This illegal alien killed Margarito Nava-Luna, a 34- or 35-year-old man who was walking down the streets of Omaha. This driver, this illegal, had three times the blood alcohol content as well, as was the driver who killed Sarah Root.

Now, every one of these are preventable. They are preventable. Whether they are a willful homicide or whether they are preventable, but these are the cities, Mr. Speaker, where the Obama administration has released these criminals into. They have released over 30,000 of them. These are where their reoffenses have taken place, in multiple cities around, obviously, California and on up along the Pacific Coast. Where there is a lot of illegal immigration, that is where you see a lot of the recidivism crime. Here is Arizona. Here is Texas. You have got it in the heart of the heartland, though. That is Colorado. Over along the East Coast, something has happened in most

of the States, and this is because of the prosecutorial discretion.

This President, his administration has released over 30,000 criminals, criminal aliens onto the streets of America. And of those that they released, there have been at least 124 of them who have been charged with homicide for 135 murders. That is 135 dead Americans who would be alive today if the President didn't have the policy of releasing criminal aliens onto the streets. Those are the ones we know of, those are the ones that are the recidivism within a 5-year window of time whose names we know, whose incidents we know, but that doesn't include anywhere near all of them, Mr. Speaker.

This is the locale. This is the face of one of these perpetrators, Mauricio Hernandez.

What did he do?

Mauricio Hernandez, a sexual predator who impregnated the 13-year-old daughter of his live-in girlfriend and repeatedly had sexual relations with her in ways that I won't repeat here on the floor, took her off to soccer games where he also gave her an abortion-inducing drug, and she went into a portapotty and had a baby who was alive. He went in and saw that baby, and this girl was then hauled home. The baby was left to die. That baby died.

Mauricio Hernandez was the perpetrator. He is another illegal alien, another one who had been encountered by law, another one who had been granted this de facto amnesty because of the President's policy.

Mr. Speaker, I can stand here every night. I could come here and give you these stories, and I can give you the data on the thousands of Americans who are dead at the hands of the criminal aliens who have been incarcerated for a temporary period of time and released by multiple jurisdictions across this country, and every American who dies at their hands is a life that could be saved if we just followed our laws. That is what is at stake here.

But we are going to have to personalize it because people over on this side of the aisle have their fingers in their ears on data, but when they see the faces, when they hear the anguish in the voices, especially of the mothers—I will conclude with this, Mr. Speaker—or the voice of the father, Scott Root, who said when they arrested this perpetrator who killed his daughter, he was out before they could bury his daughter, he was out on $5,000 bail, which was less than it cost him to bury his daughter, and that individual absconded back out of the United States now, not to be reached again by the arm of the law, which is not long enough because they put him out on bail.

I don't want to see any more bail to criminal aliens. I want to see law enforcement. I want an expectation that when the law is broken in the United States, that there is going to be an enforcement, that it be applied equally without regard to any of these categories that the President encourages us to be members of, that being one of God's children is good enough to be protected by the law, but everybody treated equally.

Secure our borders. Restore the respect for the rule of law. Save these lives. Send these people into prison, and when they are done, send them back to the country that they can live in legally for the rest of their lives if they don't stay in our prisons for the rest of their lives.

Mr. Speaker, this is an infuriating topic that America needs to know a lot more about. I would ask, Mr. Speaker, that this country keep the families of these victims in their prayers every day until such time as we restore the respect for the rule of law again in America.

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

WHAT MEXICO REPRESENTS TO ALL OF US

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. O'ROURKE) for 30 minutes.

Mr. O'ROURKE. Mr. Speaker, to listen to some in this country, and certainly some of my colleagues, Mexico represents nothing more than a threat to the well-being, the safety of this country, and to every son and daughter in every community within the United States.

It is also a threat, some will tell you, to our economy, to our financial well-being in our homes, in our cities, in our States. This vision of Mexico and our relationship with that country and where the two join at the U.S.-Mexico border is dominated by this kind of anxiety, this scare-mongering, and an attitude of fear that neglects the truth, the facts, and the opportunities that our relationship with our closest partner on the world stage truly presents.

It is my hope tonight to share with my colleagues the facts, the positive truth about what Mexico represents to all of us, certainly in the communities along the U.S.-Mexico border, El Paso, Texas, the city that I have the honor of representing and serving in Congress, the State of Texas, where I will be joined by colleagues who represent districts deeper into the interior of Texas, but really to everyone everywhere in the United States.

When I listen to some of my colleagues, who can be forgiven much like those in ancient history who, not having traveled to distant lands or across the oceans, could only envision monsters or frightening things that were going to come and get them should they venture past what they knew and what was safe and what was home to them, those who do not know Mexico, who do not live on the U.S.-Mexico border may understandably have their thoughts and their concerns dominated by this anxiety and fear.

It is my hope, as someone who lives in and represents part of the U.S. side of the U.S.-Mexico border, to shed some light using facts and using real people, real U.S. citizens, real Mexican citizens, and real people from El Paso and Ciudad Juarez, which together form the largest binational community in the Western Hemisphere and one of the largest binational communities anywhere in the world.

When you hear people who are concerned about Mexico and what it represents to the United States, that fear is often dominated by two different areas. One is economic and the other is fear about our security in this country. Let me lay some of those fears to rest. Let me address some of those concerns at face value using the facts and figures from the United States-Mexico relationship and, again, from the district that I represent in El Paso, Texas.

Let me start with some of the economic concerns and address them with the economic facts and the economic argument. Some of my colleagues may not know this, but Mexico is our third largest trading partner. And for some States—like the State of Texas, like the State of New Mexico, like the State of Arizona, like the State of California—Mexico represents our number one trading partner. For many other States deeper into the interior, Mexico represents our second largest trading partner.

But the volume of trade between our two countries is unlike any other, even among our top trading partner, China, for with Mexico, for every dollar of import value that we bring into this country from Mexico, 40 cents of that dollar was value that originated here in the United States, components, manufactured goods that were built here in America by Americans, by U.S. citizens that were exported to Mexico for final assembly and manufacture before reimportation into the United States.

It is why when we export to Mexico, we win; when we import from Mexico, we win. That volume of trade between our two countries is responsible for one out of every four jobs in the community that I represent, El Paso, Texas. It is responsible for more than 400,000 jobs in the State of Texas, more than 6 million jobs throughout the United States.

I want to make clear that our relationship with Mexico does not just benefit border communities like mine or border States like Texas. You look at New York, 381,000 people depend on our relationship with Mexico for the jobs they go to each and every morning. In Ohio, the number is 224,000. In the State of Washington, 128,000. In fact, every single one of our 50 States has a significant trading and jobs-based dependent relationship with Mexico.

Were we to jeopardize that with harmful rhetoric or wrong-headed policies, we would not just jeopardize this historic relationship with our partner to the south, we would jeopardize the

very well-being and lifeblood for 6 million American families spread throughout this country.

In fact, if we don't do a better job of facilitating the trade we have with Mexico right now, we run the risk of losing the jobs we already have. The Department of Commerce estimates that for every minute of delay on our international ports of entry that connect the United States and Mexico, because we are not getting more trade into the United States from Mexico and out of the United States into Mexico, we lose about $166 million. For every minute of delay, $166 million lost to the United States economy.

Now, let me talk about the security argument. I just heard from my colleague from Iowa that Mexico and Mexican immigrants, whether they are undocumented, whether they are pursuing a better life in this country, whether they are—as almost all of them are—net contributors to our economy, to our communities, to the safety of our cities, that somehow they represent this terrible threat, the primary threat for our country, and the sky and everything with it is falling should we not be able to deport these 11 million undocumented immigrants from communities like Washington, D.C., from El Paso, Texas, from Fort Worth, from throughout the United States.

□ 1830

I would like to share something with my colleagues and with you, Mr. Speaker, about the effect that immigrants have on the safety of our communities. As I mentioned, I represent El Paso, Texas, which, with Ciudad Juarez, forms one-half of the largest binational community anywhere in the world. Twenty-four percent of the people that I represent were born in another country, most of them, the country of Mexico. And I will tell you, it is not in spite of that fact that we have so many migrants in our community but, in large part, because of it that El Paso is this country's safest city of over 500,000.

So of all large cities in this country, from Los Angeles on the West Coast to New York on the East Coast, El Paso is this country's safest city. And it has been not just in the past year, but for years before this last one; and for the last 10 or 15 years, it has been rated one of the top five safest cities in the United States. And that is because the relationship that we have with Mexico.

The migrants who come from that country are coming to this one to build a better life for themselves, certainly; but more importantly and connected to our relative safety, they are building a better life for their kids. They are keeping them focused on their studies, on contributing to their communities, on staying out of trouble and getting ahead and doing better. That is what I want you to know when we talk about security connected to immigration and when we talk about security relative to Mexico.

I also want my colleagues, who themselves are taxpayers, and the taxpayers they represent to know that today we spend $18 billion a year to secure the U.S.-Mexico border. In the last 10 years, we have doubled the size of the Border Patrol force, from 10,000 agents to 20,000 agents, and we are reaching, if not already past, a point of diminishing returns where we can do no more good by spending more dollars and by adding more agents to already swollen ranks of the Border Patrol. Let me give you some facts that bear that out.

In the year 2000, we had 1.6 million apprehensions at our border with Mexico. This last year, in 2015, we had 330,000 apprehensions.

Another way to look at this is that, in 2005, the average Border Patrol agents on the southern border, our border with Mexico, made 106 apprehensions a year. Ten years later, 2015, last year, the average agent made 17 apprehensions the entire year; and in El Paso, again, one of the most critical sectors for our connection with Mexico, the average agent made 6 apprehensions all year—not in a week, not in a month, but 6 apprehensions for the entire year.

So El Paso is the safest city. Other border cities on our side of the U.S.-Mexico border are much safer than the interior of the United States. We are spending record sums, and we are seeing record-low levels of apprehensions. We are literally seeing less than zero migration from Mexico now, and we have been for a number of years.

When I hear my colleagues about securing the border before we proceed with immigration reform or any other sensible, realistic, logical policy with regard to Mexico, it begs the question when they ask if we secure the border: How much more secure can we get? How many more billions of dollars do you want to spend? How many more miles of walls do you want to construct? How many more thousands of agents do you want to hire? How many fewer apprehensions can we have? How far below zero can our immigration from Mexico reach?

The last point on the security issue that I want to stress for my colleagues is this one. Despite the rhetoric, despite the anxiety, despite the fear that is often provoked on cable TV or even in this Chamber, there has never been nor is there now any credible terrorist organization, terrorist threat, or terrorist who is using the southern border—our border with Mexico—to infiltrate the United States. And I have that on public record from the Director of the FBI, the Director for the National Counterterrorism Center, and the Secretary of Homeland Security.

The danger of continuing to surge more resources where we don't have a problem is that we take our eye and our money and our men and women off those places where we know we have had threats in the past, like our international airports. In fact, even at our northern border with Canada, attempts have been made in the past, and certainly with homegrown, home-radicalized terrorists or potential terrorists in our communities.

That is where we know we have a threat. That is where we need to pursue that threat. It doesn't mean that we do not remain vigilant against the potential for a terrorist threat coming along our border with Mexico; but I would argue that, with 20,000 agents, $18 billion spent a year, drones flying overhead, 600 miles of wall, we are very vigilant against the potential for any terrorist incursion from Mexico.

Before I yield to my good friend from Dallas-Fort Worth, I want to talk a little bit about the people who actually live in this binational community that I have been talking about, El Paso and Ciudad Juarez, where, between the two communities last year, there were 32 million crossings. Thirty-two million times someone crossed from El Paso into Ciudad Juarez or Juarez into El Paso. I thought I would share with you, through these pictures to my right, some of the remarkable people that I live with in the El Paso-Juarez community and some of the amazing people that I represent.

The first person that we are looking at is Armando. I started with Armando at the end his day as he closed up the plant that he manages in Ciudad Juarez. Even though he and his children live in the United States, are U.S. citizens, and attend U.S. public schools in El Paso, Texas, he crosses over the border into Mexico every morning. He works a hard day managing a plant there; and then he comes back over into the United States, where he pays his U.S. property taxes, his U.S. income taxes, where he contributes by going and helping to coach his son's soccer game, which is where we took this picture with Armando and his wife. He is one of these 32 million people that is crossing the border. He is somebody that has come from Mexico that is contributing to this country, whose children are growing up here. He is someone that I am very proud to have in my community.

This next slide shows a picture of Israel. Israel lives in Ciudad Juarez but attends school at the University of Texas in El Paso.

In its infinite wisdom, the State of Texas granted instate coverage for citizens of Mexico to attend schools in our communities in the State of Texas because we know that Texas will be the net beneficiary of their talent and their human capital.

So Israel gets up very early every morning, sometimes before 5 o'clock, so that he can make it over the international bridge in time to get to the University of Texas at El Paso, where he is an all-star student and also works at the Keck Lab, which is one of the premier additive manufacturing facilities at any academic community in the United States. These are 3–D printing jobs that are the future of manufacturing technology. And if we do right

by Israel, Israel is going to want to spend his life and his career and add value and add tax base and add tax income and create jobs in our country, in the community that I represent. That is why I crossed the bridge with Israel to learn a little bit about him and his experience.

This slide shows a picture of Vicky, whom I joined in downtown Ciudad Juarez. She is walking up Avenida Juarez. Another block or two and we will pass the Kentucky Club, which I want everyone to know we did not go into. It was before 5 o'clock. But Vicky, who is a Mexican national, is carrying her shopping bags because at least once a month she comes over to the United States, to my community, to spend her hard-earned money in our local retail establishments and other stores to do the shopping for her and her family.

In fact, Mexican nationals like Vicky spend about $1.4 billion in the El Paso community annually. That supports tens of thousands of retail jobs and small-business owners that I represent here in the House.

This is the face of the border, the face of Mexico, the face of our connection. This was Vicky, with whom I crossed the border a couple of weeks ago.

This next slide shows Manuel, who is driving a load of Werner ladders.

Werner is the largest ladder manufacturer in the world. They manufacture about 70 percent of those ladders in Ciudad Juarez. The inputs for those ladders come from all over the United States. They are connected to jobs in this country that go over to Mexico. They are connected to jobs there and then reimported here for export for benefit of the United States and Mexico.

Here he is crossing his load—his part of the $90 billion in U.S.-Mexico trade that crosses our ports of entry that are connected to those 6 million jobs spread throughout the United States.

If we could get those bridges moving a little faster, get more CBP officers to facilitate that trade, we can get more loads of ladders moving across, more jobs connected in the United States to trade and manufacture in Mexico. It is good for my community, good for each of the communities represented by the Members here in the Chamber tonight.

And the last slide I will show you is Lisa, and you can see that I jumped into the backseat of her car as she left the plant that she works in in Ciudad Juarez.

She moved down to El Paso from Michigan about 20 years ago. She has been working in Ciudad Juarez every day with other U.S. and Mexican citizens, creating value in both countries, economic growth in both countries.

And so here we are in her car, about to cross back into El Paso, Texas, where, again, she pays her taxes, where she contributes to her community, and where she is the face of the U.S.-Mexico relationship and why it is so important not just to preserve it, not just to respect it, but to grow it and to capitalize on it and create more jobs, more opportunities, more growth in both of our countries.

I thought these five El Pasoans and Juarenses, whom I have the pleasure of living with in El Paso, the honor of representing here in the House, might tell you a little bit of a different story than the one that has prevailed and dominated from people who do not live on and, frankly, do not understand the border or our relationship with Mexico.

But someone who does and who is here with me tonight, represents a congressional district in Fort Worth and Dallas, who understands the importance of our relationship with Mexico better than almost any other person that I have worked with, is MARC VEASEY. I yield to the gentleman from Texas (Mr. VEASEY).

Mr. VEASEY. Thank you very much, Representative O'ROURKE. I really appreciate your work on this issue. You have been doing a great job of really kind of setting the facts straight about this issue.

There has been a lot of rhetoric out there about what immigration means. And the fact that you have worked so hard to bring recognition about the economic benefits that the border has, particularly to our State of Texas, and you have been very tremendous in your efforts, I really, really do appreciate that.

I wanted to just talk about the fact how important the relationship is—the economic impact that you talk about all the time—how important it is to Texas and the United States.

According to the United States Trade Representative, U.S. goods and services traded with Mexico totaled an estimated $500-plus billion in 2015. Mexico was the United States' second largest goods export market in 2015. In 2013, Texas, our home State of Texas exported over $109 billion in goods with Mexico, and that was a 63 percent increase since 2008.

It is really hard to argue with those numbers. It just shows how healthy the relationship is with Mexico and about how incredibly foolish it would be to try to create barriers between our two countries that would cause economic harm to both Mexico and the United States and our border State of Texas.

The United States' relationship with Mexico, again, when you look at the economic picture, agriculture is something that people oftentimes take for granted—how they get their milk, how they get their fruit, how they get their vegetables.

Agriculture is how we eat in this country. I have met with different organizations that represent agriculture. I just had some cattle raisers from the Fort Worth area here. They talked about the fact that we don't have a comprehensive immigration reform bill and how we need to improve our guest worker program and how it is really hurting their industry.

□ 1845

And these are conservative Republicans that are telling me this, Representative O'ROURKE. These aren't liberal Democrats or advocacy groups. These are people that are concerned about economic growth and prosperity in the United States and in border States that are saying that, hey, we have a huge problem here in agriculture.

One of our conservative institutes in the State of Texas, Texas A&M University down in College Station, did a study back in 2012 that looked at dairy farms and found that the dairy farms are very heavily dependent upon migrant labor. Three-fifths of the milk in this country is dependent upon migrant labor.

I think that that speaks in and of itself.

Without these employees, the study predicts economic output would decline by $22 billion, and 133,000 workers would lose their jobs. And what are we going to do if that happens? Like, what are we really going to do? What are Republicans going to do if that happens, if they were able to create borders and barriers between our southwest border?

They are certainly not going to make it up with any sort of social services to help people because they are always hollering about how they don't want to expand government. So what are they going to do if we lose all of that money? They are going to do absolutely nothing, and it would be very detrimental.

Then there is also immigrant entrepreneurship. In addition to providing a reliable workforce, immigrants are also a boost to local economies when they open up businesses in their communities. More than 40 percent of the Fortune 500 companies here were founded by immigrants or by their children according to the Partnership for a New American Economy.

I want to highlight one of my friends that has a business in my district, Gloria Fuentes. She was actually my guest, Representative O'ROURKE, at the State of the Union earlier this year. She was someone, back in the 1970s, that was fleeing her home country of El Salvador. She immigrated to the United States, and her visa expired. Later, she became a permanent resident in 1986. And because of her hard work, working extra jobs, going to nightclubs at night to sell tamales and tacos, now she has a restaurant chain of 15, all across the State of Texas. That was done by someone that came here as an immigrant.

Why wouldn't we want to make it easier for people like Gloria to migrate to this country? Why wouldn't we want to make it easier for us to be able to exchange and trade ideas with people from countries that are south of our border?

We are really moving too slowly on the immigration issue. And again, the rhetoric about the southwest border is

really hurting our country, particularly when you look at the net migration and how many people have decided that—you know what?—they don't want to live in the United States anymore just because of all of the rhetoric, the hateful rhetoric that is out there, mainly coming from the Republican side. I think that it is time that it stop because I think that our country—I know that our country—is better than that.

I just want to thank you for getting this conversation started. I want to thank you for your expertise and depth on this issue. Particularly with you coming from El Paso, it is certainly great to have you talking about this so much and reminding people about the facts, because there are a lot of things out there that are floating around the Congress—again, coming from the Republican side—that are completely untrue and deliberately false and meant to spread fear across our country. But the fact that you are here and you are educating the country on this very important issue means a lot to our State and to the United States. So thank you very much, Representative O'ROURKE, and thank you for letting me share this time with you.

Mr. O'ROURKE. I thank my friend from Texas, amidst all this heat and the rhetoric around Mexico, our relationship with that country, the cost or benefit of immigration, that he is able to shed some light using the facts, sharing the truth, so that we understand our shared interdependence, shared benefit, and the value of the relationship between the United States and Mexico.

Mr. Speaker, may I ask how much time remains?

The SPEAKER pro tempore. The gentleman has about 3 minutes remaining.

Mr. O'ROURKE. Mr. Speaker, I invite my colleagues who have used the excuse—because they believe it—that we must first secure the border before we can do anything else, before we can improve our relationship with Mexico, before we can capitalize on the shared production platform that is the United States and Mexico today, where 40 percent of the value of everything that we import from Mexico originated in this country, is connected to jobs in this country; I invite my friends who use securing the border as an excuse not to move forward on immigration reform, despite the fact that we have 11 million people here who are living in the shadows, who, despite that, do their best to contribute to this country each and every day in service to this country and creating jobs in this country, in serving those in this country; I invite you to see the truth, to look at the facts, and to understand that our relationship with Mexico has never been more important, our border with Mexico has never been more secure, by any metric we want to look at.

Whether it is apprehension, whether it is the total spent on the security of that border, whether it is the number of men and women, 20,000, who are patrolling that border with our closest partner—certainly the closest trading partner in the State of Texas, I would argue the most important country for the United States—whether you look at it economically, demographically, historically, or culturally, I hope these facts, this truth, this light that we are working to shed on the issue, will help my colleagues to make better decisions, better policies, and move forward in the self-interest of this country, every district, and every person we represent, to do the right thing when it comes to Mexico, to do the right thing when it comes to immigration reform, and to do the right thing in the interest of the United States.

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

CHICAGO STATE UNIVERSITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Illinois (Mr. RUSH) for 30 minutes.

Mr. RUSH. Mr. Speaker, I come here to the House floor today to express my deep concern and disappointment regarding the grave financial challenges facing the Chicago State University, which is located in my district on the south side of Chicago.

Mr. Speaker, due to the enormous budget crisis currently taking place in my home State of Illinois, the university has not received the State funding that is essential to maintaining its multifaceted operations. Unfortunately, Mr. Speaker, after 7 months of utilizing its financial reserves, Chicago State University is now in a dire position. Chicago State University must confront the real possibility of closing its doors in the immediate future.

Mr. Speaker, the impact of this pending reality is far reaching in its scope, and it would adversely affect thousands of students and hundreds of faculty and staff, many of whom reside in my district, the First District of Illinois. The entire Chicagoland region would be severely adversely affected by the closing of the Chicago State University. Mr. Speaker, my district is home to 4,300 students who are enrolled at Chicago State. Fifty-eight percent of these students are my constituents.

The great need for this institution is demonstrated by the fact that almost 88 percent of enrolled students receive financial aid. Of those students on financial aid, 44 percent are first-generation college students, and 54 percent of these students are low-income individuals. In fact, Mr. Speaker, Chicago State University is renowned for recruiting and graduating nontraditional minority students who, due to a variety of reasons, have been denied many of the economic, social, and educational benefits enjoyed by the greater American society.

As U.S. News and World Report notes, Chicago State University ranks first in Illinois in awarding bachelor's degrees to African Americans in the physical sciences, health professions, and other related sciences. Additionally, the school also ranks fourth in Illinois in awarding baccalaureate degrees to Latino students in the education sector.

Mr. Speaker, closing Chicago State University, even on a temporary basis, would have a profound impact on the lives of all these students who have worked so hard to beat the odds and who desperately seek to provide a better life for themselves and for their families.

Additionally, as one of my district's largest employers, if the university were to close, it would have a devastating rippling effect on the economics of Chicago's greater south side and also in the lives of the 850 faculty and staff who are employed by Chicago State University. Undoubtedly, the school's closing would also stifle any opportunity for economic recovery in communities on Chicago's south side and in the nearby suburban area of the city of Chicago.

To help address this pending dire situation, in the coming days I will be introducing a bill in the House to provide Federal assistance to the university until this budget impasse in the State of Illinois can be resolved.

Mr. Speaker, Chicago State University is far too important to the families, to the communities that I represent, to simply leave its fate to chance or to the political gamesmanship and indifference of its governmental leaders.

Illinois Governor Bruce Rauner should not allow this historically crucial, minority-serving institution of higher education that so faithfully serves the needs of African Americans and Latino American students to shut down on his watch. Legislative leaders in the State of Illinois must not allow this legendary institution to close its doors on current and future generations of upward-bound students.

□ 1900

Mr. Speaker, April 29 will be forever be known as the Day of Educational Infamy in my State of Illinois. It will be regarded as the day that Illinois lawmakers let the students of Chicago State University down. It will be regarded as the day that Illinois lawmakers let the citizens of the State of Illinois down.

It will be regarded as the day that Illinois lawmakers stood in the schoolhouse door to deny access to the universally acknowledged benefits of higher education to predominantly minority students who study and matriculate at the Chicago State University.

Mr. Speaker, we cannot afford to not afford to fund the Chicago State University. We must do everything in our power to address this ominous situation and provide help to this critical institution that has proven to be so vital to the needs of my constituents,

to the needs of the citizens of the State of Illinois, and to our Nation as a whole.

We must act, and we must act now. Save Chicago State. Save Chicago State. Save Chicago State University.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. MAXINE WATERS of California (at the request of Ms. PELOSI) for April 19 on account of unforeseen circumstances.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2722. An act to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 719. An act to rename the Armed Forces Reserve Center in Great Falls, Montana, the Captain John E. Moran and Captain William Wylie Galt Armed Forces Reserve Center.

S. 1638. To direct the Secretary of Homeland Security to submit to Congress information on the Department of Homeland Security headquarters consolidation project in the National Capital Region, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on April 19, 2016, she presented to the President of the United States, for his approval, the following bill:

H.R. 1670. To direct the Architect of the Capitol to place in the United States Capitol a chair honoring American Prisoners of War/Missing in Action.

Karen L. Haas, Clerk of the House, further reported that on April 20, 2016, she presented to the President of the United States, for his approval, the following bill:

H.R. 2722. To require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

ADJOURNMENT

Mr. RUSH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 21, 2016, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5095. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Safety Standard for Automatic Residential Garage Door Operators [Docket No.: CPSC-2015-0025] received April 19, 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.

5096. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund [WC Docket No.: 10-90] ETC Annual Reports and Certifications [WC Docket No.: 14-58] Rural Broadband Experiments [WC Docket No.: 14-259] received April 19, 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.

5097. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's final rule — Food Additives Permitted for Direct Addition to Food for Human Consumption; Folic Acid [Docket No.: FDA-2012-F-0480] received April 19, 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.

5098. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Indexing Adjustments for Sections 36B and 5000A (Rev. Proc. 2016-24) received April 19, 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 Ways and Means.

5099. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Fringe Benefits Aircraft Valuation Formula (Rev. Rule. 2016-10) received April 19, 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 Ways and Means.

5100. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Procedure: Purchase Price Safe Harbors for sections 143 and 25 (Rev. Proc. 2016-25) received April 19, 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 Ways and Means.

5101. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2016 Automobile Price Inflation Adjustment (Rev. Proc. 2016-23) received April 19, 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 Ways and Means.

5102. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final and temporary regulations — Inversions and Related Transactions [TD 9761] (RIN: 1545-BM88) received April 19, 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 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. KLINE: Committee on Education and the Workforce. H.R. 4293. A bill to amend the Employee Retirement Income Security Act of 1974 to ensure that retirement investors receive advice in their best interests, and for other purposes; with an amendment (Rept. 114–511). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 4294. A bill to amend the Internal Revenue Code of 1986 to ensure that retirement investors receive advice in their best interests, and for other purposes; with an amendment (Rept. 114–512, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 4294. A bill to amend the Internal Revenue Code of 1986 to ensure that retirement investors receive advice in their best interests, and for other purposes; with an amendment (Rept. 114–512, Pt. 2). 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. LEVIN (for himself, Mr. RANGEL, Mr. BLUMENAUER, Mr. VAN HOLLEN, Mr. CROWLEY, Mr. PASCRELL, Mr. NEAL, Mr. HOYER, and Mr. LARSON of Connecticut):

H.R. 4996. A bill to amend the Internal Revenue Code of 1986 to return the estate, gift, and generation skipping transfer tax to 2009 levels; to the Committee on Ways and Means.

By Mr. EMMER of Minnesota (for himself, Mr. GUINTA, Mr. BARR, Mr. LUETKEMEYER, Mr. MULVANEY, and Mr. HILL):

H.R. 4997. A bill to amend the Home Mortgage Disclosure Act of 1975 to specify which depository institutions are subject to the maintenance of records and disclosure requirements of such Act, and for other purposes; to the Committee on Financial Services.

By Mr. WELCH (for himself, Mr. KEATING, and Ms. CASTOR of Florida):

H.R. 4998. A bill to amend the Atomic Energy Act of 1954 to provide for consultation with State and local governments, the consideration of State and local concerns, and the approval of post-shutdown decommissioning activities reports by the Nuclear Regulatory Commission; to the Committee on Energy and Commerce.

By Mr. BEYER (for himself and Mr. WITTMAN):

H.R. 4999. A bill to ensure the effective and appropriate use of the Lowest Price Technically Acceptable source selection process; to the Committee on Armed Services.

By Mr. GRAYSON:

H.R. 5000. A bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. ELLMERS of North Carolina (for herself, Mr. TOM PRICE of Georgia, Mrs. BLACKBURN, Mr. KIND, Mr. RUSH, Ms. MATSUI, and Mr. LEWIS):

H.R. 5001. A bill to continue the use of a 3-month quarter EHR reporting period for health care providers to demonstrate meaningful use for 2016 under the Medicare and Medicaid EHR incentive payment programs, and for other purposes; to the Committee on Energy and Commerce, 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. KELLY of Pennsylvania (for himself and Mr. MICHAEL F. DOYLE of Pennsylvania):

H.R. 5002. A bill to amend the Internal Revenue Code of 1986 to extend and modify the section 45 credit for refined coal from steel industry fuel, and for other purposes; to the Committee on Ways and Means.

By Mr. ROKITA:

H.R. 5003. A bill to reauthorize child nutrition programs, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Budget, 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. WEBER of Texas (for himself, Mr. SESSIONS, Mr. YOHO, Mr. GOHMERT, Mr. OLSON, Mr. FARENTHOLD, and Mr. BABIN):

H.R. 5004. A bill to amend the Internal Revenue Code of 1986 to disallow certain biodiesel and alternative fuel tax credits for fuels derived from animal fats; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself and Mr. HANNA):

H.R. 5005. A bill to prohibit the hiring of additional employees of any office of the legislative branch until the Speaker of the House of Representatives or the President pro Tempore of the Senate certifies that no employee of the office has a seriously delinquent tax debt; to the Committee on House Administration.

By Ms. FRANKEL of Florida (for herself, Mr. DEUTCH, Mr. HIMES, and Mr. SCHWEIKERT):

H.R. 5006. A bill to amend section 214(c)(8) of the Immigration and Nationality Act to modify the data reporting requirements relating to nonimmigrant employees, and for other purposes; to the Committee on the Judiciary.

By Mr. REICHERT (for himself, Mr. LARSON of Connecticut, Mr. TIBERI, Mr. NEAL, Mr. PAULSEN, Mr. HOLDING, Mr. SMITH of Missouri, Ms. ESTY, Mr. BYRNE, and Mr. HIMES):

H.R. 5007. A bill to amend the Internal Revenue Code of 1986 to exempt private foundations from the tax on excess business holdings in the case of certain philanthropic enterprises which are independently supervised, and for other purposes; to the Committee on Ways and Means.

By Mr. MACARTHUR (for himself and Mr. KIND):

H.R. 5008. A bill to direct the Secretary of the Treasury to improve tax compliance in the construction industry, including clarifying the employment status of service providers in the construction industry, and for other purposes; to the Committee on Ways and Means.

By Mr. BOUSTANY (for himself, Mr. NEAL, Mr. BILIRAKIS, and Mr. CÁRDENAS):

H.R. 5009. A bill to amend titles XVIII and XIX of the Social Security Act to ensure prompt coverage of breakthrough devices under the Medicare and Medicaid programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Ms. NORTON, Mr. GRIJALVA, Ms. TSONGAS, Mr. CONYERS, and Mr. VISCLOSKY):

H.R. 5010. A bill to amend the Fair Credit Reporting Act to require the inclusion of credit scores with free annual credit reports provided to consumers, and for other purposes; to the Committee on Financial Services.

By Mr. FLEMING:

H.R. 5011. A bill to designate the Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, as the ''Tom Stagg Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. GALLEGO (for himself, Mr. TED LIEU of California, Mr. SERRANO, and Mr. RANGEL):

H.R. 5012. A bill to amend the Immigration and Nationality Act to limit the grounds of deportability for certain alien members of the United States Armed Forces, and for other purposes; to the Committee on the Judiciary.

By Mr. MOOLENAAR (for himself, Mr. BENISHEK, Mr. BISHOP of Michigan, Mr. HUIZENGA of Michigan, Mr. TROTT, Mr. UPTON, and Mr. WALBERG):

H.R. 5013. A bill to provide assistance to communities for the emergency improvement of water systems, and other purposes; to the Committee on Agriculture.

By Mr. POCAN:

H.R. 5014. A bill to protect the legal production, purchase, and possession of marijuana by Indian tribes, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROUZER:

H.R. 5015. A bill to restore amounts improperly withheld for tax purposes from severance payments to individuals who retired or separated from service in the Armed Forces for combat-related injuries, and for other purposes; to the Committee on Armed Services, 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. SALMON:

H.R. 5016. A bill to amend the Higher Education Act of 1965 to require the Secretary of Education to provide student borrowers with instruction in general principles of financial literacy through its online counseling tool, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DESANTIS (for himself, Mr. SALMON, Mr. PETERS, Mr. BLUM, Mr. RATCLIFFE, Mr. POE of Texas, and Mr. YOHO):

H.J. Res. 89. A joint resolution proposing an amendment to the Constitution of the United States relating to the equal application to the Senators and Representatives of the laws that apply to all citizens of the United States; to the Committee on the Judiciary.

By Mr. TED LIEU of California (for himself and Mr. YOHO):

H.J. Res. 90. A joint resolution to provide limitations on the transfer of certain United States munitions from the United States to Saudi Arabia; to the Committee on Foreign Affairs.

By Mr. CÁRDENAS (for himself, Ms. DUCKWORTH, Mr. AGUILAR, Ms. BASS, Mrs. BEATTY, Mr. BECERRA, Mr. BERA, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CONNOLLY, Mr. COSTA, Mr. BEYER, Mr. CROWLEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DEGETTE, Mr. DESAULNIER, Mr. DEUTCH, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. FATTAH, Ms. FRANKEL of Florida, Ms. FUDGE, Ms. GABBARD, Mr. GALLEGO, Mr. GARAMENDI, Mr. GRAYSON, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS, Mr. HIMES, Mr. HINOJOSA, Mr. HONDA, Mr. HUFFMAN, Mr. ISRAEL, Ms. JACKSON LEE, Mr. TED LIEU of California, Mr. JEFFRIES, Ms. KELLY of Illinois, Mr. KENNEDY, Ms. KUSTER, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEVIN, Mr. LEWIS, Mr. LOWENTHAL, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCNERNEY, Ms. MENG, Mr. MOULTON, Mrs. NAPOLITANO, Mr. NEAL, Mr. O'ROURKE, Mr. PERLMUTTER, Mr. PETERS, Ms. PLASKETT, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Miss RICE of New York, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Mr. SHERMAN, Mr. SIRES, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mrs. TORRES, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VEASEY, Mr. VISCLOSKY, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Ms. ADAMS, Ms. WILSON of Florida, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MEEKS, Ms. TITUS, Mr. BEN RAY LUJÁN of New Mexico, and Ms. LOFGREN):

H. Res. 694. A resolution amending the Rules of the House of Representatives to require that a standing committee (or subcommittee thereof) hearing be held whenever there is a moment of silence in the House for a tragedy involving gun violence; to the Committee on Rules.

By Ms. LEE (for herself and Mr. CONYERS):

H. Res. 695. A resolution recognizing the 50th anniversary of the Vietnam War,; to the Committee on Foreign Affairs, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

202. The SPEAKER presented a memorial of the Senate of the State of Georgia, relative to Senate Resolution 924, urging the United States Congress to enact legislation for the purpose of enhancing hunting, fishing, recreational shooting, and other outdoor

recreational opportunities, as well as strengthen conservation efforts nationwide; which was referred to the Committee on Natural Resources.

203. Also, a memorial of the General Assembly of the State of Tennessee, relative to House Joint Resolution No. 70, urging the President and Congress to take immediate action to protect citizens and lawful residents from the consequences resulting from the uncontrolled influx of undocumented immigrants into this country; which was referred to the Committee on the Judiciary.

204. Also, a memorial of the Senate of the Commonwealth of Puerto Rico, relative to Senate Resolution 1371, condemning the structures and mechanisms being considered by the Committee on Natural Resources of the United States House of Representatives in its discussion draft entitled Puerto Rico Oversight, Management, and Economic Stability Act that are contrary to democratic processes and the rights of the People of Puerto Rico; which was referred jointly to the Committees on Natural Resources, the Judiciary, and Education and the Workforce.

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. LEVIN:

H.R. 4996.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mr. EMMER of Minnesota:

H.R. 4997.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WELCH:

H.R. 4998.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To. . .make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BEYER:

H.R. 4999.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution provides Congress the power to ''provide for the common Defence'' and ''to make Rules for the Government and Regulation of the land and naval forces''.

By Mr. GRAYSON:

H.R. 5000.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mrs. ELLMERS of North Carolina:

H.R. 5001.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. KELLY of Pennsylvania:

H.R. 5002.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I Section 8 of the United States Constitution.

By Mr. ROKITA:

H.R. 5003.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. WEBER of Texas:

H.R. 5004.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article I, Section 8, Clause 1

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. BLUMENAUER:

H.R. 5005.

Congress has the power to enact this legislation pursuant to the following:

US Constitution Article I

By Ms. FRANKEL of Florida:

H.R. 5006.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the Constitution

By Mr. REICHERT:

H.R. 5007.

Congress has the power to enact this legislation pursuant to the following:

''Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. MACARTHUR:

H.R. 5008.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. BOUSTANY:

H.R. 5009.

Congress has the power to enact this legislation pursuant to the following:

(a) Article I, Section 1, to exercise the legislative powers vested in Congress as granted in the Constitution; and

(b) Article I, Section 8, Clause 18, which gives Congress the authority ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof;

By Mr. COHEN:

H.R. 5010.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 (relating to the power to regulate foreign and interstate commerce) of the United States Constitution.

By Mr. FLEMING:

H.R. 5011.

Congress has the power to enact this legislation pursuant to the following:

Article III, Section 1, which gives Congress the authority to ''ordain and establish'' courts inferior to the Supreme Court.

By Mr. GALLEGO:

H.R. 5012.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. MOOLENAAR:

H.R. 5013.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. POCAN:

H.R. 5014.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. ROUZER:

H.R. 5015.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debt 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. SALMON:

H.R. 5016.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. DESANTIS:

H.J. Res. 89.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. TED LIEU of California:

H.J. Res. 90.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I, Section I, which includes an implied power for the Congress to regulate the conduct of the United States with respect to foreign affairs; and U.S. Constitution, Article I, Section 8, which authorizes the Congress to: (1) ''provide for the common Defence and general Welfare of the United States,'' and (2) ''make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 194: Mr. RYAN of Ohio, Mr. CAPUANO, Mr. WESTERMAN, Mr. BYRNE, Mr. MCCLINTOCK, Mr. LAHOOD, Mr. FRANKS of Arizona, Mr. ROSKAM, Mr. WALKER, Mr. LAMBORN, Mr. ROE of Tennessee, Mr. LAMALFA, Mr. KELLY of Mississippi, Mr. FLEISCHMANN, Mr. LUETKEMEYER, Mr. THOMPSON of Pennsylvania, and Mr. PEARCE.

H.R. 403: Mr. PERLMUTTER.

H.R. 446: Mr. HONDA and Mr. TED LIEU of California.

H.R. 509: Ms. BROWNLEY of California.

H.R. 556: Mr. KENNEDY.

H.R. 634: Mr. PERLMUTTER.

H.R. 635: Mr. PERLMUTTER.

H.R. 664: Mr. BROOKS of Alabama and Mr. ABRAHAM.

H.R. 729: Mr. SCHIFF.
H.R. 923: Mr. TIPTON.
H.R. 953: Mr. ROTHFUS.
H.R. 969: Ms. CASTOR of Florida, Mr. MICA, and Mr. LAHOOD.
H.R. 1150: Mr. SHERMAN.
H.R. 1197: Mr. NADLER.
H.R. 1211: Ms. MENG.
H.R. 1218: Mr. KNIGHT, Mr. FITZPATRICK, Mr. CLAY, and Mr. POLIS.
H.R. 1220: Mr. QUIGLEY.
H.R. 1221: Mrs. TORRES.
H.R. 1247: Ms. MENG.
H.R. 1256: Mr. SMITH of Missouri.
H.R. 1312: Mr. FATTAH.
H.R. 1336: Ms. LEE, Mr. PAULSEN, and Ms. KUSTER.
H.R. 1343: Ms. CLARKE of New York.
H.R. 1356: Mr. CARNEY.
H.R. 1538: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1594: Ms. SCHAKOWSKY, Mr. LAMBORN, and Mr. DELANEY.
H.R. 1603: Mr. JOYCE.
H.R. 1610: Mr. SABLAN.
H.R. 1655: Mr. HONDA.
H.R. 1688: Mr. DUFFY, Mr. THOMPSON of Mississippi, Mr. MICA, Mr. FATTAH, Mr. GARAMENDI, and Ms. CLARKE of New York.
H.R. 1706: Mrs. CAPPS.
H.R. 1718: Mr. WOMACK, Mr. LOUDERMILK, Mr. FITZPATRICK, Mr. GRAYSON, Ms. JENKINS of Kansas, Mr. SHUSTER, and Mr. ASHFORD.
H.R. 1733: Mr. DANNY K. DAVIS of Illinois and Ms. EDWARDS.
H.R. 1779: Mr. KINZINGER of Illinois and Mrs. DINGELL.
H.R. 1818: Mr. YODER, Mr. SMITH of Texas, and Mr. DESJARLAIS.
H.R. 1961: Ms. MENG.
H.R. 2035: Mr. THOMPSON of Mississippi.
H.R. 2255: Mr. BRAT and Mr. WOMACK.
H.R. 2622: Mrs. CAPPS and Mr. YODER.
H.R. 2698: Mr. SHUSTER.
H.R. 2759: Mr. DONOVAN, Ms. STEFANIK, and Mr. CICILLINE.
H.R. 2866: Ms. SCHAKOWSKY.
H.R. 2889: Ms. NORTON and Mr. CUMMINGS.
H.R. 2894: Mr. MCGOVERN.
H.R. 2901: Mr. HECK of Washington and Mr. VARGAS.
H.R. 2903: Mr. PAYNE.
H.R. 2911: Mr. POMPEO and Mr. FITZPATRICK.
H.R. 2920: Ms. LOFGREN.
H.R. 2992: Ms. ADAMS, Ms. BROWN of Florida, Mr. CAPUANO, Ms. JUDY CHU of California, Ms. FRANKEL of Florida, Mr. HINOJOSA, Mr. KILDEE, Ms. MATSUI, Mr. MEEKS, Mr. NADLER, Mr. SERRANO, and Mr. HECK of Washington.
H.R. 2993: Mr. DESAULNIER.
H.R. 3222: Mr. RUSSELL and Mr. BABIN.
H.R. 3223: Mr. LIPINSKI and Ms. SCHAKOWSKY.
H.R. 3237: Ms. LEE and Mr. TAKAI.
H.R. 3294: Mr. TIPTON.
H.R. 3308: Ms. SEWELL of Alabama and Ms. PLASKETT.
H.R. 3323: Mr. SESSIONS.
H.R. 3326: Mr. CAPUANO, Mr. GUTIÉRREZ, Mr. MCCAUL, and Mr. FLORES.
H.R. 3351: Mr. SWALWELL of California.
H.R. 3355: Mrs. KIRKPATRICK.
H.R. 3406: Mr. SARBANES.
H.R. 3520: Mr. VAN HOLLEN and Mr. LANGEVIN.
H.R. 3533: Mr. POLIS.
H.R. 3546: Ms. LEE and Mr. TIPTON.
H.R. 3623: Mr. MACARTHUR.
H.R. 3632: Mr. PETERS and Mr. POLIS.
H.R. 3688: Mr. POE of Texas.
H.R. 3691: Mr. COHEN.
H.R. 3706: Mr. SIRES and Mr. ISRAEL.
H.R. 3815: Mr. SIRES, Mr. BUCHANAN, and Mr. LANCE.
H.R. 3832: Mr. KELLY of Pennsylvania.
H.R. 3861: Mr. PETERS.
H.R. 3865: Mrs. BLACK.
H.R. 3880: Mr. HARPER.
H.R. 3892: Mr. HUDSON, Mr. GENE GREEN of Texas, and Mr. WESTERMAN.
H.R. 3929: Ms. ESHOO.
H.R. 3982: Mr. HARRIS.
H.R. 4016: Mr. MARCHANT.
H.R. 4137: Mr. HARPER, Mr. CONYERS, and Ms. LEE.
H.R. 4219: Mr. BRAT and Mr. COSTELLO of Pennsylvania.
H.R. 4251: Mr. TAKAI.
H.R. 4309: Ms. PLASKETT.
H.R. 4320: Mr. DONOVAN.
H.R. 4365: Mr. DUNCAN of Tennessee, Mr. GRAVES of Missouri, Mr. YODER, Mr. LUETKEMEYER, Mr. DESJARLAIS, and Mr. MULLIN.
H.R. 4447: Mr. YARMUTH and Mr. MCGOVERN.
H.R. 4448: Mr. POSEY.
H.R. 4479: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. DOGGETT, Mr. NOLAN, Mr. VAN HOLLEN, Ms. KELLY of Illinois, Ms. EDWARDS, Mr. BLUMENAUER, Mrs. BUSTOS, Mr. CARSON of Indiana, Ms. KUSTER, Ms. SEWELL of Alabama, Mr. TAKANO, Ms. BROWN of Florida, Mr. LOWENTHAL, Mr. VARGAS, Mr. TAKAI, Ms. ADAMS, Mr. KENNEDY, Mr. CASTRO of Texas, Ms. GABBARD, Ms. MCCOLLUM, Mr. BEYER, Mr. GALLEGO, Mr. RUSH, and Mr. THOMPSON of California.
H.R. 4488: Mrs. TORRES.
H.R. 4561: Mr. SHERMAN.
H.R. 4562: Mr. SHERMAN.
H.R. 4592: Mr. DANNY K. DAVIS of Illinois and Mr. HIGGINS.
H.R. 4614: Mr. WITTMAN and Mr. JONES.
H.R. 4615: Mr. GRIJALVA, Mr. MCNERNEY, Ms. MATSUI, Mr. CARTWRIGHT, and Mr. GARAMENDI.
H.R. 4625: Ms. NORTON, Ms. EDWARDS, and Ms. JACKSON LEE.
H.R. 4626: Mr. GIBSON, Mr. ZELDIN, Mr. HANNA, and Mr. BISHOP of Georgia.
H.R. 4640: Mr. LOWENTHAL.
H.R. 4656: Ms. MOORE.
H.R. 4665: Mr. POLIS and Mr. PAULSEN.
H.R. 4667: Ms. BROWN of Florida, Mr. DOGGETT, and Mr. JONES.
H.R. 4668: Mr. HASTINGS.
H.R. 4683: Mr. DOLD and Mr. O'ROURKE.
H.R. 4684: Mr. KING of New York.
H.R. 4694: Mr. GARAMENDI.
H.R. 4697: Mr. COURTNEY.
H.R. 4700: Miss RICE of New York.
H.R. 4715: Mr. SMITH of Nebraska, Mrs. ELLMERS of North Carolina, Mr. ROHRABACHER, and Mr. WESTMORELAND.
H.R. 4732: Mr. HECK of Nevada.
H.R. 4740: Mr. GRIJALVA.
H.R. 4768: Mr. TOM PRICE of Georgia.
H.R. 4769: Mr. BURGESS.
H.R. 4773: Mr. CARTER of Georgia, Mr. MASSIE, Mr. YOUNG of Iowa, Mr. POE of Texas, Mr. CALVERT, Mrs. ELLMERS of North Carolina, Mr. ROGERS of Kentucky, Mr. WEBSTER of Florida, Mr. SAM JOHNSON of Texas, Mr. TIPTON, Mr. LABRADOR, and Mr. YODER.
H.R. 4775: Mrs. LOVE, Mr. FARENTHOLD, and Mr. HARPER.
H.R. 4798: Mr. COHEN, Mr. VELA, and Mr. PERLMUTTER.
H.R. 4803: Ms. MCCOLLUM.
H.R. 4816: Mr. KELLY of Mississippi, Mr. WALZ, and Mr. SMITH of Texas.
H.R. 4843: Mr. BUCSHON and Mr. KILMER.
H.R. 4893: Mr. MARCHANT and Mr. HUIZENGA of Michigan.
H.R. 4905: Mr. TAKANO.
H.R. 4923: Mr. CURBELO of Florida, Mr. DENT, Mr. LUETKEMEYER, Mr. HOLDING, Mr. BISHOP of Michigan, Mr. EMMER of Minnesota, Mr. MESSER, Mr. RODNEY DAVIS of Illinois, Mrs. NOEM, Mr. KING of New York, Ms. ADAMS, Mr. KIND, Ms. BROWNLEY of California, Mr. LEWIS, Mr. THOMPSON of California, Mr. JOHNSON of Georgia, Mr. POLIS, Mr. GARAMENDI, and Mr. BOUSTANY.
H.R. 4963: Mr. GRIJALVA.
H.R. 4969: Mr. COSTELLO of Pennsylvania, Mr. RYAN of Ohio, and Mr. ROGERS of Kentucky.
H.R. 4978: Mrs. BLACK.
H.R. 4986: Ms. MATSUI.
H.R. 4989: Mr. DOLD.
H.R. 4991: Mr. O'ROURKE.
H.R. 4992: Ms. ROS-LEHTINEN.
H.J. Res. 88: Mr. JOLLY, Mr. COLLINS of New York, Mr. GUINTA, Mr. SESSIONS, Mrs. MIMI WALTERS of California, Mr. MULLIN, Mr. WILSON of South Carolina, Mr. HILL, Ms. JENKINS of Kansas, Mr. BYRNE, Ms. FOXX, Mr. ROKITA, Mr. MESSER, and Mr. KLINE.
H. Con. Res. 39: Mr. AGUILAR.
H. Con. Res. 97: Mr. BRADY of Pennsylvania, Mr. ROGERS of Alabama, Mr. ROHRABACHER, and Mrs. LUMMIS.
H. Con. Res. 100: Mr. MCCAUL, Mr. ISSA, Mr. ROE of Tennessee, Mr. LAMALFA, Mr. FRANKS of Arizona, and Mr. NEWHOUSE.
H. Con. Res. 112: Mr. SAM JOHNSON of Texas and Mrs. NOEM.
H. Res. 290: Mr. FITZPATRICK.
H. Res. 313: Mrs. MILLER of Michigan.
H. Res. 360: Ms. MENG, Mr. CARTWRIGHT, and Miss RICE of New York.
H. Res. 494: Mr. EMMER of Minnesota.
H. Res. 540: Mr. POLIS.
H. Res. 569: Mr. ENGEL.
H. Res. 582: Mr. YOUNG of Alaska.
H. Res. 590: Mr. ISRAEL.
H. Res. 647: Mr. CURBELO of Florida and Mr. BYRNE.
H. Res. 675: Mr. VISCLOSKY, Mr. BISHOP of Michigan, Mr. MACARTHUR, and Mr. JOYCE.

PETITIONS, ETC.

Under clause 3 of rule XII,

57. The SPEAKER presented a petition of the St. Charles Parish Council, relative to Resolution No. 6216, urging the Federal Congressional Committees to include local and state stakeholders in the process of drafting legislation to craft an affordable and sustainable reauthorization of the National Flood Insurance Program; which was referred to the Committee on Financial Services.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162 WASHINGTON, WEDNESDAY, APRIL 20, 2016 No. 61

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.

Eternal God, Your works are great and marvelous. We praise You for the gift of this day and rededicate ourselves to serve our Nation in a way that honors You.

Lord, we confess that too often we bring You the leftovers of our time, talents, and trust, but empower us to offer You nothing less than our best.

Bless our Senators. Give them the compassion, courage, and wisdom that our times demand. Use them to touch our Nation and world in a way that will enable Your will to be done. Dwell in us all and make us productive for the betterment of humanity.

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. PAUL). The majority leader is recognized.

FAA REAUTHORIZATION BILL

Mr. MCCONNELL. Mr. President, under a new majority the Senate is getting back to work, and progress is being made on behalf of the American people. We saw another example of that yesterday when we passed the most pro-passenger, pro-security FAA reauthorization in years.

It is the product of dedicated work from Senator THUNE, Senator AYOTTE, and their ranking member counterparts, Senators NELSON and CANTWELL. These Senators ensured that Republicans and Democrats both had a say on this bill, and we ultimately arrived at balanced legislation that passed by a very strong bipartisan majority.

It takes important strides to bolster national security against the threat of terrorism, it contains provisions to help frustrated passengers, and it won't levy a nickel in new taxes or fees on passengers or impose the kind of overregulation that can take away their choice or threaten service.

As the Washington Post reminded us, this is ''the second major transportation bill approved by the Senate within five months.''

So whether it is providing long-term solutions for highway funding, permanent tax relief for families and small businesses, or commonsense reforms for airline passengers and airport security, this much is clear: The Republican-led Senate is working to address issues that affect our constituents on a daily basis.

ENERGY POLICY MODERNIZATION BILL

Mr. MCCONNELL. Now, Mr. President, passing the FAA reauthorization bill isn't the only legislative milestone we will mark this week. Today we will pass, as the New York Times put it, ''the first major energy bill to come to the Senate floor since the Bush administration,'' the passage of which, as the paper has also noted, would represent a significant step forward for the Nation's energy policy.

It has been nearly a decade since the Senate last debated major energy legislation and much has changed in that time. That is why Senator MURKOWSKI, the Energy Committee chair, and Senator CANTWELL, the ranking member, worked for the past year to move broad bipartisan energy legislation, the Energy Policy Modernization Act.

Like the FAA reauthorization bill I mentioned earlier, this bill won't raise taxes on American families, but it can help them by making energy more affordable and more abundant, by building on technological advances and bolstering national security, and by growing the economy and furthering innovation. In short, the bill before us takes a comprehensive approach to bring America's energy policies in line with the kind of challenges and opportunities we now face.

The bill managers worked ceaselessly to see this bill through to final passage. Now, following the passage of the most pro-passenger, pro-security FAA reauthorization in years, the Republican-led Senate will today pass the first major Energy bill in nearly a decade. It is broad, it is bipartisan, and it is just the kind of legislation we are seeing a lot of in a Republican-led Senate that continues to show what is possible with good ideas and good old hard work.

THE APPROPRIATIONS PROCESS

Mr. MCCONNELL. Finally, Mr. President, on the topic of hard work. The reason the Republican-led Senate has been able to pass so much good legislation over the past year is because we resolved to put this Chamber back to work.

That started with the committees. We have seen what is possible in the Commerce Committee; just look at the FAA bill. We have seen what is possible in the Energy Committee; just look at the Energy bill. But we are also seeing what is possible in many other committees, such as Appropriations.

Last year, the committee passed all 12 of the bills that fund the government. Passing all of those bills through committee used to be fairly routine, yet it hadn't happened in years by the time the new majority took over. We

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

changed that last year. We resolved to do even more this year.

The committee has again gotten the appropriations process off to a strong start, and we would now like to pass as many of the funding bills as possible on the Senate floor. Getting this done will require cooperation from across the aisle.

Our Democratic friends recently wrote a letter pledging cooperation in the appropriations process. ''This is a win-win opportunity,'' they said, and ''we should seize it together.''

With the appropriate cooperation, we will, and we are.

The Appropriations Committee has already conducted more than 40 hearings since January. Tomorrow they will mark up two more funding bills, which follows their action last week to pass two others on a bipartisan and unanimous basis.

We are about to consider one of those funding bills out here on the floor. The Energy and Water appropriations bill is thoughtful, bipartisan legislation that will ensure a fiscally responsible approach to a variety of issues—things such as national security, energy innovation, waterways, and economic development.

I look forward to talking more about it tomorrow, and I would like to thank Senator ALEXANDER and Senator FEINSTEIN for their many hours of hard work on that bill. I would also like to recognize Chairman COCHRAN for everything he has done with Ranking Member MIKULSKI to get the appropriations process moving forward.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

ENERGY AND FAA BILLS

Mr. REID. Mr. President, I am happy to be here and have the Republican leader talk about the things he has been able to accomplish, but I would note—just to make sure the record is clear—the reason these things are happening is because we have a minority that is willing to work with the majority.

The record should also be corrected to the effect that we have had over the last 7½ years lots of debates on energy—lots of them. The problem is that they have gone no place because of the obstruction of my Republican colleagues, with filibuster after filibuster on the bill that we are going to soon dispose of.

I am glad. It is a really important piece of legislation. It was worked on for 5 years, led by Senator SHAHEEN, but it is really difficult to determine how many different times it was stopped because of obstruction—seven or eight times, that I can come up with. So we are glad to be able to get it done. Why? Because we wanted to get it done for years, and finally we are able to get it done.

So we want to be here and work with the Republican leader and friends on the other side of the aisle to get things done. That is why we have been no obstacle to the FAA bill. It is too bad it is such a narrow version of what we wanted to do, but the Republican leader said we will finish the things that we wanted to do to deal with section 48(c) before the end of the year.

APPROPRIATIONS BILLS

Mr. REID. Also, Mr. President, as to the appropriations bills, I was a longtime member of the Appropriations Committee, and I am glad we are moving forward on the appropriations bills. Why didn't we do it before? Because we had objections from the Republicans, and we couldn't. But we are going to be as cooperative as we can and see if we can move some of these appropriations bills. I am happy to have the Republican leader talk about the accomplishments, but make sure there is a side note or a footnote that says this has been accomplished because of our cooperation.

NOMINATION OF MERRICK GARLAND

Mr. REID. Mr. President, my friend also talked about the accomplishments of the various committees. My caucus knows how much I believe in the committee system. I think it is very important that committees work well. We know one committee that is not working well, led by the senior Senator from Iowa.

The senior Senator from Iowa claims that he feels no pressure over blocking President Obama's Supreme Court nominee, Merrick Garland. If that is really true, Senator GRASSLEY must not read the papers from Iowa. To date, there have been two dozen Iowa editorials condemning Senator GRASSLEY's refusal to consider President Obama's Supreme Court nominee, and there are many more letters to the editor. This is only Iowa. Around the country there have been scores and scores of editorials talking about how wrong it is that the Judiciary Committee is taking a vacation.

In Iowa there was a column published in the Des Moines Register over the weekend that was especially discerning. It was authored by veteran Iowa political journalist Kathie Obradovich. This is what she wrote:

> Senator Grassley keeps offering new reasons for refusing to give Judge Merrick Garland a hearing and a vote on his appointment to the U.S. Supreme Court. He may as well keep trying, as the explanations he's given so far for waiting until after the next presidential election are mostly nonsense.

I am only going to mention a few of the excuses that the senior Senator from Iowa has invented in an effort to avoid his job.

Senator GRASSLEY won't consider Merrick Garland because he says he wants the American people to have a voice. The Senator either is ignoring or forgetting or doesn't know that the American people and fellow Iowans used their voice twice when they elected and re-elected—both times overwhelmingly—President Obama. They gave President Obama the right to nominate individuals to the Supreme Court as well as all the other obligations a President has.

Secondly, Senator GRASSLEY won't consider Merrick Garland because he said he wants a Justice who abides by the law. Try that one on. If the senior Senator from Iowa wants a Justice who abides by precedent and sticks to the law, he need look no further than Merrick Garland, who has developed a reputation on the bench for respecting precedent. People who served with him—so-called liberal, conservative, and moderate judges—all agree that Merrick Garland is good. In fact, maybe there is somebody who can't stand him, but we haven't heard a peep from anybody saying what a bad judge he is—not from anyone.

Senator GRASSLEY says he won't consider Merrick Garland for a third reason, because the Supreme Court only needs eight Supreme Court Justices. The Supreme Court needs all nine. Yesterday they deadlocked on another question, and it appears that the chairman of the Judiciary Committee is willing to gridlock our Nation's highest Court just to keep Merrick Garland from being confirmed.

That decision yesterday is a bad decision because what it does is to keep in place a lower court ruling that most all academics and people who follow the law believe is wrong. It allowed the State of California standing to sue another State—basically, the State of Nevada. Under their ruling, we are now going to have a free-for-all in the States suing each other. From the time we have been a country, that didn't take place. There was order in interstate commerce.

Well, the fourth reason Senator GRASSLEY gives is that it is all Chief Justice Roberts' fault. The very person who is blocking the Supreme Court nominee is accusing the Chief Justice of making the Court political.

Finally—there are others, but this is enough for this morning—the senior Senator from Iowa says he is just doing what Chairman Biden said 20 years ago. Well, I would suggest—and I am sure his staff has done this, if he hasn't—to look at what Vice President BIDEN did, not a partial part of a speech that he gave, because if you looked at that, he was exemplary. He brought judges to the Senate floor. He even brought nominees to the floor who had been turned down by the committee because, as he said yesterday and he has said before: I believe we have an obligation for advice and consent that is not completed until it is brought to the floor.

So Senator GRASSLEY should follow JOE BIDEN's example and process more than part of a speech he gave. None of

these examples makes sense, as the columnist from Iowa said, but yesterday the Judiciary Committee chair came up with another one. Listen to this one. This is classic. Senator GRASSLEY said he will not consider Merrick Garland's nomination because the hearing would be a waste of taxpayer dollars.

> Well, we could have a hearing, we aren't going to have a hearing, but let's just suppose we did have a hearing. . . . So you have a hearing and you spend a lot of taxpayers' money gearing up for it, you spend a lot of time of members, a lot of research that has to be done by staff.

That is kind of a strange comment. Staff is not paid by the hour. They are paid each day. I would hope they could squeeze into their busy schedules enough time to look at a Supreme Court nominee. Offering our advice and consent on the Supreme Court nomination is what the taxpayers want us to do. Look at polls all over America. That is our job.

I find it ridiculous—there is probably a better description—but I find it ridiculous that the very Senator who continues to use the Judiciary Committee to wage a political war on former Secretary Hillary Clinton dares to claim he is trying to save taxpayer dollars. Where is he, where is his concern for misusing taxpayer funds while his committee continues to waste millions of dollars on partisan opposition research of a Presidential candidate? That is not their job.

Where was the penny-pinching when the Judiciary Committee used Senate funds and Senate staff to investigate former Clinton staffers; for example, asking for maternity leave records—maternity leave records—time sheets, anything they could to try to embarrass Secretary Clinton.

Where is Senator GRASSLEY's focus on government waste while the so-called Benghazi Select Committee continues to spend millions and millions of dollars on a political hit job with no end in sight? Every day the Judiciary Committee has a new excuse, a new justification for why it will not do its job. I think we all have news for the Senator from Iowa: No one is buying it.

They are not buying it in Iowa. They are not buying it in Nevada. They are not buying it in New York. They are not buying it in Kentucky. They are not buying it anyplace. The American people are not buying it. His own constituents are leading the pack of people who are not buying this. His behavior reminds me of a Henry Wadsworth Longfellow poem: ''It takes less time to do the right thing than it does to explain why you did it wrong.''

So the senior Senator from Iowa has spent months trying to explain away the obstruction of a Supreme Court nominee. Wouldn't it be easier to give him a hearing and a vote? Wouldn't it be easier for him to just do his job? Wouldn't it be the right thing to do to just do his job?

Mr. President, I ask the Chair to announce to everyone what the Senate is going to do the rest of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

ENERGY POLICY MODERNIZATION ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2012, which the clerk will report.

The senior assistant legislative clerk read as follows:

> A bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 10 a.m. will be equally divided between the two leaders or their designees.

Who yields time?

If no one yields time, time will be discharged equally to both sides.

The Senator from Washington.

Ms. CANTWELL. Mr. President, we are about to vote on the Energy Modernization Act of 2016. I know my colleague, the chairwoman of the committee from Alaska, will probably like to close debate. So I would like to a take a few minutes before that vote this morning to again thank all of our colleagues for their diligent consideration of this legislation.

We will be passing the first Energy bill since 2007. This Energy bill will be the first one in 9 years. It is a modernization of our energy system that is so desperately needed because it focuses on cleaner, more efficient, more renewable sources of energy that is more cost-effective for the consumer. It does this by modernizing the grid, making investments in advanced storage technology, smart buildings, composite materials, and vehicle batteries. It improves cyber security and helps plan for the workforce we need for tomorrow.

I urge my colleagues to make sure this legislation passes. I want to say that yesterday, we substantially improved this legislation—particularly with the inclusion of both the public lands package that includes the Yakima River Basin Bill from the State of Washington; as well as the bipartisan SAVE Act—which will help homeowners recognize the investments they make in energy efficiency so they can benefit from it when they are ready to sell their homes.

I think yesterday's efforts helped improve this legislation, but all of this would not be possible without the staff and the support of so many people. I thank Angela Becker-Dippman, Sam Fowler, David Brooks, Rebecca Bonner, Rosemarie Calabro Tully, John Davis, Benjamin Drake, David Gillers, Rich Glick, Spencer Gray, Sa'Rah Hamm, Aisha Johnson, Faye Matthews, Scott McKee, Casey Neal, Bryan Petit, David Poyer, Betsy Rosenblatt, Sam Siegler, Bradley Sinkaus, Carolyn Sloan, Rory Stanley, Melanie Stansbury, Al Stayman, Nick Sutter, Stephanie Teich-McGoldrick, Brie Van Cleve, and of course I thank Colin Hayes and Karen Billups from the majority staff who have worked so hard on this legislation as well.

As I said, the improvements we are making in this bill help us reach the goals that have been outlined in the Quadrennial Energy Review. Department of Energy Secretary Ernest Moniz helped us on this legislation, clearly calling for the type of 21st century energy infrastructure investments that will help our country remain economically competitive in the future. It also will help us train the 1.5 million new workers we will need, over the next 15 years.

I should say, one of the provisions we were so happy to defeat amendments on yesterday was preserving the Land and Water Conservation Fund. The Land and Water Conservation Fund is one of the preeminent programs in our country for preserving open space at a time when our country continues to develop. It has been a program that has nurtured that very important need for all of us to be outdoors, and it has also helped to build an outdoor economy.

So we are saying to the American public this is a program we believe should be made permanent, particularly after last September's lapse and successfully renewing it for just a couple of years. It is time to say the Land and Water Conservation Fund, a program that has been around since the 1960s, should be made permanent.

I thank everyone again for their work on this legislation. I hope we get a resounding vote out of the Senate and a quick conference with the House of Representatives so we can plan for America's energy future in a more effective, streamlined way, and we can then realize the opportunity to help our businesses and consumers plan for the energy future.

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. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, in the very short time we have before the vote is called, I have just a few comments this morning. We have completed our work on a bill that includes more than 350 amendments that were filed to this broad, bipartisan bill. We have accepted a total now of 65 of those amendments.

This bill contains priorities from over 80 Members of this body. Not everything has been smooth. I think we recognize that. I think this bill has shown that the Senate does work, the Senate can work cooperatively, that they can work toward a bipartisan product that will produce long-lasting

benefits for the people who have sent us here to serve them.

Our next step, our last step, is obtaining final passage. I would strongly encourage all of our colleagues to vote aye this morning. There are plenty of reasons to do that. I will repeat what I said yesterday: Our bill will help America produce more energy. It will help Americans save more energy. It will protect our mineral security and our manufacturers. It will boost innovation, leading to new technologies and new jobs. It will increase America's influence on the world stage, allowing us to finally become that global energy superpower and enjoy the benefits that come with it.

This is a good bill. This is an important bill for our country. I thank our colleagues who have worked with us to get to this point. I urge my colleagues to support the Energy Policy Modernization Act and vote for this bill.

The PRESIDING OFFICER. The Senator's 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. MURKOWSKI. Mr. President, 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 senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. CARPER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. COTTON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 12, as follows:

[Rollcall Vote No. 54 Leg.]

YEAS—85

Alexander	Ernst	McConnell
Ayotte	Feinstein	Menendez
Baldwin	Fischer	Merkley
Barrasso	Flake	Mikulski
Bennet	Franken	Moran
Blumenthal	Gardner	Murkowski
Blunt	Gillibrand	Murphy
Booker	Graham	Murray
Boxer	Grassley	Nelson
Brown	Hatch	Peters
Burr	Heinrich	Portman
Cantwell	Heitkamp	Reed
Capito	Heller	Reid
Cardin	Hirono	Risch
Casey	Hoeven	Roberts
Cassidy	Inhofe	Rounds
Coats	Isakson	Schatz
Cochran	Johnson	Schumer
Collins	Kaine	Shaheen
Coons	King	Stabenow
Corker	Kirk	Sullivan
Cornyn	Klobuchar	Tester
Crapo	Leahy	Thune
Daines	Manchin	Tillis
Donnelly	Markey	Udall
Durbin	McCain	
Enzi	McCaskill	
Vitter	Warren	Wicker
Warner	Whitehouse	Wyden

NAYS—12

Boozman	Paul	Scott
Cotton	Perdue	Sessions
Lankford	Rubio	Shelby
Lee	Sasse	Toomey

NOT VOTING—3

Carper	Cruz	Sanders

The bill (S. 2012), as amended, was passed as follows:

S.2012

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 ''Energy Policy Modernization 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. Definitions.

TITLE I—EFFICIENCY

Subtitle A—Buildings

Sec. 1001. Greater energy efficiency in building codes.
Sec. 1002. Budget-neutral demonstration program for energy and water conservation improvements at multifamily residential units.
Sec. 1003. Coordination of energy retrofitting assistance for schools.
Sec. 1004. Energy efficiency materials pilot program.
Sec. 1005. Utility energy service contracts.
Sec. 1006. Use of energy and water efficiency measures in Federal buildings.
Sec. 1007. Building training and assessment centers.
Sec. 1008. Career skills training.
Sec. 1009. Energy-efficient and energy-saving information technologies.
Sec. 1010. Availability of funds for design updates.
Sec. 1011. Energy efficient data centers.
Sec. 1012. Weatherization Assistance Program.
Sec. 1013. Reauthorization of State energy program.
Sec. 1014. Smart building acceleration.
Sec. 1015. Repeal of fossil phase-out.
Sec. 1016. Federal building energy efficiency performance standards.
Sec. 1017. Codification of Executive Order.
Sec. 1018. Certification for green buildings.
Sec. 1019. High performance green federal buildings.
Sec. 1020. Evaluation of potentially duplicative green building programs.
Sec. 1021. Study and report on energy savings benefits of operational efficiency programs and services.
Sec. 1022. Use of Federal disaster relief and emergency assistance for energy-efficient products and structures.
Sec. 1023. Watersense.

Subtitle B—Appliances

Sec. 1101. Extended product system rebate program.
Sec. 1102. Energy efficient transformer rebate program.
Sec. 1103. Standards for certain furnaces.
Sec. 1104. Third-party certification under Energy Star program.
Sec. 1105. Energy conservation standards for commercial refrigeration equipment.
Sec. 1106. Voluntary verification programs for air conditioning, furnace, boiler, heat pump, and water heater products.
Sec. 1107. Application of energy conservation standards to certain external power supplies.

Subtitle C—Manufacturing

Sec. 1201. Manufacturing energy efficiency.
Sec. 1202. Leveraging existing Federal agency programs to assist small and medium manufacturers.
Sec. 1203. Leveraging smart manufacturing infrastructure at National Laboratories.

Subtitle D—Vehicles

Sec. 1301. Short title.
Sec. 1302. Objectives.
Sec. 1303. Coordination and nonduplication.
Sec. 1304. Authorization of appropriations.
Sec. 1305. Reporting.

PART I—VEHICLE RESEARCH AND DEVELOPMENT

Sec. 1306. Program.
Sec. 1307. Manufacturing.

PART II—MEDIUM- AND HEAVY-DUTY COMMERCIAL AND TRANSIT VEHICLES

Sec. 1308. Program.
Sec. 1309. Class 8 truck and trailer systems demonstration.
Sec. 1310. Technology testing and metrics.
Sec. 1311. Nonroad systems pilot program.

PART III—ADMINISTRATION

Sec. 1312. Repeal of existing authorities.
Sec. 1313. Reauthorization of diesel emissions reduction program.
Sec. 1314. Gaseous fuel dual fueled automobiles.

Subtitle E—Short Title

Sec. 1401. Short title.

Subtitle F—Housing

Sec. 1501. Definitions.
Sec. 1502. Enhanced energy efficiency underwriting criteria.
Sec. 1503. Enhanced energy efficiency underwriting valuation guidelines.
Sec. 1504. Monitoring.
Sec. 1505. Rulemaking.
Sec. 1506. Additional study.

TITLE II—INFRASTRUCTURE

Subtitle A—Cybersecurity

Sec. 2001. Cybersecurity threats.
Sec. 2002. Enhanced grid security.

Subtitle B—Strategic Petroleum Reserve

Sec. 2101. Strategic Petroleum Reserve modernization.
Sec. 2102. Strategic petroleum reserve drawdown and sale.

Subtitle C—Trade

Sec. 2201. Action on applications to export liquefied natural gas.
Sec. 2202. Public disclosure of liquefied natural gas export destinations.
Sec. 2203. Energy data collaboration.

Subtitle D—Electricity and Energy Storage

Sec. 2301. Grid storage program.
Sec. 2302. Electric system grid architecture, scenario development, and modeling.
Sec. 2303. Hybrid micro-grid systems for isolated and resilient communities.
Sec. 2304. Voluntary model pathways.
Sec. 2305. Performance metrics for electricity infrastructure providers.
Sec. 2306. State and regional electricity distribution planning.
Sec. 2307. Authorization of appropriations.
Sec. 2308. Electric transmission infrastructure permitting.
Sec. 2309. Report by transmission organizations on distributed energy resources and micro-grid systems.
Sec. 2310. Net metering study guidance.
Sec. 2311. Model guidance for combined heat and power systems and waste heat to power systems.

Subtitle E—Computing

Sec. 2401. Exascale computer research program.

TITLE III—SUPPLY

Subtitle A—Renewables

PART I—HYDROELECTRIC

Sec. 3001. Hydropower regulatory improvements.
Sec. 3002. Hydroelectric production incentives and efficiency improvements.
Sec. 3003. Extension of time for a Federal Energy Regulatory Commission project involving Clark Canyon Dam.
Sec. 3004. Extension of time for a Federal Energy Regulatory Commission project involving Gibson Dam.

PART II—GEOTHERMAL

SUBPART A—GEOTHERMAL ENERGY

Sec. 3005. National goals for production and site identification.
Sec. 3006. Priority areas for development on Federal land.
Sec. 3007. Facilitation of coproduction of geothermal energy on oil and gas leases.
Sec. 3008. Noncompetitive leasing of adjoining areas for development of geothermal resources.
Sec. 3009. Report to Congress.
Sec. 3010. Authorization of appropriations.

SUBPART B—DEVELOPMENT OF GEOTHERMAL, SOLAR, AND WIND ENERGY ON PUBLIC LAND

Sec. 3011. Definitions.
Sec. 3011A. Land use planning; supplements to programmatic environmental impact statements.
Sec. 3011B. Environmental review on covered land.
Sec. 3011C. Program to improve renewable energy project permit coordination.
Sec. 3011D. Savings clause.

SUBPART C—GEOTHERMAL EXPLORATION

Sec. 3012. Geothermal exploration test projects.

PART III—MARINE HYDROKINETIC

Sec. 3013. Definition of marine and hydrokinetic renewable energy.
Sec. 3014. Marine and hydrokinetic renewable energy research and development.
Sec. 3015. National Marine Renewable Energy Research, Development, and Demonstration Centers.
Sec. 3016. Authorization of appropriations.

PART IV—BIOMASS

Sec. 3017. Policies relating to biomass energy.

Subtitle B—Oil and Gas

Sec. 3101. Amendments to the Methane Hydrate Research and Development Act of 2000.
Sec. 3102. Liquefied natural gas study.
Sec. 3103. FERC process coordination with respect to regulatory approval of gas projects.
Sec. 3104. Pilot program.
Sec. 3105. GAO review and report.
Sec. 3106. Ethane storage study.
Sec. 3107. Aliso Canyon natural gas leak task force.
Sec. 3108. Report on incorporating Internet-based lease sales.
Sec. 3109. Denali National Park and Preserve natural gas pipeline.

Subtitle C—Helium

Sec. 3201. Rights to helium.

Subtitle D—Critical Minerals

Sec. 3301. Definitions.
Sec. 3302. Policy.
Sec. 3303. Critical mineral designations.
Sec. 3304. Resource assessment.
Sec. 3305. Permitting.
Sec. 3306. Federal Register process.
Sec. 3307. Recycling, efficiency, and alternatives.
Sec. 3308. Analysis and forecasting.
Sec. 3309. Education and workforce.
Sec. 3310. National geological and geophysical data preservation program.
Sec. 3311. Administration.
Sec. 3312. Authorization of appropriations.

Subtitle E—Coal

Sec. 3401. Sense of the Senate on carbon capture, use, and storage development and deployment.
Sec. 3402. Fossil energy.
Sec. 3403. Establishment of coal technology program.
Sec. 3404. Report on price stabilization support.

Subtitle F—Nuclear

Sec. 3501. Nuclear energy innovation capabilities.
Sec. 3502. Next generation nuclear plant project.

Subtitle G—Workforce Development

Sec. 3601. 21st Century Energy Workforce Advisory Board.
Sec. 3602. Energy workforce pilot grant program.

Subtitle H—Recycling

Sec. 3701. Recycled carbon fiber.
Sec. 3702. Energy generation and regulatory relief study regarding recovery and conversion of nonrecycled mixed plastics.
Sec. 3703. Eligible projects.
Sec. 3704. Promoting use of reclaimed refrigerants in Federal facilities.

Subtitle I—Thermal Energy

Sec. 3801. Modifying the definition of renewable energy to include thermal energy.

TITLE IV—ACCOUNTABILITY

Subtitle A—Loan Programs

Sec. 4001. Terms and conditions for incentives for innovative technologies.
Sec. 4002. State loan eligibility.
Sec. 4003. GAO Study on fossil loan guarantee incentive program.
Sec. 4004. Program eligibility for vessels.
Sec. 4005. Additional reforms.
Sec. 4006. Department of Energy Indian energy education planning and management assistance program.

Subtitle B—Energy-Water Nexus

Sec. 4101. Nexus of energy and water for sustainability.
Sec. 4102. Smart energy and water efficiency pilot program.

Subtitle C—Innovation

Sec. 4201. America COMPETES programs.
Sec. 4202. Inclusion of early stage technology demonstration in authorized technology transfer activities.
Sec. 4203. Supporting access of small business concerns to National Laboratories.
Sec. 4204. Microlab technology commercialization.
Sec. 4205. Sense of the Senate on accelerating energy innovation.
Sec. 4206. Restoration of Laboratory Directed Research and Development Program.
Sec. 4207. National Science and Technology Council coordinating subcommittee for high-energy physics.

Subtitle D—Grid Reliability

Sec. 4301. Bulk-power system reliability impact statement.
Sec. 4302. Report by transmission organizations on diversity of supply.

Subtitle E—Management

Sec. 4401. Federal land management.
Sec. 4402. Quadrennial Energy Review.
Sec. 4403. State oversight of oil and gas programs.
Sec. 4404. Under Secretary for Science and Energy.
Sec. 4405. Western Area Power Administration pilot project.
Sec. 4406. Research grants database.
Sec. 4407. Review of economic impact of BSEE rule on small entities.
Sec. 4408. Energy emergency response efforts of the Department.
Sec. 4409. GAO report on Bureau of Safety and Environmental Enforcement statutory and regulatory authority for the procurement of helicopter fuel.
Sec. 4410. Conveyance of federal land within the Swan Lake hydroelectric project boundary.
Sec. 4411. Study of waivers of certain cost-sharing requirements.
Sec. 4412. National park centennial.
Sec. 4413. Program to reduce the potential impacts of solar energy facilities on certain species.
Sec. 4414. Wild horses in and around the Currituck National Wildlife Refuge.

Subtitle F—Markets

Sec. 4501. Enhanced information on critical energy supplies.
Sec. 4502. Working Group on Energy Markets.
Sec. 4503. Study of regulatory framework for energy markets.

Subtitle G—Affordability

Sec. 4601. E-prize competition pilot program.
Sec. 4602. Carbon dioxide capture technology prize.

Subtitle H—Code Maintenance

Sec. 4701. Repeal of off-highway motor vehicles study.
Sec. 4702. Repeal of methanol study.
Sec. 4703. Repeal of authorization of appropriations provision.
Sec. 4704. Repeal of residential energy efficiency standards study.
Sec. 4705. Repeal of weatherization study.
Sec. 4706. Repeal of report to Congress.
Sec. 4707. Repeal of report by General Services Administration.
Sec. 4708. Repeal of intergovernmental energy management planning and coordination workshops.
Sec. 4709. Repeal of Inspector General audit survey and President's Council on Integrity and Efficiency report to Congress.
Sec. 4710. Repeal of procurement and identification of energy efficient products program.
Sec. 4711. Repeal of national action plan for demand response.
Sec. 4712. Repeal of national coal policy study.
Sec. 4713. Repeal of study on compliance problem of small electric utility systems.
Sec. 4714. Repeal of study of socioeconomic impacts of increased coal production and other energy development.
Sec. 4715. Repeal of study of the use of petroleum and natural gas in combustors.
Sec. 4716. Repeal of submission of reports.
Sec. 4717. Repeal of electric utility conservation plan.
Sec. 4718. Emergency Energy Conservation repeals.

Sec. 4719. Energy Security Act repeals.
Sec. 4720. Nuclear Safety Research, Development, and Demonstration Act of 1980 repeals.
Sec. 4721. Elimination and consolidation of certain America COMPETES programs.
Sec. 4722. Repeal of state utility regulatory assistance.
Sec. 4723. Repeal of survey of energy saving potential.
Sec. 4724. Repeal of photovoltaic energy program.
Sec. 4725. Repeal of energy auditor training and certification.
Sec. 4726. Repeal of authorization of appropriations.
Sec. 4727. Repeal of Renewable Energy and Energy Efficiency Technology Competitiveness Act of 1989.
Sec. 4728. Repeal of hydrogen research, development, and demonstration program.
Sec. 4729. Repeal of study on alternative fuel use in nonroad vehicles and engines.
Sec. 4730. Repeal of low interest loan program for small business fleet purchases.
Sec. 4731. Repeal of technical and policy analysis for replacement fuel demand and supply information.
Sec. 4732. Repeal of 1992 Report on Climate Change.
Sec. 4733. Repeal of Director of Climate Protector establishment.
Sec. 4734. Repeal of 1994 report on global climate change emissions.
Sec. 4735. Repeal of telecommuting study.
Sec. 4736. Repeal of advanced buildings for 2005 program.
Sec. 4737. Repeal of Energy Research, Development, Demonstration, and Commercial Application Advisory Board.
Sec. 4738. Repeal of study on use of energy futures for fuel purchase.
Sec. 4739. Repeal of energy subsidy study.
Sec. 4740. Modernization of terms relating to minorities.

TITLE V—CONSERVATION REAUTHORIZATION

Sec. 5001. National Park Service Maintenance and Revitalization Conservation Fund.
Sec. 5002. Land and Water Conservation Fund.
Sec. 5003. Historic Preservation Fund.
Sec. 5004. Conservation incentives landowner education program.

TITLE VI—INDIAN TRIBAL ENERGY DEVELOPMENT AND SELF-DETERMINATION

Sec. 6001. Short title.

Subtitle A—Indian Tribal Energy Development and Self-determination Act Amendments

Sec. 6011. Indian tribal energy resource development.
Sec. 6012. Indian tribal energy resource regulation.
Sec. 6013. Tribal energy resource agreements.
Sec. 6014. Technical assistance for Indian tribal governments.
Sec. 6015. Conforming amendments.
Sec. 6016. Report.

Subtitle B—Miscellaneous Amendments

Sec. 6201. Issuance of preliminary permits or licenses.
Sec. 6202. Tribal biomass demonstration project.
Sec. 6203. Weatherization program.
Sec. 6204. Appraisals.
Sec. 6205. Leases of restricted lands for Navajo Nation.
Sec. 6206. Extension of tribal lease period for the Crow Tribe of Montana.
Sec. 6207. Trust status of lease payments.

TITLE VII—BROWNFIELDS REAUTHORIZATION

Sec. 7001. Short title.
Sec. 7002. Expanded eligibility for nonprofit organizations.
Sec. 7003. Multipurpose brownfields grants.
Sec. 7004. Treatment of certain publicly owned brownfield sites.
Sec. 7005. Increased funding for remediation grants.
Sec. 7006. Allowing administrative costs for grant recipients.
Sec. 7007. Small community technical assistance grants.
Sec. 7008. Waterfront brownfields grants.
Sec. 7009. Clean energy brownfields grants.
Sec. 7010. Targeted funding for States.
Sec. 7011. Authorization of appropriations.

TITLE VIII—MISCELLANEOUS

Sec. 8001. Removal of use restriction.

TITLE IX—MISCELLANEOUS

Sec. 9001. Interagency transfer of land along George Washington Memorial Parkway.

TITLE X—NATURAL RESOURCES

Subtitle A—Land Conveyances and Related Matters

Sec. 10001. Arapaho National Forest boundary adjustment.
Sec. 10002. Land conveyance, Elkhorn Ranch and White River National Forest, Colorado.
Sec. 10003. Land exchange in Crags, Colorado.
Sec. 10004. Cerro del Yuta and Río San Antonio Wilderness Areas.
Sec. 10005. Clarification relating to a certain land description under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005.
Sec. 10006. Cooper Spur land exchange clarification amendments.
Sec. 10007. Expedited access to certain Federal land.
Sec. 10008. Black Hills National Cemetery boundary modification.

Subtitle B—National Park Management, Studies, and Related Matters

Sec. 10101. Refund of funds used by States to operate national parks during shutdown.
Sec. 10102. Lower Farmington and Salmon Brook recreational rivers.
Sec. 10103. Special resource study of President Street Station.
Sec. 10104. Special resource study of Thurgood Marshall's elementary school.
Sec. 10105. Special resource study of James K. Polk presidential home.
Sec. 10106. North Country National Scenic Trail route adjustment.
Sec. 10107. Designation of Jay S. Hammond Wilderness Area.
Sec. 10108. Advisory Council on Historic Preservation.
Sec. 10109. Establishment of a visitor services facility on the Arlington Ridge tract.

Subtitle C—Sportsmen's Access and Land Management Issues

PART I—NATIONAL POLICY

Sec. 10201. Congressional declaration of national policy.

PART II—SPORTSMEN'S ACCESS TO FEDERAL LAND

Sec. 10211. Definitions.
Sec. 10212. Federal land open to hunting, fishing, and recreational shooting.
Sec. 10213. Closure of Federal land to hunting, fishing, and recreational shooting.
Sec. 10214. Shooting ranges.
Sec. 10215. Federal action transparency.

PART III—FILMING ON FEDERAL LAND MANAGEMENT AGENCY LAND

Sec. 10221. Commercial filming.

PART IV—BOWS, WILDLIFE MANAGEMENT, AND ACCESS OPPORTUNITIES FOR RECREATION, HUNTING, AND FISHING

Sec. 10231. Bows in parks.
Sec. 10232. Wildlife management in parks.
Sec. 10233. Identifying opportunities for recreation, hunting, and fishing on Federal land.

PART V—FEDERAL LAND TRANSACTION FACILITATION ACT

Sec. 10241. Federal Land Transaction Facilitation Act.

PART VI—FISH AND WILDLIFE CONSERVATION

Sec. 10251. Amendments to Pittman-Robertson Wildlife Restoration Act.
Sec. 10252. North American Wetlands Conservation Act.
Sec. 10253. National fish habitat conservation.
Sec. 10254. Gulf States Marine Fisheries Commission report on Gulf of Mexico outer Continental Shelf State boundary extension.
Sec. 10255. GAO report on Gulf of Mexico outer Continental Shelf State boundary extension.

PART VII—MISCELLANEOUS

Sec. 10261. Respect for treaties and rights.
Sec. 10262. No priority.

Subtitle D—Water Infrastructure and Related Matters

PART I—FONTENELLE RESERVOIR

Sec. 10301. Authority to make entire active capacity of Fontenelle Reservoir available for use.
Sec. 10302. Savings provisions.

PART II—BUREAU OF RECLAMATION TRANSPARENCY

Sec. 10311. Definitions.
Sec. 10312. Asset management report enhancements for reserved works.
Sec. 10313. Asset management report enhancements for transferred works.
Sec. 10314. Offset.

PART III—BASIN WATER MANAGEMENT

SUBPART A—YAKIMA RIVER BASIN WATER ENHANCEMENT

Sec. 10321. Short title.
Sec. 10322. Modification of terms, purposes, and definitions.
Sec. 10323. Yakima River Basin Water Conservation Program.
Sec. 10324. Yakima Basin water projects, operations, and authorizations.
Sec. 10325. Authorization of Phase III of Yakima River Basin Water Enhancement Project.

SUBPART B—KLAMATH PROJECT WATER AND POWER

Sec. 10329. Klamath Project.

PART IV—RESERVOIR OPERATION IMPROVEMENT

Sec. 10331. Reservoir operation improvement.

PART V—HYDROELECTRIC PROJECTS

Sec. 10341. Terror Lake Hydroelectric Project Upper Hidden Basin Diversion authorization.
Sec. 10342. Stay and Reinstatement of FERC License No. 11393 for the Mahoney Lake Hydroelectric Project.
Sec. 10343. Extension of deadline for hydroelectric project.

Sec. 10344. Extension of deadline for certain other hydroelectric projects.
Sec. 10345. Equus Beds Division extension.
Sec. 10346. Extension of time for a Federal Energy Regulatory Commission project involving Cannonsville Dam.
PART VI—PUMPED STORAGE HYDROPOWER COMPENSATION
Sec. 10351. Pumped storage hydropower compensation.

SEC. 2. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

TITLE I—EFFICIENCY

Subtitle A—Buildings

SEC. 1001. GREATER ENERGY EFFICIENCY IN BUILDING CODES.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended—

(1) by striking paragraph (14) and inserting the following:

''(14) MODEL BUILDING ENERGY CODE.—The term 'model building energy code' means a voluntary building energy code and standards developed and updated through a consensus process among interested persons, such as the IECC or the code used by—

''(A) the Council of American Building Officials, or its legal successor, International Code Council, Inc.;

''(B) the American Society of Heating, Refrigerating, and Air-Conditioning Engineers; or

''(C) other appropriate organizations.''; and

(2) by adding at the end the following:

''(17) IECC.—The term 'IECC' means the International Energy Conservation Code.

''(18) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).''.

(b) STATE BUILDING ENERGY EFFICIENCY CODES.—Section 304 of the Energy Conservation and Production Act (42 U.S.C. 6833) is amended to read as follows:

''SEC. 304. UPDATING STATE BUILDING ENERGY EFFICIENCY CODES.

''(a) IN GENERAL.—The Secretary shall—

''(1) encourage and support the adoption of building energy codes by States, Indian tribes, and, as appropriate, by local governments that meet or exceed the model building energy codes, or achieve equivalent or greater energy savings; and

''(2) support full compliance with the State and local codes.

''(b) STATE AND INDIAN TRIBE CERTIFICATION OF BUILDING ENERGY CODE UPDATES.—

''(1) REVIEW AND UPDATING OF CODES BY EACH STATE AND INDIAN TRIBE.—

''(A) IN GENERAL.—Not later than 2 years after the date on which a model building energy code is updated, each State or Indian tribe shall certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively.

''(B) DEMONSTRATION.—The certification shall include a demonstration of whether or not the energy savings for the code provisions that are in effect throughout the State or Indian tribal territory meet or exceed—

''(i) the energy savings of the updated model building energy code; or

''(ii) the targets established under section 307(b)(2).

''(C) NO MODEL BUILDING ENERGY CODE UPDATE.—If a model building energy code is not updated by a target date established under section 307(b)(2)(D), each State or Indian tribe shall, not later than 2 years after the specified date, certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively, to meet or exceed the target in section 307(b)(2).

''(2) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the code provisions of the State or Indian tribe, respectively, meet the criteria specified in paragraph (1); and

''(B) if the determination is positive, validate the certification.

''(c) IMPROVEMENTS IN COMPLIANCE WITH BUILDING ENERGY CODES.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—Not later than 3 years after the date of a certification under subsection (b), each State and Indian tribe shall certify whether or not the State and Indian tribe, respectively, has—

''(i) achieved full compliance under paragraph (3) with the applicable certified State and Indian tribe building energy code or with the associated model building energy code; or

''(ii) made significant progress under paragraph (4) toward achieving compliance with the applicable certified State and Indian tribe building energy code or with the associated model building energy code.

''(B) REPEAT CERTIFICATIONS.—If the State or Indian tribe certifies progress toward achieving compliance, the State or Indian tribe shall repeat the certification until the State or Indian tribe certifies that the State or Indian tribe has achieved full compliance, respectively.

''(2) MEASUREMENT OF COMPLIANCE.—A certification under paragraph (1) shall include documentation of the rate of compliance based on—

''(A) independent inspections of a random sample of the buildings covered by the code in the preceding year; or

''(B) an alternative method that yields an accurate measure of compliance.

''(3) ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to achieve full compliance under paragraph (1) if—

''(A) at least 90 percent of building space covered by the code in the preceding year substantially meets all the requirements of the applicable code specified in paragraph (1), or achieves equivalent or greater energy savings level; or

''(B) the estimated excess energy use of buildings that did not meet the applicable code specified in paragraph (1) in the preceding year, compared to a baseline of comparable buildings that meet this code, is not more than 5 percent of the estimated energy use of all buildings covered by this code during the preceding year.

''(4) SIGNIFICANT PROGRESS TOWARD ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to have made significant progress toward achieving compliance for purposes of paragraph (1) if the State or Indian tribe—

''(A) has developed and is implementing a plan for achieving compliance during the 8-year-period beginning on the date of enactment of this paragraph, including annual targets for compliance and active training and enforcement programs; and

''(B) has met the most recent target under subparagraph (A).

''(5) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the State or Indian tribe has demonstrated meeting the criteria of this subsection, including accurate measurement of compliance; and

''(B) if the determination is positive, validate the certification.

''(d) STATES OR INDIAN TRIBES THAT DO NOT ACHIEVE COMPLIANCE.—

''(1) REPORTING.—A State or Indian tribe that has not made a certification required under subsection (b) or (c) by the applicable deadline shall submit to the Secretary a report on—

''(A) the status of the State or Indian tribe with respect to meeting the requirements and submitting the certification; and

''(B) a plan for meeting the requirements and submitting the certification.

''(2) FEDERAL SUPPORT.—For any State or Indian tribe for which the Secretary has not validated a certification by a deadline under subsection (b) or (c), the lack of the certification may be a consideration for Federal support authorized under this section for code adoption and compliance activities.

''(3) LOCAL GOVERNMENT.—In any State or Indian tribe for which the Secretary has not validated a certification under subsection (b) or (c), a local government may be eligible for Federal support by meeting the certification requirements of subsections (b) and (c).

''(4) ANNUAL REPORTS BY SECRETARY.—

''(A) IN GENERAL.—The Secretary shall annually submit to Congress, and publish in the Federal Register, a report on—

''(i) the status of model building energy codes;

''(ii) the status of code adoption and compliance in the States and Indian tribes;

''(iii) the implementation of this section; and

''(iv) improvements in energy savings over time as a result of the targets established under section 307(b)(2).

''(B) IMPACTS.—The report shall include estimates of impacts of past action under this section, and potential impacts of further action, on—

''(i) upfront financial and construction costs, cost benefits and returns (using investment analysis), and lifetime energy use for buildings;

''(ii) resulting energy costs to individuals and businesses; and

''(iii) resulting overall annual building ownership and operating costs.

''(e) TECHNICAL ASSISTANCE TO STATES AND INDIAN TRIBES.—The Secretary shall provide technical assistance to States and Indian tribes to implement the goals and requirements of this section, including procedures and technical analysis for States and Indian tribes—

''(1) to improve and implement State residential and commercial building energy codes;

''(2) to demonstrate that the code provisions of the States and Indian tribes achieve equivalent or greater energy savings than the model building energy codes and targets;

''(3) to document the rate of compliance with a building energy code; and

''(4) to otherwise promote the design and construction of energy efficient buildings.

''(f) AVAILABILITY OF INCENTIVE FUNDING.—

''(1) IN GENERAL.—The Secretary shall provide incentive funding to States and Indian tribes—

''(A) to implement the requirements of this section;

''(B) to improve and implement residential and commercial building energy codes, including increasing and verifying compliance with the codes and training of State, local, and tribal building code officials to implement and enforce the codes; and

''(C) to promote building energy efficiency through the use of the codes.

''(2) ADDITIONAL FUNDING.—Additional funding shall be provided under this subsection for implementation of a plan to achieve and document full compliance with residential and commercial building energy codes under subsection (c)—

''(A) to a State or Indian tribe for which the Secretary has validated a certification under subsection (b) or (c); and

''(B) in a State or Indian tribe that is not eligible under subparagraph (A), to a local government that is eligible under this section.

''(3) TRAINING.—Of the amounts made available under this subsection, the State or Indian tribe may use amounts required, but not to exceed $750,000 for a State, to train State and local building code officials to implement and enforce codes described in paragraph (2).

''(4) LOCAL GOVERNMENTS.—States may share grants under this subsection with local governments that implement and enforce the codes.

''(g) STRETCH CODES AND ADVANCED STANDARDS.—

''(1) IN GENERAL.—The Secretary shall provide technical and financial support for the development of stretch codes and advanced standards for residential and commercial buildings for use as—

''(A) an option for adoption as a building energy code by State, local, or tribal governments; and

''(B) guidelines for energy-efficient building design.

''(2) TARGETS.—The stretch codes and advanced standards shall be designed—

''(A) to achieve substantial energy savings compared to the model building energy codes; and

''(B) to meet targets under section 307(b), if available, at least 3 to 6 years in advance of the target years.

''(h) STUDIES.—The Secretary, in consultation with building science experts from the National Laboratories and institutions of higher education, designers and builders of energy-efficient residential and commercial buildings, code officials, and other stakeholders, shall undertake a study of the feasibility, impact, economics, and merit of—

''(1) code improvements that would require that buildings be designed, sited, and constructed in a manner that makes the buildings more adaptable in the future to become zero-net-energy after initial construction, as advances are achieved in energy-saving technologies;

''(2) code procedures to incorporate measured lifetimes, not just first-year energy use, in trade-offs and performance calculations; and

''(3) legislative options for increasing energy savings from building energy codes, including additional incentives for effective State and local action, and verification of compliance with and enforcement of a code other than by a State or local government.

''(i) EFFECT ON OTHER LAWS.—Nothing in this section or section 307 supersedes or modifies the application of sections 321 through 346 of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.).

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section and section 307 $200,000,000, to remain available until expended.''.

(c) FEDERAL BUILDING ENERGY EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended by striking ''voluntary building energy code'' each place it appears in subsections (a)(2)(B) and (b) and inserting ''model building energy code''.

(d) MODEL BUILDING ENERGY CODES.—Section 307 of the Energy Conservation and Production Act (42 U.S.C. 6836) is amended to read as follows:

''SEC. 307. SUPPORT FOR MODEL BUILDING ENERGY CODES.

''(a) IN GENERAL.—The Secretary shall support the updating of model building energy codes.

''(b) TARGETS.—

''(1) IN GENERAL.—The Secretary shall support the updating of the model building energy codes to enable the achievement of aggregate energy savings targets established under paragraph (2).

''(2) TARGETS.—

''(A) IN GENERAL.—The Secretary shall work with States, local governments, and Indian tribes, nationally recognized code and standards developers, and other interested parties to support the updating of model building energy codes by establishing one or more aggregate energy savings targets to achieve the purposes of this section.

''(B) SEPARATE TARGETS.—The Secretary may establish separate targets for commercial and residential buildings.

''(C) BASELINES.—The baseline for updating model building energy codes shall be the 2009 IECC for residential buildings and ASHRAE Standard 90.1–2010 for commercial buildings.

''(D) SPECIFIC YEARS.—

''(i) IN GENERAL.—Targets for specific years shall be established and revised by the Secretary through rulemaking and coordinated with nationally recognized code and standards developers at a level that—

''(I) is at the maximum level of energy efficiency that is technologically feasible and life-cycle cost effective, while accounting for the economic considerations under paragraph (4);

''(II) is higher than the preceding target; and

''(III) promotes the achievement of commercial and residential high-performance buildings through high-performance energy efficiency (within the meaning of section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061)).

''(ii) INITIAL TARGETS.—Not later than 1 year after the date of enactment of this clause, the Secretary shall establish initial targets under this subparagraph.

''(iii) DIFFERENT TARGET YEARS.—Subject to clause (i), prior to the applicable year, the Secretary may set a later target year for any of the model building energy codes described in subparagraph (A) if the Secretary determines that a target cannot be met.

''(iv) SMALL BUSINESS.—When establishing targets under this paragraph through rulemaking, the Secretary shall ensure compliance with the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note; Public Law 104–121).

''(3) APPLIANCE STANDARDS AND OTHER FACTORS AFFECTING BUILDING ENERGY USE.—In establishing building code targets under paragraph (2), the Secretary shall develop and adjust the targets in recognition of potential savings and costs relating to—

''(A) efficiency gains made in appliances, lighting, windows, insulation, and building envelope sealing;

''(B) advancement of distributed generation and on-site renewable power generation technologies;

''(C) equipment improvements for heating, cooling, and ventilation systems;

''(D) building management systems and SmartGrid technologies to reduce energy use; and

''(E) other technologies, practices, and building systems that the Secretary considers appropriate regarding building plug load and other energy uses.

''(4) ECONOMIC CONSIDERATIONS.—In establishing and revising building code targets under paragraph (2), the Secretary shall consider the economic feasibility of achieving the proposed targets established under this section and the potential costs and savings for consumers and building owners, including a return on investment analysis.

''(c) TECHNICAL ASSISTANCE TO MODEL BUILDING ENERGY CODE-SETTING AND STANDARD DEVELOPMENT ORGANIZATIONS.—

''(1) IN GENERAL.—The Secretary shall, on a timely basis, provide technical assistance to model building energy code-setting and standard development organizations consistent with the goals of this section.

''(2) ASSISTANCE.—The assistance shall include, as requested by the organizations, technical assistance in—

''(A) evaluating code or standards proposals or revisions;

''(B) building energy analysis and design tools;

''(C) building demonstrations;

''(D) developing definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes;

''(E) performance-based standards;

''(F) evaluating economic considerations under subsection (b)(4); and

''(G) developing model building energy codes by Indian tribes in accordance with tribal law.

''(3) AMENDMENT PROPOSALS.—The Secretary may submit timely model building energy code amendment proposals to the model building energy code-setting and standard development organizations, with supporting evidence, sufficient to enable the model building energy codes to meet the targets established under subsection (b)(2).

''(4) ANALYSIS METHODOLOGY.—The Secretary shall make publicly available the entire calculation methodology (including input assumptions and data) used by the Secretary to estimate the energy savings of code or standard proposals and revisions.

''(d) DETERMINATION.—

''(1) REVISION OF MODEL BUILDING ENERGY CODES.—If the provisions of the IECC or ASHRAE Standard 90.1 regarding building energy use are revised, the Secretary shall make a preliminary determination not later than 90 days after the date of the revision, and a final determination not later than 15 months after the date of the revision, on whether or not the revision will—

''(A) improve energy efficiency in buildings compared to the existing model building energy code; and

''(B) meet the applicable targets under subsection (b)(2).

''(2) CODES OR STANDARDS NOT MEETING TARGETS.—

''(A) IN GENERAL.—If the Secretary makes a preliminary determination under paragraph (1)(B) that a code or standard does not meet the targets established under subsection (b)(2), the Secretary may at the same time provide the model building energy code or standard developer with proposed changes that would result in a model building energy code that meets the targets and with supporting evidence, taking into consideration—

''(i) whether the modified code is technically feasible and life-cycle cost effective;

''(ii) available appliances, technologies, materials, and construction practices; and

''(iii) the economic considerations under subsection (b)(4).

''(B) INCORPORATION OF CHANGES.—

''(i) IN GENERAL.—On receipt of the proposed changes, the model building energy code or standard developer shall have an additional 270 days to accept or reject the proposed changes of the Secretary to the model building energy code or standard for the Secretary to make a final determination.

''(ii) FINAL DETERMINATION.—A final determination under paragraph (1) shall be on the modified model building energy code or standard.

''(e) ADMINISTRATION.—In carrying out this section, the Secretary shall—

''(1) publish notice of targets and supporting analysis and determinations under this section in the Federal Register to provide an explanation of and the basis for such actions, including any supporting modeling, data, assumptions, protocols, and cost-benefit analysis, including return on investment; and

''(2) provide an opportunity for public comment on targets and supporting analysis and determinations under this section.

''(f) VOLUNTARY CODES AND STANDARDS.—Notwithstanding any other provision of this section, any model building code or standard established under section 304 shall not be binding on a State, local government, or Indian tribe as a matter of Federal law.''.

SEC. 1002. BUDGET-NEUTRAL DEMONSTRATION PROGRAM FOR ENERGY AND WATER CONSERVATION IMPROVEMENTS AT MULTIFAMILY RESIDENTIAL UNITS.

(a) ESTABLISHMENT.—The Secretary of Housing and Urban Development (referred to in this section as the ''Secretary'') shall establish a demonstration program under which, during the period beginning on the date of enactment of this Act, and ending on September 30, 2018, the Secretary may enter into budget-neutral, performance-based agreements that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 20,000 residential units in multifamily buildings participating in—

(1) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive housing for persons with disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision—

(I) that will serve as a payment threshold for the term of the agreement; and

(II) pursuant to which the Department of Housing and Urban Development shall share a percentage of the savings at a level determined by the Secretary that is sufficient to cover the administrative costs of carrying out this section.

(ii) LIMITATIONS.—A payment made by the Secretary under an agreement under this section shall—

(I) be contingent on documented utility savings; and

(II) not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) THIRD PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established preretrofit;

(ii) annual third party confirmation of actual utility consumption and cost for owner-paid utilities;

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third party determination of savings to the Secretary.

(2) TERM.—The term of an agreement under this section shall be not longer than 12 years.

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that demonstrate significant experience relating to—

(i) financing and operating properties receiving assistance under a program described in subsection (a);

(ii) oversight of energy and water conservation programs, including oversight of contractors; and

(iii) raising capital for energy and water conservation improvements from charitable organizations or private investors.

(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(c) PLAN AND REPORTS.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Energy and Commerce of the House of Representatives a detailed plan for the implementation of this section.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to Congress a report describing each evaluation conducted under subparagraph (A).

(d) FUNDING.—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated to the Secretary for the renewal of contracts under a program described in subsection (a).

SEC. 1003. COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.

(a) DEFINITION OF SCHOOL.—In this section, the term ''school'' means—

(1) an elementary school or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

(2) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a));

(3) a school of the defense dependents' education system under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.) or established under section 2164 of title 10, United States Code;

(4) a school operated by the Bureau of Indian Affairs;

(5) a tribally controlled school (as defined in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511)); and

(6) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

(b) DESIGNATION OF LEAD AGENCY.—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall act as the lead Federal agency for coordinating and disseminating information on existing Federal programs and assistance that may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools.

(c) REQUIREMENTS.—In carrying out coordination and outreach under subsection (b), the Secretary shall—

(1) in consultation and coordination with the appropriate Federal agencies, carry out a review of existing programs and financing mechanisms (including revolving loan funds and loan guarantees) available in or from the Department of Agriculture, the Department of Energy, the Department of Education, the Department of the Treasury, the Internal Revenue Service, the Environmental Protection Agency, and other appropriate Federal agencies with jurisdiction over energy financing and facilitation that are currently used or may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools;

(2) establish a Federal cross-departmental collaborative coordination, education, and outreach effort to streamline communication and promote available Federal opportunities and assistance described in paragraph (1) for energy efficiency, renewable energy, and energy retrofitting projects that enables States, local educational agencies, and schools—

(A) to use existing Federal opportunities more effectively; and

(B) to form partnerships with Governors, State energy programs, local educational, financial, and energy officials, State and local government officials, nonprofit organizations, and other appropriate entities to support the initiation of the projects;

(3) provide technical assistance for States, local educational agencies, and schools to help develop and finance energy efficiency, renewable energy, and energy retrofitting projects—

(A) to increase the energy efficiency of buildings or facilities;

(B) to install systems that individually generate energy from renewable energy resources;

(C) to establish partnerships to leverage economies of scale and additional financing mechanisms available to larger clean energy initiatives; or

(D) to promote—

(i) the maintenance of health, environmental quality, and safety in schools, including the ambient air quality, through energy efficiency, renewable energy, and energy retrofit projects; and

(ii) the achievement of expected energy savings and renewable energy production through proper operations and maintenance practices;

(4) develop and maintain a single online resource website with contact information for relevant technical assistance and support staff in the Office of Energy Efficiency and Renewable Energy for States, local educational agencies, and schools to effectively access and use Federal opportunities and assistance described in paragraph (1) to develop energy efficiency, renewable energy, and energy retrofitting projects; and

(5) establish a process for recognition of schools that—

(A) have successfully implemented energy efficiency, renewable energy, and energy retrofitting projects; and

(B) are willing to serve as resources for other local educational agencies and schools to assist initiation of similar efforts.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the implementation of this section.

SEC. 1004. ENERGY EFFICIENCY MATERIALS PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) APPLICANT.—The term ''applicant'' means a nonprofit organization that applies for a grant under this section.

(2) ENERGY-EFFICIENCY MATERIALS.—

(A) IN GENERAL.—The term ''energy-efficiency materials'' means a measure (including a product, equipment, or system) that results in a reduction in use by a nonprofit organization for energy or fuel supplied from outside the nonprofit building.

(B) INCLUSIONS.—The term ''energy-efficiency materials'' includes an item involving—

(i) a roof or lighting system, or component of a roof or lighting system;

(ii) a window;

(iii) a door, including a security door; or

(iv) a heating, ventilation, or air conditioning system or component of the system (including insulation and wiring and plumbing materials needed to serve a more efficient system); and

(v) a renewable energy generation or heating system, including a solar, photovoltaic, wind, geothermal, or biomass (including wood pellet) system or component of the system.

(3) NONPROFIT BUILDING.—

(A) IN GENERAL.—The term ''nonprofit building'' means a building operated and owned by a nonprofit organization.

(B) INCLUSIONS.—The term ''nonprofit building'' includes a building described in subparagraph (A) that is—

(i) a hospital;

(ii) a youth center;

(iii) a school;

(iv) a social-welfare program facility;

(v) a faith-based organization; and

(vi) any other nonresidential and noncommercial structure.

(b) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a pilot program to award grants for the purpose of providing nonprofit buildings with energy-efficiency materials.

(c) GRANTS.—

(1) IN GENERAL.—The Secretary may award grants under the program established under subsection (b).

(2) APPLICATION.—The Secretary may award a grant under this section if an applicant submits to the Secretary an application at such time, in such form, and containing such information as the Secretary may prescribe.

(3) CRITERIA FOR GRANT.—In determining whether to award a grant under this section, the Secretary shall apply performance-based criteria, which shall give priority to applications based on—

(A) the energy savings achieved;

(B) the cost-effectiveness of the use of energy-efficiency materials;

(C) an effective plan for evaluation, measurement, and verification of energy savings; and

(D) the financial need of the applicant.

(4) LIMITATION ON INDIVIDUAL GRANT AMOUNT.—Each grant awarded under this section shall not exceed $200,000.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2016 through 2020, to remain available until expended.

SEC. 1005. UTILITY ENERGY SERVICE CONTRACTS.

Section 546 of the National Energy Conservation Policy Act (42 U.S.C. 8256) is amended by adding at the end the following:

''(f) UTILITY ENERGY SERVICE CONTRACTS.—

''(1) IN GENERAL.—Each Federal agency may use, to the maximum extent practicable, measures provided by law to meet energy efficiency and conservation mandates and laws, including through utility energy service contracts.

''(2) CONTRACT PERIOD.—The term of a utility energy service contract entered into by a Federal agency may have a contract period that extends beyond 10 years, but not to exceed 25 years.

''(3) REQUIREMENTS.—The conditions of a utility energy service contract entered into by a Federal agency shall include requirements for measurement, verification, and performance assurances or guarantees of the savings.''.

SEC. 1006. USE OF ENERGY AND WATER EFFICIENCY MEASURES IN FEDERAL BUILDINGS.

(a) ENERGY MANAGEMENT REQUIREMENTS.—Section 543(f)(4) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(4)) is amended by striking ''may'' and inserting ''shall''.

(b) REPORTS.—Section 548(b) of the National Energy Conservation Policy Act (42 U.S.C. 8258(b)) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(5)(A) the status of the energy savings performance contracts and utility energy service contracts of each agency;

''(B) the investment value of the contracts;

''(C) the guaranteed energy savings for the previous year as compared to the actual energy savings for the previous year;

''(D) the plan for entering into the contracts in the coming year; and

''(E) information explaining why any previously submitted plans for the contracts were not implemented.''.

(c) DEFINITION OF ENERGY CONSERVATION MEASURES.—Section 551(4) of the National Energy Conservation Policy Act (42 U.S.C. 8259(4)) is amended by striking ''or retrofit activities'' and inserting ''retrofit activities, or energy consuming devices and required support structures''.

(d) AUTHORITY TO ENTER INTO CONTRACTS.—Section 801(a)(2)(F) of the National Energy Conservation Policy Act (42 U.S.C. 8287(a)(2)(F)) is amended—

(1) in clause (i), by striking ''or'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(iii) limit the recognition of operation and maintenance savings associated with systems modernized or replaced with the implementation of energy conservation measures, water conservation measures, or any combination of energy conservation measures and water conservation measures.''.

(e) MISCELLANEOUS AUTHORITY.—Section 801(a)(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287(a)(2)) is amended by adding at the end the following:

''(H) MISCELLANEOUS AUTHORITY.—Notwithstanding any other provision of law, a Federal agency may sell or transfer energy savings and apply the proceeds of the sale or transfer to fund a contract under this title.''.

(f) PAYMENT OF COSTS.—Section 802 of the National Energy Conservation Policy Act (42 U.S.C. 8287a) is amended by striking ''(and related operation and maintenance expenses)'' and inserting '', including related operations and maintenance expenses''.

(g) DEFINITION OF FEDERAL BUILDING.—Section 551(6) of the National Energy Conservation Policy Act (42 U.S.C. 8259(6)) is amended by striking the semicolon at the end and inserting ''the term does not include a dam, reservoir, or hydropower facility owned or operated by a Federal agency;''.

(h) DEFINITION OF ENERGY SAVINGS.—Section 804(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(2)) is amended—

(1) in subparagraph (A), by striking ''federally owned building or buildings or other federally owned facilities'' and inserting ''Federal building (as defined in section 551)'' each place it appears;

(2) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(3) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(E) the use, sale, or transfer of energy incentives, rebates, or credits (including renewable energy credits) from Federal, State, or local governments or utilities; and

''(F) any revenue generated from a reduction in energy or water use, more efficient waste recycling, or additional energy generated from more efficient equipment.''.

SEC. 1007. BUILDING TRAINING AND ASSESSMENT CENTERS.

(a) IN GENERAL.—The Secretary shall provide grants to institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) and Tribal Colleges or Universities (as defined in section 316(b) of that Act (20 U.S.C. 1059c(b))) to establish building training and assessment centers—

(1) to identify opportunities for optimizing energy efficiency and environmental performance in buildings;

(2) to promote the application of emerging concepts and technologies in commercial and institutional buildings;

(3) to train engineers, architects, building scientists, building energy permitting and enforcement officials, and building technicians in energy-efficient design and operation;

(4) to assist institutions of higher education and Tribal Colleges or Universities in training building technicians;

(5) to promote research and development for the use of alternative energy sources and distributed generation to supply heat and power for buildings, particularly energy-intensive buildings; and

(6) to coordinate with and assist State-accredited technical training centers, community colleges, Tribal Colleges or Universities, and local offices of the National Institute of Food and Agriculture and ensure appropriate services are provided under this section to each region of the United States.

(b) COORDINATION AND NONDUPLICATION.—

(1) IN GENERAL.—The Secretary shall coordinate the program with the industrial research and assessment centers program and with other Federal programs to avoid duplication of effort.

(2) COLLOCATION.—To the maximum extent practicable, building, training, and assessment centers established under this section shall be collocated with Industrial Assessment Centers.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000, to remain available until expended.

SEC. 1008. CAREER SKILLS TRAINING.

(a) IN GENERAL.—The Secretary shall pay grants to eligible entities described in subsection (b) to pay the Federal share of associated career skills training programs under which students concurrently receive classroom instruction and on-the-job training for

the purpose of obtaining an industry-related certification to install energy efficient buildings technologies, including technologies described in section 307(b)(3) of the Energy Conservation and Production Act (42 U.S.C. 6836(b)(3)).

(b) ELIGIBILITY.—To be eligible to obtain a grant under subsection (a), an entity shall be a nonprofit partnership described in section 171(e)(2)(B)(ii) of the Workforce Investment Act of 1998 (29 U.S.C. 2916(e)(2)(B)(ii)).

(c) FEDERAL SHARE.—The Federal share of the cost of carrying out a career skills training program described in subsection (a) shall be 50 percent.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000, to remain available until expended.

SEC. 1009. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253) is amended by adding at the end the following:

''(h) FEDERAL IMPLEMENTATION STRATEGY FOR ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.—

''(1) DEFINITIONS.—In this subsection:

''(A) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(B) INFORMATION TECHNOLOGY.—The term 'information technology' has the meaning given the term in section 11101 of title 40, United States Code.

''(2) DEVELOPMENT OF IMPLEMENTATION STRATEGY.—Not later than 1 year after the date of enactment of this subsection, each Federal agency shall collaborate with the Director to develop an implementation strategy (including best-practices and measurement and verification techniques) for the maintenance, purchase, and use by the Federal agency of energy-efficient and energy-saving information technologies.

''(3) ADMINISTRATION.—In developing an implementation strategy, each Federal agency shall consider—

''(A) advanced metering infrastructure;

''(B) energy efficient data center strategies and methods of increasing asset and infrastructure utilization;

''(C) advanced power management tools;

''(D) building information modeling, including building energy management; and

''(E) secure telework and travel substitution tools.

''(4) PERFORMANCE GOALS.—

''(A) IN GENERAL.—Not later than September 30, 2015, the Director, in consultation with the Secretary, shall establish performance goals for evaluating the efforts of Federal agencies in improving the maintenance, purchase, and use of energy-efficient and energy-saving information technology systems.

''(B) BEST PRACTICES.—The Chief Information Officers Council established under section 3603 of title 44, United States Code, shall supplement the performance goals established under this paragraph with recommendations on best practices for the attainment of the performance goals, to include a requirement for agencies to consider the use of—

''(i) energy savings performance contracting; and

''(ii) utility energy services contracting.

''(5) REPORTS.—

''(A) AGENCY REPORTS.—Each Federal agency subject to the requirements of this subsection shall include in the report of the agency under section 527 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17143) a description of the efforts and results of the agency under this subsection.

''(B) OMB GOVERNMENT EFFICIENCY REPORTS AND SCORECARDS.—Effective beginning not later than October 1, 2015, the Director shall include in the annual report and scorecard of the Director required under section 528 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17144) a description of the efforts and results of Federal agencies under this subsection.

''(C) USE OF EXISTING REPORTING STRUCTURES.—The Director may require Federal agencies to submit any information required to be submitted under this subsection though reporting structures in use as of the date of enactment of the Energy Policy Modernization Act of 2016.''.

SEC. 1010. AVAILABILITY OF FUNDS FOR DESIGN UPDATES.

Section 3307 of title 40, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively; and

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

''(d) AVAILABILITY OF FUNDS FOR DESIGN UPDATES.—

''(1) IN GENERAL.—Subject to paragraph (2), for any project for which congressional approval is received under subsection (a) and for which the design has been substantially completed but construction has not begun, the Administrator of General Services may use appropriated funds to update the project design to meet applicable Federal building energy efficiency standards established under section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) and other requirements established under section 3312.

''(2) LIMITATION.—The use of funds under paragraph (1) shall not exceed 125 percent of the estimated energy or other cost savings associated with the updates as determined by a life cycle cost analysis under section 544 of the National Energy Conservation Policy Act (42 U.S.C. 8254).''.

SEC. 1011. ENERGY EFFICIENT DATA CENTERS.

Section 453 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17112) is amended—

(1) in subsection (b)—

(A) in paragraph (2)(D)(iv), by striking ''the organization'' and inserting ''an organization''; and

(B) by striking paragraph (3); and

(2) by striking subsections (c) through (g) and inserting the following:

''(c) STAKEHOLDER INVOLVEMENT.—

''(1) IN GENERAL.—The Secretary and the Administrator shall carry out subsection (b) in consultation with the information technology industry and other key stakeholders, with the goal of producing results that accurately reflect the best knowledge in the most pertinent domains.

''(2) CONSIDERATIONS.—In carrying out consultation described in paragraph (1), the Secretary and the Administrator shall pay particular attention to organizations that—

''(A) have members with expertise in energy efficiency and in the development, operation, and functionality of data centers, information technology equipment, and software, including representatives of hardware manufacturers, data center operators, and facility managers;

''(B) obtain and address input from the National Laboratories (as that term is defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)) or any institution of higher education, research institution, industry association, company, or public interest group with applicable expertise;

''(C) follow—

''(i) commonly accepted procedures for the development of specifications; and

''(ii) accredited standards development processes; or

''(D) have a mission to promote energy efficiency for data centers and information technology.

''(d) MEASUREMENTS AND SPECIFICATIONS.—The Secretary and the Administrator shall consider and assess the adequacy of the specifications, measurements, and benchmarks described in subsection (b) for use by the Federal Energy Management Program, the Energy Star Program, and other efficiency programs of the Department of Energy or the Environmental Protection Agency.

''(e) STUDY.—The Secretary, in consultation with the Administrator, not later than 18 months after the date of enactment of the Energy Policy Modernization Act of 2016, shall make available to the public an update to the report submitted to Congress pursuant to section 1 of the Act of December 20, 2006 (Public Law 109–431; 120 Stat. 2920), entitled 'Report to Congress on Server and Data Center Energy Efficiency' and dated August 2, 2007, that provides—

''(1) a comparison and gap analysis of the estimates and projections contained in the original report with new data regarding the period from 2007 through 2014;

''(2) an analysis considering the impact of information technologies, including virtualization and cloud computing, in the public and private sectors;

''(3) an evaluation of the impact of the combination of cloud platforms, mobile devices, social media, and big data on data center energy usage;

''(4) an evaluation of water usage in data centers and recommendations for reductions in such water usage; and

''(5) updated projections and recommendations for best practices through fiscal year 2020.

''(f) DATA CENTER ENERGY PRACTITIONER PROGRAM.—

''(1) IN GENERAL.—The Secretary, in consultation with key stakeholders and the Director of the Office of Management and Budget, shall maintain a data center energy practitioner program that provides for the certification of energy practitioners qualified to evaluate the energy usage and efficiency opportunities in Federal data centers.

''(2) EVALUATIONS.—Each Federal agency shall consider having the data centers of the agency evaluated once every 4 years by energy practitioners certified pursuant to the program, whenever practicable using certified practitioners employed by the agency.

''(g) OPEN DATA INITIATIVE.—

''(1) IN GENERAL.—The Secretary, in consultation with key stakeholders and the Director of the Office of Management and Budget, shall establish an open data initiative for Federal data center energy usage data, with the purpose of making the data available and accessible in a manner that encourages further data center innovation, optimization, and consolidation.

''(2) CONSIDERATION.—In establishing the initiative under paragraph (1), the Secretary shall consider using the online Data Center Maturity Model.

''(h) INTERNATIONAL SPECIFICATIONS AND METRICS.—The Secretary, in consultation with key stakeholders, shall actively participate in efforts to harmonize global specifications and metrics for data center energy and water efficiency.

''(i) DATA CENTER UTILIZATION METRIC.—The Secretary, in collaboration with key stakeholders, shall facilitate in the development of an efficiency metric that measures the energy efficiency of a data center (including equipment and facilities).

''(j) PROTECTION OF PROPRIETARY INFORMATION.—The Secretary and the Administrator shall not disclose any proprietary information or trade secrets provided by any individual or company for the purposes of carrying out this section or the programs and initiatives established under this section.''.

SEC. 1012. WEATHERIZATION ASSISTANCE PROGRAM.

(a) REAUTHORIZATION OF WEATHERIZATION ASSISTANCE PROGRAM.—Section 422 of the Energy Conservation and Production Act (42 U.S.C. 6872) is amended by striking ''appropriated—'' and all that follows through the period at the end and inserting ''appropriated $350,000,000 for each of fiscal years 2016 through 2020.''.

(b) GRANTS FOR NEW, SELF-SUSTAINING LOW-INCOME, SINGLE-FAMILY AND MULTIFAMILY HOUSING ENERGY RETROFIT MODEL PROGRAMS TO ELIGIBLE MULTISTATE HOUSING AND ENERGY NONPROFIT ORGANIZATIONS.—The Energy Conservation and Production Act is amended by inserting after section 414B (42 U.S.C. 6864b) the following:

''SEC. 414C. GRANTS FOR NEW, SELF-SUSTAINING LOW-INCOME, SINGLE-FAMILY AND MULTIFAMILY HOUSING ENERGY RETROFIT MODEL PROGRAMS TO ELIGIBLE MULTISTATE HOUSING AND ENERGY NONPROFIT ORGANIZATIONS.

''(a) PURPOSES.—The purposes of this section are—

''(1) to expand the number of low-income, single-family and multifamily homes that receive energy efficiency retrofits;

''(2) to promote innovation and new models of retrofitting low-income homes through new Federal partnerships with covered organizations that leverage substantial donations, donated materials, volunteer labor, homeowner labor equity, and other private sector resources;

''(3) to assist the covered organizations in demonstrating, evaluating, improving, and replicating widely the model low-income energy retrofit programs of the covered organizations; and

''(4) to ensure that the covered organizations make the energy retrofit programs of the covered organizations self-sustaining by the time grant funds have been expended.

''(b) DEFINITIONS.—In this section:

''(1) COVERED ORGANIZATION.—The term 'covered organization' means an organization that—

''(A) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code; and

''(B) has an established record of constructing, renovating, repairing, or making energy efficient a total of not less than 250 owner-occupied, single-family or multifamily homes per year for low-income households, either directly or through affiliates, chapters, or other direct partners (using the most recent year for which data are available).

''(2) LOW-INCOME.—The term 'low-income' means an income level that is not more than 200 percent of the poverty level (as determined in accordance with criteria established by the Director of the Office of Management and Budget) applicable to a family of the size involved, except that the Secretary may establish a higher or lower level if the Secretary determines that a higher or lower level is necessary to carry out this section.

''(3) WEATHERIZATION ASSISTANCE PROGRAM FOR LOW-INCOME PERSONS.—The term 'Weatherization Assistance Program for Low-Income Persons' means the program established under this part (including part 440 of title 10, Code of Federal Regulations, or successor regulations).

''(c) COMPETITIVE GRANT PROGRAM.—The Secretary shall make grants to covered organizations through a national competitive process for use in accordance with this section.

''(d) AWARD FACTORS.—In making grants under this section, the Secretary shall consider—

''(1) the number of low-income homes the applicant—

''(A) has built, renovated, repaired, or made more energy efficient as of the date of the application; and

''(B) can reasonably be projected to build, renovate, repair, or make energy efficient during the 10-year period beginning on the date of the application;

''(2) the qualifications, experience, and past performance of the applicant, including experience successfully managing and administering Federal funds;

''(3) the number and diversity of States and climates in which the applicant works as of the date of the application;

''(4) the amount of non-Federal funds, donated or discounted materials, discounted or volunteer skilled labor, volunteer unskilled labor, homeowner labor equity, and other resources the applicant will provide;

''(5) the extent to which the applicant could successfully replicate the energy retrofit program of the applicant and sustain the program after the grant funds have been expended;

''(6) regional diversity;

''(7) urban, suburban, and rural localities; and

''(8) such other factors as the Secretary determines to be appropriate.

''(e) APPLICATIONS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall request proposals from covered organizations.

''(2) ADMINISTRATION.—To be eligible to receive a grant under this section, an applicant shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(3) AWARDS.—Not later than 90 days after the date of issuance of a request for proposals, the Secretary shall award grants under this section.

''(f) ELIGIBLE USES OF GRANT FUNDS.—A grant under this section may be used for—

''(1) energy efficiency audits, cost-effective retrofit, and related activities in different climatic regions of the United States;

''(2) energy efficiency materials and supplies;

''(3) organizational capacity—

''(A) to significantly increase the number of energy retrofits;

''(B) to replicate an energy retrofit program in other States; and

''(C) to ensure that the program is self-sustaining after the Federal grant funds are expended;

''(4) energy efficiency, audit and retrofit training, and ongoing technical assistance;

''(5) information to homeowners on proper maintenance and energy savings behaviors;

''(6) quality control and improvement;

''(7) data collection, measurement, and verification;

''(8) program monitoring, oversight, evaluation, and reporting;

''(9) management and administration (up to a maximum of 10 percent of the total grant);

''(10) labor and training activities; and

''(11) such other activities as the Secretary determines to be appropriate.

''(g) MAXIMUM AMOUNT.—

''(1) IN GENERAL.—The amount of a grant provided under this section shall not exceed—

''(A) if the amount made available to carry out this section for a fiscal year is $225,000,000 or more, $5,000,000; and

''(B) if the amount made available to carry out this section for a fiscal year is less than $225,000,000, $1,500,000.

''(2) TECHNICAL AND TRAINING ASSISTANCE.—The total amount of a grant provided under this section shall be reduced by the cost of any technical and training assistance provided by the Secretary that relates to the grant.

''(h) GUIDELINES.—

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary shall issue guidelines to implement the grant program established under this section.

''(2) ADMINISTRATION.—The guidelines—

''(A) shall not apply to the Weatherization Assistance Program for Low-Income Persons, in whole or major part; but

''(B) may rely on applicable provisions of law governing the Weatherization Assistance Program for Low-Income Persons to establish—

''(i) standards for allowable expenditures;

''(ii) a minimum savings-to-investment ratio;

''(iii) standards—

''(I) to carry out training programs;

''(II) to conduct energy audits and program activities;

''(III) to provide technical assistance;

''(IV) to monitor program activities; and

''(V) to verify energy and cost savings;

''(iv) liability insurance requirements; and

''(v) recordkeeping requirements, which shall include reporting to the Office of Weatherization and Intergovernmental Programs of the Department of Energy applicable data on each home retrofitted.

''(i) REVIEW AND EVALUATION.—The Secretary shall review and evaluate the performance of any covered organization that receives a grant under this section (which may include an audit), as determined by the Secretary.

''(j) COMPLIANCE WITH STATE AND LOCAL LAW.—Nothing in this section or any program carried out using a grant provided under this section supersedes or otherwise affects any State or local law, to the extent that the State or local law contains a requirement that is more stringent than the applicable requirement of this section.

''(k) ANNUAL REPORTS.—The Secretary shall submit to Congress annual reports that provide—

''(1) findings;

''(2) a description of energy and cost savings achieved and actions taken under this section; and

''(3) any recommendations for further action.

''(l) FUNDING.—Of the amount of funds that are made available to carry out the Weatherization Assistance Program for each of fiscal years 2016 through 2020 under section 422, the Secretary shall use to carry out this section for each of fiscal years 2016 through 2020 not less than—

''(1) 2 percent of the amount if the amount is less than $225,000,000;

''(2) 5 percent of the amount if the amount is $225,000,000 or more but less than $260,000,000; and

''(3) 10 percent of the amount if the amount is $260,000,000 or more.''.

(c) STANDARDS PROGRAM.—Section 415 of the Energy Conservation and Production Act (42 U.S.C. 6865) is amended by adding at the end the following:

''(f) STANDARDS PROGRAM.—

''(1) CONTRACTOR QUALIFICATION.—Effective beginning January 1, 2016, to be eligible to carry out weatherization using funds made available under this part, a contractor shall be selected through a competitive bidding process and be—

''(A) accredited by the Building Performance Institute;

''(B) an Energy Smart Home Performance Team accredited under the Residential Energy Services Network; or

''(C) accredited by an equivalent accreditation or program accreditation-based State

certification program approved by the Secretary.

''(2) GRANTS FOR ENERGY RETROFIT MODEL PROGRAMS.—

''(A) IN GENERAL.—To be eligible to receive a grant under section 414C, a covered organization (as defined in section 414C(b)) shall use a crew chief who—

''(i) is certified or accredited in accordance with paragraph (1); and

''(ii) supervises the work performed with grant funds.

''(B) VOLUNTEER LABOR.—A volunteer who performs work for a covered organization that receives a grant under section 414C shall not be required to be certified under this subsection if the volunteer is not directly installing or repairing mechanical equipment or other items that require skilled labor.

''(C) TRAINING.—The Secretary shall use training and technical assistance funds available to the Secretary to assist covered organizations under section 414C in providing training to obtain certification required under this subsection, including provisional or temporary certification.

''(3) MINIMUM EFFICIENCY STANDARDS.—Effective beginning October 1, 2016, the Secretary shall ensure that—

''(A) each retrofit for which weatherization assistance is provided under this part meets minimum efficiency and quality of work standards established by the Secretary after weatherization of a dwelling unit;

''(B) at least 10 percent of the dwelling units are randomly inspected by a third party accredited under this subsection to ensure compliance with the minimum efficiency and quality of work standards established under subparagraph (A); and

''(C) the standards established under this subsection meet or exceed the industry standards for home performance work that are in effect on the date of enactment of this subsection, as determined by the Secretary.''.

SEC. 1013. REAUTHORIZATION OF STATE ENERGY PROGRAM.

Section 365(f) of the Energy Policy and Conservation Act (42 U.S.C. 6325(f)) is amended by striking ''$125,000,000 for each of fiscal years 2007 through 2012'' and inserting ''$90,000,000 for each of fiscal years 2016 through 2020, of which not greater than 5 percent may be used to provide competitively awarded financial assistance''.

SEC. 1014. SMART BUILDING ACCELERATION.

(a) DEFINITIONS.—In this section:

(1) PROGRAM.—The term ''program'' means the Federal Smart Building Program established under subsection (b)(1).

(2) SMART BUILDING.—The term ''smart building'' means a building, or collection of buildings, with an energy system that—

(A) is flexible and automated;

(B) has extensive operational monitoring and communication connectivity, allowing remote monitoring and analysis of all building functions;

(C) takes a systems-based approach in integrating the overall building operations for control of energy generation, consumption, and storage;

(D) communicates with utilities and other third-party commercial entities, if appropriate; and

(E) is cybersecure.

(3) SMART BUILDING ACCELERATOR.—The term ''smart building accelerator'' means an initiative that is designed to demonstrate specific innovative policies and approaches—

(A) with clear goals and a clear timeline; and

(B) that, on successful demonstration, would accelerate investment in energy efficiency.

(b) FEDERAL SMART BUILDING PROGRAM.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a program to be known as the ''Federal Smart Building Program''—

(A) to implement smart building technology; and

(B) to demonstrate the costs and benefits of smart buildings.

(2) SELECTION.—

(A) IN GENERAL.—The Secretary shall coordinate the selection of not fewer than 1 building from among each of several key Federal agencies, as described in paragraph (4), to compose an appropriately diverse set of smart buildings based on size, type, and geographic location.

(B) INCLUSION OF COMMERCIALLY OPERATED BUILDINGS.—In making selections under subparagraph (A), the Secretary may include buildings that are owned by the Federal Government but are commercially operated.

(3) TARGETS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall establish targets for the number of smart buildings to be commissioned and evaluated by key Federal agencies by 3 years and 6 years after the date of enactment of this Act.

(4) FEDERAL AGENCY DESCRIBED.—The key Federal agencies referred to in this subsection shall include buildings operated by—

(A) the Department of the Army;

(B) the Department of the Navy;

(C) the Department of the Air Force;

(D) the Department;

(E) the Department of the Interior;

(F) the Department of Veterans Affairs; and

(G) the General Services Administration.

(5) REQUIREMENT.—In implementing the program, the Secretary shall leverage existing financing mechanisms including energy savings performance contracts, utility energy service contracts, and annual appropriations.

(6) EVALUATION.—Using the guidelines of the Federal Energy Management Program relating to whole-building evaluation, measurement, and verification, the Secretary shall evaluate the costs and benefits of the buildings selected under paragraph (2), including an identification of—

(A) which advanced building technologies—

(i) are most cost-effective; and

(ii) show the most promise for—

(I) increasing building energy savings;

(II) increasing service performance to building occupants;

(III) reducing environmental impacts; and

(IV) establishing cybersecurity; and

(B) any other information the Secretary determines to be appropriate.

(7) AWARDS.—The Secretary may expand awards made under the Federal Energy Management Program and the Better Building Challenge to recognize specific agency achievements in accelerating the adoption of smart building technologies.

(c) SURVEY OF PRIVATE SECTOR SMART BUILDINGS.—

(1) SURVEY.—The Secretary shall conduct a survey of privately owned smart buildings throughout the United States, including commercial buildings, laboratory facilities, hospitals, multifamily residential buildings, and buildings owned by nonprofit organizations and institutions of higher education.

(2) SELECTION.—From among the smart buildings surveyed under paragraph (1), the Secretary shall select not fewer than 1 building each from an appropriate range of building sizes, types, and geographic locations.

(3) EVALUATION.—Using the guidelines of the Federal Energy Management Program relating to whole-building evaluation, measurement, and verification, the Secretary shall evaluate the costs and benefits of the buildings selected under paragraph (2), including an identification of—

(A) which advanced building technologies and systems—

(i) are most cost-effective; and

(ii) show the most promise for—

(I) increasing building energy savings;

(II) increasing service performance to building occupants;

(III) reducing environmental impacts; and

(IV) establishing cybersecurity; and

(B) any other information the Secretary determines to be appropriate.

(d) LEVERAGING EXISTING PROGRAMS.—

(1) BETTER BUILDING CHALLENGE.—As part of the Better Building Challenge of the Department, the Secretary, in consultation with major private sector property owners, shall develop smart building accelerators to demonstrate innovative policies and approaches that will accelerate the transition to smart buildings in the public, institutional, and commercial buildings sectors.

(2) RESEARCH AND DEVELOPMENT.—

(A) IN GENERAL.—The Secretary shall conduct research and development to address key barriers to the integration of advanced building technologies and to accelerate the transition to smart buildings.

(B) INCLUSION.—The research and development conducted under subparagraph (A) shall include research and development on—

(i) achieving whole-building, systems-level efficiency through smart system and component integration;

(ii) improving physical components, such as sensors and controls, to be adaptive, anticipatory, and networked;

(iii) reducing the cost of key components to accelerate the adoption of smart building technologies;

(iv) data management, including the capture and analysis of data and the interoperability of the energy systems;

(v) protecting against cybersecurity threats and addressing security vulnerabilities of building systems or equipment;

(vi) business models, including how business models may limit the adoption of smart building technologies and how to support transactive energy;

(vii) integration and application of combined heat and power systems and energy storage for resiliency;

(viii) characterization of buildings and components;

(ix) consumer and utility protections;

(x) continuous management, including the challenges of managing multiple energy systems and optimizing systems for disparate stakeholders; and

(xi) other areas of research and development, as determined appropriate by the Secretary.

(e) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until a total of 3 reports have been made, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on—

(1) the establishment of the Federal Smart Building Program and the evaluation of Federal smart buildings under subsection (b);

(2) the survey and evaluation of private sector smart buildings under subsection (c); and

(3) any recommendations of the Secretary to further accelerate the transition to smart buildings.

SEC. 1015. REPEAL OF FOSSIL PHASE-OUT.

Section 305(a)(3) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)) is amended by striking subparagraph (D).

SEC. 1016. FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) (as amended by section 1001(a)) is amended—

(1) in paragraph (6), by striking ''to be constructed'' and inserting ''constructed or altered''; and

(2) by adding at the end the following:

''(19) MAJOR RENOVATION.—The term 'major renovation' means a modification of building energy systems sufficiently extensive that the whole building can meet energy standards for new buildings, based on criteria to be established by the Secretary through notice and comment rulemaking.''.

(b) FEDERAL BUILDING EFFICIENCY STANDARDS.—Section 305(a)(3) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)) (as amended by section 1015) is amended—

(1) by striking ''(3)(A) Not later than'' and all that follows through subparagraph (B) and inserting the following:

''(3) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.—

''(A) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Energy Policy Modernization Act of 2016, the Secretary shall establish, by rule, revised Federal building energy efficiency performance standards that require that—

''(I) new Federal buildings and alterations and additions to existing Federal buildings—

''(aa) meet or exceed the most recent revision of the International Energy Conservation Code (in the case of residential buildings) or ASHRAE Standard 90.1 (in the case of commercial buildings) as of the date of enactment of the Energy Policy Modernization Act of 2016; and

''(bb) meet or exceed the energy provisions of State and local building codes applicable to the building, if the codes are more stringent than the International Energy Conservation Code or ASHRAE Standard 90.1, as applicable;

''(II) unless demonstrated not to be life-cycle cost effective for new Federal buildings and Federal buildings with major renovations—

''(aa) the buildings be designed to achieve energy consumption levels that are at least 30 percent below the levels established in the version of the ASHRAE Standard or the International Energy Conservation Code, as appropriate, that is applied under subclause (I)(aa), including updates under subparagraph (B); and

''(bb) sustainable design principles are applied to the location, siting, design, and construction of all new Federal buildings and replacement Federal buildings;

''(III) if water is used to achieve energy efficiency, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost effective; and

''(IV) if life-cycle cost effective, as compared to other reasonably available technologies, not less than 30 percent of the hot water demand for each new Federal building or Federal building undergoing a major renovation be met through the installation and use of solar hot water heaters.

''(ii) LIMITATION.—Clause (i)(I) shall not apply to unaltered portions of existing Federal buildings and systems that have been added to or altered.

''(B) UPDATES.—Not later than 1 year after the date of approval of each subsequent revision of the ASHRAE Standard or the International Energy Conservation Code, as appropriate, the Secretary shall determine whether the revised standards established under subparagraph (A) should be updated to reflect the revisions, based on the energy savings and life-cycle cost-effectiveness of the revisions.''; and

(2) in subparagraph (C), by striking ''(C) In the budget request'' and inserting the following:

''(C) BUDGET REQUEST.—In the budget request''.

SEC. 1017. CODIFICATION OF EXECUTIVE ORDER.

Beginning in fiscal year 2016 and each fiscal year thereafter through fiscal year 2025, the head of each Federal agency shall, unless otherwise specified and where life-cycle cost-effective, promote building energy conservation, efficiency, and management by reducing, in Federal buildings of the agency, building energy intensity, as measured in British thermal units per gross square foot, by 2.5 percent each fiscal year, relative to the baseline of the building energy use of the applicable Federal buildings in fiscal year 2015 and after taking into account the progress of the Federal agency in preceding fiscal years.

SEC. 1018. CERTIFICATION FOR GREEN BUILDINGS.

Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) (as amended by sections 1015 and 1016(b)) is amended—

(1) in subsection (a)(3), by adding at the end the following:

''(D) CERTIFICATION FOR GREEN BUILDINGS.—

''(i) SUSTAINABLE DESIGN PRINCIPLES.—Sustainable design principles shall be applied to the siting, design, and construction of buildings covered by this subparagraph.

''(ii) SELECTION OF CERTIFICATION SYSTEMS.—The Secretary, after reviewing the findings of the Federal Director under section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)), in consultation with the Administrator of General Services, and in consultation with the Secretary of Defense relating to those facilities under the custody and control of the Department of Defense, shall determine those certification systems for green commercial and residential buildings that the Secretary determines to be the most likely to encourage a comprehensive and environmentally sound approach to certification of green buildings.

''(iii) BASIS FOR SELECTION.—The determination of the certification systems under clause (ii) shall be based on ongoing review of the findings of the Federal Director under section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)) and the criteria described in clause (v).

''(iv) ADMINISTRATION.—In determining certification systems under this subparagraph, the Secretary shall—

''(I) make a separate determination for all or part of each system;

''(II) confirm that the criteria used to support the selection of building products, materials, brands, and technologies—

''(aa) are fair and neutral (meaning that the criteria are based on an objective assessment of relevant technical data);

''(bb) do not prohibit, disfavor, or discriminate against selection based on technically inadequate information to inform human or environmental risk; and

''(cc) are expressed to prefer performance measures whenever performance measures may reasonably be used in lieu of prescriptive measures; and

''(III) use environmental and health criteria that are based on risk assessment methodology that is generally accepted by the applicable scientific disciplines.

''(v) CONSIDERATIONS.—In determining the green building certification systems under this subparagraph, the Secretary shall take into consideration—

''(I) the ability and availability of assessors and auditors to independently verify the criteria and measurement of metrics at the scale necessary to implement this subparagraph;

''(II) the ability of the applicable certification organization to collect and reflect public comment;

''(III) the ability of the standard to be developed and revised through a consensus-based process;

''(IV) an evaluation of the robustness of the criteria for a high-performance green building, which shall give credit for promoting—

''(aa) efficient and sustainable use of water, energy, and other natural resources;

''(bb) the use of renewable energy sources;

''(cc) improved indoor environmental quality through enhanced indoor air quality, thermal comfort, acoustics, day lighting, pollutant source control, and use of low-emission materials and building system controls; and

''(dd) such other criteria as the Secretary determines to be appropriate; and

''(V) national recognition within the building industry.

''(vi) REVIEW.—The Secretary, in consultation with the Administrator of General Services and the Secretary of Defense, shall conduct an ongoing review to evaluate and compare private sector green building certification systems, taking into account—

''(I) the criteria described in clause (v); and

''(II) the identification made by the Federal Director under section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)).

''(vii) EXCLUSIONS.—

''(I) IN GENERAL.—Subject to subclause (II), if a certification system fails to meet the review requirements of clause (v), the Secretary shall—

''(aa) identify the portions of the system, whether prerequisites, credits, points, or otherwise, that meet the review criteria of clause (v);

''(bb) determine the portions of the system that are suitable for use; and

''(cc) exclude all other portions of the system from identification and use.

''(II) ENTIRE SYSTEMS.—The Secretary shall exclude an entire system from use if an exclusion under subclause (I)—

''(aa) impedes the integrated use of the system;

''(bb) creates disparate review criteria or unequal point access for competing materials; or

''(cc) increases agency costs of the use.

''(viii) INTERNAL CERTIFICATION PROCESSES.—The Secretary may by rule allow Federal agencies to develop internal certification processes, using certified professionals, in lieu of certification by certification entities identified under clause (ii).

''(ix) PRIVATIZED MILITARY HOUSING.—With respect to privatized military housing, the Secretary of Defense, after consultation with the Secretary may, through rulemaking, develop alternative certification systems and levels than the systems and levels identified under clause (ii) that achieve an equivalent result in terms of energy savings, sustainable design, and green building performance.

''(x) WATER CONSERVATION TECHNOLOGIES.—In addition to any use of water conservation technologies otherwise required by this section, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost-effective.

''(xi) EFFECTIVE DATE.—

''(I) DETERMINATIONS MADE AFTER DECEMBER 31, 2015.—This subparagraph shall apply to any determination made by a Federal agency after December 31, 2015.

''(II) DETERMINATIONS MADE ON OR BEFORE DECEMBER 31, 2015.—This subparagraph (as in

effect on the day before the date of enactment of the Energy Policy Modernization Act of 2016) shall apply to any use of a certification system for green commercial and residential buildings by a Federal agency on or before December 31, 2015.''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) PERIODIC REVIEW.—The Secretary shall—

''(1) once every 5 years, review the Federal building energy standards established under this section; and

''(2) on completion of a review under paragraph (1), if the Secretary determines that significant energy savings would result, upgrade the standards to include all new energy efficiency and renewable energy measures that are technologically feasible and economically justified.''.

SEC. 1019. HIGH PERFORMANCE GREEN FEDERAL BUILDINGS.

Section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)) is amended—

(1) in the subsection heading, by striking ''SYSTEM'' and inserting ''SYSTEMS'';

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

''(1) IN GENERAL.—Based on an ongoing review, the Federal Director shall identify and shall provide to the Secretary pursuant to section 305(a)(3)(D) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)(D)), a list of those certification systems that the Director identifies as the most likely to encourage a comprehensive and environmentally sound approach to certification of green buildings.''; and

(3) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''system'' and inserting ''systems'';

(B) by striking subparagraph (A) and inserting the following:

''(A) an ongoing review provided to the Secretary pursuant to section 305(a)(3)(D) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)(D)), which shall—

''(i) be carried out by the Federal Director to compare and evaluate standards; and

''(ii) allow any developer or administrator of a rating system or certification system to be included in the review;'';

(C) in subparagraph (E)(v), by striking ''and'' after the semicolon at the end;

(D) in subparagraph (F), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(G) a finding that, for all credits addressing grown, harvested, or mined materials, the system does not discriminate against the use of domestic products that have obtained certifications of responsible sourcing; and

''(H) a finding that the system incorporates life-cycle assessment as a credit pathway.''.

SEC. 1020. EVALUATION OF POTENTIALLY DUPLICATIVE GREEN BUILDING PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATIVE EXPENSES.—

(A) IN GENERAL.—The term ''administrative expenses'' has the meaning given the term by the Director of the Office of Management and Budget under section 504(b)(2) of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (31 U.S.C. 1105 note; Public Law 111–85).

(B) INCLUSIONS.—The term ''administrative expenses'' includes, with respect to an agency—

(i) costs incurred by—

(I) the agency; or

(II) any grantee, subgrantee, or other recipient of funds from a grant program or other program administered by the agency; and

(ii) expenses relating to personnel salaries and benefits, property management, travel, program management, promotion, reviews and audits, case management, and communication regarding, promotion of, and outreach for programs and program activities administered by the agency.

(2) APPLICABLE PROGRAM.—The term ''applicable program'' means any program that is—

(A) listed in Table 9 (pages 348–350) of the report of the Government Accountability Office entitled ''2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue''; and

(B) administered by—

(i) the Secretary;

(ii) the Secretary of Agriculture;

(iii) the Secretary of Defense;

(iv) the Secretary of Education;

(v) the Secretary of Health and Human Services;

(vi) the Secretary of Housing and Urban Development;

(vii) the Secretary of Transportation;

(viii) the Secretary of the Treasury;

(ix) the Administrator of the Environmental Protection Agency;

(x) the Director of the National Institute of Standards and Technology; or

(xi) the Administrator of the Small Business Administration.

(3) SERVICE.—

(A) IN GENERAL.—Subject to subparagraph (B), the term ''service'' has the meaning given the term by the Director of the Office of Management and Budget.

(B) REQUIREMENTS.—For purposes of subparagraph (A), the term ''service'' shall be limited to activities, assistance, or other aid that provides a direct benefit to a recipient, such as—

(i) the provision of technical assistance;

(ii) assistance for housing or tuition; or

(iii) financial support (including grants, loans, tax credits, and tax deductions).

(b) REPORT.—

(1) IN GENERAL.—Not later than January 1, 2017, the Secretary, in consultation with the agency heads described in clauses (ii) through (xi) of subsection (a)(2)(B), shall submit to Congress and make available on the public Internet website of the Department a report that describes the applicable programs.

(2) REQUIREMENTS.—In preparing the report under paragraph (1), the Secretary shall—

(A) determine the approximate annual total administrative expenses of each applicable program attributable to green buildings;

(B) determine the approximate annual expenditures for services for each applicable program attributable to green buildings;

(C) describe the intended market for each applicable program attributable to green buildings, including the—

(i) estimated the number of clients served by each applicable program; and

(ii) beneficiaries who received services or information under the applicable program (if applicable and if data is readily available);

(D) estimate—

(i) the number of full-time employees who administer activities attributable to green buildings for each applicable program; and

(ii) the number of full-time equivalents (the salary of whom is paid in part or full by the Federal Government through a grant or contract, a subaward of a grant or contract, a cooperative agreement, or another form of financial award or assistance) who assist in administering activities attributable to green buildings for the applicable program;

(E) briefly describe the type of services each applicable program provides attributable to green buildings, such as information, grants, technical assistance, loans, tax credits, or tax deductions;

(F) identify the type of recipient who is intended to benefit from the services or information provided under the applicable program attributable to green buildings, such as individual property owners or renters, local governments, businesses, nonprofit organizations, or State governments; and

(G) identify whether written program goals are available for each applicable program.

(c) RECOMMENDATIONS.—Not later than January 1, 2017, the Secretary, in consultation with the agency heads described in clauses (ii) through (xi) of subsection (a)(2)(B), shall submit to Congress a report that includes—

(1) a recommendation of whether any applicable program should be eliminated or consolidated, including any legislative changes that would be necessary to eliminate or consolidate applicable programs; and

(2) methods to improve the applicable programs by establishing program goals or increasing collaboration to reduce any potential overlap or duplication, taking into account—

(A) the 2011 report of the Government Accountability Office entitled ''Federal Initiatives for the Nonfederal Sector Could Benefit from More Interagency Collaboration''; and

(B) the report of the Government Accountability Office entitled ''2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue''.

(d) ANALYSES.—Not later than January 1, 2017, the Secretary, in consultation with the agency heads described in clauses (ii) through (xi) of subsection (a)(2)(B), shall identify—

(1) which applicable programs were specifically authorized by Congress; and

(2) which applicable programs are carried out solely under the discretionary authority of the Secretary or any agency head described in clauses (ii) through (xi) of subsection (a)(2)(B).

SEC. 1021. STUDY AND REPORT ON ENERGY SAVINGS BENEFITS OF OPERATIONAL EFFICIENCY PROGRAMS AND SERVICES.

(a) DEFINITION OF OPERATIONAL EFFICIENCY PROGRAMS AND SERVICES.—In this section, the term ''operational efficiency programs and services'' means programs and services that use information and communications technologies (including computer hardware, energy efficiency software, and power management tools) to operate buildings and equipment in the optimum manner at the optimum times.

(b) STUDY AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct a study and issue a report that quantifies the potential energy savings of operational efficiency programs and services for commercial, institutional, industrial, and governmental entities, including Federal agencies.

(c) MEASUREMENT AND VERIFICATION OF ENERGY SAVINGS.—The report required under this section shall include potential methodologies or protocols for utilities, utility regulators, and Federal agencies to evaluate, measure, and verify energy savings from operational efficiency programs and services.

SEC. 1022. USE OF FEDERAL DISASTER RELIEF AND EMERGENCY ASSISTANCE FOR ENERGY-EFFICIENT PRODUCTS AND STRUCTURES.

(a) IN GENERAL.—Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141 et seq.) is amended by adding at the end the following:

"SEC. 327. USE OF ASSISTANCE FOR ENERGY-EFFICIENT PRODUCTS AND STRUCTURES.

''(a) DEFINITIONS.—In this section—

''(1) the term 'energy-efficient product' means a product that—

''(A) meets or exceeds the requirements for designation under an Energy Star program established under section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a); or

''(B) meets or exceeds the requirements for designation as being among the highest 25 percent of equivalent products for energy efficiency under the Federal Energy Management Program; and

''(2) the term 'energy-efficient structure' means a residential structure, a public facility, or a private nonprofit facility that meets or exceeds the requirements of Standard 90.1–2013 of the American Society of Heating, Refrigerating and Air-Conditioning Engineers or the 2015 International Energy Conservation Code, or any successor thereto.

''(b) USE OF ASSISTANCE.—A recipient of assistance relating to a major disaster or emergency may use the assistance to replace or repair a damaged product or structure with an energy-efficient product or energy-efficient structure.''.

(b) APPLICABILITY.—The amendment made by this section shall apply to assistance made available under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) before, on, or after the date of enactment of this Act that is expended on or after the date of enactment of this Act.

SEC. 1023. WATERSENSE.

(a) IN GENERAL.—Part B of title III of the Energy Policy and Conservation Act is amended by adding after section 324A (42 U.S.C. 6294a) the following:

"SEC. 324B. WATERSENSE.

''(a) ESTABLISHMENT OF WATERSENSE PROGRAM.—

''(1) IN GENERAL.—There is established within the Environmental Protection Agency a voluntary WaterSense program to identify and promote water-efficient products, buildings, landscapes, facilities, processes, and services that, through voluntary labeling of, or other forms of communications regarding, products, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

''(A) reduce water use;

''(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

''(C) conserve energy used to pump, heat, transport, and treat water; and

''(D) preserve water resources for future generations.

''(2) INCLUSIONS.—The Administrator of the Environmental Protection Agency (referred to in this section as the 'Administrator') shall, consistent with this section, identify water-efficient products, buildings, landscapes, facilities, processes, and services, including categories such as—

''(A) irrigation technologies and services;

''(B) point-of-use water treatment devices;

''(C) plumbing products;

''(D) reuse and recycling technologies;

''(E) landscaping and gardening products, including moisture control or water enhancing technologies;

''(F) xeriscaping and other landscape conversions that reduce water use;

''(G) whole house humidifiers; and

''(H) water-efficient buildings or facilities.

''(b) DUTIES.—The Administrator, coordinating as appropriate with the Secretary, shall—

''(1) establish—

''(A) a WaterSense label to be used for items meeting the certification criteria established in accordance with this section; and

''(B) the procedure, including the methods and means, and criteria by which an item may be certified to display the WaterSense label;

''(2) enhance public awareness regarding the WaterSense label through outreach, education, and other means;

''(3) preserve the integrity of the WaterSense label by—

''(A) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

''(B) overseeing WaterSense certifications made by third parties;

''(C) as determined appropriate by the Administrator, using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

''(D) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

''(4) not more often than 6 years after adoption or major revision of any WaterSense specification, review and, if appropriate, revise the specification to achieve additional water savings;

''(5) in revising a WaterSense specification—

''(A) provide reasonable notice to interested parties and the public of any changes, including effective dates, and an explanation of the changes;

''(B) solicit comments from interested parties and the public prior to any changes;

''(C) as appropriate, respond to comments submitted by interested parties and the public; and

''(D) provide an appropriate transition time prior to the applicable effective date of any changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed; and

''(6) not later than December 31, 2018, consider for review and revision any WaterSense specification adopted before January 1, 2012.

''(c) TRANSPARENCY.—The Administrator shall, to the maximum extent practicable and not less than annually, regularly estimate and make available to the public the production and relative market shares and savings of water, energy, and capital costs of water, wastewater, and stormwater attributable to the use of WaterSense-labeled products, buildings, landscapes, facilities, processes, and services.

''(d) DISTINCTION OF AUTHORITIES.—In setting or maintaining specifications for Energy Star pursuant to section 324A, and WaterSense under this section, the Secretary and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

''(e) NO WARRANTY.—A WaterSense label shall not create an express or implied warranty.''.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by inserting after the item relating to section 324A the following:

''Sec. 324B. WaterSense.''.

Subtitle B—Appliances

SEC. 1101. EXTENDED PRODUCT SYSTEM REBATE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELECTRIC MOTOR.—The term ''electric motor'' has the meaning given the term in section 431.12 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) ELECTRONIC CONTROL.—The term ''electronic control'' means—

(A) a power converter; or

(B) a combination of a power circuit and control circuit included on 1 chassis.

(3) EXTENDED PRODUCT SYSTEM.—The term ''extended product system'' means an electric motor and any required associated electronic control and driven load that—

(A) offers variable speed or multispeed operation;

(B) offers partial load control that reduces input energy requirements (as measured in kilowatt-hours) as compared to identified base levels set by the Secretary; and

(C)(i) has greater than 1 horsepower; and

(ii) uses an extended product system technology, as determined by the Secretary.

(4) QUALIFIED EXTENDED PRODUCT SYSTEM.—

(A) IN GENERAL.—The term ''qualified extended product system'' means an extended product system that—

(i) includes an electric motor and an electronic control; and

(ii) reduces the input energy (as measured in kilowatt-hours) required to operate the extended product system by not less than 5 percent, as compared to identified base levels set by the Secretary.

(B) INCLUSIONS.—The term ''qualified extended product system'' includes commercial or industrial machinery or equipment that—

(i)(I) did not previously make use of the extended product system prior to the redesign described in subclause (II); and

(II) incorporates an extended product system that has greater than 1 horsepower into redesigned machinery or equipment; and

(ii) was previously used prior to, and was placed back into service during, calendar year 2016 or 2017.

(b) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program to provide rebates for expenditures made by qualified entities for the purchase or installation of a qualified extended product system.

(c) QUALIFIED ENTITIES.—

(1) ELIGIBILITY REQUIREMENTS.—A qualified entity under this section shall be—

(A) in the case of a qualified extended product system described in subsection (a)(4)(A), the purchaser of the qualified extended product that is installed; and

(B) in the case of a qualified extended product system described in subsection (a)(4)(B), the manufacturer of the commercial or industrial machinery or equipment that incorporated the extended product system into that machinery or equipment.

(2) APPLICATION.—To be eligible to receive a rebate under this section, a qualified entity shall submit to the Secretary—

(A) an application in such form, at such time, and containing such information as the Secretary may require; and

(B) a certification that includes demonstrated evidence—

(i) that the entity is a qualified entity; and

(ii)(I) in the case of a qualified entity described in paragraph (1)(A)—

(aa) that the qualified entity installed the qualified extended product system during the 2 fiscal years following the date of enactment of this Act;

(bb) that the qualified extended product system meets the requirements of subsection (a)(4)(A); and

(cc) showing the serial number, manufacturer, and model number from the nameplate of the installed motor of the qualified entity on which the qualified extended product system was installed; or

(II) in the case of a qualified entity described in paragraph (1)(B), demonstrated evidence—

(aa) that the qualified extended product system meets the requirements of subsection (a)(4)(B); and

(bb) showing the serial number, manufacturer, and model number from the nameplate of the installed motor of the qualified entity with which the extended product system is integrated.

(d) AUTHORIZED AMOUNT OF REBATE.—

(1) IN GENERAL.—The Secretary may provide to a qualified entity a rebate in an amount equal to the product obtained by multiplying—

(A) an amount equal to the sum of the nameplate rated horsepower of—

(i) the electric motor to which the qualified extended product system is attached; and

(ii) the electronic control; and

(B) $25.

(2) MAXIMUM AGGREGATE AMOUNT.—A qualified entity shall not be entitled to aggregate rebates under this section in excess of $25,000 per calendar year.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of the first 2 full fiscal years following the date of enactment of this Act, to remain available until expended.

SEC. 1102. ENERGY EFFICIENT TRANSFORMER REBATE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) QUALIFIED ENERGY EFFICIENT TRANSFORMER.—The term ''qualified energy efficient transformer'' means a transformer that meets or exceeds the applicable energy conservation standards described in the tables in subsection (b)(2) and paragraphs (1) and (2) of subsection (c) of section 431.196 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) QUALIFIED ENERGY INEFFICIENT TRANSFORMER.—The term ''qualified energy inefficient transformer'' means a transformer with an equal number of phases and capacity to a transformer described in any of the tables in subsection (b)(2) and paragraphs (1) and (2) of subsection (c) of section 431.196 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act) that—

(A) does not meet or exceed the applicable energy conservation standards described in paragraph (1); and

(B)(i) was manufactured between January 1, 1985, and December 31, 2006, for a transformer with an equal number of phases and capacity as a transformer described in the table in subsection (b)(2) of section 431.196 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act); or

(ii) was manufactured between January 1, 1990, and December 31, 2009, for a transformer with an equal number of phases and capacity as a transformer described in the table in paragraph (1) or (2) of subsection (c) of that section (as in effect on the date of enactment of this Act).

(3) QUALIFIED ENTITY.—The term ''qualified entity'' means an owner of industrial or manufacturing facilities, commercial buildings, or multifamily residential buildings, a utility, or an energy service company that fulfills the requirements of subsection (d).

(b) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a program to provide rebates to qualified entities for expenditures made by the qualified entity for the replacement of a qualified energy inefficient transformer with a qualified energy efficient transformer.

(c) REQUIREMENTS.—To be eligible to receive a rebate under this section, an entity shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require, including demonstrated evidence—

(1) that the entity purchased a qualified energy efficient transformer;

(2) of the core loss value of the qualified energy efficient transformer;

(3) of the age of the qualified energy inefficient transformer being replaced;

(4) of the core loss value of the qualified energy inefficient transformer being replaced—

(A) as measured by a qualified professional or verified by the equipment manufacturer, as applicable; or

(B) for transformers described in subsection (a)(2)(B)(i), as selected from a table of default values as determined by the Secretary in consultation with applicable industry; and

(5) that the qualified energy inefficient transformer has been permanently decommissioned and scrapped.

(d) AUTHORIZED AMOUNT OF REBATE.—The amount of a rebate provided under this section shall be—

(1) for a 3-phase or single-phase transformer with a capacity of not less than 10 and not greater than 2,500 kilovolt-amperes, twice the amount equal to the difference in Watts between the core loss value (as measured in accordance with paragraphs (2) and (4) of subsection (c)) of—

(A) the qualified energy inefficient transformer; and

(B) the qualified energy efficient transformer; or

(2) for a transformer described in subsection (a)(2)(B)(i), the amount determined using a table of default rebate values by rated transformer output, as measured in kilovolt-amperes, as determined by the Secretary in consultation with applicable industry.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2016 and 2017, to remain available until expended.

(f) TERMINATION OF EFFECTIVENESS.—The authority provided by this section terminates on December 31, 2017.

SEC. 1103. STANDARDS FOR CERTAIN FURNACES.

Section 325(f)(4) of the Energy Policy and Conservation Act (42 U.S.C. 6295(f)(4)) is amended by adding at the end the following:

''(E) RESTRICTION ON FINAL RULE FOR RESIDENTIAL NON-WEATHERIZED GAS FURNACES AND MOBILE HOME FURNACES.—

''(i) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary shall not prescribe a final rule amending the efficiency standards for residential non-weatherized gas furnaces or mobile home furnaces until each of the following has occurred:

''(I) The Secretary convenes a representative advisory group of interested stakeholders, including the manufacturers, distributors, and contractors of residential non-weatherized gas furnaces and mobile home furnaces, home builders, building owners, energy efficiency advocates, natural gas utilities, electric utilities, and consumer groups.

''(II) Not later than 1 year after the date of enactment of this subparagraph, the advisory group described in subclause (I) completes an analysis of a nationwide requirement of a condensing furnace efficiency standard including—

''(aa) a complete analysis of current market trends regarding the transition of sales from non-condensing furnaces to condensing furnaces;

''(bb) the projected net loss in the industry of the present value of original equipment manufactured after adoption of the standard;

''(cc) the projected consumer payback period and life cycle cost savings after adoption of the standard;

''(dd) a determination of whether the standard is economically justified, based solely on the definition of energy under section 321; and

''(ee) other common economic principles.

''(III) The advisory group described in subclause (I) reviews the analysis and determines whether a nationwide requirement of a condensing furnace efficiency standard is technically feasible and economically justified.

''(IV) The final determination of the advisory group under subclause (III) is published in the Federal Register.

''(ii) AMENDED STANDARDS.—If the advisory group determines under clause (i)(III) that a nationwide requirement of a condensing furnace efficiency standard is not technically feasible and economically justified, the Secretary shall, not later than 180 days after the date on which the final determination of the advisory group is published in the Federal Register under clause (i)(IV), establish amended standards through the negotiated rulemaking procedure provided for under subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990').''.

SEC. 1104. THIRD-PARTY CERTIFICATION UNDER ENERGY STAR PROGRAM.

Section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a) is amended by adding at the end the following:

''(e) THIRD-PARTY CERTIFICATION.—

''(1) IN GENERAL.—Subject to paragraph (2), not later than 180 days after the date of enactment of this subsection, the Administrator shall revise the certification requirements for the labeling of consumer, home, and office electronic products for program partners that have complied with all requirements of the Energy Star program for a period of at least 18 months.

''(2) ADMINISTRATION.—In the case of a program partner described in paragraph (1), the new requirements under paragraph (1)—

''(A) shall not require third-party certification for a product to be listed; but

''(B) may require that test data and other product information be submitted to facilitate product listing and performance verification for a sample of products.

''(3) THIRD PARTIES.—Nothing in this subsection prevents the Administrator from using third parties in the course of the administration of the Energy Star program.

''(4) TERMINATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), an exemption from third-party certification provided to a program partner under paragraph (1) shall terminate if the program partner is found to have violated program requirements with respect to at least 2 separate models during a 2-year period.

''(B) RESUMPTION.—A termination for a program partner under subparagraph (A) shall cease if the program partner complies with all Energy Star program requirements for a period of at least 3 years.''.

SEC. 1105. ENERGY CONSERVATION STANDARDS FOR COMMERCIAL REFRIGERATION EQUIPMENT.

(a) DEADLINE.—The requirements of the final rule entitled ''Energy Conservation Program: Energy Conservation Standards for Commercial Refrigeration Equipment'' (79 Fed. Reg. 17725 (March 28, 2014)), shall take effect on January 1, 2020, for equipment covered by the final rule that—

(1) uses natural refrigerants with a global warming potential of 10 or less that are approved for use by the Environmental Protection Agency under the Significant New Alternatives Program;

(2) is within 1 of the following product categories:

(A) VCT.SC.M vertical cooler with transparent door self contained medium temperature; or

(B) HCT.SC.M horizontal cooler with transparent door self contained medium temperature; and

(3) uses not more than 115 percent of the energy use allowed by applicable standards under Energy Star 3.0.

(b) FUTURE RULEMAKINGS.—Nothing in this section changes the criteria to be considered during future rulemakings undertaken by the Department under title III of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.).

(c) REVIEW.—Notwithstanding subsection (a), the next review required under section 342(c)(6)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6313(c)(6)(B)) shall be conducted based on an effective date of March 27, 2017.

SEC. 1106. VOLUNTARY VERIFICATION PROGRAMS FOR AIR CONDITIONING, FURNACE, BOILER, HEAT PUMP, AND WATER HEATER PRODUCTS.

Section 326(b) of the Energy Policy and Conservation Act (42 U.S.C. 6296(b)) is amended by adding at the end the following:

''(6) VOLUNTARY VERIFICATION PROGRAMS FOR AIR CONDITIONING, FURNACE, BOILER, HEAT PUMP, AND WATER HEATER PRODUCTS.—

''(A) RELIANCE ON VOLUNTARY PROGRAMS.—For the purpose of periodic testing to verify compliance with energy conservation standards and Energy Star specifications established under sections 324A, 325, and 342 for covered products described in paragraphs (3), (4), (5), (9), and (11) of section 322(a) and covered equipment described in subparagraphs (B), (C), (D), (F), (I), (J), and (K) of section 340(1), the Secretary and the Administrator of the Environmental Protection Agency shall rely on testing conducted by voluntary verification programs that are recognized by the Secretary in accordance with subparagraph (B).

''(B) RECOGNITION OF VOLUNTARY VERIFICATION PROGRAMS.—

''(i) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall initiate a negotiated rulemaking in accordance with subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990') to develop criteria that have consensus support for achieving recognition by the Secretary as an approved voluntary verification program.

''(ii) MINIMUM REQUIREMENTS.—The criteria developed under clause (i) shall, at a minimum, ensure that the voluntary verification program—

''(I) is nationally recognized;

''(II) is operated by a third party and not directly operated by a program participant;

''(III) satisfies any applicable elements of—

''(aa) International Organization for Standardization standard numbered 17025; and

''(bb) any other relevant International Organization for Standardization standards identified and agreed to through the negotiated rulemaking under clause (i);

''(IV) at least annually tests independently obtained products following the test procedures established under this title to verify the certified rating of a representative sample of products and equipment within the scope of the program;

''(V) maintains a publicly available list of all ratings of products subject to verification;

''(VI) requires the changing of the performance rating or removal of the product or equipment from the program if testing determines that the performance rating does not meet the levels the manufacturer has certified to the Secretary;

''(VII) requires new program participants to substantiate ratings through test data generated in accordance with DOE regulations;

''(VIII) allows for challenge testing of products and equipment within the scope of the program;

''(IX) requires program participants to disclose the performance rating of all covered products and equipment within the scope of the program for the covered product or equipment;

''(X) provides to the Secretary—

''(aa) an annual report of all test results, the contents of which shall be determined through the negotiated rulemaking process under clause (i); and

''(bb) test reports, on the request of the Secretary or the Administrator of the Environmental Protection Agency, that note any instructions specified by the manufacturer or the representative of the manufacturer for the purpose of conducting the verification testing, to be exempted from disclosure to the extent provided under section 552(b)(4) of title 5, United States Code (commonly known as the 'Freedom of Information Act'); and

''(XI) satisfies any additional requirements or standards that the Secretary and Administrator of the Environmental Protection Agency shall establish consistent with this subparagraph.

''(iii) FINDING REQUIRED FOR CESSATION OF RECOGNITION.—The Secretary may only cease recognition of a voluntary verification program as an approved program described in subparagraph (A) on a finding that the program is not meeting its obligations for compliance through program review criteria established under this subparagraph.

''(iv) REVISIONS.—

''(I) IN GENERAL.—Major revisions to voluntary verification program criteria established under this subparagraph shall only be made pursuant to a subsequent negotiated rulemaking in accordance with subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990').

''(II) NONMAJOR REVISIONS.—

''(aa) IN GENERAL.—The Secretary may make all other nonmajor criteria revisions by initiating a direct final rule in accordance with section 553(b)(3)(B) of title 5, United States Code, on a determination published in the Federal Register that revisions to the criteria are necessary and that substantive opposition to the proposed revisions is not expected.

''(bb) CONDITIONS FOR EFFECTIVENESS.—If the Secretary does not receive adversarial comments with respect to the determination published under item (aa) during the 30-day-period following publication of that determination in the Federal Register, the direct final rule shall have the force and effect of law.

''(cc) WITHDRAWAL OF FINAL RULE.—Receipt of any adversarial comment with respect to the determination published under item (aa) shall require the Secretary to withdraw the direct final rule and publish—

''(AA) a notice of proposed rulemaking pursuant to section 553 of title 5, United States Code; or

''(BB) a notice of proposed rulemaking pursuant to section 553 of title 5, United States Code, that includes a determination that revisions to the criteria are necessary.

''(C) ADMINISTRATION.—

''(i) IN GENERAL.—The Secretary and the Administrator of the Environmental Protection Agency shall not require—

''(I) manufacturers to participate in a voluntary verification program described in subparagraph (A); or

''(II) participating manufacturers to provide information that has already been provided to the Secretary or the Administrator.

''(ii) LIST OF COVERED PRODUCTS.—The Secretary or the Administrator of the Environmental Protection Agency may maintain a publicly available list of covered products and equipment that distinguishes between products that are, and are not covered products and equipment verified through a voluntary verification program described in subparagraph (A);

''(iii) PERIODIC VERIFICATION TESTING.—

''(I) IN GENERAL.—The Secretary—

''(aa) shall not subject products or equipment that have been verification tested under a voluntary verification program described in subparagraph (A) to periodic verification testing that verifies the accuracy of the certified performance rating of the products or equipment; but

''(bb) may test products or equipment described in subclause (I) if the testing is necessary—

''(AA) to assess the overall performance of a voluntary verification program;

''(BB) to address specific performance issues;

''(CC) for use in updating test procedures and standards; or

''(DD) for other purposes consistent with this title.

''(II) ADDITIONAL TESTING.—The Secretary may subject products or equipment described in subclause (I) to periodic verification testing outside the restrictions of subclause (I)(bb), if agreed to during the rulemaking described in subparagraph (B)

''(D) EFFECT ON OTHER AUTHORITY.—Nothing in this paragraph limits the authority of the Secretary or the Administrator of the Environmental Protection Agency to enforce compliance with any law.''.

SEC. 1107. APPLICATION OF ENERGY CONSERVATION STANDARDS TO CERTAIN EXTERNAL POWER SUPPLIES.

(a) DEFINITION OF EXTERNAL POWER SUPPLY.—Section 321(36)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6291(36)(A)) is amended—

(1) by striking the subparagraph designation and all that follows through ''The term'' and inserting the following:

''(A) EXTERNAL POWER SUPPLY.—

''(i) IN GENERAL.—The term''; and

(2) by adding at the end the following:

''(ii) EXCLUSION.—The term 'external power supply' does not include a power supply circuit, driver, or device that is designed exclusively to be connected to, and power—

''(I) light-emitting diodes providing illumination;

''(II) organic light-emitting diodes providing illumination; or

''(III) ceiling fans using direct current motors.''.

(b) STANDARDS FOR LIGHTING POWER SUPPLY CIRCUITS.—

(1) DEFINITION.—Section 340(2)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6311(2)(B)) is amended by striking clause (v) and inserting the following:

''(v) electric lights and lighting power supply circuits;''.

(2) ENERGY CONSERVATION STANDARD FOR CERTAIN EQUIPMENT.—Section 342 of the Energy Policy and Conservation Act (42 U.S.C. 6313) is amended by adding at the end the following:

''(g) LIGHTING POWER SUPPLY CIRCUITS.—If the Secretary, acting pursuant to section 341(b), includes as a covered equipment solid state lighting power supply circuits, drivers, or devices described in section 321(36)(A)(ii), the Secretary may prescribe under this part, not earlier than 1 year after the date on which a test procedure has been prescribed, an energy conservation standard for such equipment.''.

(c) TECHNICAL CORRECTIONS.—

(1) Section 321(6)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6291(6)(B)) is amended by striking ''(19)'' and inserting ''(20)''.

(2) Section 324 of the Energy Policy and Conservation Act (42 U.S.C. 6294) is amended by striking ''(19)'' each place it appears in each of subsections (a)(3), (b)(1)(B), (b)(3), and (b)(5) and inserting ''(20)''.

(3) Section 325(l) of the Energy Policy and Conservation Act (42 U.S.C. 6295(l)) is amended by striking ''paragraph (19)'' each place it appears and inserting ''paragraph (20)''.

Subtitle C—Manufacturing

SEC. 1201. MANUFACTURING ENERGY EFFICIENCY.

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

(1) to reform and reorient the industrial efficiency programs of the Department;

(2) to establish a clear and consistent authority for industrial efficiency programs of the Department;

(3) to accelerate the deployment of technologies and practices that will increase industrial energy efficiency and improve productivity;

(4) to accelerate the development and demonstration of technologies that will assist the deployment goals of the industrial efficiency programs of the Department and increase manufacturing efficiency;

(5) to stimulate domestic economic growth and improve industrial productivity and competitiveness; and

(6) to strengthen partnerships between Federal and State governmental agencies and the private and academic sectors.

(b) FUTURE OF INDUSTRY PROGRAM.—

(1) IN GENERAL.—Section 452 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111) is amended by striking the section heading and inserting the following: ''**FUTURE OF INDUSTRY PROGRAM**''.

(2) DEFINITION OF ENERGY SERVICE PROVIDER.—Section 452(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(a)) is amended—

(A) in paragraph (2)—

(i) by redesignating subparagraph (E) as subparagraph (F); and

(ii) by inserting before subparagraph (F) (as so redesignated) the following:

''(E) water and wastewater treatment facilities, including systems that treat municipal, industrial, and agricultural waste; and'';

(B) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(C) by inserting after paragraph (2) the following:

''(3) ENERGY SERVICE PROVIDER.—The term 'energy service provider' means any business providing technology or services to improve the energy efficiency, water efficiency, power factor, or load management of a manufacturing site or other industrial process in an energy-intensive industry, or any utility operating under a utility energy service project.''.

(3) INDUSTRIAL RESEARCH AND ASSESSMENT CENTERS.—Section 452(e) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(e)) is amended—

(A) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(B) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary'';

(C) in subparagraph (A) (as redesignated by subparagraph (A)), by inserting before the semicolon at the end the following: '', including assessments of sustainable manufacturing goals and the implementation of information technology advancements for supply chain analysis, logistics, system monitoring, industrial and manufacturing processes, and other purposes''; and

(D) by adding at the end the following:

''(2) COORDINATION.—To increase the value and capabilities of the industrial research and assessment centers, the centers shall—

''(A) coordinate with Manufacturing Extension Partnership Centers of the National Institute of Standards and Technology;

''(B) coordinate with the Building Technologies Program of the Department of Energy to provide building assessment services to manufacturers;

''(C) increase partnerships with the National Laboratories of the Department of Energy to leverage the expertise and technologies of the National Laboratories for national industrial and manufacturing needs;

''(D) increase partnerships with energy service providers and technology providers to leverage private sector expertise and accelerate deployment of new and existing technologies and processes for energy efficiency, power factor, and load management;

''(E) identify opportunities for reducing greenhouse gas emissions; and

''(F) promote sustainable manufacturing practices for small- and medium-sized manufacturers.

''(3) OUTREACH.—The Secretary shall provide funding for—

''(A) outreach activities by the industrial research and assessment centers to inform small- and medium-sized manufacturers of the information, technologies, and services available; and

''(B) coordination activities by each industrial research and assessment center to leverage efforts with—

''(i) Federal and State efforts;

''(ii) the efforts of utilities and energy service providers;

''(iii) the efforts of regional energy efficiency organizations; and

''(iv) the efforts of other industrial research and assessment centers.

''(4) WORKFORCE TRAINING.—

''(A) IN GENERAL.—The Secretary shall pay the Federal share of associated internship programs under which students work with or for industries, manufacturers, and energy service providers to implement the recommendations of industrial research and assessment centers.

''(B) FEDERAL SHARE.—The Federal share of the cost of carrying out internship programs described in subparagraph (A) shall be 50 percent.

''(5) SMALL BUSINESS LOANS.—The Administrator of the Small Business Administration shall, to the maximum extent practicable, expedite consideration of applications from eligible small business concerns for loans under the Small Business Act (15 U.S.C. 631 et seq.) to implement recommendations of industrial research and assessment centers established under paragraph (1).

''(6) ADVANCED MANUFACTURING STEERING COMMITTEE.—The Secretary shall establish an advisory steering committee to provide recommendations to the Secretary on planning and implementation of the Advanced Manufacturing Office of the Department of Energy.

''(7) EXPANSION OF TECHNICAL ASSISTANCE.—The Secretary shall expand the institution of higher education-based industrial research and assessment centers, working across Federal agencies as necessary—

''(A) to provide comparable assessment services to water and wastewater treatment facilities, including systems that treat municipal, industrial, and agricultural waste; and

''(B) to equip the directors of the centers with the training and tools necessary to provide technical assistance on energy savings to the water and wastewater treatment facilities.''.

(c) SUSTAINABLE MANUFACTURING INITIATIVE.—

(1) IN GENERAL.—Part E of title III of the Energy Policy and Conservation Act (42 U.S.C. 6341) is amended by adding at the end the following:

''SEC. 376. SUSTAINABLE MANUFACTURING INITIATIVE.

''(a) IN GENERAL.—As part of the Office of Energy Efficiency and Renewable Energy, the Secretary, on the request of a manufacturer, shall conduct on-site technical assessments to identify opportunities for—

''(1) maximizing the energy efficiency of industrial processes and cross-cutting systems;

''(2) preventing pollution and minimizing waste;

''(3) improving efficient use of water in manufacturing processes;

''(4) conserving natural resources; and

''(5) achieving such other goals as the Secretary determines to be appropriate.

''(b) COORDINATION.—The Secretary shall carry out the initiative in coordination with the private sector and appropriate agencies, including the National Institute of Standards and Technology, to accelerate adoption of new and existing technologies and processes that improve energy efficiency.

''(c) RESEARCH AND DEVELOPMENT PROGRAM FOR SUSTAINABLE MANUFACTURING AND INDUSTRIAL TECHNOLOGIES AND PROCESSES.—As part of the industrial efficiency programs of the Department of Energy, the Secretary shall carry out a joint industry-government partnership program to research, develop, and demonstrate new sustainable manufacturing and industrial technologies and processes that maximize the energy efficiency of industrial plants, reduce pollution, and conserve natural resources.''.

(2) TABLE OF CONTENTS.—The table of contents of the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by adding at the end of the items relating to part E of title III the following:

''Sec. 376. Sustainable manufacturing initiative.''.

SEC. 1202. LEVERAGING EXISTING FEDERAL AGENCY PROGRAMS TO ASSIST SMALL AND MEDIUM MANUFACTURERS.

(a) DEFINITIONS.—In this section and section 1203:

(1) ENERGY MANAGEMENT SYSTEM.—The term ''energy management system'' means a business management process based on standards of the American National Standards Institute that enables an organization to follow a systematic approach in achieving continual improvement of energy performance, including energy efficiency, security, use, and consumption.

(2) INDUSTRIAL ASSESSMENT CENTER.—The term ''industrial assessment center'' means a center located at an institution of higher education that—

(A) receives funding from the Department;

(B) provides an in-depth assessment of small- and medium-size manufacturer plant sites to evaluate the facilities, services, and

manufacturing operations of the plant site; and

(C) identifies opportunities for potential savings for small- and medium-size manufacturer plant sites from energy efficiency improvements, waste minimization, pollution prevention, and productivity improvement.

(3) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(4) SMALL AND MEDIUM MANUFACTURERS.—The term ''small and medium manufacturers'' means manufacturing firms—

(A) classified in the North American Industry Classification System as any of sectors 31 through 33;

(B) with gross annual sales of less than $100,000,000;

(C) with fewer than 500 employees at the plant site; and

(D) with annual energy bills totaling more than $100,000 and less than $2,500,000.

(5) SMART MANUFACTURING.—The term ''smart manufacturing'' means advanced technologies in information, automation, monitoring, computation, sensing, modeling, and networking that—

(A) digitally—

(i) simulate manufacturing production lines;

(ii) operate computer-controlled manufacturing equipment;

(iii) monitor and communicate production line status; and

(iv) manage and optimize energy productivity and cost throughout production;

(B) model, simulate, and optimize the energy efficiency of a factory building;

(C) monitor and optimize building energy performance;

(D) model, simulate, and optimize the design of energy efficient and sustainable products, including the use of digital prototyping and additive manufacturing to enhance product design;

(E) connect manufactured products in networks to monitor and optimize the performance of the networks, including automated network operations; and

(F) digitally connect the supply chain network.

(b) EXPANSION OF TECHNICAL ASSISTANCE PROGRAMS.—The Secretary shall expand the scope of technologies covered by the Industrial Assessment Centers of the Department—

(1) to include smart manufacturing technologies and practices; and

(2) to equip the directors of the Industrial Assessment Centers with the training and tools necessary to provide technical assistance in smart manufacturing technologies and practices, including energy management systems, to manufacturers.

(c) FUNDING.—The Secretary shall use unobligated funds of the Department to carry out this section.

SEC. 1203. LEVERAGING SMART MANUFACTURING INFRASTRUCTURE AT NATIONAL LABORATORIES.

(a) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall conduct a study on ways in which the Department can increase access to existing high-performance computing resources in the National Laboratories, particularly for small and medium manufacturers.

(2) INCLUSIONS.—In identifying ways to increase access to National Laboratories under paragraph (1), the Secretary shall—

(A) focus on increasing access to the computing facilities of the National Laboratories; and

(B) ensure that—

(i) the information from the manufacturer is protected; and

(ii) the security of the National Laboratory facility is maintained.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study.

(b) ACTIONS FOR INCREASED ACCESS.—The Secretary shall facilitate access to the National Laboratories studied under subsection (a) for small and medium manufacturers so that small and medium manufacturers can fully use the high-performance computing resources of the National Laboratories to enhance the manufacturing competitiveness of the United States.

Subtitle D—Vehicles

SEC. 1301. SHORT TITLE.

This subtitle may be cited as the ''Vehicle Innovation Act of 2016''.

SEC. 1302. OBJECTIVES.

The objectives of this subtitle are—

(1) to establish a consistent and consolidated authority for the vehicle technology program at the Department;

(2) to develop United States technologies and practices that—

(A) improve the fuel efficiency and emissions of all vehicles produced in the United States; and

(B) reduce vehicle reliance on petroleum-based fuels;

(3) to support domestic research, development, engineering, demonstration, and commercial application and manufacturing of advanced vehicles, engines, and components;

(4) to enable vehicles to move larger volumes of goods and more passengers with less energy and emissions;

(5) to develop cost-effective advanced technologies for wide-scale utilization throughout the passenger, commercial, government, and transit vehicle sectors;

(6) to allow for greater consumer choice of vehicle technologies and fuels;

(7) shorten technology development and integration cycles in the vehicle industry;

(8) to ensure a proper balance and diversity of Federal investment in vehicle technologies; and

(9) to strengthen partnerships between Federal and State governmental agencies and the private and academic sectors.

SEC. 1303. COORDINATION AND NONDUPLICATION.

The Secretary shall ensure, to the maximum extent practicable, that the activities authorized by this subtitle do not duplicate those of other programs within the Department or other relevant research agencies.

SEC. 1304. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary for research, development, engineering, demonstration, and commercial application of vehicles and related technologies in the United States, including activities authorized under this subtitle—

(1) for fiscal year 2016, $313,567,000;

(2) for fiscal year 2017, $326,109,000;

(3) for fiscal year 2018, $339,154,000;

(4) for fiscal year 2019, $352,720,000; and

(5) for fiscal year 2020, $366,829,000.

SEC. 1305. REPORTING.

(a) TECHNOLOGIES DEVELOPED.—Not later than 18 months after the date of enactment of this Act and annually thereafter through 2020, the Secretary shall submit to Congress a report regarding the technologies developed as a result of the activities authorized by this subtitle, with a particular emphasis on whether the technologies were successfully adopted for commercial applications, and if so, whether products relying on those technologies are manufactured in the United States.

(b) ADDITIONAL MATTERS.—At the end of each fiscal year through 2020, the Secretary shall submit to the relevant Congressional committees of jurisdiction an annual report describing activities undertaken in the previous year under this Act, active industry participants, the status of public private partnerships, progress of the program in meeting goals and timelines, and a strategic plan for funding of activities across agencies.

PART I—VEHICLE RESEARCH AND DEVELOPMENT

SEC. 1306. PROGRAM.

(a) ACTIVITIES.—The Secretary shall conduct a program of basic and applied research, development, engineering, demonstration, and commercial application activities on materials, technologies, and processes with the potential to substantially reduce or eliminate petroleum use and the emissions of the Nation's passenger and commercial vehicles, including activities in the areas of—

(1) electrification of vehicle systems;

(2) batteries, ultracapacitors, and other energy storage devices;

(3) power electronics;

(4) vehicle, component, and subsystem manufacturing technologies and processes;

(5) engine efficiency and combustion optimization;

(6) waste heat recovery;

(7) transmission and drivetrains;

(8) hydrogen vehicle technologies, including fuel cells and internal combustion engines, and hydrogen infrastructure, including hydrogen energy storage to enable renewables and provide hydrogen for fuel and power;

(9) natural gas vehicle technologies;

(10) aerodynamics, rolling resistance (including tires and wheel assemblies), and accessory power loads of vehicles and associated equipment;

(11) vehicle weight reduction, including lightweighting materials and the development of manufacturing processes to fabricate, assemble, and use dissimilar materials;

(12) friction and wear reduction;

(13) engine and component durability;

(14) innovative propulsion systems;

(15) advanced boosting systems;

(16) hydraulic hybrid technologies;

(17) engine compatibility with and optimization for a variety of transportation fuels including natural gas and other liquid and gaseous fuels;

(18) predictive engineering, modeling, and simulation of vehicle and transportation systems;

(19) refueling and charging infrastructure for alternative fueled and electric or plug-in electric hybrid vehicles, including the unique challenges facing rural areas;

(20) gaseous fuels storage systems and system integration and optimization;

(21) sensing, communications, and actuation technologies for vehicle, electrical grid, and infrastructure;

(22) efficient use, substitution, and recycling of potentially critical materials in vehicles, including rare earth elements and precious metals, at risk of supply disruption;

(23) aftertreatment technologies;

(24) thermal management of battery systems;

(25) retrofitting advanced vehicle technologies to existing vehicles;

(26) development of common standards, specifications, and architectures for both transportation and stationary battery applications;

(27) advanced internal combustion engines;

(28) mild hybrid;

(29) engine down speeding;

(30) vehicle-to-vehicle, vehicle-to-pedestrian, and vehicle-to-infrastructure technologies; and

(31) other research areas as determined by the Secretary.

(b) TRANSFORMATIONAL TECHNOLOGY.—The Secretary shall ensure that the Department continues to support research, development, engineering, demonstration, and commercial application activities and maintains competency in mid- to long-term transformational vehicle technologies with potential to achieve reductions in emissions, including activities in the areas of—

(1) hydrogen vehicle technologies, including fuel cells, hydrogen storage, infrastructure, and activities in hydrogen technology validation and safety codes and standards;

(2) multiple battery chemistries and novel energy storage devices, including nonchemical batteries and electromechanical storage technologies such as hydraulics, flywheels, and compressed air storage;

(3) communication and connectivity among vehicles, infrastructure, and the electrical grid; and

(4) other innovative technologies research and development, as determined by the Secretary.

(c) INDUSTRY PARTICIPATION.—To the maximum extent practicable, activities under this Act shall be carried out in partnership or collaboration with automotive manufacturers, heavy commercial, vocational, and transit vehicle manufacturers, qualified plug-in electric vehicle manufacturers, compressed natural gas vehicle manufacturers, vehicle and engine equipment and component manufacturers, manufacturing equipment manufacturers, advanced vehicle service providers, fuel producers and energy suppliers, electric utilities, universities, national laboratories, and independent research laboratories. In carrying out this Act the Secretary shall—

(1) determine whether a wide range of companies that manufacture or assemble vehicles or components in the United States are represented in ongoing public private partnership activities, including firms that have not traditionally participated in federally sponsored research and development activities, and where possible, partner with such firms that conduct significant and relevant research and development activities in the United States;

(2) leverage the capabilities and resources of, and formalize partnerships with, industry-led stakeholder organizations, nonprofit organizations, industry consortia, and trade associations with expertise in the research and development of, and education and outreach activities in, advanced automotive and commercial vehicle technologies;

(3) develop more effective processes for transferring research findings and technologies to industry;

(4) support public-private partnerships, dedicated to overcoming barriers in commercial application of transformational vehicle technologies, that utilize such industry-led technology development facilities of entities with demonstrated expertise in successfully designing and engineering pre-commercial generations of such transformational technology; and

(5) promote efforts to ensure that technology research, development, engineering, and commercial application activities funded under this Act are carried out in the United States.

(d) INTERAGENCY AND INTRAAGENCY COORDINATION.—To the maximum extent practicable, the Secretary shall coordinate research, development, demonstration, and commercial application activities among—

(1) relevant programs within the Department, including—

(A) the Office of Energy Efficiency and Renewable Energy;

(B) the Office of Science;

(C) the Office of Electricity Delivery and Energy Reliability;

(D) the Office of Fossil Energy;

(E) the Advanced Research Projects Agency—Energy; and

(F) other offices as determined by the Secretary; and

(2) relevant technology research and development programs within other Federal agencies, as determined by the Secretary.

(e) FEDERAL DEMONSTRATION OF TECHNOLOGIES.—The Secretary shall make information available to procurement programs of Federal agencies regarding the potential to demonstrate technologies resulting from activities funded through programs under this Act.

(f) INTERGOVERNMENTAL COORDINATION.—The Secretary shall seek opportunities to leverage resources and support initiatives of State and local governments in developing and promoting advanced vehicle technologies, manufacturing, and infrastructure.

(g) CRITERIA.—When awarding grants under this program, the Secretary shall give priority to those technologies (either individually or as part of a system) that—

(1) provide the greatest aggregate fuel savings based on the reasonable projected sales volumes of the technology; and

(2) provide the greatest increase in United States employment.

(h) SECONDARY USE APPLICATIONS.—

(1) IN GENERAL.—The Secretary shall carry out a research, development, and demonstration program that—

(A) builds on any work carried out under section 915 of the Energy Policy Act of 2005 (42 U.S.C. 16195);

(B) identifies possible uses of a vehicle battery after the useful life of the battery in a vehicle has been exhausted;

(C) conducts long-term testing to verify performance and degradation predictions and lifetime valuations for secondary uses;

(D) evaluates innovative approaches to recycling materials from plug-in electric drive vehicles and the batteries used in plug-in electric drive vehicles;

(E)(i) assesses the potential for markets for uses described in subparagraph (B) to develop; and

(ii) identifies any barriers to the development of those markets; and

(F) identifies the potential uses of a vehicle battery—

(i) with the most promise for market development; and

(ii) for which market development would be aided by a demonstration project.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress an initial report on the findings of the program described in paragraph (1), including recommendations for stationary energy storage and other potential applications for batteries used in plug-in electric drive vehicles.

(3) SECONDARY USE DEMONSTRATION.—

(A) IN GENERAL.—Based on the results of the program described in paragraph (1), the Secretary shall develop guidelines for projects that demonstrate the secondary uses and innovative recycling of vehicle batteries.

(B) PUBLICATION OF GUIDELINES.—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(i) publish the guidelines described in subparagraph (A); and

(ii) solicit applications for funding for demonstration projects.

(C) PILOT DEMONSTRATION PROGRAM.—Not later than 21 months after the date of enactment of this Act, the Secretary shall select proposals for grant funding under this section, based on an assessment of which proposals are mostly likely to contribute to the development of a secondary market for batteries.

SEC. 1307. MANUFACTURING.

The Secretary shall carry out a research, development, engineering, demonstration, and commercial application program of advanced vehicle manufacturing technologies and practices, including innovative processes—

(1) to increase the production rate and decrease the cost of advanced battery and fuel cell manufacturing;

(2) to vary the capability of individual manufacturing facilities to accommodate different battery chemistries and configurations;

(3) to reduce waste streams, emissions, and energy intensity of vehicle, engine, advanced battery and component manufacturing processes;

(4) to recycle and remanufacture used batteries and other vehicle components for reuse in vehicles or stationary applications;

(5) to develop manufacturing processes to effectively fabricate, assemble, and produce cost-effective lightweight materials such as advanced aluminum and other metal alloys, polymeric composites, and carbon fiber for use in vehicles;

(6) to produce lightweight high pressure storage systems for gaseous fuels;

(7) to design and manufacture purpose-built hydrogen fuel cell vehicles and components;

(8) to improve the calendar life and cycle life of advanced batteries; and

(9) to produce permanent magnets for advanced vehicles.

PART II—MEDIUM- AND HEAVY-DUTY COMMERCIAL AND TRANSIT VEHICLES

SEC. 1308. PROGRAM.

The Secretary, in partnership with relevant research and development programs in other Federal agencies, and a range of appropriate industry stakeholders, shall carry out a program of cooperative research, development, demonstration, and commercial application activities on advanced technologies for medium- to heavy-duty commercial, vocational, recreational, and transit vehicles, including activities in the areas of—

(1) engine efficiency and combustion research;

(2) onboard storage technologies for compressed and liquefied natural gas;

(3) development and integration of engine technologies designed for natural gas operation of a variety of vehicle platforms;

(4) waste heat recovery and conversion;

(5) improved aerodynamics and tire rolling resistance;

(6) energy and space-efficient emissions control systems;

(7) mild hybrid, heavy hybrid, hybrid hydraulic, plug-in hybrid, and electric platforms, and energy storage technologies;

(8) drivetrain optimization;

(9) friction and wear reduction;

(10) engine idle and parasitic energy loss reduction;

(11) electrification of accessory loads;

(12) onboard sensing and communications technologies;

(13) advanced lightweighting materials and vehicle designs;

(14) increasing load capacity per vehicle;

(15) thermal management of battery systems;

(16) recharging infrastructure;

(17) compressed natural gas infrastructure;

(18) advanced internal combustion engines;

(19) complete vehicle and power pack modeling, simulation, and testing;

(20) hydrogen vehicle technologies, including fuel cells and internal combustion engines, and hydrogen infrastructure, including hydrogen energy storage to enable renewables and provide hydrogen for fuel and power;

(21) retrofitting advanced technologies onto existing truck fleets;

(22) advanced boosting systems;

(23) engine down speeding; and

(24) integration of these and other advanced systems onto a single truck and trailer platform.

SEC. 1309. CLASS 8 TRUCK AND TRAILER SYSTEMS DEMONSTRATION.

(a) IN GENERAL.—The Secretary shall conduct a competitive grant program to demonstrate the integration of multiple advanced technologies on Class 8 truck and trailer platforms, including a combination of technologies listed in section 1308.

(b) APPLICANT TEAMS.—Applicant teams may be comprised of truck and trailer manufacturers, engine and component manufacturers, fleet customers, university researchers, and other applicants as appropriate for the development and demonstration of integrated Class 8 truck and trailer systems.

SEC. 1310. TECHNOLOGY TESTING AND METRICS.

The Secretary, in coordination with the partners of the interagency research program described in section 1308—

(1) shall develop standard testing procedures and technologies for evaluating the performance of advanced heavy vehicle technologies under a range of representative duty cycles and operating conditions, including for heavy hybrid propulsion systems;

(2) shall evaluate heavy vehicle performance using work performance-based metrics other than those based on miles per gallon, including those based on units of volume and weight transported for freight applications, and appropriate metrics based on the work performed by nonroad systems; and

(3) may construct heavy duty truck and bus testing facilities.

SEC. 1311. NONROAD SYSTEMS PILOT PROGRAM.

The Secretary shall undertake a pilot program of research, development, demonstration, and commercial applications of technologies to improve total machine or system efficiency for nonroad mobile equipment including agricultural, construction, air, and sea port equipment, and shall seek opportunities to transfer relevant research findings and technologies between the nonroad and on-highway equipment and vehicle sectors.

PART III—ADMINISTRATION

SEC. 1312. REPEAL OF EXISTING AUTHORITIES.

(a) IN GENERAL.—Sections 706, 711, 712, and 933 of the Energy Policy Act of 2005 (42 U.S.C. 16051, 16061, 16062, 16233) are repealed.

(b) ENERGY EFFICIENCY.—Section 911 of the Energy Policy Act of 2005 (42 U.S.C. 16191) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A), by striking ''vehicles, buildings,'' and inserting ''buildings''; and

(B) in paragraph (2)—

(i) by striking subparagraph (A); and

(ii) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively; and

(2) in subsection (c)—

(A) by striking paragraph (3);

(B) by redesignating paragraph (4) as paragraph (3); and

(C) in paragraph (3) (as so redesignated), by striking ''(a)(2)(D)'' and inserting ''(a)(2)(C)''.

SEC. 1313. REAUTHORIZATION OF DIESEL EMISSIONS REDUCTION PROGRAM.

Section 797(a) of the Energy Policy Act of 2005 (42 U.S.C. 16137(a)) is amended by striking ''2016'' and inserting ''2021''.

SEC. 1314. GASEOUS FUEL DUAL FUELED AUTOMOBILES.

Section 32905 of title 49, United States Code, is amended by striking subsection (d) and inserting the following:

''(d) GASEOUS FUEL DUAL FUELED AUTOMOBILES.—

''(1) MODEL YEARS 1993 THROUGH 2016.—For any model of gaseous fuel dual fueled automobile manufactured by a manufacturer in model years 1993 through 2016, the Administrator shall measure the fuel economy for that model by dividing 1.0 by the sum of—

''(A) .5 divided by the fuel economy measured under section 32904(c) of this title when operating the model on gasoline or diesel fuel; and

''(B) .5 divided by the fuel economy measured under subsection (c) of this section when operating the model on gaseous fuel.

''(2) SUBSEQUENT MODEL YEARS.—For any model of gaseous fuel dual fueled automobile manufactured by a manufacturer in model year 2017 or any subsequent model year, the Administrator shall calculate fuel economy in accordance with section 600.510–12 (c)(2)(vii) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this paragraph) if the vehicle qualifies under section 32901(c).''.

Subtitle E—Short Title

SEC. 1401. SHORT TITLE.

This title may be cited as the ''Portman-Shaheen Energy Efficiency Improvement Act of 2016''.

Subtitle F—Housing

SEC. 1501. DEFINITIONS.

In this subtitle, the following definitions shall apply:

(1) COVERED LOAN.—The term ''covered loan'' means a loan secured by a home that is insured by the Federal Housing Administration under title II of the National Housing Act (12 U.S.C. 1707 et seq.).

(2) HOMEOWNER.—The term ''homeowner'' means the mortgagor under a covered loan.

(3) MORTGAGEE.—The term ''mortgagee'' means an original lender under a covered loan or the holder of a covered loan at the time at which that mortgage transaction is consummated.

SEC. 1502. ENHANCED ENERGY EFFICIENCY UNDERWRITING CRITERIA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Housing and Urban Development shall, in consultation with the advisory group established in section 1505(c), develop and issue guidelines for the Federal Housing Administration to implement enhanced loan eligibility requirements, for use when testing the ability of a loan applicant to repay a covered loan, that account for the expected energy cost savings for a loan applicant at a subject property, in the manner set forth in subsections (b) and (c).

(b) REQUIREMENTS TO ACCOUNT FOR ENERGY COST SAVINGS.—

(1) IN GENERAL.—The enhanced loan eligibility requirements under subsection (a) shall require that, for all covered loans for which an energy efficiency report is voluntarily provided to the mortgagee by the homeowner, the Federal Housing Administration and the mortgagee shall take into consideration the estimated energy cost savings expected for the owner of the subject property in determining whether the loan applicant has sufficient income to service the mortgage debt plus other regular expenses.

(2) USE AS OFFSET.—To the extent that the Federal Housing Administration uses a test such as a debt-to-income test that includes certain regular expenses, such as hazard insurance and property taxes—

(A) the expected energy cost savings shall be included as an offset to these expenses; and

(B) the Federal Housing Administration may not use the offset described in subparagraph (A) to qualify a loan applicant for insurance under title II of the National Housing Act (12 U.S.C. 1707 et seq.) with respect to a loan that would not otherwise meet the requirements for such insurance.

(3) TYPES OF ENERGY COSTS.—Energy costs to be assessed under this subsection shall include the cost of electricity, natural gas, oil, and any other fuel regularly used to supply energy to the subject property.

(c) DETERMINATION OF ESTIMATED ENERGY COST SAVINGS.—

(1) IN GENERAL.—The guidelines to be issued under subsection (a) shall include instructions for the Federal Housing Administration to calculate estimated energy cost savings using—

(A) the energy efficiency report;

(B) an estimate of baseline average energy costs; and

(C) additional sources of information as determined by the Secretary of Housing and Urban Development.

(2) REPORT REQUIREMENTS.—For the purposes of paragraph (1), an energy efficiency report shall—

(A) estimate the expected energy cost savings specific to the subject property, based on specific information about the property;

(B) be prepared in accordance with the guidelines to be issued under subsection (a); and

(C) be prepared—

(i) in accordance with the Residential Energy Service Network's Home Energy Rating System (commonly known as ''HERS'') by an individual certified by the Residential Energy Service Network, unless the Secretary of Housing and Urban Development finds that the use of HERS does not further the purposes of this subtitle;

(ii) in accordance with the Alaska Housing Finance Corporation energy rating system by an individual certified by the Alaska Housing Finance Corporation as an authorized Energy Rater; or

(iii) by other methods approved by the Secretary of Housing and Urban Development, in consultation with the Secretary and the advisory group established in section 1505(c), for use under this subtitle, which shall include a third-party quality assurance procedure.

(3) USE BY APPRAISER.—If an energy efficiency report is used under subsection (b), the energy efficiency report shall be provided to the appraiser to estimate the energy efficiency of the subject property and for potential adjustments for energy efficiency.

(d) PRICING OF LOANS.—

(1) IN GENERAL.—The Federal Housing Administration may price covered loans originated under the enhanced loan eligibility requirements required under this section in accordance with the estimated risk of the loans.

(2) IMPOSITION OF CERTAIN MATERIAL COSTS, IMPEDIMENTS, OR PENALTIES.—In the absence of a publicly disclosed analysis that demonstrates significant additional default risk or prepayment risk associated with the loans, the Federal Housing Administration shall not impose material costs, impediments, or penalties on covered loans merely because the loan uses an energy efficiency report or the enhanced loan eligibility requirements required under this section.

(e) LIMITATIONS.—

(1) IN GENERAL.—The Federal Housing Administration may price covered loans originated under the enhanced loan eligibility requirements required under this section in accordance with the estimated risk of those loans.

(2) PROHIBITED ACTIONS.—The Federal Housing Administration shall not—

(A) modify existing underwriting criteria or adopt new underwriting criteria that intentionally negate or reduce the impact of the requirements or resulting benefits that are set forth or otherwise derived from the enhanced loan eligibility requirements required under this section; or

(B) impose greater buy back requirements, credit overlays, or insurance requirements, including private mortgage insurance, on covered loans merely because the loan uses an energy efficiency report or the enhanced loan eligibility requirements required under this section.

(f) APPLICABILITY AND IMPLEMENTATION DATE.—Not later than 3 years after the date of enactment of this Act, and before December 31, 2019, the enhanced loan eligibility requirements required under this section shall be implemented by the Federal Housing Administration to—

(1) apply to any covered loan for the sale, or refinancing of any loan for the sale, of any home;

(2) be available on any residential real property (including individual units of condominiums and cooperatives) that qualifies for a covered loan; and

(3) provide prospective mortgagees with sufficient guidance and applicable tools to implement the required underwriting methods.

SEC. 1503. ENHANCED ENERGY EFFICIENCY UNDERWRITING VALUATION GUIDELINES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Housing and Urban Development shall—

(1) in consultation with the Federal Financial Institutions Examination Council and the advisory group established in section 1505(c), develop and issue guidelines for the Federal Housing Administration to determine the maximum permitted loan amount based on the value of the property for all covered loans made on properties with an energy efficiency report that meets the requirements of section 1502(c)(2); and

(2) in consultation with the Secretary, issue guidelines for the Federal Housing Administration to determine the estimated energy savings under subsection (c) for properties with an energy efficiency report.

(b) REQUIREMENTS.—The enhanced energy efficiency underwriting valuation guidelines required under subsection (a) shall include—

(1) a requirement that if an energy efficiency report that meets the requirements of section 1502(c)(2) is voluntarily provided to the mortgagee, such report shall be used by the mortgagee or the Federal Housing Administration to determine the estimated energy savings of the subject property; and

(2) a requirement that the estimated energy savings of the subject property be added to the appraised value of the subject property by a mortgagee or the Federal Housing Administration for the purpose of determining the loan-to-value ratio of the subject property, unless the appraisal includes the value of the overall energy efficiency of the subject property, using methods to be established under the guidelines issued under subsection (a).

(c) DETERMINATION OF ESTIMATED ENERGY SAVINGS.—

(1) AMOUNT OF ENERGY SAVINGS.—The amount of estimated energy savings shall be determined by calculating the difference between the estimated energy costs for the average comparable houses, as determined in guidelines to be issued under subsection (a), and the estimated energy costs for the subject property based upon the energy efficiency report.

(2) DURATION OF ENERGY SAVINGS.—The duration of the estimated energy savings shall be based upon the estimated life of the applicable equipment, consistent with the rating system used to produce the energy efficiency report.

(3) PRESENT VALUE OF ENERGY SAVINGS.—The present value of the future savings shall be discounted using the average interest rate on conventional 30-year mortgages, in the manner directed by guidelines issued under subsection (a).

(d) ENSURING CONSIDERATION OF ENERGY EFFICIENT FEATURES.—Section 1110 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3339) is amended—

(1) in paragraph (2), by striking ''; and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

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

''(4) that State certified and licensed appraisers have timely access, whenever practicable, to information from the property owner and the lender that may be relevant in developing an opinion of value regarding the energy-saving improvements or features of a property, such as—

''(A) labels or ratings of buildings;

''(B) installed appliances, measures, systems or technologies;

''(C) blueprints;

''(D) construction costs;

''(E) financial or other incentives regarding energy-efficient components and systems installed in a property;

''(F) utility bills;

''(G) energy consumption and benchmarking data; and

''(H) third-party verifications or representations of energy and water efficiency performance of a property, observing all financial privacy requirements adhered to by certified and licensed appraisers, including section 501 of the Gramm-Leach-Bliley Act (15 U.S.C. 6801).

Unless a property owner consents to a lender, an appraiser, in carrying out the requirements of paragraph (4), shall not have access to the commercial or financial information of the owner that is privileged or confidential.''.

(e) TRANSACTIONS REQUIRING STATE CERTIFIED APPRAISERS.—Section 1113 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3342) is amended—

(1) in paragraph (1), by inserting before the semicolon the following: '', or any real property on which the appraiser makes adjustments using an energy efficiency report''; and

(2) in paragraph (2), by inserting after before the period at the end the following: '', or an appraisal on which the appraiser makes adjustments using an energy efficiency report''.

(f) PROTECTIONS.—

(1) AUTHORITY TO IMPOSE LIMITATIONS.—The guidelines to be issued under subsection (a) shall include such limitations and conditions as determined by the Secretary of Housing and Urban Development to be necessary to protect against meaningful under or over valuation of energy cost savings or duplicative counting of energy efficiency features or energy cost savings in the valuation of any subject property that is used to determine a loan amount.

(2) ADDITIONAL AUTHORITY.—At the end of the 7-year period following the implementation of enhanced eligibility and underwriting valuation requirements under this subtitle, the Secretary of Housing and Urban Development may modify or apply additional exceptions to the approach described in subsection (b), where the Secretary of Housing and Urban Development finds that the unadjusted appraisal will reflect an accurate market value of the efficiency of the subject property or that a modified approach will better reflect an accurate market value.

(g) APPLICABILITY AND IMPLEMENTATION DATE.—Not later than 3 years after the date of enactment of this Act, and before December 31, 2019, the Federal Housing Administration shall implement the guidelines required under this section, which shall—

(1) apply to any covered loan for the sale, or refinancing of any loan for the sale, of any home; and

(2) be available on any residential real property, including individual units of condominiums and cooperatives, that qualifies for a covered loan.

SEC. 1504. MONITORING.

Not later than 1 year after the date on which the enhanced eligibility and underwriting valuation requirements are implemented under this subtitle, and every year thereafter, the Federal Housing Administration shall issue and make available to the public a report that—

(1) enumerates the number of covered loans of the Federal Housing Administration for which there was an energy efficiency report, and that used energy efficiency appraisal guidelines and enhanced loan eligibility requirements;

(2) includes the default rates and rates of foreclosures for each category of loans; and

(3) describes the risk premium, if any, that the Federal Housing Administration has priced into covered loans for which there was an energy efficiency report.

SEC. 1505. RULEMAKING.

(a) IN GENERAL.—The Secretary of Housing and Urban Development shall prescribe regulations to carry out this subtitle, in consultation with the Secretary and the advisory group established in subsection (c), which may contain such classifications, differentiations, or other provisions, and may provide for such proper implementation and appropriate treatment of different types of transactions, as the Secretary of Housing and Urban Development determines are necessary or proper to effectuate the purposes of this subtitle, to prevent circumvention or evasion thereof, or to facilitate compliance therewith.

(b) RULE OF CONSTRUCTION.—Nothing in this subtitle shall be construed to authorize the Secretary of Housing and Urban Development to require any homeowner or other party to provide energy efficiency reports, energy efficiency labels, or other disclosures to the Federal Housing Administration or to a mortgagee.

(c) ADVISORY GROUP.—To assist in carrying out this subtitle, the Secretary of Housing and Urban Development shall establish an advisory group, consisting of individuals representing the interests of—

(1) mortgage lenders;

(2) appraisers;

(3) energy raters and residential energy consumption experts;

(4) energy efficiency organizations;

(5) real estate agents;

(6) home builders and remodelers;

(7) consumer advocates;

(8) State energy officials; and

(9) others as determined by the Secretary of Housing and Urban Development.

SEC. 1506. ADDITIONAL STUDY.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Housing and Urban Development shall reconvene the advisory group established in section 1505(c), in addition to water and locational efficiency experts, to advise the Secretary of Housing and Urban Development on the implementation of the enhanced energy efficiency underwriting criteria established in sections 1502 and 1503.

(b) RECOMMENDATIONS.—The advisory group established in section 1505(c) shall provide recommendations to the Secretary of Housing and Urban Development on any revisions or additions to the enhanced energy efficiency underwriting criteria deemed necessary by the group, which may include alternate methods to better account for home energy costs and additional factors to account for substantial and regular costs of homeownership such as location-based transportation costs and water costs. The Secretary of Housing and Urban Development shall forward any legislative recommendations from the advisory group to Congress for its consideration.

TITLE II—INFRASTRUCTURE

Subtitle A—Cybersecurity

SEC. 2001. CYBERSECURITY THREATS.

Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding at the end the following:

"SEC. 224. CYBERSECURITY THREATS.

''(a) DEFINITIONS.—In this section:

''(1) BULK-POWER SYSTEM.—The term 'bulk-power system' has the meaning given the term in section 215.

''(2) CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'critical electric infrastructure' means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of those matters.

''(3) CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—

''(A) IN GENERAL.—The term 'critical electric infrastructure information' means information related to critical electric infrastructure, or proposed critical electric infrastructure, generated by or provided to the Commission or other Federal agency, other than classified national security information, that is designated as critical electric infrastructure information by the Commission under subsection (d)(2).

''(B) INCLUSIONS.—The term 'critical electric infrastructure information' includes information that qualifies as critical energy infrastructure information under regulations promulgated by the Commission.

''(4) CYBERSECURITY THREAT.—The term 'cybersecurity threat' means the imminent danger of an act that severely disrupts, attempts to severely disrupt, or poses a significant risk of severely disrupting the operation of programmable electronic devices or communications networks (including hardware, software, and data) essential to the reliable operation of the bulk-power system.

''(5) ELECTRIC RELIABILITY ORGANIZATION.—The term 'Electric Reliability Organization' has the meaning given the term in section 215.

''(6) REGIONAL ENTITY.—The term 'regional entity' has the meaning given the term in section 215.

''(7) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(b) EMERGENCY AUTHORITY OF SECRETARY.—

''(1) IN GENERAL.—If the President notifies the Secretary that the President has made a determination that immediate action is necessary to protect the bulk-power system from a cybersecurity threat, the Secretary may require, by order and with or without notice, any entity that is registered with the Electric Reliability Organization as an owner, operator, or user of the bulk-power system to take such actions as the Secretary determines will best avert or mitigate the cybersecurity threat.

''(2) WRITTEN EXPLANATION.—As soon as practicable after notifying the Secretary under paragraph (1), the President shall—

''(A) provide to the Secretary, in writing, a record of the determination and an explanation of the reasons for the determination; and

''(B) promptly notify, in writing, congressional committees of relevant jurisdiction, including the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, of the contents of, and justification for, the directive or determination.

''(3) COORDINATION WITH CANADA AND MEXICO.—In exercising the authority pursuant to this subsection, the Secretary is encouraged to consult and coordinate with the appropriate officials in Canada and Mexico responsible for the protection of cybersecurity of the interconnected North American electricity grid.

''(4) CONSULTATION.—Before exercising authority pursuant to this subsection, to the maximum extent practicable, taking into consideration the nature of an identified cybersecurity threat and the urgency of need for action, the Secretary shall consult regarding implementation of actions that will effectively address the cybersecurity threat with—

''(A) any entities potentially subject to the cybersecurity threat that own, control, or operate bulk-power system facilities;

''(B) the Electric Reliability Organization;

''(C) the Electricity Sub-sector Coordinating Council (as established by the Electric Reliability Organization); and

''(D) officials of other Federal departments and agencies, as appropriate.

''(5) COST RECOVERY.—

''(A) IN GENERAL.—The Commission shall adopt regulations that permit entities subject to an order under paragraph (1) to seek recovery of prudently incurred costs required to implement actions ordered by the Secretary under this subsection.

''(B) REQUIREMENTS.—Any rate or charge approved under regulations adopted pursuant to this paragraph—

''(i) shall be just and reasonable; and

''(ii) shall not be unduly discriminatory or preferential.

''(c) DURATION OF EMERGENCY ORDERS.—An order issued by the Secretary pursuant to subsection (b) shall remain in effect for not longer than the 30-day period beginning on the effective date of the order, unless, during that 30 day-period, the Secretary—

''(1) provides to interested persons an opportunity to submit written data, recommendations, and arguments; and

''(2) affirms, amends, or repeals the order, subject to the condition that an amended order shall not exceed a total duration of 90 days.

''(d) PROTECTION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE.—

''(1) PROTECTION OF CRITICAL ELECTRIC INFRASTRUCTURE.—Critical electric infrastructure information—

''(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code; and

''(B) shall not be made available by any State, political subdivision, or tribal authority pursuant to any State, political subdivision, or tribal law requiring disclosure of information or records.

''(2) DESIGNATION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Not later than 1 year after the date of enactment of this section, the Commission, in consultation with the Secretary of Energy, shall promulgate such regulations and issue such orders as necessary—

''(A) to designate critical electric infrastructure information;

''(B) to prohibit the unauthorized disclosure of critical electric infrastructure information; and

''(C) to ensure there are appropriate sanctions in place for Commissioners, officers, employees, or agents of the Commission who knowingly and willfully disclose critical electric infrastructure information in a manner that is not authorized under this section;

''(3) CONSIDERATIONS.—In promulgating regulations and issuing orders under paragraph (2), the Commission shall take into consideration the role of State commissions in—

''(A) reviewing the prudence and cost of investments;

''(B) determining the rates and terms of conditions for electric services; and

''(C) ensuring the safety and reliability of the bulk-power system and distribution facilities within the respective jurisdictions of the State commissions.

''(4) NO REQUIRED SHARING OF INFORMATION.—Nothing in this section requires a person or entity in possession of critical electric infrastructure information to share the information with Federal, State, political subdivision, or tribal authorities, or any other person or entity.

''(5) DISCLOSURE OF NONCRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—In carrying out this section, the Commission shall segregate critical electric infrastructure information within documents and electronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.''.

SEC. 2002. ENHANCED GRID SECURITY.

(a) DEFINITIONS.—In this section:

(1) ELECTRIC UTILITY.—The term ''electric utility'' has the meaning given the term in section 3 of the Federal Power Act (16 U.S.C. 796).

(2) ES–ISAC.—The term ''ES–ISAC'' means the Electricity Sector Information Sharing and Analysis Center.

(3) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(4) SECTOR-SPECIFIC AGENCY.—The term ''Sector-Specific Agency'' has the meaning given the term in the Presidential policy directive entitled ''Critical Infrastructure Security and Resilience'', numbered 21, and dated February 12, 2013.

(b) SECTOR-SPECIFIC AGENCY FOR CYBERSECURITY FOR THE ENERGY SECTOR.—

(1) IN GENERAL.—The Department shall be the lead Sector-Specific Agency for cybersecurity for the energy sector.

(2) DUTIES.—As the designated Sector-Specific Agency for cybersecurity, the duties of the Department shall include—

(A) coordinating with the Department of Homeland Security and other relevant Federal departments and agencies;

(B) collaborating with—

(i) critical infrastructure owners and operators; and

(ii) as appropriate—

(I) independent regulatory agencies; and

(II) State, local, tribal and territorial entities;

(C) serving as a day-to-day Federal interface for the dynamic prioritization and coordination of sector-specific activities;

(D) carrying out incident management responsibilities consistent with applicable law (including regulations) and other appropriate policies or directives;

(E) providing, supporting, or facilitating technical assistance and consultations for the energy sector to identify vulnerabilities and help mitigate incidents, as appropriate; and

(F) supporting the reporting requirements of the Department of Homeland Security under applicable law by providing, on an annual basis, sector-specific critical infrastructure information.

(c) CYBERSECURITY FOR THE ENERGY SECTOR RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.—

(1) IN GENERAL.—The Secretary, in consultation with appropriate Federal agencies, the energy sector, the States, and other stakeholders, shall carry out a program—

(A) to develop advanced cybersecurity applications and technologies for the energy sector—

(i) to identify and mitigate vulnerabilities, including—

(I) dependencies on other critical infrastructure; and

(II) impacts from weather and fuel supply; and

(ii) to advance the security of field devices and third-party control systems, including—

(I) systems for generation, transmission, distribution, end use, and market functions;

(II) specific electric grid elements including advanced metering, demand response, distributed generation, and electricity storage;

(III) forensic analysis of infected systems; and

(IV) secure communications;

(B) to leverage electric grid architecture as a means to assess risks to the energy sector, including by implementing an all-hazards approach to communications infrastructure, control systems architecture, and power systems architecture;

(C) to perform pilot demonstration projects with the energy sector to gain experience with new technologies; and

(D) to develop workforce development curricula for energy sector-related cybersecurity.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $65,000,000 for each of fiscal years 2017 through 2025.

(d) ENERGY SECTOR COMPONENT TESTING FOR CYBERRESILIENCE PROGRAM.—

(1) IN GENERAL.—The Secretary shall carry out a program—

(A) to establish a cybertesting and mitigation program to identify vulnerabilities of energy sector supply chain products to known threats;

(B) to oversee third-party cybertesting; and

(C) to develop procurement guidelines for energy sector supply chain components.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $15,000,000 for each of fiscal years 2017 through 2025.

(e) ENERGY SECTOR OPERATIONAL SUPPORT FOR CYBERRESILIENCE PROGRAM.—

(1) IN GENERAL.—The Secretary may carry out a program—

(A) to enhance and periodically test—

(i) the emergency response capabilities of the Department; and

(ii) the coordination of the Department with other agencies, the National Laboratories, and private industry;

(B) to expand cooperation of the Department with the intelligence communities for energy sector-related threat collection and analysis;

(C) to enhance the tools of the Department and ES–ISAC for monitoring the status of the energy sector;

(D) to expand industry participation in ES–ISAC; and

(E) to provide technical assistance to small electric utilities for purposes of assessing cybermaturity level.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 2017 through 2025.

(f) MODELING AND ASSESSING ENERGY INFRASTRUCTURE RISK.—

(1) IN GENERAL.—The Secretary shall develop an advanced energy security program to secure energy networks, including electric, natural gas, and oil exploration, transmission, and delivery.

(2) SECURITY AND RESILIENCY OBJECTIVE.—The objective of the program developed under paragraph (1) is to increase the functional preservation of the electric grid operations or natural gas and oil operations in the face of natural and human-made threats and hazards, including electric magnetic pulse and geomagnetic disturbances.

(3) ELIGIBLE ACTIVITIES.—In carrying out the program developed under paragraph (1), the Secretary may—

(A) develop capabilities to identify vulnerabilities and critical components that pose major risks to grid security if destroyed or impaired;

(B) provide modeling at the national level to predict impacts from natural or human-made events;

(C) develop a maturity model for physical security and cybersecurity;

(D) conduct exercises and assessments to identify and mitigate vulnerabilities to the electric grid, including providing mitigation recommendations;

(E) conduct research hardening solutions for critical components of the electric grid;

(F) conduct research mitigation and recovery solutions for critical components of the electric grid; and

(G) provide technical assistance to States and other entities for standards and risk analysis.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 2017 through 2025.

(g) LEVERAGING EXISTING PROGRAMS.—The programs established under this section shall be carried out consistent with—

(1) the report of the Department entitled ''Roadmap to Achieve Energy Delivery Systems Cybersecurity'' and dated 2011;

(2) existing programs of the Department; and

(3) any associated strategic framework that links together academic and National Laboratory researchers, electric utilities, manufacturers, and any other relevant private industry organizations, including the Electricity Sub-sector Coordinating Council.

(h) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Federal Energy Regulatory Commission and the North American Electric Reliability Corporation, shall conduct a study to explore alternative management structures and funding mechanisms to expand industry membership and participation in ES–ISAC.

(2) REPORT.—The Secretary shall submit to the appropriate committees of Congress a report describing the results of the study conducted under paragraph (1).

Subtitle B—Strategic Petroleum Reserve

SEC. 2101. STRATEGIC PETROLEUM RESERVE MODERNIZATION.

(a) REAFFIRMATION OF POLICY.—Congress reaffirms the continuing strategic importance and need for the Strategic Petroleum Reserve as found and declared in section 151 of the Energy Policy and Conservation Act (42 U.S.C. 6231).

(b) SPR PETROLEUM ACCOUNT.—Section 167(b) of the Energy Policy and Conservation Act (42 U.S.C. 6247(b)) is amended to read as follows:

''(b) OBLIGATION OF FUNDS FOR THE ACQUISITION, TRANSPORTATION, AND INJECTION OF PETROLEUM PRODUCTS INTO SPR AND FOR OTHER PURPOSES.—

''(1) PURPOSES.—Amounts in the Account may be obligated by the Secretary of Energy for—

''(A) the acquisition, transportation, and injection of petroleum products into the Reserve;

''(B) test sales of petroleum products from the Reserve;

''(C) the drawdown, sale, and delivery of petroleum products from the Reserve;

''(D) the construction, maintenance, repair, and replacement of storage facilities and related facilities; and

''(E) carrying out non-Reserve projects needed to enhance the energy security of the United States by increasing the resilience, reliability, safety, and security of energy supply, transmission, storage, or distribution infrastructure.

''(2) AMOUNTS.—Amounts in the Account may be obligated by the Secretary of Energy for purposes of paragraph (1), in the case of any fiscal year—

''(A) subject to section 660 of the Department of Energy Organization Act (42 U.S.C. 7270), in such aggregate amounts as may be appropriated in advance in appropriations Acts; and

''(B) notwithstanding section 660 of the Department of Energy Organization Act (42 U.S.C. 7270), in an aggregate amount equal to the aggregate amount of the receipts to the United States from the sale of petroleum products in any drawdown and a distribution of the Reserve under section 161, including—

''(i) a drawdown and distribution carried out under subsection (g) of that section; or

''(ii) from the sale of petroleum products under section 160(f).

''(3) AVAILABILITY OF FUNDS.—Funds available to the Secretary of Energy for obligation under this subsection may remain available without fiscal year limitation.''.

(c) DEFINITION OF RELATED FACILITY.—Section 152(8) of the Energy Policy and Conservation Act (42 U.S.C. 6232(8)) is amended by inserting ''terminals,'' after ''reservoirs,''.

SEC. 2102. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

Section 403 of the Bipartisan Budget Act of 2015 (Public Law 114–74; 129 Stat. 589) is amended by adding at the end the following:

''(d) INCREASE; LIMITATION.—

''(1) INCREASE.—The Secretary of Energy may increase the drawdown and sales under paragraphs (1) through (8) of subsection (a) as the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers.

''(2) LIMITATION.—The Secretary of Energy shall not drawdown or conduct sales of crude oil under this section after the date on which a total of $5,050,000,000 has been deposited in the general fund of the Treasury from sales authorized under this section.''.

Subtitle C—Trade

SEC. 2201. ACTION ON APPLICATIONS TO EXPORT LIQUEFIED NATURAL GAS.

(a) DECISION DEADLINE.—For proposals that must also obtain authorization from the Federal Energy Regulatory Commission or the Maritime Administration to site, construct, expand, or operate liquefied natural gas export facilities, the Secretary shall

issue a final decision on any application for the authorization to export natural gas under section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)) not later than 45 days after the later of—

(1) the conclusion of the review to site, construct, expand, or operate the liquefied natural gas export facilities required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) the date of enactment of this Act.

(b) CONCLUSION OF REVIEW.—For purposes of subsection (a), review required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be considered concluded when the lead agency—

(1) for a project requiring an Environmental Impact Statement, publishes a Final Environmental Impact Statement;

(2) for a project for which an Environmental Assessment has been prepared, publishes a Finding of No Significant Impact; or

(3) determines that an application is eligible for a categorical exclusion pursuant to National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing regulations.

(c) JUDICIAL REVIEW.—

(1) IN GENERAL.—Except for review in the Supreme Court, the United States Court of Appeals for the District of Columbia Circuit or the circuit in which the liquefied natural gas export facility will be located pursuant to an application described in subsection (a) shall have original and exclusive jurisdiction over any civil action for the review of—

(A) an order issued by the Secretary with respect to such application; or

(B) the failure of the Secretary to issue a final decision on such application.

(2) ORDER.—If the Court in a civil action described in paragraph (1) finds that the Secretary has failed to issue a final decision on the application as required under subsection (a), the Court shall order the Secretary to issue the final decision not later than 30 days after the order of the Court.

(3) EXPEDITED CONSIDERATION.—The Court shall—

(A) set any civil action brought under this subsection for expedited consideration; and

(B) set the matter on the docket as soon as practicable after the filing date of the initial pleading.

(4) TRANSFERS.—In the case of an application described in subsection (a) for which a petition for review has been filed—

(A) upon motion by an applicant, the matter shall be transferred to the United States Court of Appeals for the District of Columbia Circuit or the circuit in which a liquefied natural gas export facility will be located pursuant to an application described in section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)); and

(B) the provisions of this section shall apply.

SEC. 2202. PUBLIC DISCLOSURE OF LIQUEFIED NATURAL GAS EXPORT DESTINATIONS.

Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by adding at the end the following:

''(g) PUBLIC DISCLOSURE OF LNG EXPORT DESTINATIONS.—

''(1) IN GENERAL.—In the case of any authorization to export liquefied natural gas, the Secretary of Energy shall require the applicant to report to the Secretary of Energy the names of the 1 or more countries of destination to which the exported liquefied natural gas is delivered.

''(2) TIMING.—The applicant shall file the report required under paragraph (1) not later than—

''(A) in the case of the first export, the last day of the month following the month of the first export; and

''(B) in the case of subsequent exports, the date that is 30 days after the last day of the applicable month concerning the activity of the previous month.

''(3) DISCLOSURE.—The Secretary of Energy shall publish the information reported under this subsection on the website of the Department of Energy and otherwise make the information available to the public.''.

SEC. 2203. ENERGY DATA COLLABORATION.

(a) IN GENERAL.—The Administrator of the Energy Information Administration (referred to in this section as the ''Administrator'') shall collaborate with the appropriate officials in Canada and Mexico, as determined by the Administrator, to improve—

(1) the quality and transparency of energy data in North America through reconciliation of data on energy trade flows among the United States, Canada, and Mexico;

(2) the extension of energy mapping capabilities in the United States, Canada, and Mexico; and

(3) the development of common energy data terminology among the United States, Canada, and Mexico.

(b) PERIODIC UPDATES.—The Administrator shall periodically submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives an update on—

(1) the extent to which energy data is being shared under subsection (a); and

(2) whether forward-looking projections for regional energy flows are improving in accuracy as a result of the energy data sharing under that subsection.

Subtitle D—Electricity and Energy Storage

SEC. 2301. GRID STORAGE PROGRAM.

(a) IN GENERAL.—The Secretary shall conduct a program of research, development, and demonstration of electric grid energy storage that addresses the principal challenges identified in the 2013 Department of Energy Strategic Plan for Grid Energy Storage.

(b) AREAS OF FOCUS.—The program under this section shall focus on—

(1) materials, electric thermal, electromechanical, and electrochemical systems research;

(2) power conversion technologies research;

(3) developing—

(A) empirical and science-based industry standards to compare the storage capacity, cycle length and capabilities, and reliability of different types of electricity storage; and

(B) validation and testing techniques;

(4) other fundamental and applied research critical to widespread deployment of electricity storage;

(5) device development that builds on results from research described in paragraphs (1), (2), and (4), including combinations of power electronics, advanced optimizing controls, and energy storage as a general purpose element of the electric grid;

(6) grid-scale testing and analysis of storage devices, including test-beds and field trials;

(7) cost-benefit analyses that inform capital expenditure planning for regulators and owners and operators of components of the electric grid;

(8) electricity storage device safety and reliability, including potential failure modes, mitigation measures, and operational guidelines;

(9) standards for storage device performance, control interface, grid interconnection, and interoperability; and

(10) maintaining a public database of energy storage projects, policies, codes, standards, and regulations.

(c) ASSISTANCE TO STATES.—The Secretary may provide technical and financial assistance to States, Indian tribes, or units of local government to participate in or use research, development, or deployment of technology developed under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $50,000,000 for each of fiscal years 2017 through 2026.

(e) NO EFFECT ON OTHER PROVISIONS OF LAW.—Nothing in this subtitle or an amendment made by this subtitle authorizes regulatory actions that would duplicate or conflict with regulatory requirements, mandatory standards, or related processes under section 215 of the Federal Power Act (16 U.S.C. 824o).

(f) USE OF FUNDS.—To the maximum extent practicable, in carrying out this section, the Secretary shall ensure that the use of funds to carry out this section is coordinated among different offices within the Grid Modernization Initiative of the Department and other programs conducting energy storage research.

SEC. 2302. ELECTRIC SYSTEM GRID ARCHITECTURE, SCENARIO DEVELOPMENT, AND MODELING.

(a) GRID ARCHITECTURE AND SCENARIO DEVELOPMENT.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall establish and facilitate a collaborative process to develop model grid architecture and a set of future scenarios for the electric system to examine the impacts of different combinations of resources (including different quantities of distributed energy resources and large-scale, central generation) on the electric grid.

(2) MARKET STRUCTURE.—The grid architecture and scenarios developed under paragraph (1) shall account for differences in market structure, including an examination of the potential for stranded costs in each type of market structure.

(3) FINDINGS.—Based on the findings of grid architecture developed under paragraph (1), the Secretary shall—

(A) determine whether any additional standards are necessary to ensure the interoperability of grid systems and associated communications networks; and

(B) if the Secretary makes a determination that additional standards are necessary under subparagraph (A), make recommendations for additional standards, including, as may be appropriate, to the Electric Reliability Organization under section 215 of the Federal Power Act (16 U.S.C. 824o).

(b) MODELING.—Subject to subsection (c), the Secretary shall—

(1) conduct modeling based on the scenarios developed under subsection (a); and

(2) analyze and evaluate the technical and financial impacts of the models to assist States, utilities, and other stakeholders in—

(A) enhancing strategic planning efforts;

(B) avoiding stranded costs; and

(C) maximizing the cost-effectiveness of future grid-related investments.

(c) INPUT.—The Secretary shall develop the scenarios and conduct the modeling and analysis under subsections (a) and (b) with participation or input, as appropriate, from—

(1) the National Laboratories;

(2) States;

(3) State regulatory authorities;

(4) transmission organizations;

(5) representatives of the electric industry;

(6) academic institutions;

(7) independent research institutes; and

(8) other entities.

SEC. 2303. HYBRID MICRO-GRID SYSTEMS FOR ISOLATED AND RESILIENT COMMUNITIES.

(a) DEFINITIONS.—In this section:

(1) HYBRID MICRO-GRID SYSTEM.—The term ''hybrid micro-grid system'' means a standalone electrical system that—

(A) is comprised of conventional generation and at least 1 alternative energy resource; and

(B) may use grid-scale energy storage.

(2) ISOLATED COMMUNITY.—The term ''isolated community'' means a community that is powered by a stand-alone electric generation and distribution system without the economic and reliability benefits of connection to a regional electric grid.

(3) MICRO-GRID SYSTEM.—The term ''micro-grid system'' means a standalone electrical system that uses grid-scale energy storage.

(4) STRATEGY.—The term ''strategy'' means the strategy developed pursuant to subsection (b)(2)(B).

(b) PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a program to promote the development of—

(A) hybrid micro-grid systems for isolated communities; and

(B) micro-grid systems to increase the resilience of critical infrastructure.

(2) PHASES.—The program established under paragraph (1) shall be divided into the following phases:

(A) Phase I, which shall consist of the development of a feasibility assessment for—

(i) hybrid micro-grid systems in isolated communities; and

(ii) micro-grid systems to enhance the resilience of critical infrastructure.

(B) Phase II, which shall consist of the development of an implementation strategy, in accordance with paragraph (3), to promote the development of hybrid micro-grid systems for isolated communities, particularly for those communities exposed to extreme weather conditions and high energy costs, including electricity, space heating and cooling, and transportation.

(C) Phase III, which shall be carried out in parallel with Phase II and consist of the development of an implementation strategy to promote the development of micro-grid systems that increase the resilience of critical infrastructure.

(D) Phase IV, which shall consist of cost-shared demonstration projects, based upon the strategies developed under subparagraph (B) that include the development of physical and cybersecurity plans to take appropriate measures to protect and secure the electric grid.

(E) Phase V, which shall establish a benefits analysis plan to help inform regulators, policymakers, and industry stakeholders about the affordability, environmental and resilience benefits associated with Phases II, III and IV.

(3) REQUIREMENTS FOR STRATEGY.—In developing the strategy under paragraph (2)(B), the Secretary shall consider—

(A) establishing future targets for the economic displacement of conventional generation using hybrid micro-grid systems, including displacement of conventional generation used for electric power generation, heating and cooling, and transportation;

(B) the potential for renewable resources, including wind, solar, and hydropower, to be integrated into a hybrid micro-grid system;

(C) opportunities for improving the efficiency of existing hybrid micro-grid systems;

(D) the capacity of the local workforce to operate, maintain, and repair a hybrid micro-grid system;

(E) opportunities to develop the capacity of the local workforce to operate, maintain, and repair a hybrid micro-grid system;

(F) leveraging existing capacity within local or regional research organizations, such as organizations based at institutions of higher education, to support development of hybrid micro-grid systems, including by testing novel components and systems prior to field deployment;

(G) the need for basic infrastructure to develop, deploy, and sustain a hybrid micro-grid system;

(H) input of traditional knowledge from local leaders of isolated communities in the development of a hybrid micro-grid system;

(I) the impact of hybrid micro-grid systems on defense, homeland security, economic development, and environmental interests;

(J) opportunities to leverage existing interagency coordination efforts and recommendations for new interagency coordination efforts to minimize unnecessary overhead, mobilization, and other project costs; and

(K) any other criteria the Secretary determines appropriate.

(c) COLLABORATION.—The program established under subsection (b)(1) shall be carried out in collaboration with relevant stakeholders, including, as appropriate—

(1) States;

(2) Indian tribes;

(3) regional entities and regulators;

(4) units of local government;

(5) institutions of higher education; and

(6) private sector entities.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the efforts to implement the program established under subsection (b)(1) and the status of the strategy developed under subsection (b)(2)(B).

SEC. 2304. VOLUNTARY MODEL PATHWAYS.

(a) ESTABLISHMENT OF VOLUNTARY MODEL PATHWAYS.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall initiate the development of voluntary model pathways for modernizing the electric grid through a collaborative, public-private effort that—

(A) produces illustrative policy pathways that can be adapted for State and regional applications by regulators and policymakers;

(B) facilitates the modernization of the electric grid to achieve the objectives described in paragraph (2);

(C) ensures a reliable, resilient, affordable, safe, and secure electric system; and

(D) acknowledges and provides for different priorities, electric systems, and rate structures across States and regions.

(2) OBJECTIVES.—The pathways established under paragraph (1) shall facilitate achievement of the following objectives:

(A) Near real-time situational awareness of the electric system.

(B) Data visualization.

(C) Advanced monitoring and control of the advanced electric grid.

(D) Enhanced certainty for private investment in the electric system.

(E) Increased innovation.

(F) Greater consumer empowerment.

(G) Enhanced grid resilience, reliability, and robustness.

(H) Improved—

(i) integration of distributed energy resources;

(ii) interoperability of the electric system; and

(iii) predictive modeling and capacity forecasting.

(3) STEERING COMMITTEE.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a steering committee to facilitate the development of the pathways under paragraph (1), to be composed of members appointed by the Secretary, consisting of persons with appropriate expertise representing a diverse range of interests in the public, private, and academic sectors, including representatives of—

(A) the Smart Grid Task Force; and

(B) the Smart Grid Advisory Committee.

(b) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to States, Indian tribes, or units of local government to adopt 1 or more elements of the pathways developed under subsection (a)(1).

SEC. 2305. PERFORMANCE METRICS FOR ELECTRICITY INFRASTRUCTURE PROVIDERS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that includes—

(1) an evaluation of the performance of the electric grid as of the date of the report; and

(2) a description of the quantified costs and benefits associated with the changes evaluated under the scenarios developed under section 2302.

(b) CONSIDERATIONS FOR DEVELOPMENT OF METRICS.—In developing metrics for evaluating and quantifying the electric grid under subsection (a), the Secretary shall consider—

(1) standard methodologies for calculating improvements or deteriorations in the performance metrics, such as reliability, grid efficiency, power quality, consumer satisfaction, sustainability, and financial incentives;

(2) standard methodologies for calculating value to ratepayers, including broad economic and related impacts from improvements to the performance metrics;

(3) appropriate ownership and operating roles for electric utilities that would enable improved performance through the adoption of emerging, commercially available or advanced grid technologies or solutions, including—

(A) multicustomer micro-grids;

(B) distributed energy resources;

(C) energy storage;

(D) electric vehicles;

(E) electric vehicle charging infrastructure;

(F) integrated information and communications systems;

(G) transactive energy systems; and

(H) advanced demand management systems; and

(4) with respect to States, the role of the grid operator in enabling a robust future electric system to ensure that—

(A) electric utilities remain financially viable;

(B) electric utilities make the needed investments that ensure a reliable, secure, and resilient grid; and

(C) costs incurred to transform to an integrated grid are allocated and recovered responsibly, efficiently, and equitably.

SEC. 2306. STATE AND REGIONAL ELECTRICITY DISTRIBUTION PLANNING.

(a) IN GENERAL.—Upon the request of a State or regional organization, the Secretary shall partner with States and regional organizations to facilitate the development of State and regional electricity distribution plans by—

(1) conducting a resource assessment and analysis of future demand and distribution requirements; and

(2) developing open source tools for State and regional planning and operations.

(b) RISK AND SECURITY ANALYSIS.—The assessment under subsection (a)(1) shall include—

(1) the evaluation of the physical and cybersecurity needs of an advanced distribution management system and the integration of distributed energy resources; and

(2) advanced use of grid architecture to analyze risks in an all-hazards approach that includes communications infrastructure, control systems architecture, and power systems architecture.

(c) TECHNICAL ASSISTANCE.—For the purpose of developing State and regional electricity distribution plans, the Secretary shall provide technical assistance to—

(1) States;

(2) regional reliability entities; and

(3) other distribution asset owners and operators.

SEC. 2307. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary to carry out sections 2302 through 2307 $200,000,000 for each of fiscal years 2017 through 2026.

SEC. 2308. ELECTRIC TRANSMISSION INFRASTRUCTURE PERMITTING.

(a) INTERAGENCY RAPID RESPONSE TEAM FOR TRANSMISSION.—

(1) ESTABLISHMENT.—There is established an interagency rapid response team, to be known as the ''Interagency Rapid Response Team for Transmission'' (referred to in this subsection as the ''Team''), to expedite and improve the permitting process for electric transmission infrastructure on Federal land and non-Federal land.

(2) MISSION.—The mission of the Team shall be—

(A) to improve the timeliness and efficiency of electric transmission infrastructure permitting; and

(B) to facilitate the performance of maintenance and upgrades to electric transmission lines on Federal land and non-Federal land.

(3) MEMBERSHIP.—The Team shall be comprised of representatives of—

(A) the Federal Energy Regulatory Commission;

(B) the Department;

(C) the Department of the Interior;

(D) the Department of Defense;

(E) the Department of Agriculture;

(F) the Council on Environmental Quality;

(G) the Department of Commerce;

(H) the Advisory Council on Historic Preservation; and

(I) the Environmental Protection Agency.

(4) DUTIES.—The Team shall—

(A) facilitate coordination and unified environmental documentation among electric transmission infrastructure project applicants, Federal agencies, States, and Indian tribes involved in the siting and permitting process;

(B) establish clear timelines for the review and coordination of electric transmission infrastructure projects by the applicable agencies;

(C) ensure that each electric transmission infrastructure project is posted on the Federal permitting transmission tracking system known as ''e-Trans'', including information on the status and anticipated completion date of each project; and

(D) regularly notify all participating members of the Team involved in any specific permit of—

(i) any outstanding agency action that is required with respect to the permit; and

(ii) any approval or required comment that has exceeded statutory or agency timelines for completion, including an identification of any Federal agency, department, or field office that has not met the applicable timeline.

(5) ANNUAL REPORTS.—Annually, the Team shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes the average completion time for specific categories of regionally and nationally significant transmission projects, based on information obtained from the applicable Federal agencies.

(6) USE OF DATA BY OMB.—Using data provided by the Team, the Director of the Office of Management and Budget shall prioritize inclusion of individual electric transmission infrastructure projects on the website operated by the Office of Management and Budget in accordance with section 1122 of title 31, United States Code.

(b) TRANSMISSION OMBUDSPERSON.—

(1) ESTABLISHMENT.—To enhance and ensure the reliability of the electric grid, there is established within the Council on Environmental Quality the position of Transmission Ombudsperson (referred to in this subsection as the ''Ombudsperson''), to provide a unified point of contact for—

(A) resolving interagency or intra-agency issues or delays with respect to electric transmission infrastructure permits; and

(B) receiving and resolving complaints from parties with outstanding or in-process applications relating to electric transmission infrastructure.

(2) DUTIES.—The Ombudsperson shall—

(A) establish a process for—

(i) facilitating the permitting process for performance of maintenance and upgrades to electric transmission lines on Federal land and non-Federal land, with a special emphasis on facilitating access for immediate maintenance, repair, and vegetation management needs;

(ii) resolving complaints filed with the Ombudsperson with respect to in-process electric transmission infrastructure permits; and

(iii) issuing recommended resolutions to address the complaints filed with the Ombudsperson; and

(B) hear, compile, and share any complaints filed with Ombudsperson relating to in-process electric transmission infrastructure permits.

(c) AGREEMENTS.—

(1) IN GENERAL.—The Secretary of the Interior, with respect to public lands (as defined in section 103(e) of the Federal Land Policy and Management Act (43 U.S.C. 1702(e)), and the Secretary of Agriculture, with respect to National Forest System land, shall provide for continuity of the existing use and occupancy for the transmission of electric energy by any Federal department or agency granted across public lands or National Forest System land.

(2) AGREEMENTS.—The Secretary of the Interior or the Secretary of Agriculture, as applicable, within 30 days after receiving a request from the Federal department or agency administering the electric energy transmission facilities, shall, in consultation with that department or agency, initiate agreements regarding the use and occupancy or right-of-way (including vegetation management agreements, where applicable).

(d) GEOMATIC DATA.—If a Federal or State department or agency considering an aspect of an application for Federal authorization requires the applicant to submit environmental data, the department or agency shall consider any such data gathered by geomatic techniques, including tools and techniques used in land surveying, remote sensing, cartography, geographic information systems, global navigation satellite systems, photogrammetry, geophysics, geography, or other remote means.

SEC. 2309. REPORT BY TRANSMISSION ORGANIZATIONS ON DISTRIBUTED ENERGY RESOURCES AND MICRO-GRID SYSTEMS.

(a) DEFINITIONS.—In this section:

(1) DISTRIBUTED ENERGY RESOURCE.—The term ''distributed energy resource'' means an electricity supply resource that, as permitted by State law—

(A)(i) is interconnected to the electric system operated by a transmission organization at or below 69kV; and

(ii) is subject to dispatch by the transmission organization; and

(B)(i) generates electricity using any primary energy source, including solar energy and other renewable resources; or

(ii) stores energy and is capable of supplying electricity to the electric system operated by the transmission organization from the storage reservoir.

(2) ELECTRIC GENERATING CAPACITY RESOURCE.—The term ''electric generating capacity resource'' means an electric generating resource, as measured by the maximum load-carrying ability of the resource, exclusive of station use and planned, unplanned, or other outage or derating, that is subject to dispatch by a transmission organization to meet the resource adequacy needs of the systems operated by the transmission organization.

(3) MICRO-GRID SYSTEM.—The term ''micro-grid system'' means an electrically distinct system under common control that—

(A) serves an electric load at or below 69kV from a distributed energy resource or electric generating capacity resource; and

(B) is subject to dispatch by a transmission organization.

(4) TRANSMISSION ORGANIZATION.—The term ''transmission organization'' has the meaning given the term in section 3 of the Federal Power Act (16 U.S.C. 796).

(b) REPORT.—

(1) NOTICE.—Not later than 14 days after the date of enactment of this section, the Commission shall submit to each transmission organization notice that the transmission organization is required to file with the Commission a report in accordance with paragraph (2).

(2) REPORT.—Not later than 180 days after the date on which a transmission organization receives a notice under paragraph (1), the transmission organization shall submit to the Commission a report that—

(A)(i) identifies distributed energy resources and micro-grid systems that are subject to dispatch by the transmission organization as of the date of the report; and

(ii) describes the fuel sources and operational characteristics of such distributed energy resources and micro-grid systems, including, to the extent practicable, a discussion of the benefits and costs associated with the distributed energy resources and micro-grid systems identified under clause (i);

(B) evaluates, with due regard for operational and economic benefits and costs, the potential for distributed energy resources and micro-grid systems to be deployed to the transmission organization over the short- and long-term periods in the planning cycle of the transmission organization; and

(C) identifies—

(i) over the short- and long-term periods in the planning cycle of the transmission organization, barriers to the deployment to the transmission organization of distributed energy resources and micro-grid systems; and

(ii) potential changes to the operational requirements for, or charges associated with, the interconnection of distributed energy resources and micro-grid systems to the transmission organization that would reduce the barriers identified under clause (i).

SEC. 2310. NET METERING STUDY GUIDANCE.

Title XVIII of Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 1122) is amended by adding at the end the following:

''SEC. 1841. NET ENERGY METERING STUDY.

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

''(1) issue guidance on criteria required to be included in studies of net metering conducted by the Department; and

''(2) undertake a study of net energy metering.

''(b) REQUIREMENTS AND CONTENTS.—The model guidance issued under subsection (a)

shall clarify without prejudice to other study criteria that any study of net energy metering, including the study conducted by the Department under subsection (a) shall—

''(1) be publicly available; and

''(2) assess benefits and costs of net energy metering, including—

''(A) load data, including hourly profiles;

''(B) distributed generation production data;

''(C) best available technology, including inverter capability; and

''(D) benefits and costs of distributed energy deployment, including—

''(i) environmental benefits;

''(ii) changes in electric system reliability;

''(iii) changes in peak power requirements;

''(iv) provision of ancillary services, including reactive power;

''(v) changes in power quality;

''(vi) changes in land-use effects;

''(vii) changes in right-of-way acquisition costs;

''(viii) changes in vulnerability to terrorism; and

''(ix) changes in infrastructure resilience.''.

SEC. 2312. MODEL GUIDANCE FOR COMBINED HEAT AND POWER SYSTEMS AND WASTE HEAT TO POWER SYSTEMS.

(a) DEFINITIONS.—In this section:

(1) ADDITIONAL SERVICES.—The term ''additional services'' means the provision of supplementary power, backup or standby power, maintenance power, or interruptible power to an electric consumer by an electric utility.

(2) WASTE HEAT TO POWER SYSTEM.—

(A) IN GENERAL.—The term ''waste heat to power system'' means a system that generates electricity through the recovery of waste energy.

(B) EXCLUSION.—The term ''waste heat to power system'' does not include a system that generates electricity through the recovery of a heat resource from a process the primary purpose of which is the generation of electricity using a fossil fuel.

(3) OTHER TERMS.—

(A) PURPA.—The terms ''electric consumer'', ''electric utility'', ''interconnection service'', ''nonregulated electric utility'', and ''State regulatory authority'' have the meanings given those terms in the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.), within the meaning of title I of that Act (16 U.S.C. 2611 et seq.).

(B) EPCA.—The terms ''combined heat and power system'' and ''waste energy'' have the meanings given those terms in section 371 of the Energy Policy and Conservation Act (42 U.S.C. 6341).

(b) REVIEW.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Federal Energy Regulatory Commission and other appropriate entities, shall review existing rules and procedures relating to interconnection service and additional services throughout the United States for electric generation with nameplate capacity up to 20 megawatts to identify barriers to the deployment of combined heat and power systems and waste heat to power systems.

(2) INCLUSION.—The review under this subsection shall include a review of existing rules and procedures relating to—

(A) determining and assigning costs of interconnection service and additional services; and

(B) ensuring adequate cost recovery by an electric utility for interconnection service and additional services.

(c) MODEL GUIDANCE.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary, in consultation with the Federal Energy Regulatory Commission and other appropriate entities, shall issue model guidance for interconnection service and additional services for use by State regulatory authorities and nonregulated electric utilities to reduce the barriers identified under subsection (b)(1).

(2) CURRENT BEST PRACTICES.—The model guidance issued under this subsection shall reflect, to the maximum extent practicable, current best practices to encourage the deployment of combined heat and power systems and waste heat to power systems while ensuring the safety and reliability of the interconnected units and the distribution and transmission networks to which the units connect, including—

(A) relevant current standards developed by the Institute of Electrical and Electronic Engineers; and

(B) model codes and rules adopted by—

(i) States; or

(ii) associations of State regulatory agencies.

(3) FACTORS FOR CONSIDERATION.—In establishing the model guidance under this subsection, the Secretary shall take into consideration—

(A) the appropriateness of using standards or procedures for interconnection service that vary based on unit size, fuel type, or other relevant characteristics;

(B) the appropriateness of establishing fast-track procedures for interconnection service;

(C) the value of consistency with Federal interconnection rules established by the Federal Energy Regulatory Commission as of the date of enactment of this Act;

(D) the best practices used to model outage assumptions and contingencies to determine fees or rates for additional services;

(E) the appropriate duration, magnitude, or usage of demand charge ratchets;

(F) potential alternative arrangements with respect to the procurement of additional services, including—

(i) contracts tailored to individual electric consumers for additional services;

(ii) procurement of additional services by an electric utility from a competitive market; and

(iii) waivers of fees or rates for additional services for small electric consumers; and

(G) outcomes such as increased electric reliability, fuel diversification, enhanced power quality, and reduced electric losses that may result from increased use of combined heat and power systems and waste heat to power systems.

Subtitle E—Computing

SEC. 2401. EXASCALE COMPUTER RESEARCH PROGRAM.

(a) RENAMING OF ACT.—

(1) IN GENERAL.—Section 1 of the Department of Energy High-End Computing Revitalization Act of 2004 (15 U.S.C. 5501 note; Public Law 108–423) is amended by striking ''Department of Energy High-End Computing Revitalization Act of 2004'' and inserting ''Exascale Computing Act of 2016''.

(2) CONFORMING AMENDMENT.—Section 976(a)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16316(1)) is amended by striking ''Department of Energy High-End Computing Revitalization Act of 2004'' and inserting ''Exascale Computing Act of 2016''.

(b) DEFINITIONS.—Section 2 of the Exascale Computing Act of 2016 (15 U.S.C. 5541) is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively;

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

''(1) DEPARTMENT.—The term 'Department' means the Department of Energy.

''(2) EXASCALE COMPUTING.—The term 'exascale computing' means computing through the use of a computing machine that performs near or above 10 to the 18th power floating point operations per second.''; and

(3) in paragraph (6) (as redesignated by paragraph (1)), by striking '', acting through the Director of the Office of Science of the Department of Energy''.

(c) DEPARTMENT OF ENERGY HIGH-END COMPUTING RESEARCH AND DEVELOPMENT PROGRAM.—Section 3 of the Exascale Computing Act of 2016 (15 U.S.C. 5542) is amended—

(1) in subsection (a)(1), by striking ''program'' and inserting ''coordinated program across the Department'';

(2) in subsection (b)(2), by striking '', which may'' and all that follows through ''architectures''; and

(3) by striking subsection (d) and inserting the following:

''(d) EXASCALE COMPUTING PROGRAM.—

''(1) IN GENERAL.—The Secretary shall conduct a research program (referred to in this subsection as the 'Program') to develop 2 or more exascale computing machine architectures to promote the missions of the Department.

''(2) IMPLEMENTATION.—

''(A) IN GENERAL.—In carrying out the Program, the Secretary shall—

''(i) establish 2 or more National Laboratory partnerships with industry partners and institutions of higher education for the research and development of 2 or more exascale computing architectures across all applicable organizations of the Department; and

''(ii) provide, as appropriate, on a competitive, merit-reviewed basis, access for researchers in industries in the United States, institutions of higher education, National Laboratories, and other Federal agencies to the exascale computing systems developed pursuant to clause (i).

''(B) SELECTION OF PARTNERS.—The Secretary shall select members for the partnerships with the computing facilities of the Department under subparagraph (A) through a competitive, peer-review process.

''(3) CODESIGN AND APPLICATION DEVELOPMENT.—

''(A) IN GENERAL.—The Secretary shall carry out the Program through an integration of applications, computer science, applied mathematics, and computer hardware architecture using the partnerships established pursuant to paragraph (2) to ensure that, to the maximum extent practicable, 2 or more exascale computing machine architectures are capable of solving Department target applications and broader scientific problems.

''(B) REPORT.—The Secretary shall submit to Congress a report on how the integration under subparagraph (A) is furthering application science data and computational workloads across application interests, including national security, material science, physical science, cybersecurity, biological science, the Materials Genome and BRAIN Initiatives of the President, advanced manufacturing, and the national electric grid.

''(4) PROJECT REVIEW.—

''(A) IN GENERAL.—The exascale architectures developed pursuant to partnerships established pursuant to paragraph (2) shall be reviewed through a project review process.

''(B) REPORT.—Not later than 90 days after the date of enactment of this subsection, the Secretary shall submit to Congress a report on—

''(i) the results of the review conducted under subparagraph (A); and

''(ii) the coordination and management of the Program to ensure an integrated research program across the Department.

''(5) ANNUAL REPORTS.—At the time of the budget submission of the Department for each fiscal year, the Secretary, in consultation with the members of the partnerships established pursuant to paragraph (2), shall submit to Congress a report that describes funding for the Program as a whole by functional element of the Department and critical milestones.''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 4 of the Exascale Computing Act of 2016 (15 U.S.C. 5543) is amended—

(1) by striking ''this Act'' and inserting ''section 3(d)''; and

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

''(1) $272,000,000 for fiscal year 2016;

''(2) $340,000,000 for fiscal year 2017; and

''(3) $360,000,000 for fiscal year 2018.''.

TITLE III—SUPPLY

Subtitle A—Renewables

PART I—HYDROELECTRIC

SEC. 3001. HYDROPOWER REGULATORY IMPROVEMENTS.

(a) SENSE OF CONGRESS ON THE USE OF HYDROPOWER RENEWABLE RESOURCES.—It is the sense of Congress that—

(1) hydropower is a renewable resource for purposes of all Federal programs and is an essential source of energy in the United States; and

(2) the United States should increase substantially the capacity and generation of clean, renewable hydropower resources that would improve environmental quality in the United States.

(b) MODIFYING THE DEFINITION OF RENEWABLE ENERGY TO INCLUDE HYDROPOWER.—Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended—

(1) in subsection (a), by striking ''the following amounts'' and all that follows through paragraph (3) and inserting ''not less than 15 percent in fiscal year 2016 and each fiscal year thereafter shall be renewable energy.'' ; and

(2) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) RENEWABLE ENERGY.—The term 'renewable energy' means energy produced from solar, wind, biomass, landfill gas, ocean (including tidal, wave, current, and thermal), geothermal, municipal solid waste, or hydropower.''.

(c) LICENSES FOR CONSTRUCTION.—Section 4(e) of the Federal Power Act (16 U.S.C. 797(e)) is amended, in the first proviso, by striking ''deem'' and inserting ''determine to be''.

(d) PRELIMINARY PERMITS.—Section 5 of the Federal Power Act (16 U.S.C. 798) is amended—

(1) in subsection (a), by striking ''three'' and inserting ''4''; and

(2) in subsection (b)—

(A) by striking ''Commission may extend the period of a preliminary permit once for not more than 2 additional years beyond the 3 years'' and inserting the following: ''Commission may—

''(1) extend the period of a preliminary permit once for not more than 4 additional years beyond the 4 years'';

(B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(2) after the end of an extension period granted under paragraph (1), issue an additional permit to the permittee if the Commission determines that there are extraordinary circumstances that warrant the issuance of the additional permit.''.

(e) TIME LIMIT FOR CONSTRUCTION OF PROJECT WORKS.—Section 13 of the Federal Power Act (16 U.S.C. 806) is amended in the second sentence by striking ''once but not longer than two additional years'' and inserting ''for not more than 8 additional years,''.

(f) LICENSE TERM.—Section 15(e) of the Federal Power Act (16 U.S.C. 808(e)) is amended—

(1) by striking ''(e) Except'' and inserting the following:

''(e) LICENSE TERM ON RELICENSING.—

''(1) IN GENERAL.—Except''; and

(2) by adding at the end the following:

''(2) CONSIDERATION.—In determining the term of a license under paragraph (1), the Commission shall consider project-related investments by the licensee over the term of the existing license (including any terms under annual licenses) that resulted in new development, construction, capacity, efficiency improvements, or environmental measures, but which did not result in the extension of the term of the license by the Commission.''.

(g) OPERATION OF NAVIGATION FACILITIES.—Section 18 of the Federal Power Act (16 U.S.C. 811) is amended by striking the second, third, and fourth sentences.

(h) ALTERNATIVE CONDITIONS AND PRESCRIPTIONS.—Section 33 of the Federal Power Act (16 U.S.C. 823d) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''deems'' and inserting ''determines'';

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting ''determined to be necessary'' before ''by the Secretary'';

(C) by striking paragraph (4); and

(D) by striking paragraph (5);

(2) in subsection (b)—

(A) by striking paragraph (4); and

(B) by striking paragraph (5); and

(3) by adding at the end the following:

''(c) FURTHER CONDITIONS.—This section applies to any further conditions or prescriptions proposed or imposed pursuant to section 4(e), 6, or 18.''.

(i) LICENSING PROCESS IMPROVEMENTS AND COORDINATION.—Part I of the Federal Power Act (16 U.S.C. 792 et seq.) is amended by adding at the end the following:

''SEC. 34. LICENSING PROCESS IMPROVEMENTS.

''(a) LICENSE STUDIES.—

''(1) IN GENERAL.—To facilitate the timely and efficient completion of the license proceedings under this part, the Commission shall—

''(A) conduct an investigation of best practices in performing licensing studies, including methodologies and the design of studies to assess the full range of environmental impacts of a project;

''(B) compile a comprehensive collection of studies and data accessible to the public that could be used to inform license proceedings under this paragraph; and

''(C) encourage license applicants and cooperating agencies to develop and use, for the purpose of fostering timely and efficient consideration of license applications, a limited number of open-source methodologies and tools applicable across a wide array of projects, including water balance models and streamflow analyses.

''(2) USE OF EXISTING STUDIES.—To the maximum extent practicable, the Commission shall use existing studies and data in individual licensing proceedings under this part in accordance with paragraph (1).

''(3) NONDUPLICATION REQUIREMENT.—To the maximum extent practicable, the Commission shall ensure that studies and data required for any Federal authorization (as defined in section 35(a)) applicable to a particular project or facility are not duplicated in other licensing proceedings under this part.

''(4) BIOLOGICAL OPINIONS.—To the maximum extent practicable, the Secretary of Commerce shall ensure that relevant offices within the National Marine Fisheries Service prepare any biological opinion under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) that forms the basis for a prescription under section 18 on a concurrent rather than sequential basis.

''(5) WATER QUALITY CERTIFICATION DEADLINE.—

''(A) IN GENERAL.—For purposes of issuing a license under this part, the deadline for a certifying agency to act under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C. 1341(a)) shall take effect only on the submission of a request for certification determined to be complete by the certifying agency.

''(B) NOTICE OF COMPLETE REQUEST.—The certifying agency shall inform the Commission when a request for certification is determined to be complete.

''SEC. 35. LICENSING PROCESS COORDINATION.

''(a) DEFINITION OF FEDERAL AUTHORIZATION.—In this section, the term 'Federal authorization' means any authorization required under Federal law (including any license, permit, special use authorization, certification, opinion, consultation, determination, or other approval) with respect to—

''(1) a project licensed under section 4 or 15; or

''(2) a facility exempted under—

''(A) section 30; or

''(B) section 405(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2705(d)).

''(b) DESIGNATION AS LEAD AGENCY.—

''(1) IN GENERAL.—The Commission shall act as the lead agency for the purposes of coordinating all applicable Federal authorizations.

''(2) OTHER AGENCIES.—Each Federal and State agency considering an aspect of an application for Federal authorization shall cooperate with the Commission.

''(c) SCHEDULE.—

''(1) TIMING FOR ISSUANCE.—It is the sense of Congress that all Federal authorizations required for a project or facility, including a license or exemption order of the Commission, should be issued by the date that is 3 years after the date on which an application is considered to be complete by the Commission.

''(2) COMMISSION SCHEDULE.—

''(A) IN GENERAL.—The Commission shall establish a schedule for the issuance of all Federal authorizations.

''(B) REQUIREMENTS.—In establishing the schedule under subparagraph (A), the Commission shall—

''(i) consult and cooperate with the Federal and State agencies responsible for a Federal authorization;

''(ii) ensure the expeditious completion of all proceedings relating to a Federal authorization; and

''(iii) comply with applicable schedules established by Federal law with respect to a Federal authorization.

''(3) RESOLUTION OF INTERAGENCY DISPUTES.—If the Federal agency fails to adhere to the schedule established by the Commission under paragraph (2), or if the final condition of the Secretary under section 4(e) or prescription under section 18 has been unreasonably delayed in derogation of the schedule established under paragraph (2), or if a proposed alternative condition or prescription has been unreasonably denied, or if a final condition or prescription would be inconsistent with the purposes of this part or other applicable law, the Commission may refer the matter to the Chairman of the Council on Environmental Quality—

''(A) to ensure timely participation;

''(B) to ensure a timely decision;

''(C) to mediate the dispute; or

''(D) to refer the matter to the President.

''(d) CONSOLIDATED RECORD.—

''(1) IN GENERAL.—The Commission shall maintain official consolidated records of all license proceedings under this part.

''(2) SUBMISSION OF RECOMMENDATIONS.—Any Federal or State agency that is providing recommendations with respect to a license proceeding under this part shall submit to the Commission for inclusion in the consolidated record relating to the license proceeding maintained under paragraph (1)—

''(A) the recommendations;

''(B) the rationale for the recommendations; and

''(C) any supporting materials relating to the recommendations.

''(3) WRITTEN STATEMENT.—In a case in which a Federal agency is making a determination with respect to a covered measure (as defined in section 36(a)), the head of the Federal agency shall include in the consolidated record a written statement demonstrating that the Federal agency gave equal consideration to the effects of the covered measure on—

''(A) energy supply, distribution, cost, and use;

''(B) flood control;

''(C) navigation;

''(D) water supply; and

''(E) air quality and the preservation of other aspects of environmental quality.

''SEC. 36. TRIAL-TYPE HEARINGS.

''(a) DEFINITION OF COVERED MEASURE.—In this section, the term 'covered measure' means—

''(1) a condition prescribed under section 4(e), including an alternative condition proposed under section 33(a);

''(2) fishways prescribed under section 18, including an alternative prescription proposed under section 33(b); or

''(3) any further condition pursuant to section 4(e), 6, or 18.

''(b) AUTHORIZATION OF TRIAL-TYPE HEARING.—The license applicant (including an applicant for a license under section 15) and any party to the proceeding shall be entitled to a determination on the record, after opportunity for a trial-type hearing of not more than 120 days, on any disputed issues of material fact with respect to an applicable covered measure.

''(c) DEADLINE FOR REQUEST.—A request for a trial-type hearing under this section shall be submitted not later than 60 days after the date on which, as applicable—

''(1) the Secretary submits the condition under section 4(e) or prescription under section 18; or

''(2)(A) the Commission publishes notice of the intention to use the reserved authority of the Commission to order a further condition under section 6; or

''(B) the Secretary exercises reserved authority under the license to prescribe, submit, or revise any condition to a license under the first proviso of section 4(e) or fishway prescribed under section 18, as appropriate.

''(d) NO REQUIREMENT TO EXHAUST.—By electing not to request a trial-type hearing under subsection (d), a license applicant and any other party to a license proceeding shall not be considered to have waived the right of the applicant or other party to raise any issue of fact or law in a non-trial-type proceeding, but no issue may be raised for the first time on rehearing or judicial review of the license decision of the Commission.

''(e) ADMINISTRATIVE LAW JUDGE.—All disputed issues of material fact raised by a party in a request for a trial-type hearing submitted under subsection (d) shall be determined in a single trial-type hearing to be conducted by an Administrative Law Judge within the Office of Administrative Law Judges and Dispute Resolution of the Commission, in accordance with the Commission rules of practice and procedure under part 385 of title 18, Code of Federal Regulations (or successor regulations), and within the timeframe established by the Commission for each license proceeding (including a proceeding for a license under section 15) under section 35(c).

''(f) STAY.—The Administrative Law Judge may impose a stay of a trial-type hearing under this section for a period of not more than 120 days to facilitate settlement negotiations relating to resolving the disputed issues of material fact with respect to the covered measure.

''(g) DECISION OF THE ADMINISTRATIVE LAW JUDGE.—

''(1) CONTENTS.—The decision of the Administrative Law Judge shall contain—

''(A) findings of fact on all disputed issues of material fact;

''(B) conclusions of law necessary to make the findings of fact, including rulings on materiality and the admissibility of evidence; and

''(C) reasons for the findings and conclusions.

''(2) LIMITATION.—The decision of the Administrative Law Judge shall not contain conclusions as to whether—

''(A) any condition or prescription should be adopted, modified, or rejected; or

''(B) any alternative condition or prescription should be adopted, modified, or rejected.

''(3) FINALITY.—A decision of an Administrative Law Judge under this section with respect to a disputed issue of material fact shall not be subject to further administrative review.

''(4) SERVICE.—The Administrative Law Judge shall serve the decision on each party to the hearing and forward the complete record of the hearing to the Commission and the Secretary that proposed the original condition or prescription.

''(h) SECRETARIAL DETERMINATION.—

''(1) IN GENERAL.—Not later than 60 days after the date on which the Administrative Law Judge issues the decision under subsection (g) and in accordance with the schedule established by the Commission under section 35(c), the Secretary proposing a condition under section 4(e) or a prescription under section 18 shall file with the Commission a final determination to adopt, modify, or withdraw any condition or prescription that was the subject of a hearing under this section, based on the decision of the Administrative Law Judge.

''(2) RECORD OF DETERMINATION.—The final determination of the Secretary filed with the Commission shall identify the reasons for the decision and any considerations taken into account that were not part of, or inconsistent with, the findings of the Administrative Law Judge and shall be included in the consolidated record in section 35(d).

''(i) LICENSING DECISION OF THE COMMISSION.—Notwithstanding sections 4(e) and 18, if the Commission finds that the final condition or prescription of the Secretary is inconsistent with the purposes of this part or other applicable law, the Commission may refer the matter to the Chairman of the Council on Environmental Quality under section 35(c).

''(j) JUDICIAL REVIEW.—The decision of the Administrative Law Judge and the record of determination of the Secretary shall be included in the record of the applicable licensing proceeding and subject to judicial review of the final licensing decision of the Commission under section 313(b).

''SEC. 37. PUMPED STORAGE PROJECTS.

''In carrying out section 6(a) of the Hydropower Regulatory Efficiency Act of 2013 (16 U.S.C. 797 note; Public Law 113–23), the Commission shall consider a closed loop pumped storage project to include a project—

''(1) in which the upper and lower reservoirs do not impound or directly withdraw water from a navigable stream; or

''(2) that is not continuously connected to a naturally flowing water feature.

''SEC. 38. ANNUAL REPORTS.

''(a) COMMISSION ANNUAL REPORT.—

''(1) IN GENERAL.—The Commission shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives an annual report that—

''(A) describes and quantifies, for each licensed, exempted, or proposed project under this part or section 405(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2705(d)) (referred to in this subsection as the 'covered project'), the quantity of energy and capacity authorized for new development and reauthorized for continued operation during the reporting year, including an assessment of the economic, climactic, air quality, and other environmental benefits achieved by the new and reauthorized energy and capacity;

''(B) describes and quantifies the loss of energy, capacity, or ancillary services as a result of any licensing action under this part or other requirement under Federal law during the reporting year;

''(C) identifies any application to license, relicense, or expand a covered project pending as of the date of the annual report, including a quantification of the new energy and capacity with the potential to be gained or lost by action relating to the covered project; and

''(D) lists all proposed covered projects that, as of the date of the annual report, are subject to a preliminary permit issued under section 4(f), including a description of the quantity of new energy and capacity that would be achieved through the development of each proposed covered project.

''(2) AVAILABILITY.—The Commission shall establish and maintain a publicly available website or comparable resource that tracks all information required for the annual report under paragraph (1).

''(b) RESOURCE AGENCY ANNUAL REPORT.—

''(1) IN GENERAL.—Any Federal or State resource agency that is participating in any Commission proceeding under this part or that has responsibilities for any Federal authorization shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that—

''(A) describes each term, condition, or other requirement prepared by the resource agency during the reporting year with respect to a Commission proceeding under this part, including—

''(i) an assessment of whether implementation of the term, condition, or other requirement would result in the loss of energy, capacity, or ancillary services at the project, including a quantification of the losses;

''(ii) an analysis of economic, air quality, climactic and other environmental effects associated with implementation of the term, condition, or other requirement;

''(iii) a demonstration, based on evidence in the record of the Commission, that the resource agency prepared the term, condition, or other requirement in a manner that meets the policy established by this part while discharging the responsibilities of the resource agency under this part or any other applicable requirement under Federal law; and

''(iv) a statement of whether the head of the applicable Federal agency has rendered

final approval of the term, condition, or other requirement, or whether the term, condition, or other requirement remains a preliminary recommendation of staff of the resource agency; and

''(B) identifies all pending, scheduled, and anticipated proceedings under this part that, as of the date of the annual report, the resource agency expects to participate in, or has any approval or participatory responsibilities for under Federal law, including—

''(i) an accounting of whether the resource agency met all deadlines or other milestones established by the resource agency or the Commission during the reporting year; and

''(ii) the specific plans of the resource agency for allocating sufficient resources for each project during the upcoming year.

''(2) AVAILABILITY.—Any resource agency preparing an annual report to Congress under paragraph (1) shall establish and maintain a publicly available website or comparable resource that tracks all information required for the annual report.''.

(j) PILOT PROGRAM.—

(1) IN GENERAL.—The Commission (as the term is defined in section 3 of the Federal Power Act (16 U.S.C. 796)) shall establish a voluntary pilot program covering at least 1 region in which the Commission, in consultation with the heads of cooperating agencies, shall direct a set of region-wide studies to inform subsequent project-level studies within each region.

(2) DESIGNATION.—Not later than 2 years after the date of enactment of this Act, if the conditions under paragraph (3) are met, the Commission, in consultation with the heads of cooperating agencies, shall designate 1 or more regions to be studied under this subsection.

(3) VOLUNTARY BASIS.—The Commission may only designate regions under paragraph (2) in which every licensee, on a voluntary basis and in writing, agrees—

(A) to be included in the pilot program; and

(B) to any cost-sharing arrangement with other licensees and applicable Federal and State agencies with respect to conducting basin-wide studies.

(4) SCALE.—The regions designated under paragraph (2) shall—

(A) be at an adequately large scale to cover at least 5 existing projects that—

(i) are licensed under this part; and

(ii) the licenses of which shall expire not later than 15 years after the date of enactment of this section; and

(B) be likely to yield region-wide studies and information that will significantly reduce the need for and scope of subsequent project-level studies and information.

(5) PROJECT LICENSE TERMS.—The Commission may extend the term of any existing license within a region designated under paragraph (2) by up to 8 years to provide sufficient time for relevant region-wide studies to inform subsequent project-level studies.

SEC. 3002. HYDROELECTRIC PRODUCTION INCENTIVES AND EFFICIENCY IMPROVEMENTS.

(a) HYDROELECTRIC PRODUCTION INCENTIVES.—Section 242 of the Energy Policy Act of 2005 (42 U.S.C. 15881) is amended—

(1) in subsection (c), by striking ''10'' and inserting ''20'';

(2) in subsection (f), by striking ''20'' and inserting ''30''; and

(3) in subsection (g), by striking ''each of the fiscal years 2006 through 2015'' and inserting ''each of fiscal years 2016 through 2025''.

(b) HYDROELECTRIC EFFICIENCY IMPROVEMENT.—Section 243(c) of the Energy Policy Act of 2005 (42 U.S.C. 15882(c)) is amended by striking ''each of the fiscal years 2006 through 2015'' and inserting ''each of fiscal years 2016 through 2025''.

SEC. 3003. EXTENSION OF TIME FOR A FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING CLARK CANYON DAM.

Notwithstanding the time period described in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12429, the Federal Energy Regulatory Commission (referred to in this section as the ''Commission'') shall, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, reinstate the license and extend the time period during which the licensee is required to commence construction of project works for the 3-year period beginning on the date of enactment of this Act.

SEC. 3004. EXTENSION OF TIME FOR A FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING GIBSON DAM.

(a) IN GENERAL.—Notwithstanding the requirements of section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12478–003, the Federal Energy Regulatory Commission (referred to in this section as the ''Commission'') may, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, extend the time period during which the licensee is required to commence construction of the project for a 6-year period that begins on the date described in subsection (b).

(b) DATE DESCRIBED.—The date described in this subsection is the date of the expiration of the extension of the period required for commencement of construction for the project described in subsection (a) that was issued by the Commission prior to the date of enactment of this Act under section 13 of the Federal Power Act (16 U.S.C. 806).

(c) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (b) has expired before the date of enactment of this Act—

(1) the Commission shall reinstate the license effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration date.

PART II—GEOTHERMAL

Subpart A—Geothermal Energy

SEC. 3005. NATIONAL GOALS FOR PRODUCTION AND SITE IDENTIFICATION.

It is the sense of Congress that, not later than 10 years after the date of enactment of this Act—

(1) the Secretary of the Interior shall seek to approve a significant increase in new geothermal energy capacity on public land across a geographically diverse set of States using the full range of available technologies; and

(2) the Director of the Geological Survey and the Secretary should identify sites capable of producing a total of 50,000 megawatts of geothermal power, using the full range of available technologies, through a program conducted in collaboration with industry, including cost-shared exploration drilling.

SEC. 3006. PRIORITY AREAS FOR DEVELOPMENT ON FEDERAL LAND.

The Director of the Bureau of Land Management, in consultation with other appropriate Federal agencies, shall—

(1) identify high priority areas for new geothermal development; and

(2) take any actions the Director determines necessary to facilitate that development, consistent with applicable laws.

SEC. 3007. FACILITATION OF COPRODUCTION OF GEOTHERMAL ENERGY ON OIL AND GAS LEASES.

Section 4(b) of the Geothermal Steam Act of 1970 (30 U.S.C. 1003(b)) is amended by adding at the end the following:

''(4) LAND SUBJECT TO OIL AND GAS LEASE.—Land under an oil and gas lease issued pursuant to the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.) that is subject to an approved application for permit to drill and from which oil and gas production is occurring may be available for noncompetitive leasing under this section to the holder of the oil and gas lease—

''(A) on a determination that—

''(i) geothermal energy will be produced from a well producing or capable of producing oil and gas; and

''(ii) national energy security will be improved by the issuance of such a lease; and

''(B) to provide for the coproduction of geothermal energy with oil and gas.''.

SEC. 3008. NONCOMPETITIVE LEASING OF ADJOINING AREAS FOR DEVELOPMENT OF GEOTHERMAL RESOURCES.

Section 4(b) of the Geothermal Steam Act of 1970 (30 U.S.C. 1003(b)) (as amended by section 3007) is amended by adding at the end the following:

''(5) ADJOINING LAND.—

''(A) DEFINITIONS.—In this paragraph:

''(i) FAIR MARKET VALUE PER ACRE.—The term 'fair market value per acre' means a dollar amount per acre that—

''(I) except as provided in this clause, shall be equal to the market value per acre (taking into account the determination under subparagraph (B)(iii) regarding a valid discovery on the adjoining land), as determined by the Secretary under regulations issued under this paragraph;

''(II) shall be determined by the Secretary with respect to a lease under this paragraph, by not later than the end of the 180-day period beginning on the date the Secretary receives an application for the lease; and

''(III) shall be not less than the greater of—

''(aa) 4 times the median amount paid per acre for all land leased under this Act during the preceding year; or

''(bb) $50.

''(ii) INDUSTRY STANDARDS.—The term 'industry standards' means the standards by which a qualified geothermal professional assesses whether downhole or flowing temperature measurements with indications of permeability are sufficient to produce energy from geothermal resources, as determined through flow or injection testing or measurement of lost circulation while drilling.

''(iii) QUALIFIED FEDERAL LAND.—The term 'qualified Federal land' means land that is otherwise available for leasing under this Act.

''(iv) QUALIFIED GEOTHERMAL PROFESSIONAL.—The term 'qualified geothermal professional' means an individual who is an engineer or geoscientist in good professional standing with at least 5 years of experience in geothermal exploration, development, or project assessment.

''(v) QUALIFIED LESSEE.—The term 'qualified lessee' means a person that is eligible to hold a geothermal lease under this Act (including applicable regulations).

''(vi) VALID DISCOVERY.—The term 'valid discovery' means a discovery of a geothermal resource by a new or existing slim hole or production well, that exhibits downhole or flowing temperature measurements with indications of permeability that are sufficient to meet industry standards.

''(B) AUTHORITY.—An area of qualified Federal land that adjoins other land for which a qualified lessee holds a legal right to develop geothermal resources may be available for a

noncompetitive lease under this section to the qualified lessee at the fair market value per acre, if—

''(i) the area of qualified Federal land—

''(I) consists of not less than 1 acre and not more than 640 acres; and

''(II) is not already leased under this Act or nominated to be leased under subsection (a);

''(ii) the qualified lessee has not previously received a noncompetitive lease under this paragraph in connection with the valid discovery for which data has been submitted under clause (iii)(I); and

''(iii) sufficient geological and other technical data prepared by a qualified geothermal professional has been submitted by the qualified lessee to the applicable Federal land management agency that would lead individuals who are experienced in the subject matter to believe that—

''(I) there is a valid discovery of geothermal resources on the land for which the qualified lessee holds the legal right to develop geothermal resources; and

''(II) that thermal feature extends into the adjoining areas.

''(C) DETERMINATION OF FAIR MARKET VALUE.—

''(i) IN GENERAL.—The Secretary shall—

''(I) publish a notice of any request to lease land under this paragraph;

''(II) determine fair market value for purposes of this paragraph in accordance with procedures for making those determinations that are established by regulations issued by the Secretary;

''(III) provide to a qualified lessee and publish, with an opportunity for public comment for a period of 30 days, any proposed determination under this subparagraph of the fair market value of an area that the qualified lessee seeks to lease under this paragraph; and

''(IV) provide to the qualified lessee and any adversely affected party the opportunity to appeal the final determination of fair market value in an administrative proceeding before the applicable Federal land management agency, in accordance with applicable law (including regulations).

''(ii) LIMITATION ON NOMINATION.—After publication of a notice of request to lease land under this paragraph, the Secretary may not accept under subsection (a) any nomination of the land for leasing unless the request has been denied or withdrawn.

''(iii) ANNUAL RENTAL.—For purposes of section 5(a)(3), a lease awarded under this paragraph shall be considered a lease awarded in a competitive lease sale.

''(D) REGULATIONS.—Not later than 270 days after the date of enactment of the Energy Policy Modernization Act of 2016, the Secretary shall issue regulations to carry out this paragraph.''.

SEC. 3009. REPORT TO CONGRESS.

Not later than 3 years after the date of enactment of this Act and not less frequently than once every 5 years thereafter, the Secretary of the Interior and the Secretary shall submit to Congress a report describing the progress made towards achieving the goals described in section 3005.

SEC. 3010. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subpart—

(1) $65,000,000 for fiscal year 2017; and

(2) $75,000,000 for each of fiscal years 2018 through 2021.

Subpart B—Development of Geothermal, Solar, and Wind Energy on Public Land

SEC. 3011. DEFINITIONS.

In this subpart:

(1) COVERED LAND.—The term ''covered land'' means land that is—

(A) public land administered by the Secretary; and

(B) not excluded from the development of geothermal, solar, or wind energy under—

(i) a land use plan established under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); or

(ii) other Federal law.

(2) EXCLUSION AREA.—The term ''exclusion area'' means covered land that is identified by the Bureau of Land Management as not suitable for development of renewable energy projects.

(3) PRIORITY AREA.—The term ''priority area'' means covered land identified by the land use planning process of the Bureau of Land Management as being a preferred location for a renewable energy project.

(4) PUBLIC LAND.—The term ''public land'' has the meaning given the term ''public lands'' in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(5) RENEWABLE ENERGY PROJECT.—The term ''renewable energy project'' means a project carried out on covered land that uses wind, solar, or geothermal energy to generate energy.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(7) VARIANCE AREA.—The term ''variance area'' means covered land that is—

(A) not an exclusion area; and

(B) not a priority area.

SEC. 3011A. LAND USE PLANNING; SUPPLEMENTS TO PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENTS.

(a) PRIORITY AREAS.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Energy, shall establish priority areas on covered land for geothermal, solar, and wind energy projects.

(2) DEADLINE.—

(A) GEOTHERMAL ENERGY.—For geothermal energy, the Secretary shall establish priority areas as soon as practicable, but not later than 5 years, after the date of enactment of this Act.

(B) SOLAR ENERGY.—For solar energy, the solar energy zones established by the 2012 western solar plan of the Bureau of Land Management shall be considered to be priority areas for solar energy projects.

(C) WIND ENERGY.—For wind energy, the Secretary shall establish priority areas as soon as practicable, but not later than 3 years, after the date of enactment of this Act.

(b) VARIANCE AREAS.—To the maximum extent practicable, variance areas shall be considered for renewable energy project development, consistent with the principles of multiple use as defined in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(c) REVIEW AND MODIFICATION.—Not less frequently than once every 10 years, the Secretary shall—

(1) review the adequacy of land allocations for geothermal, solar, and wind energy priority and variance areas for the purpose of encouraging new renewable energy development opportunities; and

(2) based on the review carried out under paragraph (1), add, modify, or eliminate priority, variance, and exclusion areas.

(d) COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT.—For purposes of this section, compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be accomplished—

(1) for geothermal energy, by supplementing the October 2008 final programmatic environmental impact statement for geothermal leasing in the western United States;

(2) for solar energy, by supplementing the July 2012 final programmatic environmental impact statement for solar energy projects; and

(3) for wind energy, by supplementing the July 2005 final programmatic environmental impact statement for wind energy projects.

(e) NO EFFECT ON PROCESSING APPLICATIONS.—A requirement to prepare a supplement to a programmatic environmental impact statement under this section shall not result in any delay in processing an application for a renewable energy project.

(f) COORDINATION.—In developing a supplement required by this section, the Secretary shall coordinate, on an ongoing basis, with appropriate State, tribal, and local governments, transmission infrastructure owners and operators, developers, and other appropriate entities to ensure that priority areas identified by the Secretary are—

(1) economically viable (including having access to transmission);

(2) likely to avoid or minimize conflict with habitat for animals and plants, recreation, and other uses of covered land; and

(3) consistent with section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712), including subsection (c)(9) of that section.

(g) REMOVAL FROM CLASSIFICATION.—In carrying out subsections (a), (c), and (d), if the Secretary determines an area previously suited for development should be removed from priority or variance classification, not later than 90 days after the date of the determination, the Secretary shall submit to Congress a report on the determination.

SEC. 3011B. ENVIRONMENTAL REVIEW ON COVERED LAND.

(a) IN GENERAL.—If the Secretary determines that a proposed renewable energy project has been sufficiently analyzed by a programmatic environmental impact statement conducted under section 3011B(d), the Secretary shall not require any additional review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) ADDITIONAL ENVIRONMENTAL REVIEW.—If the Secretary determines that additional environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is necessary for a proposed renewable energy project, the Secretary shall rely on the analysis in the programmatic environmental impact statement conducted under section 3011B(d), to the maximum extent practicable when analyzing the potential impacts of the project.

(c) RELATIONSHIP TO OTHER LAW.—Nothing in this section modifies or supersedes any requirement under applicable law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 3011C. PROGRAM TO IMPROVE RENEWABLE ENERGY PROJECT PERMIT COORDINATION.

(a) ESTABLISHMENT.—The Secretary shall establish a program to improve Federal permit coordination with respect to renewable energy projects on covered land.

(b) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into a memorandum of understanding for purposes of this section, including to specifically expedite the environmental analysis of applications for projects proposed in a variance area, with—

(A) the Secretary of Agriculture; and

(B) the Assistant Secretary of the Army for Civil Works.

(2) STATE PARTICIPATION.—The Secretary may request the Governor of any interested State to be a signatory to the memorandum of understanding under paragraph (1).

(c) DESIGNATION OF QUALIFIED STAFF.—

(1) IN GENERAL.—Not later than 90 days after the date on which the memorandum of understanding under subsection (b) is executed, all Federal signatories, as appropriate, shall identify for each of the Bureau

of Land Management Renewable Energy Coordination Offices an employee who has expertise in the regulatory issues relating to the office in which the employee is employed, including, as applicable, particular expertise in—

(A) consultation regarding, and preparation of, biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536);

(B) permits under section 404 of Federal Water Pollution Control Act (33 U.S.C. 1344);

(C) regulatory matters under the Clean Air Act (42 U.S.C. 7401 et seq.);

(D) planning under section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a);

(E) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(F) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.); and

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

(2) DUTIES.—Each employee assigned under paragraph (1) shall—

(A) be responsible for addressing all issues relating to the jurisdiction of the home office or agency of the employee; and

(B) participate as part of the team of personnel working on proposed energy projects, planning, monitoring, inspection, enforcement, and environmental analyses.

(d) ADDITIONAL PERSONNEL.—The Secretary may assign additional personnel for the renewable energy coordination offices as are necessary to ensure the effective implementation of any programs administered by those offices, including inspection and enforcement relating to renewable energy project development on covered land, in accordance with the multiple use mandate of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(e) RENEWABLE ENERGY COORDINATION OFFICES.—In implementing the program established under this section, the Secretary may establish additional renewable energy coordination offices or temporarily assign the qualified staff described in subsection (c) to a State, district, or field office of the Bureau of Land Management to expedite the permitting of renewable energy projects, as the Secretary determines to be necessary.

(f) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than February 1 of the first fiscal year beginning after the date of enactment of this Act, and each February 1 thereafter, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the progress made pursuant to the program under this subpart during the preceding year.

(2) INCLUSIONS.—Each report under this subsection shall include—

(A) projections for renewable energy production and capacity installations; and

(B) a description of any problems relating to leasing, permitting, siting, or production.

SEC. 3011D. SAVINGS CLAUSE.

Nothing in this subpart establishes—

(1) a priority or preference for the development of renewable energy projects on public land over other energy-related or mineral projects or other uses of public land; or

(2) an exception to the requirement that public land be managed consistent with the principle of multiple use (as defined in section of section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

Subpart C—Geothermal Exploration

SEC. 3012. GEOTHERMAL EXPLORATION TEST PROJECTS.

The Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) is amended by adding at the end the following:

"SEC. 30. GEOTHERMAL EXPLORATION TEST PROJECTS.

''(a) DEFINITIONS.—In this section:

''(1) COVERED LAND.—The term 'covered land' means land that is—

''(A) subject to geothermal leasing in accordance with section 3; and

''(B) not excluded from the development of geothermal energy under—

''(i) a final land use plan established under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

''(ii) a final land and resource management plan established under the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.); or

''(iii) any other applicable law.

''(2) SECRETARY CONCERNED.—The term 'Secretary concerned' means—

''(A) the Secretary of Agriculture (acting through the Chief of the Forest Service), with respect to National Forest System land; and

''(B) the Secretary, with respect to land managed by the Bureau of Land Management (including land held for the benefit of an Indian tribe).

''(b) NEPA REVIEW OF GEOTHERMAL EXPLORATION TEST PROJECTS.—

''(1) IN GENERAL.—An eligible activity described in paragraph (2) carried out on covered land shall be considered an action categorically excluded from the requirements for an environmental assessment or an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation) if—

''(A) the action is for the purpose of geothermal resource exploration operations; and

''(B) the action is conducted pursuant to this Act.

''(2) ELIGIBLE ACTIVITY.—An eligible activity referred to in paragraph (1) is—

''(A) a geophysical exploration activity that does not require drilling, including a seismic survey;

''(B) the drilling of a well to test or explore for geothermal resources on land leased by the Secretary concerned for the development and production of geothermal resources that—

''(i) is carried out by the holder of the lease;

''(ii) causes—

''(I) fewer than 5 acres of soil or vegetation disruption at the location of each geothermal exploration well; and

''(II) not more than an additional 5 acres of soil or vegetation disruption during access or egress to the project site;

''(iii) is completed in fewer than 90 days, including the removal of any surface infrastructure from the project site; and

''(iv) requires the restoration of the project site not later than 3 years after the date of completion of the project to approximately the condition that existed at the time the project began, unless—

''(I) the project site is subsequently used as part of energy development on the lease; or

''(II) the project—

''(aa) yields geothermal resources; and

''(bb) the use of the geothermal resources will be carried out under another geothermal generation project in existence at the time of the discovery of the geothermal resources; or

''(C) the drilling of a well to test or explore for geothermal resources on land leased by the Secretary concerned for the development and production of geothermal resources that—

''(i) causes an individual surface disturbance of fewer than 5 acres if—

''(I) the total surface disturbance on the leased land is not more than 150 acres; and

''(II) a site-specific analysis has been prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(ii) involves the drilling of a geothermal well at a location or well pad site at which drilling has occurred within 5 years before the date of spudding the well; or

''(iii) involves the drilling of a geothermal well in a developed field for which—

''(I) an approved land use plan or any environmental document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) analyzed the drilling as a reasonably foreseeable activity; and

''(II) the land use plan or environmental document was approved within 10 years before the date of spudding the well.

''(3) LIMITATION BASED ON EXTRAORDINARY CIRCUMSTANCES.—The categorical exclusion established under paragraph (1) shall be subject to extraordinary circumstances in accordance with the Departmental Manual, 516 DM 2.3A(3) and 516 DM 2, Appendix 2 (or successor provisions).

''(c) NOTICE OF INTENT; REVIEW AND DETERMINATION.—

''(1) REQUIREMENT TO PROVIDE NOTICE.—Not later than 30 days before the date on which drilling begins, a leaseholder intending to carry out an eligible activity shall provide notice to the Secretary concerned.

''(2) REVIEW OF PROJECT.—Not later than 10 days after receipt of a notice of intent provided under paragraph (1), the Secretary concerned shall—

''(A) review the project described in the notice and determine whether the project is an eligible activity; and

''(B)(i) if the project is an eligible activity, notify the leaseholder that under subsection (b), the project is considered a categorical exclusion under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation); or

''(ii) if the project is not an eligible activity—

''(I) notify the leaseholder that section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) applies to the project;

''(II) include in that notification clear and detailed findings on any deficiencies in the project that prevent the application of subsection (b) to the project; and

''(III) provide an opportunity to the leaseholder to remedy the deficiencies described in the notification before the date on which the leaseholder plans to begin the project under paragraph (1).''.

PART III—MARINE HYDROKINETIC

SEC. 3013. DEFINITION OF MARINE AND HYDROKINETIC RENEWABLE ENERGY.

Section 632 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17211) is amended in the matter preceding paragraph (1) by striking ''electrical''.

SEC. 3014. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.

Section 633 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17212) is amended to read as follows:

"SEC. 633. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.

''The Secretary, in consultation with the Secretary of the Interior, the Secretary of

Commerce, and the Federal Energy Regulatory Commission, shall carry out a program of research, development, demonstration, and commercial application to accelerate the introduction of marine and hydrokinetic renewable energy production into the United States energy supply, giving priority to fostering accelerated research, development, and commercialization of technology, including programs—

''(1) to assist technology development to improve the components, processes, and systems used for power generation from marine and hydrokinetic renewable energy resources;

''(2) to establish critical testing infrastructure necessary—

''(A) to cost effectively and efficiently test and prove marine and hydrokinetic renewable energy devices; and

''(B) to accelerate the technological readiness and commercialization of those devices;

''(3) to support efforts to increase the efficiency of energy conversion, lower the cost, increase the use, improve the reliability, and demonstrate the applicability of marine and hydrokinetic renewable energy technologies by participating in demonstration projects;

''(4) to investigate variability issues and the efficient and reliable integration of marine and hydrokinetic renewable energy with the utility grid;

''(5) to identify and study critical short- and long-term needs to create a sustainable marine and hydrokinetic renewable energy supply chain based in the United States;

''(6) to increase the reliability and survivability of marine and hydrokinetic renewable energy technologies;

''(7) to verify the performance, reliability, maintainability, and cost of new marine and hydrokinetic renewable energy device designs and system components in an operating environment, and consider the protection of critical infrastructure, such as adequate separation between marine and hydrokinetic devices and projects and submarine telecommunications cables, including consideration of established industry standards;

''(8) to coordinate and avoid duplication of activities across programs of the Department and other applicable Federal agencies, including National Laboratories and to coordinate public-private collaboration in all programs under this section;

''(9) to identify opportunities for joint research and development programs and development of economies of scale between—

''(A) marine and hydrokinetic renewable energy technologies; and

''(B) other renewable energy and fossil energy programs, offshore oil and gas production activities, and activities of the Department of Defense; and

''(10) to support in-water technology development with international partners using existing cooperative procedures (including memoranda of understanding)—

''(A) to allow cooperative funding and other support of value to be exchanged and leveraged; and

''(B) to encourage the participation of international research centers and companies within the United States and the participation of United States research centers and companies in international projects.''.

SEC. 3015. NATIONAL MARINE RENEWABLE ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION CENTERS.

Section 634 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17213) is amended by striking subsection (b) and inserting the following:

''(b) PURPOSES.—A Center (in coordination with the Department and National Laboratories) shall—

''(1) advance research, development, demonstration, and commercial application of marine and hydrokinetic renewable energy technologies;

''(2) support in-water testing and demonstration of marine and hydrokinetic renewable energy technologies, including facilities capable of testing—

''(A) marine and hydrokinetic renewable energy systems of various technology readiness levels and scales;

''(B) a variety of technologies in multiple test berths at a single location; and

''(C) arrays of technology devices; and

''(3) serve as information clearinghouses for the marine and hydrokinetic renewable energy industry by collecting and disseminating information on best practices in all areas relating to developing and managing marine and hydrokinetic renewable energy resources and energy systems.''.

SEC. 3016. AUTHORIZATION OF APPROPRIATIONS.

Section 636 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17215) is amended by striking ''$50,000,000 for each of the fiscal years 2008 through 2012'' and inserting ''$55,000,000 for each of fiscal years 2017 and 2018 and $60,000,000 for each of fiscal years 2019 through 2021''.

PART IV—BIOMASS

SEC. 3017. POLICIES RELATING TO BIOMASS ENERGY.

To support the key role that forests in the United States can play in addressing the energy needs of the United States, the Secretary, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency shall, consistent with their missions, jointly—

(1) ensure that Federal policy relating to forest bioenergy—

(A) is consistent across all Federal departments and agencies; and

(B) recognizes the full benefits of the use of forest biomass for energy, conservation, and responsible forest management; and

(2) establish clear and simple policies for the use of forest biomass as an energy solution, including policies that—

(A) reflect the carbon-neutrality of forest bioenergy and recognize biomass as a renewable energy source, provided the use of forest biomass for energy production does not cause conversion of forests to non-forest use.

(B) encourage private investment throughout the forest biomass supply chain, including in—

(i) working forests;

(ii) harvesting operations;

(iii) forest improvement operations;

(iv) forest bioenergy production;

(v) wood products manufacturing; or

(vi) paper manufacturing;

(C) encourage forest management to improve forest health; and

(D) recognize State initiatives to produce and use forest biomass.

Subtitle B—Oil and Gas

SEC. 3101. AMENDMENTS TO THE METHANE HYDRATE RESEARCH AND DEVELOPMENT ACT OF 2000.

(a) METHANE HYDRATE RESEARCH AND DEVELOPMENT PROGRAM.—

(1) IN GENERAL.—Section 4 of the Methane Hydrate Research and Development Act of 2000 (30 U.S.C. 2003) is amended by striking subsection (b) and inserting the following:

''(b) GRANTS, CONTRACTS, COOPERATIVE AGREEMENTS, INTERAGENCY FUNDS TRANSFER AGREEMENTS, AND FIELD WORK PROPOSALS.—

''(1) ASSISTANCE AND COORDINATION.—In carrying out the program of methane hydrate research and development authorized by this section, the Secretary may award grants to, or enter into contracts or cooperative agreements with, institutions—

''(A) to conduct basic and applied research—

''(i) to identify, explore, assess, and develop methane hydrate as a commercially viable source of energy; and

''(ii) to identify the environmental, health, and safety impacts of methane hydrate development;

''(B) to identify and characterize methane hydrate resources using remote sensing and seismic data, including the characterization of hydrate concentrations in marine reservoirs in the Gulf of Mexico by the date that is 4 years after the date of enactment of the Energy Policy Modernization Act of 2016;

''(C) to develop technologies required for efficient and environmentally sound development of methane hydrate resources;

''(D) to conduct basic and applied research to assess and mitigate the environmental impact of hydrate degassing (including natural degassing and degassing associated with commercial development);

''(E) to develop technologies to reduce the risks of drilling through methane hydrates;

''(F) to conduct exploratory drilling, well testing, and production testing operations on permafrost and nonpermafrost gas hydrates in support of the activities authorized by this paragraph, including—

''(i) drilling of a test well and performing a long-term hydrate production test on land in the United States Arctic region by the date that is 4 years after the date of enactment of the Energy Policy Modernization Act of 2016;

''(ii) drilling of a test well and performing a long-term hydrate production test in a marine environment by the date that is 10 years after the date of enactment of the Energy Policy Modernization Act of 2016; and

''(iii) drilling a full-scale production test well at a location to be determined by the Secretary; or

''(G) to expand education and training programs in methane hydrate resource research and resource development through fellowships or other means for graduate education and training.

''(2) ENVIRONMENTAL MONITORING AND RESEARCH.—The Secretary shall conduct a long-term environmental monitoring and research program to study the effects of production from methane hydrate reservoirs.

''(3) COMPETITIVE PEER REVIEW.—Funds made available under paragraphs (1) and (2) shall be made available based on a competitive process using external scientific peer review of proposed research.''.

(2) CONFORMING AMENDMENT.—Section 4(e) of the Methane Hydrate Research and Development Act of 2000 (30 U.S.C. 2003(e)) is amended in the matter preceding paragraph (1) by striking ''subsection (b)(1)'' and inserting ''paragraphs (1) and (2) of subsection (b)''.

(b) AUTHORIZATION OF APPROPRIATIONS.—The Methane Hydrate Research and Development Act of 2000 is amended by striking section 7 (30 U.S.C. 2006) and inserting the following:

''SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to carry out this Act $35,000,000 for each of fiscal years 2017 through 2021.''.

SEC. 3102. LIQUEFIED NATURAL GAS STUDY.

(a) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the National Association of Regulatory Utility Commissioners and the National Association of State Energy Officials, shall conduct a study of the State, regional, and national implications of exporting liquefied natural gas with respect to consumers and the economy.

(2) CONTENTS.—The study conducted under paragraph (1) shall include an analysis of—

(A) the economic impact that exporting liquefied natural gas will have in regions that currently import liquefied natural gas;

(B) job creation in the manufacturing sectors; and

(C) such other issues as the Secretary considers appropriate.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to Congress a report on the results of the study conducted under subsection (a).

SEC. 3103. FERC PROCESS COORDINATION WITH RESPECT TO REGULATORY APPROVAL OF GAS PROJECTS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Energy Regulatory Commission.

(2) FEDERAL AUTHORIZATION.—

(A) IN GENERAL.—The term ''Federal authorization'' means any authorization required under Federal law with respect to an application for authorization or a certificate of public convenience and necessity relating to gas transportation subject to the jurisdiction of the Commission.

(B) INCLUSIONS.—The term ''Federal authorization'' includes any permits, special use authorizations, certifications, opinions, or other approvals as may be required under Federal law with respect to an application for authorization or a certificate of public convenience and necessity relating to gas transportation subject to the jurisdiction of the Commission.

(b) DESIGNATION AS LEAD AGENCY.—

(1) IN GENERAL.—The Commission shall act as the lead agency for the purposes of—

(A) coordinating all applicable Federal authorizations; and

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

(2) OTHER AGENCIES.—Each Federal and State agency considering an aspect of an application for Federal authorization shall cooperate with the Commission.

(c) SCHEDULE.—

(1) TIMING FOR ISSUANCE.—It is the sense of Congress that all Federal authorizations required for a project or facility should be issued by not later than the date that is 90 days after the date on which an application is considered to be complete by the Commission.

(2) COMMISSION SCHEDULE.—

(A) IN GENERAL.—The Commission shall establish a schedule for the issuance of all Federal authorizations.

(B) REQUIREMENTS.—In establishing the schedule under subparagraph (A), the Commission shall—

(i) consult and cooperate with the Federal and State agencies responsible for a Federal authorization;

(ii) ensure the expeditious completion of all proceedings relating to a Federal authorization; and

(iii) comply with applicable schedules established under Federal law with respect to a Federal authorization.

(3) RESOLUTION OF INTERAGENCY DISPUTES.—If the Federal agency with responsibility fails to adhere to the schedule established by the Commission under paragraph (2), or if a Federal authorization has been unreasonably denied, or if a Federal authorization would be inconsistent with the purposes of this section or other applicable law, the Commission shall refer the matter to the Chairman of the Council on Environmental Quality—

(A) to ensure timely participation;

(B) to ensure a timely decision;

(C) to mediate the dispute; or

(D) to refer the matter to the President.

(d) CONSOLIDATED RECORD.—The Commission shall maintain official consolidated records of all license proceedings under this section.

(e) DEFERENCE TO COMMISSION.—In making a decision with respect to a Federal authorization, each agency shall give deference, to the maximum extent authorized by law, to the scope of environmental review that the Commission determines to be appropriate.

(f) CONCURRENT REVIEWS.—Pursuant to the schedule established under subsection (c)(2), each agency considering an aspect of an application for Federal authorization shall—

(1) to the maximum extent authorized by law, carry out the obligations of that agency under applicable law concurrently and in conjunction with the review required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), unless doing so would impair the ability of the agency to conduct needed analysis or otherwise carry out those obligations;

(2) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to complete the required Federal authorizations in accordance with the schedule described in subsection (c); and

(3) transmit to the Commission a statement—

(A) acknowledging notice of the schedule described in subsection (c); and

(B) describing the plan formulated under paragraph (2).

(g) FAILURE TO MEET DEADLINE.—If an agency does not complete a proceeding for an approval that is required for a Federal authorization in accordance with the schedule described in subsection (c), the head of the relevant Federal agency (including, in the case of a failure by the State agency or unit of local government, the Federal agency overseeing the delegated authority) shall—

(1) notify Congress and the Commission of the failure; and

(2) describe in that notification an implementation plan to ensure completion.

(h) ACCOUNTABILITY; TRANSPARENCY; EFFICIENCY.—

(1) IN GENERAL.—For applications requiring multiple Federal authorizations, the Commission, in consultation with any agency considering an aspect of the application, shall track and make available to the public on the website of the Commission information relating to the actions required to complete permitting, reviews, and other requirements.

(2) INCLUSIONS.—Information tracked under paragraph (1) shall include the following:

(A) The schedule described in subsection (c).

(B) A list of all the actions required by each applicable agency to complete permitting, reviews, and other requirements necessary to obtain a final decision on the Federal authorization.

(C) The expected completion date for each action listed under subparagraph (B).

(D) A point of contact at the agency accountable for each action listed under subparagraph (B).

(E) In the event that an action is still pending as of the expected date of completion, a brief explanation of the reason for the delay.

SEC. 3104. PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this section as the ''Director''), shall establish a pilot program in 1 State with at least 2,000 oil and gas drilling spacing units (as defined under State law), in which—

(1) 25 percent or less of the minerals are owned or held in trust by the Federal Government; and

(2) there is no surface land owned or held in trust by the Federal Government.

(b) ACTIVITIES.—In carrying out the pilot program, the Director shall identify and implement ways to streamline the review and approval of Applications for Permits to Drill for oil and gas drilling spacing units of the State in order to achieve a processing time for those oil and gas drilling spacing units similar to that of spacing units that require an Application for Permit to Drill and are not part of the pilot program in the same State.

(c) FUNDING.—Beginning in fiscal year 2016, and for a period of 3 years thereafter, to carry out the pilot program efficiently, the Director may fund up to 10 full-time equivalents at appropriate field offices.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, the Director shall submit to Congress a report on the results of the pilot program.

(e) WAIVER.—The Secretary of the Interior may waive the requirement for an Application for Permit to Drill if the Director determines that the mineral interest of the United States in the spacing units in land covered by this section is adequately protected, if otherwise in accordance with applicable laws, regulations, and lease terms.

SEC. 3105. GAO REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 2 years, the Comptroller General of the United States shall conduct a review of—

(1) energy production in the United States; and

(2) the effects, if any, of crude oil exports from the United States on consumers, independent refiners, and shipbuilding and ship repair yards.

(b) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (a), the Comptroller General of the United States shall submit to the Committees on Energy and Natural Resources, Banking, Housing, and Urban Affairs, Commerce, Science, and Transportation, and Foreign Relations of the Senate and the Committees on Natural Resources, Energy and Commerce, Financial Services, and Foreign Affairs of the House of Representatives a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to address any job loss in the shipbuilding and ship repair industry or adverse impacts on consumers and refiners that the Comptroller General of the United States attributes to unencumbered crude oil exports in the United States.

SEC. 3106. ETHANE STORAGE STUDY.

(a) IN GENERAL.—The Secretary and the Secretary of Commerce, in consultation with other relevant Federal departments and agencies and stakeholders, shall conduct a study of the feasibility of establishing an ethane storage and distribution hub in the Marcellus, Utica, and Rogersville shale plays in the United States.

(b) CONTENTS.—The study conducted under subsection (a) shall include—

(1) an examination of, with respect to the proposed ethane storage and distribution hub—

(A) potential locations;

(B) economic feasibility;

(C) economic benefits;

(D) geological storage capacity capabilities;

(E) above-ground storage capabilities;

(F) infrastructure needs; and

(G) other markets and trading hubs, particularly hubs relating to ethane; and

(2) the identification of potential additional benefits of the proposed hub to energy security.

(c) PUBLICATION OF RESULTS.—Not later than 2 years after the date of enactment of this Act, the Secretary and the Secretary of Commerce shall—

(1) submit to the Committee on Energy and Commerce of the House of Representatives and the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of the Senate a report describing the results of the study under subsection (a); and

(2) publish those results on the Internet websites of the Departments of Energy and Commerce, respectively.

SEC. 3107. ALISO CANYON NATURAL GAS LEAK TASK FORCE.

(a) ESTABLISHMENT OF TASK FORCE.—Not later than 15 days after the date of enactment of this Act, the Secretary shall lead and establish an Aliso Canyon Task Force (referred to in this section as the ''task force'').

(b) MEMBERSHIP OF TASK FORCE.—In addition to the Secretary, the task force shall be composed of—

(1) 1 representative from the Pipeline and Hazardous Materials Safety Administration;

(2) 1 representative from the Department of Health and Human Services;

(3) 1 representative from the Environmental Protection Agency;

(4) 1 representative from the Department of the Interior;

(5) 1 representative from the Department of Commerce; and

(6) 1 representative from the Federal Energy Regulatory Commission.

(c) REPORT.—

(1) FINAL REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the task force shall submit a final report that contains the information described in subparagraph (B) to—

(i) the Committee on Energy and Natural Resources of the Senate;

(ii) the Committee on Natural Resources of the House of Representatives;

(iii) the Committee on Environment and Public Works of the Senate;

(iv) the Committee on Transportation and Infrastructure of the House of Representatives;

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

(vi) the Committee on Energy and Commerce of the House of Representatives;

(vii) the Committee on Health, Education, Labor, and Pensions of the Senate;

(viii) the Committee on Education and the Workforce of the House of Representatives;

(ix) the President; and

(x) relevant Federal and State agencies.

(B) INFORMATION INCLUDED.—The report submitted under subparagraph (A) shall include, at a minimum—

(i) an analysis and conclusion of the cause of the Aliso Canyon natural gas leak;

(ii) an analysis of measures taken to stop the natural gas leak, with an immediate focus on other, more effective measures that could be taken;

(iii) an assessment of the impact of the natural gas leak on health, safety, the environment, and the economy of the residents and property surrounding Aliso Canyon;

(iv) an analysis of how Federal and State agencies responded to the natural gas leak;

(v) in order to lessen the negative impacts of natural gas leaks, recommendations on how to improve—

(I) the response to a future leak; and

(II) coordination between all appropriate Federal, State, and local agencies in the response to the Aliso Canyon natural gas leak and future natural gas leaks;

(vi) an analysis of the potential for a similar natural gas leak to occur at other underground natural gas storage facilities in the United States;

(vii) recommendations on how to prevent any future natural gas leaks;

(viii) recommendations on whether to continue operations at Aliso Canyon and other facilities in close proximity to residential populations based on an assessment of the risk of a future natural gas leak;

(ix) a recommendation on information that is not currently collected but that would be in the public interest to collect and distribute to agencies and institutions for the continued study and monitoring of natural gas infrastructure in the United States;

(x) an analysis of the impact of the Aliso Canyon natural gas leak on wholesale and retail electricity prices; and

(xi) an analysis of the impact of the Aliso Canyon natural gas leak on the reliability of the bulk-power system.

(2) PUBLICATION.—The interim reports and recommendations under paragraph (1) and the final report under paragraph (2) shall be made available to the public in an electronically accessible format.

(3) If, before the final report is submitted under paragraph (1) the task force finds methods to solve the natural gas leak at Aliso Canyon; better protect the affected communities; or finds methods to help prevent other leaks, they must immediately issue such findings to the same entities that are to receive the final report.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.

SEC. 3108. REPORT ON INCORPORATING INTERNET-BASED LEASE SALES.

Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall submit to Congress a report containing recommendations for the incorporation of Internet-based lease sales at the Bureau of Land Management in accordance with section 17(b)(1)(C) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)(C)) in the event of an emergency or other disruption causing a disruption to a sale.

SEC. 3109. DENALI NATIONAL PARK AND PRESERVE NATURAL GAS PIPELINE.

(a) PERMIT.—Section 3(b)(1) of the Denali National Park Improvement Act (Public Law 113–33; 127 Stat. 516) is amended by striking ''within, along, or near the approximately 7-mile segment of the George Parks Highway that runs through the Park''.

(b) TERMS AND CONDITIONS.—Section 3(c)(1) of the Denali National Park Improvement Act (Public Law 113–33; 127 Stat. 516) is amended—

(1) in subparagraph (A), by inserting ''and'' after the semicolon;

(2) by striking subparagraph (B); and

(3) by redesignating subparagraph (C) as subparagraph (B).

(c) APPLICABLE LAW.—Section 3 of the Denali National Park Improvement Act (Public Law 113–33; 127 Stat. 515) is amended by adding at the end the following:

''(d) APPLICABLE LAW.—A high pressure gas transmission pipeline (including appurtenances) in a nonwilderness area within the boundary of the Park, shall not be subject to title XI of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3161 et seq.).''.

Subtitle C—Helium

SEC. 3201. RIGHTS TO HELIUM.

(a) DEFINITION OF HELIUM-RELATED PROJECT.—The term ''helium-related project'' means a project—

(1) to explore or produce crude helium; and

(2) to sell crude or refined helium.

(b) EXPEDITED COMPLETION.—Notwithstanding any other provision of law, applicable environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for helium-related projects shall be completed on an expeditious basis and the shortest existing applicable process under that Act shall be used for such projects.

(c) REPEAL OF RESERVATION OF HELIUM RIGHTS.—The first section of the Mineral Leasing Act (30 U.S.C. 181) is amended by striking the flush text that follows the last undesignated subsection.

(d) RIGHTS TO HELIUM UNDER LEASES UNDER MINERAL LEASING ACT FOR ACQUIRED LANDS.—The Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.) is amended by adding at the end the following:

''SEC. 12. RIGHTS TO HELIUM.

''Any lease issued under this Act that authorizes exploration for, or development or production of, gas shall be considered to grant to the lessee a right of first refusal to engage in exploration for, and development and production of, helium on land that is subject to the lease in accordance with regulations issued by the Secretary.''.

Subtitle D—Critical Minerals

SEC. 3301. DEFINITIONS.

In this subtitle:

(1) CRITICAL MINERAL.—

(A) IN GENERAL.—The term ''critical mineral'' means any mineral, element, substance, or material designated as critical pursuant to section 3303.

(B) EXCLUSIONS.—The term ''critical mineral'' does not include—

(i) fuel minerals, including oil, natural gas, or any other fossil fuels; or

(ii) water, ice, or snow.

(2) CRITICAL MINERAL MANUFACTURING.—The term ''critical mineral manufacturing'' means—

(A) the production, processing, refining, alloying, separation, concentration, magnetic sintering, melting, or beneficiation of critical minerals within the United States;

(B) the fabrication, assembly, or production, within the United States, of equipment, components, or other goods with energy technology-, defense-, agriculture-, consumer electronics-, or health care-related applications; or

(C) any other value-added, manufacturing-related use of critical minerals undertaken within the United States.

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands; and

(G) the United States Virgin Islands.

SEC. 3302. POLICY.

(a) IN GENERAL.—Section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1602) is amended in the second sentence—

(1) by striking paragraph (3) and inserting the following:

''(3) establish an analytical and forecasting capability for identifying critical mineral demand, supply, and other factors to allow informed actions to be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts;'';

(2) in paragraph (6), by striking ''and'' after the semicolon at the end; and

(3) by striking paragraph (7) and inserting the following:

''(7) encourage Federal agencies to facilitate the availability, development, and environmentally responsible production of domestic resources to meet national material or critical mineral needs;

''(8) avoid duplication of effort, prevent unnecessary paperwork, and minimize delays in the administration of applicable laws (including regulations) and the issuance of permits and authorizations necessary to explore for, develop, and produce critical minerals and to construct critical mineral manufacturing facilities in accordance with applicable environmental and land management laws;

''(9) strengthen educational and research capabilities and workforce training;

''(10) bolster international cooperation through technology transfer, information sharing, and other means;

''(11) promote the efficient production, use, and recycling of critical minerals;

''(12) develop alternatives to critical minerals; and

''(13) establish contingencies for the production of, or access to, critical minerals for which viable sources do not exist within the United States.''.

(b) CONFORMING AMENDMENT.—Section 2(b) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1601(b)) is amended by striking ''(b) As used in this Act, the term'' and inserting the following:

''(b) DEFINITIONS.—In this Act:

''(1) CRITICAL MINERAL.—The term 'critical mineral' means any mineral or element designated as a critical mineral pursuant to section 3303 of the Energy Policy Modernization Act of 2016.

''(2) MATERIALS.—The term''.

SEC. 3303. CRITICAL MINERAL DESIGNATIONS.

(a) DRAFT METHODOLOGY.—Not later than 90 days after the date of enactment of this Act, the Secretary of the Interior (acting through the Director of the United States Geological Survey) (referred to in this subtitle as the ''Secretary''), in consultation with relevant Federal agencies and entities, shall publish in the Federal Register for public comment a draft methodology for determining which minerals qualify as critical minerals based on an assessment of whether the minerals are—

(1) subject to potential supply restrictions (including restrictions associated with foreign political risk, abrupt demand growth, military conflict, violent unrest, anti-competitive or protectionist behaviors, and other risks throughout the supply chain); and

(2) important in use (including energy technology-, defense-, currency-, agriculture-, consumer electronics-, and health care-related applications).

(b) AVAILABILITY OF DATA.—If available data is insufficient to provide a quantitative basis for the methodology developed under this section, qualitative evidence may be used to the extent necessary.

(c) FINAL METHODOLOGY.—After reviewing public comments on the draft methodology under subsection (a) and updating the draft methodology as appropriate, not later than 270 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register a description of the final methodology for determining which minerals qualify as critical minerals.

(d) DESIGNATIONS.—

(1) IN GENERAL.—For purposes of carrying out this subtitle, the Secretary shall maintain a list of minerals and elements designated as critical, pursuant to the methodology under subsection (c).

(2) INITIAL LIST.—Subject to paragraph (1), not later than 1 year after the date of enactment of this Act, the Secretary shall publish in the Federal Register an initial list of minerals designated as critical pursuant to the final methodology under subsection (c) for the purpose of carrying out this subtitle.

(3) INCLUSIONS.—Notwithstanding the criteria under subsection (c), the Secretary may designate and include on the list any mineral or element determined by another Federal agency to be strategic and critical to the defense or national security of the United States.

(e) SUBSEQUENT REVIEW.—

(1) IN GENERAL.—The Secretary shall review the methodology and designations under subsections (c) and (d) at least every 3 years, or more frequently as the Secretary considers to be appropriate.

(2) REVISIONS.—Subject to subsection (d)(1), the Secretary may—

(A) revise the methodology described in this section;

(B) determine that minerals or elements previously determined to be critical minerals are no longer critical minerals; and

(C) designate additional minerals or elements as critical minerals.

(f) NOTICE.—On finalization of the methodology under subsection (c), the list under subsection (d), or any revision to the methodology or list under subsection (e), the Secretary shall submit to Congress written notice of the action.

SEC. 3304. RESOURCE ASSESSMENT.

(a) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, in consultation with applicable State (including geological surveys), local, academic, industry, and other entities, the Secretary shall complete a comprehensive national assessment of each critical mineral that—

(1) identifies and quantifies known critical mineral resources, using all available public and private information and datasets, including exploration histories; and

(2) provides a quantitative and qualitative assessment of undiscovered critical mineral resources throughout the United States, including probability estimates of tonnage and grade, using all available public and private information and datasets, including exploration histories.

(b) SUPPLEMENTARY INFORMATION.—In carrying out this section, the Secretary may carry out surveys and field work (including drilling, remote sensing, geophysical surveys, geological mapping, and geochemical sampling and analysis) to supplement existing information and datasets available for determining the existence of critical minerals in the United States.

(c) TECHNICAL ASSISTANCE.—At the request of the Governor of a State or the head of an Indian tribe, the Secretary may provide technical assistance to State governments and Indian tribes conducting critical mineral resource assessments on non-Federal land.

(d) PRIORITIZATION.—

(1) IN GENERAL.—The Secretary may sequence the completion of resource assessments for each critical mineral such that critical minerals considered to be most critical under the methodology established under section 3303 are completed first.

(2) REPORTING.—During the period beginning not later than 1 year after the date of enactment of this Act and ending on the date of completion of all of the assessments required under this section, the Secretary shall submit to Congress on an annual basis an interim report that—

(A) identifies the sequence and schedule for completion of the assessments if the Secretary sequences the assessments; or

(B) describes the progress of the assessments if the Secretary does not sequence the assessments.

(e) UPDATES.—The Secretary may periodically update the assessments conducted under this section based on—

(1) the generation of new information or datasets by the Federal Government; or

(2) the receipt of new information or datasets from critical mineral producers, State geological surveys, academic institutions, trade associations, or other persons.

(f) ADDITIONAL SURVEYS.—The Secretary shall complete a resource assessment for each additional mineral or element subsequently designated as a critical mineral under section 3303(e)(2) not later than 2 years after the designation of the mineral or element.

(g) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the status of geological surveying of Federal land for any mineral commodity—

(1) for which the United States was dependent on a foreign country for more than 25 percent of the United States supply, as depicted in the report issued by the United States Geological Survey entitled ''Mineral Commodity Summaries 2015''; but

(2) that is not designated as a critical mineral under section 3303.

SEC. 3305. PERMITTING.

(a) PERFORMANCE IMPROVEMENTS.—To improve the quality and timeliness of decisions, the Secretary (acting through the Director of the Bureau of Land Management) and the Secretary of Agriculture (acting through the Chief of the Forest Service) (referred to in this section as the ''Secretaries'') shall, to the maximum extent practicable, with respect to critical mineral production on Federal land, complete Federal permitting and review processes with maximum efficiency and effectiveness, while supporting vital economic growth, by—

(1) establishing and adhering to timelines and schedules for the consideration of, and final decisions regarding, applications, operating plans, leases, licenses, permits, and other use authorizations for mineral-related activities on Federal land;

(2) establishing clear, quantifiable, and temporal permitting performance goals and tracking progress against those goals;

(3) engaging in early collaboration among agencies, project sponsors, and affected stakeholders—

(A) to incorporate and address the interests of those parties; and

(B) to minimize delays;

(4) ensuring transparency and accountability by using cost-effective information technology to collect and disseminate information regarding individual projects and agency performance;

(5) engaging in early and active consultation with State, local, and Indian tribal governments to avoid conflicts or duplication of effort, resolve concerns, and allow for concurrent, rather than sequential, reviews;

(6) providing demonstrable improvements in the performance of Federal permitting and review processes, including lower costs and more timely decisions;

(7) expanding and institutionalizing permitting and review process improvements that have proven effective;

(8) developing mechanisms to better communicate priorities and resolve disputes among agencies at the national, regional, State, and local levels; and

(9) developing other practices, such as preapplication procedures.

(b) REVIEW AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretaries shall submit to Congress a report that—

(1) identifies additional measures (including regulatory and legislative proposals, as appropriate) that would increase the timeliness of permitting activities for the exploration and development of domestic critical minerals;

(2) identifies options (including cost recovery paid by permit applicants) for ensuring

adequate staffing and training of Federal entities and personnel responsible for the consideration of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land;

(3) quantifies the amount of time typically required (including range derived from minimum and maximum durations, mean, median, variance, and other statistical measures or representations) to complete each step (including those aspects outside the control of the executive branch, such as judicial review, applicant decisions, or State and local government involvement) associated with the development and processing of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land, which shall serve as a baseline for the performance metric under subsection (c); and

(4) describes actions carried out pursuant to subsection (a).

(c) PERFORMANCE METRIC.—Not later than 90 days after the date of submission of the report under subsection (b), the Secretaries, after providing public notice and an opportunity to comment, shall develop and publish a performance metric for evaluating the progress made by the executive branch to expedite the permitting of activities that will increase exploration for, and development of, domestic critical minerals, while maintaining environmental standards.

(d) ANNUAL REPORTS.—Beginning with the first budget submission by the President under section 1105 of title 31, United States Code, after publication of the performance metric required under subsection (c), and annually thereafter, the Secretaries shall submit to Congress a report that—

(1) summarizes the implementation of recommendations, measures, and options identified in paragraphs (1) and (2) of subsection (b);

(2) using the performance metric under subsection (c), describes progress made by the executive branch, as compared to the baseline established pursuant to subsection (b)(3), on expediting the permitting of activities that will increase exploration for, and development of, domestic critical minerals; and

(3) compares the United States to other countries in terms of permitting efficiency and any other criteria relevant to the globally competitive critical minerals industry.

(e) INDIVIDUAL PROJECTS.—Using data from the Secretaries generated under subsection (d), the Director of the Office of Management and Budget shall prioritize inclusion of individual critical mineral projects on the website operated by the Office of Management and Budget in accordance with section 1122 of title 31, United States Code.

(f) REPORT OF SMALL BUSINESS ADMINISTRATION.—Not later than 1 year and 300 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall submit to the applicable committees of Congress a report that assesses the performance of Federal agencies with respect to—

(1) complying with chapter 6 of title 5, United States Code (commonly known as the ''Regulatory Flexibility Act''), in promulgating regulations applicable to the critical minerals industry; and

(2) performing an analysis of regulations applicable to the critical minerals industry that may be outmoded, inefficient, duplicative, or excessively burdensome.

SEC. 3306. FEDERAL REGISTER PROCESS.

(a) DEPARTMENTAL REVIEW.—Absent any extraordinary circumstance, and except as otherwise required by law, the Secretary and the Secretary of Agriculture shall ensure that each Federal Register notice described in subsection (b) shall be—

(1) subject to any required reviews within the Department of the Interior or the Department of Agriculture; and

(2) published in final form in the Federal Register not later than 45 days after the date of initial preparation of the notice.

(b) PREPARATION.—The preparation of Federal Register notices required by law associated with the issuance of a critical mineral exploration or mine permit shall be delegated to the organizational level within the agency responsible for issuing the critical mineral exploration or mine permit.

(c) TRANSMISSION.—All Federal Register notices regarding official document availability, announcements of meetings, or notices of intent to undertake an action shall be originated in, and transmitted to the Federal Register from, the office in which, as applicable—

(1) the documents or meetings are held; or

(2) the activity is initiated.

SEC. 3307. RECYCLING, EFFICIENCY, AND ALTERNATIVES.

(a) ESTABLISHMENT.—The Secretary of Energy (referred to in this section as the ''Secretary'') shall conduct a program of research and development—

(1) to promote the efficient production, use, and recycling of critical minerals throughout the supply chain; and

(2) to develop alternatives to critical minerals that do not occur in significant abundance in the United States.

(b) COOPERATION.—In carrying out the program, the Secretary shall cooperate with appropriate—

(1) Federal agencies and National Laboratories;

(2) critical mineral producers;

(3) critical mineral processors;

(4) critical mineral manufacturers;

(5) trade associations;

(6) academic institutions;

(7) small businesses; and

(8) other relevant entities or individuals.

(c) ACTIVITIES.—Under the program, the Secretary shall carry out activities that include the identification and development of—

(1) advanced critical mineral extraction, production, separation, alloying, or processing technologies that decrease the energy consumption, environmental impact, and costs of those activities, including—

(A) efficient water and wastewater management strategies;

(B) technologies and management strategies to control the environmental impacts of radionuclides in ore tailings; and

(C) technologies for separation and processing;

(2) technologies or process improvements that minimize the use, or lead to more efficient use, of critical minerals across the full supply chain;

(3) technologies, process improvements, or design optimizations that facilitate the recycling of critical minerals, and options for improving the rates of collection of products and scrap containing critical minerals from post-consumer, industrial, or other waste streams;

(4) commercial markets, advanced storage methods, energy applications, and other beneficial uses of critical minerals processing byproducts;

(5) alternative minerals, metals, and materials, particularly those available in abundance within the United States and not subject to potential supply restrictions, that lessen the need for critical minerals; and

(6) alternative energy technologies or alternative designs of existing energy technologies, particularly those that use minerals that—

(A) occur in abundance in the United States; and

(B) are not subject to potential supply restrictions.

(d) REPORTS.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report summarizing the activities, findings, and progress of the program.

SEC. 3308. ANALYSIS AND FORECASTING.

(a) CAPABILITIES.—In order to evaluate existing critical mineral policies and inform future actions that may be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts, the Secretary, in consultation with the Energy Information Administration, academic institutions, and others in order to maximize the application of existing competencies related to developing and maintaining computer-models and similar analytical tools, shall conduct and publish the results of an annual report that includes—

(1) as part of the annually published Mineral Commodity Summaries from the United States Geological Survey, a comprehensive review of critical mineral production, consumption, and recycling patterns, including—

(A) the quantity of each critical mineral domestically produced during the preceding year;

(B) the quantity of each critical mineral domestically consumed during the preceding year;

(C) market price data or other price data for each critical mineral;

(D) an assessment of—

(i) critical mineral requirements to meet the national security, energy, economic, industrial, technological, and other needs of the United States during the preceding year;

(ii) the reliance of the United States on foreign sources to meet those needs during the preceding year; and

(iii) the implications of any supply shortages, restrictions, or disruptions during the preceding year;

(E) the quantity of each critical mineral domestically recycled during the preceding year;

(F) the market penetration during the preceding year of alternatives to each critical mineral;

(G) a discussion of international trends associated with the discovery, production, consumption, use, costs of production, prices, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(H) such other data, analyses, and evaluations as the Secretary finds are necessary to achieve the purposes of this section; and

(2) a comprehensive forecast, entitled the ''Annual Critical Minerals Outlook'', of projected critical mineral production, consumption, and recycling patterns, including—

(A) the quantity of each critical mineral projected to be domestically produced over the subsequent 1-year, 5-year, and 10-year periods;

(B) the quantity of each critical mineral projected to be domestically consumed over the subsequent 1-year, 5-year, and 10-year periods;

(C) an assessment of—

(i) critical mineral requirements to meet projected national security, energy, economic, industrial, technological, and other needs of the United States;

(ii) the projected reliance of the United States on foreign sources to meet those needs; and

(iii) the projected implications of potential supply shortages, restrictions, or disruptions;

(D) the quantity of each critical mineral projected to be domestically recycled over the subsequent 1-year, 5-year, and 10-year periods;

(E) the market penetration of alternatives to each critical mineral projected to take place over the subsequent 1-year, 5-year, and 10-year periods;

(F) a discussion of reasonably foreseeable international trends associated with the discovery, production, consumption, use, costs of production, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(G) such other projections relating to each critical mineral as the Secretary determines to be necessary to achieve the purposes of this section.

(b) PROPRIETARY INFORMATION.—In preparing a report described in subsection (a), the Secretary shall ensure, consistent with section 5(f) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1604(f)), that—

(1) no person uses the information and data collected for the report for a purpose other than the development of or reporting of aggregate data in a manner such that the identity of the person or firm who supplied the information is not discernible and is not material to the intended uses of the information;

(2) no person discloses any information or data collected for the report unless the information or data has been transformed into a statistical or aggregate form that does not allow the identification of the person or firm who supplied particular information; and

(3) procedures are established to require the withholding of any information or data collected for the report if the Secretary determines that withholding is necessary to protect proprietary information, including any trade secrets or other confidential information.

SEC. 3309. EDUCATION AND WORKFORCE.

(a) WORKFORCE ASSESSMENT.—Not later than 1 year and 300 days after the date of enactment of this Act, the Secretary of Labor (in consultation with the Secretary, the Director of the National Science Foundation, institutions of higher education with substantial expertise in mining, institutions of higher education with significant expertise in minerals research, including fundamental research into alternatives, and employers in the critical minerals sector) shall submit to Congress an assessment of the domestic availability of technically trained personnel necessary for critical mineral exploration, development, assessment, production, manufacturing, recycling, analysis, forecasting, education, and research, including an analysis of—

(1) skills that are in the shortest supply as of the date of the assessment;

(2) skills that are projected to be in short supply in the future;

(3) the demographics of the critical minerals industry and how the demographics will evolve under the influence of factors such as an aging workforce;

(4) the effectiveness of training and education programs in addressing skills shortages;

(5) opportunities to hire locally for new and existing critical mineral activities;

(6) the sufficiency of personnel within relevant areas of the Federal Government for achieving the policies described in section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1602); and

(7) the potential need for new training programs to have a measurable effect on the supply of trained workers in the critical minerals industry.

(b) CURRICULUM STUDY.—

(1) IN GENERAL.—The Secretary and the Secretary of Labor shall jointly enter into an arrangement with the National Academy of Sciences and the National Academy of Engineering under which the Academies shall coordinate with the National Science Foundation on conducting a study—

(A) to design an interdisciplinary program on critical minerals that will support the critical mineral supply chain and improve the ability of the United States to increase domestic, critical mineral exploration, development, production, manufacturing, research, including fundamental research into alternatives, and recycling;

(B) to address undergraduate and graduate education, especially to assist in the development of graduate level programs of research and instruction that lead to advanced degrees with an emphasis on the critical mineral supply chain or other positions that will increase domestic, critical mineral exploration, development, production, manufacturing, research, including fundamental research into alternatives, and recycling;

(C) to develop guidelines for proposals from institutions of higher education with substantial capabilities in the required disciplines for activities to improve the critical mineral supply chain and advance the capacity of the United States to increase domestic, critical mineral exploration, research, development, production, manufacturing, and recycling; and

(D) to outline criteria for evaluating performance and recommendations for the amount of funding that will be necessary to establish and carry out the program described in subsection (c).

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a description of the results of the study required under paragraph (1).

(c) PROGRAM.—

(1) ESTABLISHMENT.—The Secretary and the Secretary of Labor shall jointly conduct a competitive grant program under which institutions of higher education may apply for and receive 4-year grants for—

(A) startup costs for newly designated faculty positions in integrated critical mineral education, research, innovation, training, and workforce development programs consistent with subsection (b);

(B) internships, scholarships, and fellowships for students enrolled in programs related to critical minerals;

(C) equipment necessary for integrated critical mineral innovation, training, and workforce development programs; and

(D) research of critical minerals and their applications, particularly concerning the manufacture of critical components vital to national security.

(2) RENEWAL.—A grant under this subsection shall be renewable for up to 2 additional 3-year terms based on performance criteria outlined under subsection (b)(1)(D).

SEC. 3310. NATIONAL GEOLOGICAL AND GEOPHYSICAL DATA PRESERVATION PROGRAM.

Section 351(k) of the Energy Policy Act of 2005 (42 U.S.C. 15908(k)) is amended by striking ''$30,000,000 for each of fiscal years 2006 through 2010'' and inserting ''$5,000,000 for each of fiscal years 2017 through 2026, to remain available until expended''.

SEC. 3311. ADMINISTRATION.

(a) IN GENERAL.—The National Critical Materials Act of 1984 (30 U.S.C. 1801 et seq.) is repealed.

(b) CONFORMING AMENDMENT.—Section 3(d) of the National Superconductivity and Competitiveness Act of 1988 (15 U.S.C. 5202(d)) is amended in the first sentence by striking '', with the assistance of the National Critical Materials Council as specified in the National Critical Materials Act of 1984 (30 U.S.C. 1801 et seq.),''.

(c) SAVINGS CLAUSES.—

(1) IN GENERAL.—Nothing in this subtitle or an amendment made by this subtitle modifies any requirement or authority provided by—

(A) the matter under the heading ''**GEOLOGICAL SURVEY**'' of the first section of the Act of March 3, 1879 (43 U.S.C. 31(a)); or

(B) the first section of Public Law 87–626 (43 U.S.C. 31(b)).

(2) SECRETARIAL ORDER NOT AFFECTED.—This subtitle shall not apply to any mineral described in Secretarial Order No. 3324, issued by the Secretary of the Interior on December 3, 2012, in any area to which the order applies.

SEC. 3312. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this subtitle $50,000,000 for each of fiscal years 2017 through 2026.

Subtitle E—Coal

SEC. 3401. SENSE OF THE SENATE ON CARBON CAPTURE, USE, AND STORAGE DEVELOPMENT AND DEPLOYMENT.

It is the sense of the Senate that—

(1) carbon capture, use, and storage deployment is—

(A) an important part of the clean energy future and smart research and development investments of the United States; and

(B) critical—

(i) to increasing the energy security of the United States;

(ii) to reducing emissions; and

(iii) to maintaining a diverse and reliable energy resource;

(2) the fossil energy programs of the Department should continue to focus on research and development of technologies that will improve the capture, transportation, use (including for the production through biofixation of carbon-containing products), and injection processes essential for carbon capture, use, and storage activities in the electrical and industrial sectors;

(3) the Secretary should continue to partner with the private sector and explore avenues to bring down the cost of carbon capture, including through loans, grants, and sequestration credits to help make carbon capture, use, and storage technologies more competitive compared to other technologies that are a part of the clean energy future of the United States; and

(4) the Secretary should continue working with international partners on pre-existing agreements, projects, and information sharing activities of the Secretary to develop the latest and most cutting-edge carbon capture, use, and storage technologies for the electrical and industrial sectors.

SEC. 3402. FOSSIL ENERGY.

Section 961(a) of the Energy Policy Act of 2005 (42 U.S.C. 16291(a)) is amended by adding at the end the following:

''(8) Improving the conversion, use, and storage of carbon dioxide produced from fossil fuels.''.

SEC. 3403. ESTABLISHMENT OF COAL TECHNOLOGY PROGRAM.

(a) REPEALS.—

(1) IN GENERAL.—

(A) Sections 962 and 963 of the Energy Policy Act of 2005 (42 U.S.C. 16292, 16293) are repealed.

(B) Subtitle A of title IV of the Energy Policy Act of 2005 (42 U.S.C. 15961 et seq.) is repealed.

(2) SAVINGS CLAUSE.—Notwithstanding the amendments made by paragraph (1), the Secretary shall continue to manage any program activities that are outstanding as of the date of enactment of this Act under the

terms and conditions of sections 962 and 963 of the Energy Policy Act of 2005 (42 U.S.C. 16292, 16293) or subtitle A of title IV of the Energy Policy Act of 2005 (42 U.S.C. 15961 et seq.) (as in effect on the day before the date of enactment of this Act), as applicable.

(3) CONFORMING AMENDMENTS.—

(A) Section 703(a)(3) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17251(a)(3)) is amended—

(i) in the matter preceding subparagraph (A), by striking the first and second sentences; and

(ii) in subparagraph (B), by striking ''including'' in the matter preceding clause (i) and all that follows through the period at the end and inserting '', including such geologic sequestration projects as are approved by the Secretary''.

(B) Section 704 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17252) is amended in the first sentence by striking ''under section 963(c)(3) of the Energy Policy Act of 2005 (42 U.S.C. 16293(c)(3)), as added by section 702 of this subtitle, and''.

(b) ESTABLISHMENT OF COAL TECHNOLOGY PROGRAM.—The Energy Policy Act of 2005 (as amended by subsection (a)) is amended by inserting after section 961 (42 U.S.C. 16291) the following:

''SEC. 962. COAL TECHNOLOGY PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) LARGE-SCALE PILOT PROJECT.—The term 'large-scale pilot project' means a pilot project that—

''(A) represents the scale of technology development beyond laboratory development and bench scale testing, but not yet advanced to the point of being tested under real operational conditions at commercial scale;

''(B) represents the scale of technology necessary to gain the operational data needed to understand the technical and performance risks of the technology before the application of that technology at commercial scale or in commercial-scale demonstration; and

''(C) is large enough—

''(i) to validate scaling factors; and

''(ii) to demonstrate the interaction between major components so that control philosophies for a new process can be developed and enable the technology to advance from large-scale pilot plant application to commercial-scale demonstration or application.

''(2) NET-NEGATIVE CARBON DIOXIDE EMISSIONS PROJECT.—The term 'net-negative carbon dioxide emissions project' means a project—

''(A) that employs a technology for thermochemical coconversion of coal and biomass fuels that—

''(i) uses a carbon capture system; and

''(ii) with carbon dioxide removal, can provide electricity, fuels, or chemicals with net-negative carbon dioxide emissions from production and consumption of the end products, while removing atmospheric carbon dioxide;

''(B) that will proceed initially through a large-scale pilot project for which front-end engineering will be performed for bituminous, subbituminous, and lignite coals; and

''(C) through which each use of coal will be combined with the use of a regionally indigenous form of biomass energy, provided on a renewable basis, that is sufficient in quantity to allow for net-negative emissions of carbon dioxide (in combination with a carbon capture system), while avoiding impacts on food production activities.

''(3) PROGRAM.—The term 'program' means the program established under subsection (b)(1).

''(4) TRANSFORMATIONAL TECHNOLOGY.—

''(A) IN GENERAL.—The term 'transformational technology' means a power generation technology that represents an entirely new way to convert energy that will enable a step change in performance, efficiency, and cost of electricity as compared to the technology in existence on the date of enactment of this section.

''(B) INCLUSIONS.—The term 'transformational technology' includes a broad range of technology improvements, including—

''(i) thermodynamic improvements in energy conversion and heat transfer, including—

''(I) oxygen combustion;

''(II) chemical looping; and

''(III) the replacement of steam cycles with supercritical carbon dioxide cycles;

''(ii) improvements in turbine technology;

''(iii) improvements in carbon capture systems technology; and

''(iv) any other technology the Secretary recognizes as transformational technology.

''(b) COAL TECHNOLOGY PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish a coal technology program to ensure the continued use of the abundant, domestic coal resources of the United States through the development of technologies that will significantly improve the efficiency, effectiveness, costs, and environmental performance of coal use.

''(2) REQUIREMENTS.—The program shall include—

''(A) a research and development program;

''(B) large-scale pilot projects;

''(C) demonstration projects; and

''(D) net-negative carbon dioxide emissions projects.

''(3) PROGRAM GOALS AND OBJECTIVES.—In consultation with the interested entities described in paragraph (4)(C), the Secretary shall develop goals and objectives for the program to be applied to the technologies developed within the program, taking into consideration the following objectives:

''(A) Ensure reliable, low-cost power from new and existing coal plants.

''(B) Achieve high conversion efficiencies.

''(C) Address emissions of carbon dioxide through high-efficiency platforms and carbon capture from new and existing coal plants.

''(D) Support small-scale and modular technologies to enable incremental capacity additions and load growth and large-scale generation technologies.

''(E) Support flexible baseload operations for new and existing applications of coal generation.

''(F) Further reduce emissions of criteria pollutants and reduce the use and manage the discharge of water in power plant operations.

''(G) Accelerate the development of technologies that have transformational energy conversion characteristics.

''(H) Validate geological storage of large volumes of anthropogenic sources of carbon dioxide and support the development of the infrastructure needed to support a carbon dioxide use and storage industry.

''(I) Examine methods of converting coal to other valuable products and commodities in addition to electricity.

''(4) CONSULTATIONS REQUIRED.—In carrying out the program, the Secretary shall—

''(A) undertake international collaborations, as recommended by the National Coal Council;

''(B) use existing authorities to encourage international cooperation; and

''(C) consult with interested entities, including—

''(i) coal producers;

''(ii) industries that use coal;

''(iii) organizations that promote coal and advanced coal technologies;

''(iv) environmental organizations;

''(v) organizations representing workers; and

''(vi) organizations representing consumers.

''(c) REPORT.—

''(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary shall submit to Congress a report describing the performance standards adopted under subsection (b)(3).

''(2) UPDATE.—Not less frequently than once every 2 years after the initial report is submitted under paragraph (1), the Secretary shall submit to Congress a report describing the progress made towards achieving the objectives and performance standards adopted under subsection (b)(3).

''(d) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section, to remain available until expended—

''(A) for activities under the research and development program component described in subsection (b)(2)(A)—

''(i) $275,000,000 for each of fiscal years 2017 through 2020; and

''(ii) $200,000,000 for fiscal year 2021;

''(B) for activities under the demonstration projects program component described in subsection (b)(2)(C)—

''(i) $50,000,000 for each of fiscal years 2017 through 2020; and

''(ii) $75,000,000 for fiscal year 2021;

''(C) subject to paragraph (2), for activities under the large-scale pilot projects program component described in subsection (b)(2)(B), $285,000,000 for each of fiscal years 2017 through 2021; and

''(D) for activities under the net-negative carbon dioxide emissions projects program component described in subsection (b)(2)(D), $22,000,000 for each of fiscal years 2017 through 2021.

''(2) COST SHARING FOR LARGE-SCALE PILOT PROJECTS.—Activities under subsection (b)(2)(B) shall be subject to the cost-sharing requirements of section 988(b).''.

SEC. 3404. REPORT ON PRICE STABILIZATION SUPPORT.

(a) DEFINITION OF ELECTRIC GENERATION UNIT.—In this section, the term ''electric generation unit'' means an electric generation unit that—

(1) uses coal-based generation technology; and

(2) is capable of capturing carbon dioxide emissions from the unit.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall prepare and submit to the appropriate committees of Congress a report—

(1) on the benefits and costs of entering into long-term binding contracts on behalf of the Federal Government with qualified parties to provide price stabilization support for certain industrial sources for capturing carbon dioxide from electricity generated at an electric generation unit or carbon dioxide captured from an electric generation unit and sold to a purchaser for—

(A) the recovery of crude oil; or

(B) other purposes for which a commercial market exists; and

(2) that—

(A) contains an analysis of how the Department would establish, implement, and maintain a contracting program described in paragraph (1); and

(B) outlines options for how price stabilization contracts may be structured and regulations that would be necessary to implement a contracting program described in paragraph (1).

Subtitle F—Nuclear

SEC. 3501. NUCLEAR ENERGY INNOVATION CAPABILITIES.

(a) DEFINITIONS.—In this section:

(1) ADVANCED FISSION REACTOR.—The term ''advanced fission reactor'' means a nuclear fission reactor with significant improvements over the most recent generation of nuclear reactors, including improvements such as—

(A) inherent safety features;

(B) lower waste yields;

(C) greater fuel utilization;

(D) superior reliability;

(E) resistance to proliferation;

(F) increased thermal efficiency; and

(G) ability to integrate into electric and nonelectric applications.

(2) FAST NEUTRON.—The term ''fast neutron'' means a neutron with kinetic energy above 100 kiloelectron volts.

(3) NATIONAL LABORATORY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(B) LIMITATION.—With respect to the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, and the Sandia National Laboratories, the term ''National Laboratory'' means only the civilian activities of the laboratory.

(4) NEUTRON FLUX.—The term ''neutron flux'' means the intensity of neutron radiation measured as a rate of flow of neutrons applied over an area.

(5) NEUTRON SOURCE.—The term ''neutron source'' means a research machine that provides neutron irradiation services for—

(A) research on materials sciences and nuclear physics; and

(B) testing of advanced materials, nuclear fuels, and other related components for reactor systems.

(b) MISSION.—Section 951 of the Energy Policy Act of 2005 (42 U.S.C. 16271) is amended by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary shall conduct programs of civilian nuclear research, development, demonstration, and commercial application, including activities described in this subtitle, that take into consideration the following objectives:

''(1) Providing research infrastructure—

''(A) to promote scientific progress; and

''(B) to enable users from academia, the National Laboratories, and the private sector to make scientific discoveries relevant for nuclear, chemical, and materials science engineering.

''(2) Maintaining nuclear energy research and development programs at the National Laboratories and institutions of higher education, including programs of infrastructure of National Laboratories and institutions of higher education.

''(3) Providing the technical means to reduce the likelihood of nuclear weapons proliferation.

''(4) Ensuring public safety.

''(5) Reducing the environmental impact of nuclear energy-related activities.

''(6) Supporting technology transfer from the National Laboratories to the private sector.

''(7) Enabling the private sector to partner with the National Laboratories to demonstrate novel reactor concepts for the purpose of resolving technical uncertainty associated with the objectives described in this subsection.''.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) nuclear energy, through fission or fusion, represents the highest energy density of any known attainable source and yields low air emissions; and

(2) considering the inherent complexity and regulatory burden associated with nuclear energy, the Department should focus civilian nuclear research and development activities of the Department on programs that enable the private sector, National Laboratories, and institutions of higher education to carry out experiments to promote scientific progress and enhance practical knowledge of nuclear engineering.

(d) HIGH-PERFORMANCE COMPUTATION AND SUPPORTIVE RESEARCH.—

(1) MODELING AND SIMULATION PROGRAM.—

(A) IN GENERAL.—The Secretary shall carry out a program to enhance the capabilities of the United States to develop new reactor technologies and related systems technologies through high-performance computation modeling and simulation techniques (referred to in this paragraph as the ''program'').

(B) COORDINATION REQUIRED.—In carrying out the program, the Secretary shall coordinate with relevant Federal agencies through the National Strategic Computing Initiative established by Executive Order 13702 (80 Fed. Reg. 46177) (July 29, 2015).

(C) OBJECTIVES.—In carrying out the program, the Secretary shall take into consideration the following objectives:

(i) Using expertise from the private sector, institutions of higher education, and National Laboratories to develop computational software and capabilities that prospective users may access to accelerate research and development of advanced fission reactor systems, nuclear fusion systems, and reactor systems for space exploration.

(ii) Developing computational tools to simulate and predict nuclear phenomena that may be validated through physical experimentation.

(iii) Increasing the utility of the research infrastructure of the Department by coordinating with the Advanced Scientific Computing Research program of the Office of Science.

(iv) Leveraging experience from the Energy Innovation Hub for Modeling and Simulation.

(v) Ensuring that new experimental and computational tools are accessible to relevant research communities, including private companies engaged in nuclear energy technology development.

(2) SUPPORTIVE RESEARCH ACTIVITIES.—The Secretary shall consider support for additional research activities to maximize the utility of the research facilities of the Department, including research—

(A) on physical processes to simulate degradation of materials and behavior of fuel forms; and

(B) for validation of computational tools.

(e) VERSATILE NEUTRON SOURCE.—

(1) DETERMINATION OF MISSION NEED.—

(A) IN GENERAL.—Not later than December 31, 2016, the Secretary shall determine the mission need for a versatile reactor-based fast neutron source, which shall operate as a national user facility (referred to in this subsection as the ''user facility'').

(B) CONSULTATION REQUIRED.—In carrying out subparagraph (A), the Secretary shall consult with the private sector, institutions of higher education, the National Laboratories, and relevant Federal agencies to ensure that the user facility will meet the research needs of the largest possible majority of prospective users.

(2) PLAN FOR ESTABLISHMENT.—On the determination of the mission need under paragraph (1), the Secretary, as expeditiously as practicable, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a detailed plan for the establishment of the user facility (referred to in this section as the ''plan'').

(3) DEADLINE FOR ESTABLISHMENT.—The Secretary shall make every effort to complete construction of, and approve the start of operations for, the user facility by December 31, 2025.

(4) FACILITY REQUIREMENTS.—

(A) CAPABILITIES.—The Secretary shall ensure that the user facility shall provide, at a minimum—

(i) fast neutron spectrum irradiation capability; and

(ii) capacity for upgrades to accommodate new or expanded research needs.

(B) CONSIDERATIONS.—In carrying out the plan, the Secretary shall consider—

(i) capabilities that support experimental high-temperature testing;

(ii) providing a source of fast neutrons—

(I) at a neutron flux that is higher than the neutron flux at which research facilities operate before establishment of the user facility; and

(II) sufficient to enable research for an optimal base of prospective users;

(iii) maximizing irradiation flexibility and irradiation volume to accommodate as many concurrent users as possible;

(iv) capabilities for irradiation with neutrons of a lower energy spectrum;

(v) multiple loops for fuels and materials testing in different coolants; and

(vi) additional pre-irradiation and post-irradiation examination capabilities.

(5) COORDINATION.—In carrying out this subsection, the Secretary shall leverage the best practices of the Office of Science for the management, construction, and operation of national user facilities.

(6) REPORT.—The Secretary shall include in the annual budget request of the Department an explanation for any delay in carrying out this subsection.

(f) ENABLING NUCLEAR ENERGY INNOVATION.—

(1) ESTABLISHMENT OF NATIONAL NUCLEAR INNOVATION CENTER.—The Secretary may enter into a memorandum of understanding with the Chairman of the Nuclear Regulatory Commission to establish a center to be known as the ''National Nuclear Innovation Center'' (referred to in this subsection as the ''Center'')—

(A) to enable the testing and demonstration of reactor concepts to be proposed and funded, in whole or in part, by the private sector;

(B) to establish and operate a database to store and share data and knowledge on nuclear science between Federal agencies and private industry; and

(C) to establish capabilities to develop and test reactor electric and nonelectric integration and energy conversion systems.

(2) ROLE OF NRC.—In operating the Center, the Secretary shall—

(A) consult with the Nuclear Regulatory Commission on safety issues; and

(B) permit staff of the Nuclear Regulatory Commission to actively observe and learn about the technology being developed at the Center.

(3) OBJECTIVES.—A reactor developed under paragraph (1)(A) shall have the following objectives:

(A) Enabling physical validation of fusion and advanced fission experimental reactors at the National Laboratories or other facilities of the Department.

(B) Resolving technical uncertainty and increase practical knowledge relevant to safety, resilience, security, and functionality of novel reactor concepts.

(C) Conducting general research and development to improve novel reactor technologies.

(4) USE OF TECHNICAL EXPERTISE.—In operating the Center, the Secretary shall leverage the technical expertise of relevant Federal agencies and National Laboratories—

(A) to minimize the time required to carry out paragraph (3); and

(B) to ensure reasonable safety for individuals working at the National Laboratories or other facilities of the Department to carry out that paragraph.

(5) REPORTING REQUIREMENT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the National Laboratories, relevant Federal agencies, and other stakeholders, shall submit to the Committee on Energy and Natural Resources and the Committee on Environment and Public Works of the Senate and the Committee on Science, Space, and Technology and the Committee on Energy and Commerce of the House of Representatives a report assessing the capabilities of the Department to authorize, host, and oversee privately proposed and funded reactors (as described in paragraph (1)(A)).

(B) CONTENTS.—The report shall address—

(i) the safety review and oversight capabilities of the Department, including options to leverage expertise from the Nuclear Regulatory Commission and the National Laboratories;

(ii) potential sites capable of hosting the activities described in paragraph (1);

(iii) the efficacy of the available contractual mechanisms of the Department to partner with the private sector and other Federal agencies, including cooperative research and development agreements, strategic partnership projects, and agreements for commercializing technology;

(iv) how the Federal Government and the private sector will address potential intellectual property concerns;

(v) potential cost structures relating to physical security, decommissioning, liability, and other long term project costs; and

(vi) other challenges or considerations identified by the Secretary.

(g) BUDGET PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives 3 alternative 10-year budget plans for civilian nuclear energy research and development by the Department in accordance with paragraph (2).

(2) DESCRIPTION OF PLANS.—

(A) IN GENERAL.—The 3 alternative 10-year budget plans submitted under paragraph (1) shall be the following:

(i) A plan that assumes constant annual funding at the level of appropriations for fiscal year 2016 for the civilian nuclear energy research and development of the Department, particularly for programs critical to advanced nuclear projects and development.

(ii) A plan that assumes 2 percent annual increases to the level of appropriations described in clause (i).

(iii) A plan that uses an unconstrained budget.

(B) INCLUSIONS.—Each plan shall include—

(i) a prioritized list of the programs, projects, and activities of the Department that best support the development, licensing, and deployment of advanced nuclear energy technologies;

(ii) realistic budget requirements for the Department to carry out subsections (d), (e), and (f); and

(iii) the justification of the Department for continuing or terminating existing civilian nuclear energy research and development programs.

(h) NUCLEAR REGULATORY COMMISSION REPORT.—Not later than December 31, 2016, the Chairman of the Nuclear Regulatory Commission shall submit to the Committee on Energy and Natural Resources and the Committee on Environment and Public Works of the Senate and the Committee on Science, Space, and Technology and the Committee on Energy and Commerce of the House of Representatives a report describing—

(1) the extent to which the Nuclear Regulatory Commission is capable of licensing advanced reactor designs that are developed pursuant to this section by the end of the 4-year period beginning on the date on which an application is received under part 50 or 52 of title 10, Code of Federal Regulations (or successor regulations); and

(2) any organizational or institutional barriers the Nuclear Regulatory Commission will need to overcome to be able to license the advanced reactor designs that are developed pursuant to this section by the end of the 4-year period described in paragraph (1).

SEC. 3502. NEXT GENERATION NUCLEAR PLANT PROJECT.

Section 642(b) of the Energy Policy Act of 2005 (42 U.S.C. 16022(b)) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

Subtitle G—Workforce Development

SEC. 3601. 21ST CENTURY ENERGY WORKFORCE ADVISORY BOARD.

(a) ESTABLISHMENT.—The Secretary shall establish the 21st Century Energy Workforce Advisory Board (referred to in this section as the ''Board''), to develop a strategy for the support and development of a skilled energy workforce that—

(1) meets the current and future industry and labor needs of the energy sector;

(2) provides opportunities for students to become qualified for placement in traditional energy sector and clean energy sector jobs;

(3) aligns apprenticeship programs and workforce development programs to provide industry recognized certifications and credentials;

(4) encourages leaders in the education system of the United States to equip students with the skills, mentorships, training, and technical expertise necessary to fill the employment opportunities vital to managing and operating the energy- and manufacturing-related industries of the United States;

(5) appropriately supports other Federal agencies;

(6) strengthens and more fully engages workforce training programs of the Department and the National Laboratories in carrying out the Minorities in Energy Initiative of the Department and other Department workforce priorities;

(7) supports the design and replication of existing model energy curricula, particularly in new and emerging technologies, that leads to industry-wide credentials;

(8) develops plans to support and retrain displaced and unemployed energy sector workers; and

(9) makes a Department priority to provide education and job training to underrepresented groups, including ethnic minorities, Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), women, veterans, and socioeconomically disadvantaged individuals.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Board shall be composed of 9 members, with the initial members of the Board to be appointed by the Secretary not later than 1 year after the date of enactment of this Act.

(2) NOMINATIONS.—Not later than 1 year after the date of enactment of this Act, the President's Council of Advisors on Science and Technology shall nominate for appointment to the Board under paragraph (1) not less than 18 individuals who meet the qualifications described in paragraph (3).

(3) QUALIFICATIONS.—Each individual nominated for appointment to the Board under paragraph (1) shall—

(A) be eminent in the field of economics or workforce development;

(B) have expertise in relevant traditional energy industries and clean energy industries;

(C) have expertise in secondary and postsecondary education;

(D) have expertise in energy workforce development or apprentice programs of States and units of local government;

(E) have expertise in relevant organized labor organizations; or

(F) have expertise in bringing underrepresented groups, including ethnic minorities, women, veterans, and socioeconomically disadvantaged individuals, into the workforce.

(4) REPRESENTATION.—The membership of the Board shall be representative of the broad range of the energy industry, labor organizations, workforce development, education, minority participation, cybersecurity, and economics disciplines related to activities carried out under this section.

(5) LIMITATION.—No individual shall be nominated for appointment to the Board who is an employee of an entity applying for a grant under section 3602.

(c) ADVISORY BOARD REVIEW AND RECOMMENDATIONS.—

(1) DETERMINATION BY BOARD.—In developing the strategy required under subsection (a), the Board shall—

(A) determine whether there are opportunities to more effectively and efficiently use the capabilities of the Department in the development of a skilled energy workforce;

(B) identify ways in which the Department could work with other relevant Federal agencies, States, units of local government, educational institutions, labor, and industry in the development of a skilled energy workforce;

(C) identify ways in which the Department and National Laboratories can—

(i) increase outreach to minority-serving institutions; and

(ii) make resources available to increase the number of skilled minorities and women trained to go into the energy- and manufacturing-related sectors;

(D) identify ways in which the Department and National Laboratories can—

(i) increase outreach to displaced and unemployed energy sector workers; and

(ii) make resources available to provide training to displaced and unemployed energy sector workers to reenter the energy workforce; and

(E) identify the energy sectors in greatest need of workforce training and develop guidelines for the skills necessary to develop a workforce trained to work in those energy sectors.

(2) REQUIRED ANALYSIS.—In developing the strategy required under subsection (a), the Board shall analyze the effectiveness of—

(A) existing Department directed support; and

(B) developing energy workforce training programs.

(3) REPORT.—Not later than 1 year after the date on which the Board is established under this section, and each year thereafter, the Board shall submit to the Secretary and

Congress, and make public, a report containing the findings of the Board and model energy curricula with respect to the strategy required to be developed under subsection (a).

(d) REPORT BY SECRETARY.—Not later than 18 months after the date on which the Board is established under this section, the Secretary shall submit to the Committees on Appropriations of Senate and the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committee on Energy and Commerce of the House of Representatives a report that—

(1) describes whether the Secretary approves or disapproves the recommendations of the Board under subsection (c)(3); and

(2) provides an implementation plan for recommendations approved by the Board under paragraph (1).

(e) CLEARINGHOUSE.—Based on the recommendations of the Board, the Secretary shall establish a clearinghouse—

(1) to maintain and update information and resources on training and workforce development programs for energy- and manufacturing-related jobs; and

(2) to act as a resource, and provide guidance, for secondary schools, institutions of higher education (including community colleges and minority-serving institutions), workforce development organizations, labor management organizations, and industry organizations that would like to develop and implement energy- and manufacturing-related training programs.

(f) OUTREACH TO MINORITY-SERVING INSTITUTIONS.—In developing the strategy under subsection (a), the Board shall—

(1) give special consideration to increasing outreach to minority-serving institutions (including historically black colleges and universities, predominantly black institutions, Hispanic serving institutions, and tribal institutions);

(2) make resources available to minority-serving institutions with the objective of increasing the number of skilled minorities and women trained to go into the energy and manufacturing sectors; and

(3) encourage industry to improve the opportunities for students of minority-serving institutions to participate in industry internships and cooperative work-study programs.

(g) SUNSET.—The Board established under this section shall remain in effect until September 30, 2020.

SEC. 3602. ENERGY WORKFORCE PILOT GRANT PROGRAM.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Labor and the Secretary of Education, shall establish a pilot program to award grants on a competitive basis to eligible entities for job training programs that lead to an industry-recognized credential.

(b) ELIGIBILITY.—To be eligible to receive a grant under this section, an entity shall be a public or nonprofit organization or a consortium of public or nonprofit organizations that—

(1) includes an advisory board of proportional participation, as determined by the Secretary, of relevant organizations, including—

(A) relevant energy industry organizations, including public and private employers;

(B) labor organizations;

(C) postsecondary education organizations; and

(D) workforce development boards;

(2) demonstrates experience in implementing and operating job training and education programs;

(3) demonstrates the ability to recruit and support individuals who plan to work in the energy industry in the successful completion of relevant job training and education programs; and

(4) provides students who complete the job training and education program with an industry-recognized credential.

(c) APPLICATIONS.—Eligible entities desiring a grant under this section shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(d) PRIORITY.—In selecting eligible entities to receive grants under this section, the Secretary shall prioritize applicants that—

(1) house the job training and education programs in—

(A) a community college or institution of higher education that includes basic science and math education in the curriculum of the community college, institution of higher education; or

(B) an apprenticeship program registered with the Department of Labor or a State (as defined in 202 of the Energy Conservation and Production Act (42 U.S.C. 6802)) (referred to in this section as the ''State'');

(2) work with the Secretary of Defense and the Secretary of Veterans Affairs or veteran service organizations recognized by the Secretary of Veterans Affairs under section 5902 of title 38, United States Code, to transition members of the Armed Forces and veterans to careers in the energy sector;

(3) work with Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), tribal organizations (as defined in section 3765 of title 38, United States Code), and Native American veterans (as defined in section 3765 of title 38, United States Code), including veterans who are a descendant of an Alaska Native (as defined in section 3(r) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(r)));

(4) apply as a State or regional consortia to leverage best practices already available in the State or region in which the community college or institution of higher education is located;

(5) have a State-supported entity included in the consortium applying for the grant;

(6) include an apprenticeship program registered with the Department of Labor or a State as part of the job training and education program;

(7) provide support services and career coaching;

(8) provide introductory energy workforce development training;

(9) work with minority-serving institutions to provide job training to increase the number of skilled minorities and women in the energy sector;

(10) provide job training for displaced and unemployed workers in the energy sector;

(11) establish a community college or 2-year technical college-based ''Center of Excellence'' for an energy and maritime workforce technical training program; or

(12) are located in close proximity to marine or port facilities in the Gulf of Mexico, Atlantic Ocean, Pacific Ocean, Arctic Ocean, Bering Sea, Gulf of Alaska, or Great Lakes.

(e) ADDITIONAL CONSIDERATION.—In making grants under this section, the Secretary shall consider regional diversity.

(f) LIMITATION ON APPLICATIONS.—An eligible entity may not submit, either individually or as part of a joint application, more than 1 application for a grant under this section during any 1 fiscal year.

(g) LIMITATIONS ON AMOUNT OF GRANT.—The amount of an individual grant for any 1 year shall not exceed $1,000,000.

(h) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of a job training and education program carried out using a grant under this section shall be not greater than 65 percent.

(2) NON-FEDERAL SHARE.—

(A) IN GENERAL.—The non-Federal share of the cost of a job training and education program carried out using a grant under this section shall consist of not less than 50 percent cash.

(B) LIMITATION.—Not greater than 50 percent of the non-Federal contribution of the total cost of a job training and education program carried out using a grant under this section shall be in the form of in-kind contributions of goods or services fairly valued.

(i) REDUCTION OF DUPLICATION.—Prior to submitting an application for a grant under this section, each applicant shall consult with the appropriate agencies of the Federal Government and coordinate the proposed activities of the applicant with existing State and local programs.

(j) DIRECT ASSISTANCE.—In awarding grants under this section, the Secretary shall provide direct assistance (including technical expertise, wraparound services, career coaching, mentorships, internships, and partnerships) to entities that receive a grant under this section.

(k) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance and capacity building to national and State energy partnerships, including the entities described in subsection (b)(1), to leverage the existing job training and education programs of the Department.

(l) REPORT.—The Secretary shall submit to Congress and make publicly available on the website of the Department an annual report on the program established under this section, including a description of—

(1) the entities receiving grants;

(2) the activities carried out using the grants;

(3) best practices used to leverage the investment of the Federal Government;

(4) the rate of employment for participants after completing a job training and education program carried out using a grant; and

(5) an assessment of the results achieved by the program.

(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2017 through 2020.

Subtitle H—Recycling

SEC. 3701. RECYCLED CARBON FIBER.

(a) STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study on—

(A) the technology of recycled carbon fiber and production waste carbon fiber; and

(B) the potential lifecycle energy savings and economic impact of recycled carbon fiber.

(2) FACTORS FOR CONSIDERATION.—In conducting the study under paragraph (1), the Secretary shall consider—

(A) the quantity of recycled carbon fiber or production waste carbon fiber that would make the use of recycled carbon fiber or production waste carbon fiber economically viable;

(B) any existing or potential barriers to recycling carbon fiber or using recycled carbon fiber;

(C) any financial incentives that may be necessary for the development of recycled carbon fiber or production waste carbon fiber;

(D) the potential lifecycle savings in energy from producing recycled carbon fiber, as compared to producing new carbon fiber;

(E) the best and highest use for recycled carbon fiber;

(F) the potential reduction in carbon dioxide emissions from producing recycled carbon fiber, as compared to producing new carbon fiber;

(G) any economic benefits gained from using recycled carbon fiber or production waste carbon fiber;

(H) workforce training and skills needed to address labor demands in the development of recycled carbon fiber or production waste carbon fiber; and

(I) how the Department can leverage existing efforts in the industry on the use of production waste carbon fiber.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study conducted under paragraph (1).

(b) RECYCLED CARBON FIBER DEMONSTRATION PROJECT.—On completion of the study required under subsection (a)(1), the Secretary shall consult with the aviation and automotive industries and existing programs of the Advanced Manufacturing Office of the Department to develop a carbon fiber recycling demonstration project.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $10,000,000, to remain available until expended.

SEC. 3702. ENERGY GENERATION AND REGULATORY RELIEF STUDY REGARDING RECOVERY AND CONVERSION OF NONRECYCLED MIXED PLASTICS.

(a) DEFINITIONS.—In this section:

(1) ENGINEERED FUEL.—The term ''engineered fuel'' means a solid fuel that is manufactured from nonrecycled constituents of municipal solid waste or other secondary materials.

(2) GASIFICATION.—The term ''gasification'' means a process through which nonrecycled waste is heated and converted to synthesis gas in an oxygen-deficient atmosphere, which can be converted into fuels such as ethanol or other chemical feedstocks.

(3) PYROLYSIS.—The term ''pyrolysis'' means a process through which nonrecycled plastics are heated in the absence of oxygen until melted and thermally decomposed, and are then cooled, condensed, and converted into synthetic crude oil or refined into synthetic fuels and feedstocks such as diesel or naphtha.

(b) STUDY.—With respect to nonrecycled mixed plastics that are part of municipal solid waste or other secondary materials in the United States (and are often deposited in landfills), the Secretary shall conduct a study to determine the manner in which the United States can make progress toward a cost-effective system (including with respect to environmental issues) through which pyrolysis, gasification, and other innovative technologies such as engineered fuels are used to convert such plastics, alone or in combination with other municipal solid waste or secondary materials, into materials that can be used to generate electric energy or fuels or as chemical feedstocks.

(c) COMPLETION OF STUDY.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete the study described in subsection (b) and submit to the appropriate committees of Congress reports providing findings and recommendations developed through the study.

(d) FUNDING.—The Secretary may use unobligated funds of the Department to carry out this section.

SEC. 3703. ELIGIBLE PROJECTS.

Section 1703(b)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)(1)) is amended by inserting ''(excluding the burning of commonly recycled paper that has been segregated from solid waste to generate electricity)'' after ''systems''.

SEC. 3704. PROMOTING USE OF RECLAIMED REFRIGERANTS IN FEDERAL FACILITIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of General Services shall issue guidance relating to the procurement of reclaimed refrigerants to service existing equipment of Federal facilities.

(b) PREFERENCE.—The guidance issued under subsection (a) shall give preference to the use of reclaimed refrigerants, on the conditions that—

(1) the refrigerant has been reclaimed by a person or entity that is certified under the laboratory certification program of the Air Conditioning, Heating, and Refrigeration Institute; and

(2) the price of the reclaimed refrigerant does not exceed the price of a newly manufactured (virgin) refrigerant.

Subtitle I—Thermal Energy

SEC. 3801. MODIFYING THE DEFINITION OF RENEWABLE ENERGY TO INCLUDE THERMAL ENERGY.

(a) IN GENERAL.—Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) (as amended by section 3001(b)) is amended—

(1) in subsection (a), by inserting ''a number equivalent to'' before ''the total amount of electric energy'';

(2) in subsection (b)—

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

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

''(2) QUALIFIED WASTE HEAT RESOURCE.—The term 'qualified waste heat resource' means—

''(A) exhaust heat or flared gas from any industrial process;

''(B) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

''(C) a pressure drop in any gas for an industrial or commercial process; or

''(D) such other forms of waste heat as the Secretary determines appropriate.''; and

(C) in paragraph (3) (as redesignated by subparagraph (A))—

(i) by striking ''produced from'' and inserting ''produced or, if resulting from a thermal energy project placed in service after December 31, 2014, thermal energy generated from, or avoided by,''; and

(ii) by inserting ''qualified waste heat resource,'' after ''municipal solid waste,''; and

(3) in subsection (c)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A) (as so redesignated), by striking ''For purposes'' and inserting the following:

''(1) IN GENERAL.—For purposes''; and

(C) by adding at the end the following:

''(2) SEPARATE CALCULATION.—

''(A) IN GENERAL.—For purposes of determining compliance with the requirements of this section, any energy consumption that is avoided through the use of renewable energy shall be considered to be renewable energy produced.

''(B) DENIAL OF DOUBLE BENEFIT.—Avoided energy consumption that is considered to be renewable energy produced under subparagraph (A) shall not also be counted for purposes of achieving compliance with another Federal energy efficiency goal.''.

(b) CONFORMING AMENDMENT.—Section 2410q(a) of title 10, United States Code, is amended by striking ''section 203(b)(2) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)(2))'' and inserting ''section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b))''.

TITLE IV—ACCOUNTABILITY

Subtitle A—Loan Programs

SEC. 4001. TERMS AND CONDITIONS FOR INCENTIVES FOR INNOVATIVE TECHNOLOGIES.

(a) BORROWER PAYMENT OF SUBSIDY COST.—

(1) IN GENERAL.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended by adding at the end the following:

''(l) BORROWER PAYMENT OF SUBSIDY COST.—

''(1) IN GENERAL.—In addition to the requirement in subsection (b)(1), no guarantee shall be made unless the Secretary has received from the borrower not less than 25 percent of the cost of the guarantee.

''(2) ESTIMATE.—The Secretary shall provide to the borrower, as soon as practicable, an estimate or range of the cost of the guarantee under paragraph (1).''.

(2) CONFORMING AMENDMENT.—Section 1702(b) of the Energy Policy Act of 2005 (42 U.S.C. 16512(b)) is amended—

(A) by striking ''(1) IN GENERAL.—No guarantee'' and inserting the following: ''Subject to subsection (l), no guarantee'';

(B) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively, and indenting appropriately; and

(C) in paragraph (3) (as so redesignated)—

(i) by striking ''subparagraph (A)'' and inserting ''paragraph (1)''; and

(ii) by striking ''subparagraph (B)'' and inserting ''paragraph (2)''.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect on October 1, 2019.

(b) PROHIBITION ON SUBORDINATION OF DEBT.—Section 1702(d)(3) of the Energy Policy Act of 2005 (42 U.S.C. 16512(d)(3)) is amended by striking ''is not subordinate'' and inserting ''(including any reorganization, restructuring, or termination of the obligation) shall not at any time be subordinate''.

(c) LOAN PROGRAM TRANSPARENCY.—Section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513) is amended by adding at the end the following:

''(f) LOAN STATUS.—

''(1) REQUEST.—If the Secretary does not make a final decision on an application for a loan guarantee under this section by the date that is 270 days after receipt of the application by the Secretary, on that date and every 90 days thereafter until the final decision is made, the applicant may request that the Secretary provide to the applicant a description of the status of the application.

''(2) RESPONSE.—Not later than 10 days after receiving a request from an applicant under paragraph (1), the Secretary shall provide to the applicant a response that includes—

''(A) a summary of any factors that are delaying a final decision on the application; and

''(B) an estimate of when review of the application will be completed.''.

(d) TEMPORARY PROGRAM FOR RAPID DEPLOYMENT OF RENEWABLE ENERGY AND ELECTRIC POWER TRANSMISSION PROJECTS.—

(1) REPEAL.—Section 1705 of the Energy Policy Act of 2005 (42 U.S.C. 16516) is repealed.

(2) RESCISSION.—There is rescinded the unobligated balance of amounts made available to carry out the loan guarantee program established under section 1705 of the Energy Policy Act of 2005 (42 U.S.C. 16516) (before the amendment made by paragraph (1)).

(3) MANAGEMENT.—The Secretary shall ensure rigorous continued management and oversight of all outstanding loans guaranteed under the program described in subsection (b) until those loans have been repaid in full.

SEC. 4002. STATE LOAN ELIGIBILITY.

(a) DEFINITIONS.—Section 1701 of the Energy Policy Act of 2005 (42 U.S.C. 16511) is amended by adding at the end the following:

''(6) STATE.—The term 'State' has the meaning given the term in section 202 of the Energy Conservation and Production Act (42 U.S.C. 6802).

''(7) STATE ENERGY FINANCING INSTITUTION.—

''(A) IN GENERAL.—The term 'State energy financing institution' means a quasi-independent entity or an entity within a State agency or financing authority established by a State—

''(i) to provide financing support or credit enhancements, including loan guarantees and loan loss reserves, for eligible projects; and

''(ii) to create liquid markets for eligible projects, including warehousing and securitization, or take other steps to reduce financial barriers to the deployment of existing and new eligible projects.

''(B) INCLUSION.—The term 'State energy financing institution' includes an entity or organization established to achieve the purposes described in clauses (i) and (ii) of subparagraph (A) by an Indian tribal entity or an Alaska Native Corporation.''.

(b) TERMS AND CONDITIONS.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) (as amended by section 4001(a)(1)) is amended—

(1) in subsection (a), by inserting ''or to a State energy financing institution'' after ''for projects''; and

(2) by adding at the end the following:

''(m) STATE ENERGY FINANCING INSTITUTIONS.—

''(1) ELIGIBILITY.—To be eligible for a guarantee under this title, a State energy financing institution—

''(A) shall meet the requirements of section 1703(a)(1); and

''(B) shall not be required to meet the requirements of section 1703(a)(2).

''(2) PARTNERSHIPS AUTHORIZED.—In carrying out a project receiving a loan guarantee under this title, State energy financing institutions may enter into partnerships with private entities, tribal entities, and Alaska Native corporations.

''(3) PROHIBITION ON USE OF APPROPRIATED FUNDS.—Amounts appropriated to the Department of Energy before the date of enactment of this subsection shall not be available to be used for the cost of loan guarantees made to State energy financing institutions under this subsection.''.

SEC. 4003. GAO STUDY ON FOSSIL LOAN GUARANTEE INCENTIVE PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall carry out, and submit to Congress a report describing the results of, a study on the effectiveness of the advanced fossil loan guarantee incentive program and other incentive programs for advanced fossil energy of the Department.

(b) CONTENTS.—In carrying out the study under subsection (a), the Comptroller General of the United States shall—

(1) solicit industry and stakeholder input;

(2) evaluate the effectiveness of the advanced fossil loan guarantee incentive program, alone or in combination with other incentives, in advancing carbon capture and storage technology;

(3) review each Federal incentive provided by the Department and other Federal agencies for carbon capture and storage demonstration projects to determine the adequacy and effectiveness of the combined Federal incentives in advancing carbon capture and storage and advanced fossil energy technologies;

(4) assess whether combinations of the incentive programs in existence as of the date of enactment of this Act could be effective to advance carbon capture and storage and advanced fossil energy technologies; and

(5) evaluate the impact and costs of implementing the recommendations described in the January 2015 National Coal Council report entitled ''Fossil Forward: Revitalizing CCS, Bringing Scale and Speed to CCS Deployment'' on the effectiveness of the advanced fossil loan guarantee program.

SEC. 4004. PROGRAM ELIGIBILITY FOR VESSELS.

Subtitle B of title I of the Energy Independence and Security Act of 2007 (42 U.S.C. 17011 et seq.) is amended by adding at the end the following:

''SEC. 137. ADVANCED TECHNOLOGY VEHICLES MANUFACTURING INCENTIVE PROGRAM ELIGIBILITY FOR VESSELS.

''(a) DEFINITION OF VESSEL.—In this section, the term 'vessel' means a vessel (as defined in section 3 of title 1, United States Code), whether in existence or under construction, that has been issued a certificate of documentation as a United States flagged vessel under chapter 121 of title 46, United States Code and that meets the standards established under section 4005(a) of the Energy Policy Modernization Act of 2016.

''(b) ELIGIBILITY.—Subject to the terms and conditions of subsections (d) and (f) of section 136, projects for the reequipping, expanding, or establishing of a manufacturing facility in the United States to produce vessels shall be considered eligible for direct loans under section 136(d).

''(c) FUNDING.—

''(1) PROHIBITION ON USE OF EXISTING CREDIT SUBSIDY.—None of the projects made eligible under this section shall be eligible to receive any credit subsidy provided under section 136 before the date of enactment of this section.

''(2) SPECIFIC APPROPRIATION OR CONTRIBUTION.—The authority under this section to incur indebtedness, or enter into contracts, obligating amounts to be expended by the Federal Government shall be effective for any fiscal year only—

''(A)(i) to such extent or in such amounts as are provided in advance by appropriation Acts; and

''(ii) if the borrower has agreed to pay a reasonable percentage of the cost of the obligation; or

''(B) if the Secretary has received from the borrower a payment in full for the cost of the obligation and deposited the payment into the Treasury.''.

SEC. 4005. ADDITIONAL REFORMS.

(a) ISSUANCE OF RULE.—Not later than 180 days after the date of enactment of this Act and after consultation with, and taking into account comments from, the vessel industry, the Secretary shall issue a rule that specifies which energy efficiency improvement standards shall apply to applicants for loans under section 137 of the Energy Independence and Security Act of 2007 (as added by section 4004) for the manufacturing, retrofitting, or repowering vessels that have been issued certificates of documentation as United States flagged vessels under chapter 121 of title 46, United States Code.

(b) FEES.—Section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) is amended by striking subsection (f) and inserting the following:

''(f) FEES.—

''(1) IN GENERAL.—The Secretary shall charge and collect fees for loans provided under this section in amounts that the Secretary determines are sufficient to cover applicable administrative expenses associated with the loans, including reasonable closing fees on the loans.

''(2) AVAILABILITY.—Fees collected under paragraph (1) shall—

''(A) be deposited by the Secretary into the Treasury; and

''(B) remain available until expended, subject to such other conditions as are contained in annual appropriations Acts.''.

SEC. 4006. DEPARTMENT OF ENERGY INDIAN ENERGY EDUCATION PLANNING AND MANAGEMENT ASSISTANCE PROGRAM.

Section 2602(b)(6) of the Energy Policy Act of 1992 (25 U.S.C. 3502(b)(6)) is amended by striking ''2016'' and inserting ''2026''.

Subtitle B—Energy-Water Nexus

SEC. 4101. NEXUS OF ENERGY AND WATER FOR SUSTAINABILITY.

(a) DEFINITIONS.—In this section:

(1) ENERGY-WATER NEXUS.—The term ''energy-water nexus'' means the links between—

(A) the water needed to produce fuels, electricity, and other forms of energy; and

(B) the energy needed to transport, reclaim, and treat water and wastewater.

(2) INTERAGENCY COORDINATION COMMITTEE.—The term ''Interagency Coordination Committee'' means the Committee on the Nexus of Energy and Water for Sustainability (or the ''NEWS Committee'') established under subsection (b)(1).

(3) NEXUS OF ENERGY AND WATER SUSTAINABILITY OFFICE; NEWS OFFICE.—The term ''Nexus of Energy and Water Sustainability Office'' or the ''NEWS Office'' means an office located at the Department and managed in cooperation with the Department of the Interior pursuant to an agreement between the 2 agencies to carry out leadership and administrative functions for the Interagency Coordination Committee.

(4) RD&D ACTIVITIES.—The term ''RD&D activities'' means research, development, and demonstration activities.

(b) INTERAGENCY COORDINATION COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary and the Secretary of the Interior shall establish the joint NEWS Office and Interagency Coordination Committee on the Nexus of Energy and Water for Sustainability (or the ''NEWS Committee'') to carry out the duties described in paragraph (3).

(2) ADMINISTRATION.—

(A) CHAIRS.—The Secretary and the Secretary of the Interior shall jointly manage the NEWS Office and serve as co-chairs of the Interagency Coordination Committee.

(B) MEMBERSHIP; STAFFING.—Membership and staffing shall be determined by the co-chairs.

(3) DUTIES.—The Interagency Coordination Committee shall—

(A) serve as a forum for developing common Federal goals and plans on energy-water nexus RD&D activities in coordination with the National Science and Technology Council;

(B) not later than 1 year after the date of enactment of this Act, and biannually thereafter, issue a strategic plan on energy-water nexus RD&D activities priorities and objectives;

(C) convene and promote coordination of the activities of Federal departments and agencies on energy-water nexus RD&D activities, including the activities of—

(i) the Department;

(ii) the Department of the Interior;

(iii) the Corps of Engineers;

(iv) the Department of Agriculture;

(v) the Department of Defense;

(vi) the Department of State;

(vii) the Environmental Protection Agency;

(viii) the Council on Environmental Quality;

(ix) the National Institute of Standards and Technology;

(x) the National Oceanic and Atmospheric Administration;

(xi) the National Science Foundation;

(xii) the Office of Management and Budget;

(xiii) the Office of Science and Technology Policy;

(xiv) the National Aeronautics and Space Administration; and

(xv) such other Federal departments and agencies as the Interagency Coordination Committee considers appropriate;

(D)(i) coordinate and develop capabilities and methodologies for data collection, management, and dissemination of information related to energy-water nexus RD&D activities from and to other Federal departments and agencies; and

(ii) promote information exchange between Federal departments and agencies—

(I) to identify and document Federal and non-Federal programs and funding opportunities that support basic and applied research, development, and demonstration proposals to advance energy-water nexus related science and technologies;

(II) to leverage existing programs by encouraging joint solicitations, block grants, and matching programs with non-Federal entities; and

(III) to identify opportunities for domestic and international public-private partnerships, innovative financing mechanisms, information and data exchange;

(E) promote the integration of energy-water nexus considerations into existing Federal water, energy, and other natural resource, infrastructure, and science programs at the national and regional levels and with programs administered in partnership with non-Federal entities; and

(F) not later than 1 year after the date of enactment of this Act, issue a report on the potential benefits and feasibility of establishing an energy-water center of excellence within the National Laboratories (as that term is defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)).

(4) NO REGULATION.—Nothing in this subsection grants to the Interagency Coordination Committee the authority to promulgate regulations or set standards.

(5) REVIEW; REPORT.—At the end of the 5-year period beginning on the date on which the Interagency Coordination Committee and NEWS Office are established, the NEWS Office shall—

(A) review the activities, relevance, and effectiveness of the Interagency Coordination Committee; and

(B) submit to the Committee on Energy and Natural Resources of the Senate and the Committees on Science, Space, and Technology, Energy and Commerce, and Natural Resources of the House of Representatives a report that—

(i) describes the results of the review conducted under subparagraph (A); and

(ii) includes a recommendation on whether the Interagency Coordination Committee should continue.

(c) CROSSCUT BUDGET.—Not later than 30 days after the President submits the budget of the United States Government under section 1105 of title 31, United States Code, the co-chairs of the Interagency Coordination Committee (acting through the NEWS Office) shall submit to the Committee on Energy and Natural Resources of the Senate and the Committees on Science, Space, and Technology, Energy and Commerce, and Natural Resources of the House of Representatives, an interagency budget crosscut report that displays at the program-, project-, and activity-level for each of the Federal agencies that carry out or support (including through grants, contracts, interagency and intraagency transfers, and multiyear and no-year funds) basic and applied RD&D activities to advance the energy-water nexus related science and technologies—

(1) the budget proposed in the budget request of the President for the upcoming fiscal year;

(2) expenditures and obligations for the prior fiscal year; and

(3) estimated expenditures and obligations for the current fiscal year.

SEC. 4102. SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.

Subtitle A of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16191 et seq.) is amended by adding at the end the following:

"SEC. 918. SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a utility;

''(B) a municipality;

''(C) a water district;

''(D) an Indian tribe or Alaska Native village; and

''(E) any other authority that provides water, wastewater, or water reuse services.

''(2) SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.—The term 'smart energy and water efficiency pilot program' or 'pilot program' means the pilot program established under subsection (b).

''(b) SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish and carry out a smart energy and water efficiency pilot program in accordance with this section.

''(2) PURPOSE.—The purpose of the smart energy and water efficiency pilot program is to award grants to eligible entities to demonstrate unique, advanced, or innovative technology-based solutions that will—

''(A) increase the energy efficiency of water, wastewater, and water reuse systems;

''(B) improve energy efficiency of water, wastewater, and water reuse systems to help communities across the United States make measurable progress in conserving water, saving energy, and reducing costs;

''(C) support the implementation of innovative and unique processes and the installation of established advanced automated systems that provide real-time data on energy and water; and

''(D) improve energy-water conservation and quality and predictive maintenance through technologies that utilize internet connected technologies, including sensors, intelligent gateways, and security embedded in hardware.

''(3) PROJECT SELECTION.—

''(A) IN GENERAL.—The Secretary shall make competitive, merit-reviewed grants under the pilot program to not less than 3, but not more than 5, eligible entities.

''(B) SELECTION CRITERIA.—In selecting an eligible entity to receive a grant under the pilot program, the Secretary shall consider—

''(i) energy and cost savings;

''(ii) the uniqueness, commercial viability, and reliability of the technology to be used;

''(iii) the degree to which the project integrates next-generation sensors software, analytics, and management tools;

''(iv) the anticipated cost-effectiveness of the pilot project through measurable energy efficiency savings, water savings or reuse, and infrastructure costs averted;

''(v) whether the technology can be deployed in a variety of geographic regions and the degree to which the technology can be implemented in a wide range of applications ranging in scale from small towns to large cities, including tribal communities;

''(vi) whether the technology has been successfully deployed elsewhere;

''(vii) whether the technology was sourced from a manufacturer based in the United States; and

''(viii) whether the project will be completed in 5 years or less.

''(C) APPLICATIONS.—

''(i) IN GENERAL.—Subject to clause (ii), an eligible entity seeking a grant under the pilot program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be necessary.

''(ii) CONTENTS.—An application under clause (i) shall, at a minimum, include—

''(I) a description of the project;

''(II) a description of the technology to be used in the project;

''(III) the anticipated results, including energy and water savings, of the project;

''(IV) a comprehensive budget for the project;

''(V) the names of the project lead organization and any partners;

''(VI) the number of users to be served by the project;

''(VII) a description of the ways in which the proposal would meet performance measures established by the Secretary; and

''(VIII) any other information that the Secretary determines to be necessary to complete the review and selection of a grant recipient.

''(4) ADMINISTRATION.—

''(A) IN GENERAL.—Not later than 300 days after the date of enactment of this section, the Secretary shall select grant recipients under this section.

''(B) EVALUATIONS.—

''(i) ANNUAL EVALUATIONS.—The Secretary shall annually carry out an evaluation of each project for which a grant is provided under this section that meets performance measures and benchmarks developed by the Secretary, consistent with the purposes of this section.

''(ii) REQUIREMENTS.—Consistent with the performance measures and benchmarks developed under clause (i), in carrying out an evaluation under that clause, the Secretary shall—

''(I) evaluate the progress and impact of the project; and

''(II) assesses the degree to which the project is meeting the goals of the pilot program.

''(C) TECHNICAL AND POLICY ASSISTANCE.—On the request of a grant recipient, the Secretary shall provide technical and policy assistance.

''(D) BEST PRACTICES.—The Secretary shall make available to the public through the Internet and other means the Secretary considers to be appropriate—

''(i) a copy of each evaluation carried out under subparagraph (B); and

''(ii) a description of any best practices identified by the Secretary as a result of those evaluations.

''(E) REPORT TO CONGRESS.—The Secretary shall submit to Congress a report containing the results of each evaluation carried out under subparagraph (B).

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000, to remain available until expended.''.

Subtitle C—Innovation

SEC. 4201. AMERICA COMPETES PROGRAMS.

(a) BASIC RESEARCH.—Section 971(b) of the Energy Policy Act of 2005 (42 U.S.C. 16311(b)) is amended—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(8) $5,423,000,000 for fiscal year 2016;

''(9) $5,808,000,000 for fiscal year 2017;

''(10) $6,220,000,000 for fiscal year 2018;

''(11) $6,661,000,000 for fiscal year 2019; and

''(12) $7,134,000,000 for fiscal year 2020.''.

(b) ADVANCED RESEARCH PROJECTS AGENCY-ENERGY.—Section 5012 of the America COMPETES Act (42 U.S.C. 16538) is amended—

(1) in subsection (a)(3), by striking ''subsection (n)(1)'' and inserting ''subsection (o)(1)'';

(2) in subsection (i), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—To the maximum extent practicable, the Director shall ensure that—

''(A) the activities of ARPA–E are coordinated with, and do not duplicate the efforts of, programs and laboratories within the Department and other relevant research agencies; and

''(B) ARPA–E does not provide funding for a project unless the prospective grantee demonstrates sufficient attempts to secure private financing or indicates that the project is not independently commercially viable.'';

(3) by redesignating subsection (n) as subsection (o);

(4) by inserting after subsection (m) the following:

''(n) PROTECTION OF INFORMATION.—The following types of information collected by the ARPA–E from recipients of financial assistance awards shall be considered commercial and financial information obtained from a person and privileged or confidential and not subject to disclosure under section 552(b)(4) of title 5, United States Code:

''(1) Plans for commercialization of technologies developed under the award, including business plans, technology-to-market plans, market studies, and cost and performance models.

''(2) Investments provided to an awardee from third parties (such as venture capital firms, hedge funds, and private equity firms), including amounts and the percentage of ownership of the awardee provided in return for the investments.

''(3) Additional financial support that the awardee—

''(A) plans to or has invested into the technology developed under the award; or

''(B) is seeking from third parties.

''(4) Revenue from the licensing or sale of new products or services resulting from research conducted under the award.''; and

(5) in subsection (o) (as redesignated by paragraph (3))—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''paragraphs (4) and (5)'' and inserting ''paragraph (4)'';

(ii) in subparagraph (D), by striking ''and'' at the end;

(iii) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

''(F) $325,000,000 for each of fiscal years 2016 through 2018; and

''(G) $375,000,000 for each of fiscal years 2019 and 2020.''; and

(B) in paragraph (4)(B), by striking ''(c)(2)(D)'' and inserting ''(c)(2)(C)''.

SEC. 4202. INCLUSION OF EARLY STAGE TECHNOLOGY DEMONSTRATION IN AUTHORIZED TECHNOLOGY TRANSFER ACTIVITIES.

Section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) is amended—

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

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

''(g) EARLY STAGE TECHNOLOGY DEMONSTRATION.—The Secretary shall permit the directors of the National Laboratories to use funds authorized to support technology transfer within the Department to carry out early stage and precommercial technology demonstration activities to remove technology barriers that limit private sector interest and demonstrate potential commercial applications of any research and technologies arising from National Laboratory activities.''.

SEC. 4203. SUPPORTING ACCESS OF SMALL BUSINESS CONCERNS TO NATIONAL LABORATORIES.

(a) DEFINITIONS.—In this section:

(1) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(2) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the same meaning as in section 3 of the Small Business Act (15 U.S.C. 632).

(b) ACTIONS FOR INCREASED ACCESS AT NATIONAL LABORATORIES FOR SMALL BUSINESS CONCERNS.—To promote the technology transfer of innovative energy technologies and enhance the competitiveness of the United States, the Secretary shall take such actions as are appropriate to facilitate access to the National Laboratories for small business concerns.

(c) INFORMATION ON THE DOE WEBSITE RELATING TO NATIONAL LABORATORY PROGRAMS AVAILABLE TO SMALL BUSINESS CONCERNS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Directors of the National Laboratories, shall—

(A) publish in a consolidated manner on the website of the Department information relating to National Laboratory programs that are available to small business concerns;

(B) provide for the information published under subparagraph (A) to be kept up-to-date; and

(C) include in the information published under subparagraph (A), information on each available program under which small business concerns are eligible to enter into agreements to work with the National Laboratories.

(2) COMPONENTS.—The information published on the Department website under paragraph (1) shall include—

(A) a brief description of each agreement available to small business concerns to work with National Laboratories;

(B) a step-by-step guide for completing agreements to work with National Laboratories;

(C) best practices for working with National Laboratories;

(D) individual National Laboratory websites that provide information specific to technology transfer and working with small business concerns;

(E) links to funding opportunity announcements, nonfinancial resources, and other programs available to small business concerns; and

(F) any other information that the Secretary determines to be appropriate.

(3) ACCESSIBILITY.—The information published on the Department website under paragraph (1) shall be—

(A) readily accessible and easily found on the Internet by the public and members and committees of Congress; and

(B) presented in a searchable, machine-readable format.

(4) GUIDANCE.—The Secretary shall issue Departmental guidance to ensure that the information published on the Department website under paragraph (1) is provided in a manner that presents a coherent picture of all National Laboratory programs that are relevant to small business concerns.

SEC. 4204. MICROLAB TECHNOLOGY COMMERCIALIZATION.

(a) DEFINITIONS.—In this section:

(1) MICROLAB.—The term ''microlab'' means a small laboratory established by the Secretary under subsection (b).

(2) NATIONAL LABORATORY.—The term ''national laboratory'' means—

(A) a National Laboratory, as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801); and

(B) a national security laboratory, as defined in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471).

(b) ESTABLISHMENT OF MICROLAB PROGRAM.—

(1) IN GENERAL.—The Secretary, in collaboration with the directors of national laboratories, may establish a microlab program under which the Secretary establishes microlabs that are located in close proximity to national laboratories and that are accessible to the public for the purposes of—

(A) enhancing collaboration with regional research groups, such as institutions of higher education and industry groups;

(B) accelerating technology transfer from national laboratories to the marketplace; and

(C) promoting regional workforce development through science, technology, engineering, and mathematics (''STEM'') instruction and training.

(2) CRITERIA.—In determining the placement of microlabs under paragraph (1), the Secretary shall consider—

(A) the commitment of a national laboratory to establishing a microlab;

(B) the existence of a joint research institute or a new facility that—

(i) is not on the main site of a national laboratory;

(ii) is in close proximity to a national laboratory; and

(iii) has the capability to house a microlab;

(C) whether employees of a national laboratory and persons from academia, industry, and government are available to be assigned to the microlab; and

(D) cost-sharing or in-kind contributions from State and local governments and private industry.

(3) TIMING.—If the Secretary, in collaboration with the directors of national laboratories, elects to establish a microlab program under this subsection, the Secretary, in collaboration with the directors of national laboratories, shall—

(A) not later than 60 days after the date of enactment of this Act, begin the process of determining the placement of microlabs under paragraph (1); and

(B) not later than 180 days after the date of enactment of this Act, implement the microlab program under this subsection.

(c) REPORTS.—

(1) INITIAL REPORT.—Not later than 60 days after the date of implementation of the microlab program under subsection (b), the Secretary shall submit to the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives a report that provides an update on the implementation of the microlab program under subsection (b).

(2) PROGRESS REPORT.—Not later than 1 year after the date of implementation of the microlab program under subsection (b), the Secretary shall submit to the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the

Committee on Science, Space, and Technology of the House of Representatives a report on the microlab program under subsection (b), including findings and recommendations of the Secretary.

(d) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to carry out this Act $50,000,000 for fiscal year 2016.

SEC. 4205. SENSE OF THE SENATE ON ACCELERATING ENERGY INNOVATION.

It is the sense of the Senate that—

(1) although important progress has been made in cost reduction and deployment of clean energy technologies, accelerating clean energy innovation will help meet critical competitiveness, energy security, and environmental goals;

(2) accelerating the pace of clean energy innovation in the United States calls for—

(A) supporting existing research and development programs at the Department and the world-class National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801));

(B) exploring and developing new pathways for innovators, investors, and decision-makers to leverage the resources of the Department for addressing the challenges and comparative strengths of geographic regions; and

(C) recognizing the financial constraints of the Department, regularly reviewing clean energy programs to ensure that taxpayer investments are maximized;

(3) the energy supply, demand, policies, markets, and resource options of the United States vary by geographic region;

(4) a regional approach to innovation can bridge the gaps between local talent, institutions, and industries to identify opportunities and convert United States investment into domestic companies; and

(5) Congress, the Secretary, and energy industry participants should advance efforts that promote international, domestic, and regional cooperation on the research and development of energy innovations that—

(A) provide clean, affordable, and reliable energy for everyone;

(B) promote economic growth;

(C) are critical for energy security; and

(D) are sustainable without government support.

SEC. 4206. RESTORATION OF LABORATORY DIRECTED RESEARCH AND DEVELOPMENT PROGRAM.

The Secretary shall ensure that laboratory operating contractors do not allocate costs of general and administrative overhead to laboratory directed research and development.

SEC. 4207. NATIONAL SCIENCE AND TECHNOLOGY COUNCIL COORDINATING SUBCOMMITTEE FOR HIGH-ENERGY PHYSICS.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the National Science and Technology Council shall establish a subcommittee to coordinate Federal efforts relating to high-energy physics research (referred to in this section as the ''subcommittee'').

(b) PURPOSES.—The purposes of the subcommittee are—

(1) to maximize the efficiency and effectiveness of United States investment in high-energy physics; and

(2) to support a robust, internationally competitive United States high-energy physics program that includes—

(A) underground science and engineering research; and

(B) physical infrastructure.

(c) CO-CHAIRS.—The Director of the National Science Foundation and the Secretary shall serve as co-chairs of the subcommittee.

(d) RESPONSIBILITIES.—The responsibilities of the subcommittee shall be—

(1) to provide recommendations on planning for construction and stewardship of large facilities participating in high-energy physics;

(2) to provide recommendations on research coordination and collaboration among the programs and activities of Federal agencies;

(3) to establish goals and priorities for high-energy physics, underground science, and research and development that will strengthen United States competitiveness in high-energy physics;

(4) to propose methods for engagement with international, Federal, and State agencies and Federal laboratories not represented on the subcommittee to identify and reduce regulatory, logistical, and fiscal barriers that inhibit United States leadership in high-energy physics and related underground science; and

(5) to develop, and update once every 5 years, a strategic plan to guide Federal programs and activities in support of high-energy physics research.

(e) ANNUAL REPORT.—Annually, the subcommittee shall update Congress regarding—

(1) efforts taken in support of the strategic plan described in subsection (d)(5);

(2) an evaluation of the needs for maintaining United States leadership in high-energy physics; and

(3) identification of priorities in the area of high-energy physics.

(f) SUNSET.—The subcommittee shall terminate on the date that is 10 years after the date of enactment of this Act.

Subtitle D—Grid Reliability

SEC. 4301. BULK-POWER SYSTEM RELIABILITY IMPACT STATEMENT.

Section 215 of the Federal Power Act (16 U.S.C. 824o) is amended by adding at the end the following:

''(1) RELIABILITY IMPACT STATEMENT.—

''(1) SOLICITATION BY COMMISSION.—Not later than 15 days after the date on which the head of a Federal agency proposes a major rule (as defined in section 804 of title 5, United States Code) that may significantly affect the reliable operation of the bulk-power system, the Commission shall solicit from the ERO, who shall coordinate with regional entities affected by the proposed rule, a reliability impact statement with respect to the proposed rule.

''(2) REQUIREMENTS.—A reliability impact statement under paragraph (1) shall include a detailed statement on—

''(A) the impact of the proposed rule on the reliable operation of the bulk-power system;

''(B) any adverse effects on the reliable operation of the bulk-power system if the proposed rule was implemented; and

''(C) alternatives to cure the identified adverse reliability impacts, including a no-action alternative.

''(3) SUBMISSION TO COMMISSION AND CONGRESS.—On completion of a reliability impact statement under paragraph (1), the ERO shall submit to the Commission and Congress the reliability impact statement.

''(4) TRANSMITTAL TO HEAD OF FEDERAL AGENCY.—On receipt of a reliability impact statement submitted to the Commission under paragraph (3), the Commission shall transmit to the head of the applicable Federal agency the reliability impact statement prepared under this subsection for inclusion in the public record.

''(5) INCLUSION OF DETAILED RESPONSE IN FINAL RULE.—With respect to a final major rule subject to a reliability impact statement prepared under paragraph (1), the head of the Federal agency shall—

''(A) consider the reliability impact statement;

''(B) give due weight to the technical expertise of the ERO with respect to matters that are the subject of the reliability impact statement; and

''(C) include in the final rule a detailed response to the reliability impact statement that reasonably addresses the detailed statements required under paragraph (2).''.

SEC. 4302. REPORT BY TRANSMISSION ORGANIZATIONS ON DIVERSITY OF SUPPLY.

(a) DEFINITIONS.—In this section:

(1) ELECTRIC GENERATING CAPACITY RESOURCE.—

(A) IN GENERAL.—The term ''electric generating capacity resource'' means an electric generating resource, as measured by the maximum load-carrying ability of the resource, exclusive of station use and planned, unplanned, or other outage or derating subject to dispatch by the transmission organization to meet the resource adequacy needs of the systems operated by the transmission organization.

(B) EFFECT.—The term ''electric generating capacity resource'' does not address non-electric generating resources that are qualified as capacity resources in the tariffs of various transmission organizations as of the date of enactment of this Act.

(2) TRANSMISSION ORGANIZATION.—The term ''transmission organization'' has the meaning given the term in section 3 of the Federal Power Act (16 U.S.C. 796).

(b) REPORT.—

(1) NOTICE.—Not later than 14 days after the date of enactment of this Act, the Commission (as the term is defined in section 3 of the Federal Power Act (16 U.S.C. 796)) shall submit to each transmission organization that has a tariff on file with the Commission that includes provisions addressing the procurement of electric generating capacity resources, a notice that the transmission organization is required to file with the Commission a report in accordance with paragraph (2).

(2) REPORT.—Not later than 180 days after the date on which a transmission organization receives a notice under paragraph (1), the transmission organization shall submit to the Commission a report that, to the maximum extent practicable—

(A)(i) identifies electric generating capacity resources that are available to the transmission organization as of the date of the report; and

(ii) describes the primary energy sources and operational characteristics of electric capacity resources available, in the aggregate, to the transmission organization;

(B) evaluates, using generally accepted metrics, the current operational performance, in the aggregate, of electric capacity resources;

(C) identifies, for the aggregate of electric generating capacity resources available to the transmission organization—

(i) over the short- and long-term periods in the planning cycle of the transmission organization, reasonable projections concerning the operational and economic risk profile of electric generating capacity resources;

(ii) the projected future needs of the transmission organization for electric generating capacity resources; and

(iii) the availability of transmission facilities and transmission support services necessary to provide for the transmission organization reasonable assurances of essential reliability services, including adequate voltage support; and

(D) assesses whether and to what extent the market rules of the transmission organization—

(i) yield capacity auction clearing prices that promote necessary and prudent investment;

(ii) yield energy market clearing prices that reflect the marginal cost of supply, taking into account transmission constraints

and other factors needed to ensure reliable grid operation;

(iii) produce meaningful price signals that clearly indicate where new supply and investment are needed;

(iv) reduce uncertainty or instability resulting from changes to market rules, processes, or protocols;

(v) promote transparency and communication by the market operator to market participants;

(vi) support a diverse generation portfolio and the availability of transmission facilities and transmission support services on a short- and long-term basis necessary to provide reasonable assurances of a continuous supply of electricity for customers of the transmission organization at the proper voltage and frequency; and

(vii) provide an enhanced opportunity for self-supply of electric generating capacity resources by electric cooperatives, Federal power marketing agencies, and State utilities with a service obligation (as those terms are defined in section 217(a)) of the Federal Power Act (16 U.S.C. 824q(a))) in a manner that is consistent with traditional utility business models and does not unduly affect wholesale market prices.

Subtitle E—Management

SEC. 4401. FEDERAL LAND MANAGEMENT.

(a) DEFINITIONS.—In this section:

(1) CADASTRE.—The term ''cadastre'' means an inventory of buildings and other real property (including associated infrastructure such as roads and utility transmission lines and pipelines) located on land administered by the Secretary, which is developed through collecting, storing, retrieving, or disseminating graphical or digital data and any information related to the data, including surveys, maps, charts, images, and services.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) CADASTRE OF FEDERAL REAL PROPERTY.—

(1) IN GENERAL.—The Secretary is authorized—

(A) to develop and maintain a current and accurate multipurpose cadastre to support Federal land management activities for the Department of the Interior;

(B) to incorporate any related inventories of Federal real property, including any inventories prepared under applicable land or resource management plans; and

(C) to enter into discussions with other Federal agencies to make the cadastre available for use by the agency to support agency management activities.

(2) COST-SHARING AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into cost-sharing agreements with other Federal agencies, and with States, Indian tribes, and local governments, to include any non-Federal land in a State in the cadastre.

(B) COST SHARE.—The Federal share of any cost agreement described in subparagraph (A) shall not exceed 50 percent of the total cost to a State, Indian tribe, or local government for the development of the cadastre of non-Federal land.

(3) CONSOLIDATION AND REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the real property inventories or any components of any cadastre or related inventories that—

(A) exist as of the date of enactment of this Act;

(B) are authorized by law or conducted by the Secretary; and

(C) are of sufficient accuracy to be included in the cadastre authorized under paragraph (1).

(4) COORDINATION.—In carrying out this subsection, the Secretary shall—

(A) participate (in accordance with section 216 of the E–Government Act of 2002 (44 U.S.C. 3501 note; Public Law 107–347)) in the establishment of such standards and common protocols as are necessary to ensure the interoperability of geospatial information pertaining to the cadastre for all users of the information;

(B) coordinate with, seek assistance and cooperation of, and provide liaison to the Federal Geographic Data Committee pursuant to Office of Management and Budget Circular A–16 and Executive Order 12906 (43 U.S.C. 1457 note; relating to coordinating geographic data acquisition and access: the National Spatial Data Infrastructure) for the implementation of and compliance with such standards as may be applicable to the cadastre;

(C) make the cadastre interoperable with the Federal Real Property Profile established pursuant to Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management);

(D) integrate with and leverage, to the maximum extent practicable, cadastre activities of units of State and local government; and

(E) use contracts with the private sector, if practicable, to provide such products and services as are necessary to develop the cadastre.

(c) TRANSPARENCY AND PUBLIC ACCESS.—The Secretary shall—

(1) make the cadastre required under this section publically available on the Internet in a graphically geoenabled and searchable format; and

(2) in consultation with the Secretary of Defense and the Secretary of Homeland Security, prevent the disclosure of the identity of any buildings or facilities, or information related to the buildings or facilities, if the disclosure would impair or jeopardize the national security or homeland defense of the United States.

(d) EFFECT.—Nothing in this section—

(1) creates any substantive or procedural right or benefit;

(2) authorizes any new surveying or mapping of Federal real property, except that a Federal agency may conduct a new survey to update the accuracy of the inventory data of the agency before storage on a cadaster; or

(3) authorizes—

(A) the evaluation of any real property owned by the United States for disposal; or

(B) new appraisals or assessments of the value of—

(i) real property; or

(ii) cultural or archaeological resources on any parcel of Federal land or other real property.

SEC. 4402. QUADRENNIAL ENERGY REVIEW.

(a) IN GENERAL.—Section 801 of the Department of Energy Organization Act (42 U.S.C. 7321) is amended to read as follows:

''SEC. 801. QUADRENNIAL ENERGY REVIEW.

''(a) QUADRENNIAL ENERGY REVIEW TASK FORCE.—

''(1) ESTABLISHMENT.—The President shall establish a Quadrennial Energy Review Task Force (referred to in this section as the 'Task Force') to coordinate the Quadrennial Energy Review.

''(2) COCHAIRPERSONS.—The President shall designate appropriate senior Federal Government officials to be cochairpersons of the Task Force.

''(3) MEMBERSHIP.—The Task Force may be comprised of representatives at level I or II of the Executive Schedule of—

''(A) the Department of Energy;

''(B) the Department of Commerce;

''(C) the Department of Defense;

''(D) the Department of State;

''(E) the Department of the Interior;

''(F) the Department of Agriculture;

''(G) the Department of the Treasury;

''(H) the Department of Transportation;

''(I) the Department of Homeland Security;

''(J) the Office of Management and Budget;

''(K) the National Science Foundation;

''(L) the Environmental Protection Agency; and

''(M) such other Federal agencies, and entities within the Executive Office of the President, as the President considers to be appropriate.

''(b) CONDUCT OF REVIEW.—

''(1) IN GENERAL.—Each Quadrennial Energy Review shall be conducted to—

''(A) provide an integrated view of important national energy objectives and Federal energy policy; and

''(B) identify the maximum practicable alignment of research programs, incentives, regulations, and partnerships.

''(2) ELEMENTS.—A Quadrennial Energy Review shall—

''(A) establish integrated, governmentwide national energy objectives in the context of economic, environmental, and security priorities;

''(B) recommend coordinated actions across Federal agencies;

''(C) assess and recommend priorities for research, development, and demonstration;

''(D) provide a strong analytical base for Federal energy policy decisions;

''(E) consider reasonable estimates of future Federal budgetary resources when making recommendations; and

''(F) be conducted with substantial input from—

''(i) Congress;

''(ii) the energy industry;

''(iii) academia;

''(iv) State, local, and tribal governments;

''(v) nongovernmental organizations; and

''(vi) the public.

''(c) SUBMISSION OF QUADRENNIAL ENERGY REVIEW TO CONGRESS.—

''(1) IN GENERAL.—The President—

''(A) shall publish and submit to Congress a report on the Quadrennial Energy Review once every 4 years; and

''(B) more frequently than once every 4 years, as the President determines to be appropriate, may prepare and publish interim reports as part of the Quadrennial Energy Review.

''(2) INCLUSIONS.—The reports described in paragraph (1) shall address or consider, as appropriate—

''(A) an integrated view of short-term, intermediate-term, and long-term objectives for Federal energy policy in the context of economic, environmental, and security priorities;

''(B) potential executive actions (including programmatic, regulatory, and fiscal actions) and resource requirements—

''(i) to achieve the objectives described in subparagraph (A); and

''(ii) to be coordinated across multiple agencies;

''(C) analysis of the existing and prospective roles of parties (including academia, industry, consumers, the public, and Federal agencies) in achieving the objectives described in subparagraph (A), including—

''(i) an analysis by energy use sector, including—

''(I) commercial and residential buildings;

''(II) the industrial sector;

''(III) transportation; and

''(IV) electric power;

''(ii) requirements for invention, adoption, development, and diffusion of energy technologies as they relate to each of the energy use sectors; and

''(iii) other research that informs strategies to incentivize desired actions;

''(D) assessment of policy options to increase domestic energy supplies and energy efficiency;

''(E) evaluation of national and regional energy storage, transmission, and distribution requirements, including requirements for renewable energy;

''(F) portfolio assessments that describe the optimal deployment of resources, including prioritizing financial resources for energy-relevant programs;

''(G) mapping of the linkages among basic research and applied programs, demonstration programs, and other innovation mechanisms across the Federal agencies;

''(H) identification of demonstration projects;

''(I) identification of public and private funding needs for various energy technologies, systems, and infrastructure, including consideration of public-private partnerships, loans, and loan guarantees;

''(J) assessment of global competitors and an identification of programs that can be enhanced with international cooperation;

''(K) identification of policy gaps that need to be filled to accelerate the adoption and diffusion of energy technologies, including consideration of—

''(i) Federal tax policies; and

''(ii) the role of Federal agencies as early adopters and purchasers of new energy technologies;

''(L) priority listing for implementation of objectives and actions taking into account estimated Federal budgetary resources;

''(M) analysis of—

''(i) points of maximum leverage for policy intervention to achieve outcomes; and

''(ii) areas of energy policy that can be most effective in meeting national goals for the energy sector; and

''(N) recommendations for executive branch organization changes to facilitate the development and implementation of Federal energy policies.

''(d) REPORT DEVELOPMENT.—The Secretary of Energy shall provide such support for the Quadrennial Energy Review with the necessary analytical, financial, and administrative support for the conduct of each Quadrennial Energy Review required under this section as may be requested by the cochairpersons designated under subsection (a)(2).

''(e) COOPERATION.—The heads of applicable Federal agencies shall cooperate with the Secretary and provide such assistance, information, and resources as the Secretary may require to assist in carrying out this section.''.

(b) TABLE OF CONTENTS AMENDMENT.—The item relating to section 801 in the table of contents of such Act is amended to read as follows:

''Sec. 801. Quadrennial Energy Review.''.

(c) ADMINISTRATION.—Nothing in this section or an amendment made by this section supersedes, modifies, amends, or repeals any provision of Federal law not expressly superseded, modified, amended, or repealed by this section.

SEC. 4403. STATE OVERSIGHT OF OIL AND GAS PROGRAMS.

On request of the Governor of a State, the Secretary of the Interior shall establish a program under which the Director of the Bureau of Land Management shall enter into a memorandum of understanding with the State to consider the costs and benefits of consistent rules and processes for the measurement of oil and gas production activities, inspection of meters or other measurement methodologies, and other operational activities, as determined by the Secretary of the Interior.

SEC. 4404. UNDER SECRETARY FOR SCIENCE AND ENERGY.

(a) IN GENERAL.—Section 202(b) of the Department of Energy Organization Act (42 U.S.C. 7132(b)) is amended—

(1) in paragraph (1), by striking ''for Science'' and inserting ''for Science and Energy (referred to in this subsection as the 'Under Secretary')'';

(2) in paragraph (3), in the matter preceding subparagraph (A), by striking ''for Science''; and

(3) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by striking ''for Science'';

(B) in subparagraph (F), by striking ''and'' at the end;

(C) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(D) by inserting after subparagraph (G) the following:

''(H) establish appropriate linkages between offices under the jurisdiction of the Under Secretary; and

''(I) perform such functions and duties as the Secretary shall prescribe, consistent with this section.''.

(b) CONFORMING AMENDMENT.—Section 641(h)(2) of the United States Energy Storage Competitiveness Act of 2007 (42 U.S.C. 17231(h)(2)) is amended by striking ''Under Secretary for Science'' and inserting ''Under Secretary for Science and Energy''.

SEC. 4405. WESTERN AREA POWER ADMINISTRATION PILOT PROJECT.

(a) IN GENERAL.—The Administrator of the Western Area Power Administration (referred to in this section as the ''Administrator'') shall establish a pilot project, as part of the continuous process improvement program and to provide increased transparency for customers, to publish on a publicly available website of the Western Area Power Administration, a searchable database of the following information, beginning with fiscal year 2008, relating to the Western Area Power Administration:

(1) By power system, rates charged to customers for power and transmission service.

(2) By power system, the amount of capacity or energy sold.

(3) By region, a detailed accounting of the allocation of budget authority, including—

(A) overhead costs;

(B) the number of contractors; and

(C) the number of full-time equivalents.

(4) For the corporate services office, a detailed accounting of the allocation of budget authority, including—

(A) overhead costs;

(B) the number of contractors;

(C) the number of full-time equivalents; and

(D) expenses charged to other Federal agencies or programs for the administration of programs not related to the marketing, transmission, or wheeling of Federal hydropower resources, including—

(i) overhead costs;

(ii) the number of contractors; and

(iii) the number of full-time equivalents.

(5) Capital expenditures, including—

(A) capital investments delineated by the year in which each investment is placed into service; and

(B) the sources of capital for each investment.

(b) REPORT.—Not less than once each year for the duration of the pilot project under this section, the Administrator shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report that—

(1) describes the annual estimated avoided costs and the savings as a result of the pilot project under this section; and

(2) includes a certification from the Administrator that—

(A) the rates for each power system do not recover costs and expenses recovered by other power systems; and

(B) each expense allocated by the corporate services office to an individual power system is only recovered once.

(c) TERMINATION.—The pilot project under this section shall terminate on the date that is 10 years after the date of enactment of this Act.

SEC. 4406. RESEARCH GRANTS DATABASE.

(a) IN GENERAL.—The Secretary shall establish and maintain a public database, accessible on the website of the Department, that contains a searchable listing of every unclassified research and development project contract, grant, cooperative agreement, task order for federally funded research and development centers, or other transaction administered by the Department.

(b) CLASSIFIED PROJECTS.—Each year, the Secretary shall submit to the relevant committees of Congress a report that lists every classified project of the Department, including all relevant details of the projects.

(c) REQUIREMENTS.—Each listing described in subsections (a) and (b) shall include, at a minimum, for each listed project, the component carrying out the project, the project name, an abstract or summary of the project, funding levels, project duration, contractor or grantee name, and expected objectives and milestones.

(d) RELEVANT LITERATURE AND PATENTS.—To the maximum extent practicable, the Secretary shall provide information through the public database established under subsection (a) on relevant literature and patents that are associated with each research and development project contract, grant, or cooperative agreement, or other transaction, of the Department.

SEC. 4407. REVIEW OF ECONOMIC IMPACT OF BSEE RULE ON SMALL ENTITIES.

(a) DEFINITIONS.—In this section—

(1) the term ''BSEE'' means the Bureau of Safety and Environmental Enforcement;

(2) the term ''Chief Counsel'' means the Chief Counsel for Advocacy of the Small Business Administration;

(3) the term ''covered proposed rule'' means the proposed rule of the BSEE entitled ''Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Blowout Preventer Systems and Well Control'' (80 Fed. Reg. 21504 (April 17, 2015)); and

(4) the term ''small entity'' has the meaning given the term in section 601 of title 5, United States Code.

(b) REQUIREMENT TO CONDUCT REVIEW.—

(1) IN GENERAL.—If the BSEE issues a final rule for the covered proposed rule, then not later than 1 year after the effective date of the final rule the BSEE, in consultation with the Chief Counsel, shall complete a review of the final rule under section 610 of title 5, United States Code.

(2) ASSESSMENT OF ECONOMIC IMPACT.—In conducting the review required under paragraph (1), the BSEE, in consultation with the Chief Counsel, shall assess the economic impact of the final rule on small entities in the oil and gas supply chain.

(3) REPORT.—Not later than 180 days after the date on which the review is completed under this subsection, the BSEE, in consultation with the Chief Counsel, shall submit to Congress a report on the findings of the review.

SEC. 4408. ENERGY EMERGENCY RESPONSE EFFORTS OF THE DEPARTMENT.

(a) CONGRESSIONAL DECLARATION OF PURPOSE.—Section 102 of the Department of Energy Organization Act (42 U.S.C. 7112) is amended by adding at the end the following:

''(20) To facilitate the development and implementation of a strategy for responding to energy infrastructure and supply emergencies through—

''(A) continuously monitoring and publishing information on the energy delivery and supply infrastructure of the United States, including electricity, liquid fuels, natural gas, and coal;

''(B) managing Federal strategic energy reserves;

''(C) advising national leadership during emergencies on ways to respond to and minimize energy disruptions; and

''(D) working with Federal agencies and State and local governments—

''(i) to enhance energy emergency preparedness; and

''(ii) to respond to and mitigate energy emergencies.''.

(b) UNDER SECRETARY FOR SCIENCE AND ENERGY.—Section 202(b)(4) of the Department of Energy Organization Act (42 U.S.C. 7132(b)(4)) (as amended by section 4404(a)(3)) is amended, in subparagraph (B), by inserting ''and applied energy'' before ''programs of the''.

(c) RESPONSIBILITIES OF ASSISTANT SECRETARIES.—Section 203(a) of the Department of Energy Organization Act (42 U.S.C. 7133(a)) is amended by adding at the end the following:

''(12) Emergency response functions, including assistance in the prevention of, or in the response to, an emergency disruption of energy supply, transmission, and distribution.''.

SEC. 4409. GAO REPORT ON BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT STATUTORY AND REGULATORY AUTHORITY FOR THE PROCUREMENT OF HELICOPTER FUEL.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that defines the statutory and regulatory authority of the Bureau of Safety and Environmental Enforcement with respect to legally procuring privately owned helicopter fuel, without agreement, from lessees, permit holders, operators of federally leased offshore facilities, or independent third parties not under contract with the Bureau of Safety and Environmental Enforcement or an agent of the Bureau of Safety and Environmental Enforcement.

SEC. 4410. CONVEYANCE OF FEDERAL LAND WITHIN THE SWAN LAKE HYDROELECTRIC PROJECT BOUNDARY.

Not later than 18 months after the date of enactment of this Act, the Secretary of the Interior, after consultation with the Secretary of Agriculture, shall—

(1) survey the exterior boundaries of the tract of Federal land within the project boundary of the Swan Lake Hydroelectric Project (FERC No. 2911) as generally depicted and labeled ''Lost Creek'' on the map entitled ''Swan Lake Project Boundary—Lot 2'' and dated February 1, 2016; and

(2) issue a patent to the State of Alaska for the tract described in paragraph (1) in accordance with—

(A) the survey authorized under paragraph (1);

(B) section 6(a) of the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act'') (48 U.S.C. note prec. 21; Public Law 85–508); and

(C) section 24 of the Federal Power Act (16 U.S.C. 818).

SEC. 4411. STUDY OF WAIVERS OF CERTAIN COST-SHARING REQUIREMENTS.

Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(1) complete a study on the ability of, and any actions before the date of enactment of this Act by, the Secretary to waive the cost-sharing requirement under section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352); and

(2) based on the results of the study under paragraph (1), make recommendations to Congress for the issuance of, and factors that should be considered with respect to, waivers of the cost-sharing requirement by the Secretary.

SEC. 4412. NATIONAL PARK CENTENNIAL.

(a) NATIONAL PARK CENTENNIAL CHALLENGE FUND.—

(1) IN GENERAL.—Chapter 1049 of title 54, United States Code (as amended by section 5001(a)), is amended by adding at the end the following:

''§ 104909. National Park Centennial Challenge Fund

''(a) PURPOSE.—The purpose of this section is to establish a fund in the Treasury—

''(1) to finance signature projects and programs to enhance the National Park System as the centennial of the National Park System approaches in 2016; and

''(2) to prepare the System for another century of conservation, preservation, and enjoyment.

''(b) DEFINITIONS.—In this section:

''(1) CHALLENGE FUND.—The term 'Challenge Fund' means the National Park Centennial Challenge Fund established by subsection (c)(1).

''(2) QUALIFIED DONATION.—The term 'qualified donation' means a cash donation or the pledge of a cash donation guaranteed by an irrevocable letter of credit to the Service that the Secretary certifies is to be used for a signature project or program.

''(3) SIGNATURE PROJECT OR PROGRAM.—The term 'signature project or program' means any project or program identified by the Secretary as a project or program that would further the purposes of the System or any System unit.

''(c) NATIONAL PARK CENTENNIAL CHALLENGE FUND.—

''(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the 'National Park Centennial Challenge Fund'.

''(2) DEPOSITS.—The Challenge Fund shall consist of—

''(A) qualified donations that are transferred from the Service donation account, in accordance with subsection (e)(1); and

''(B) not more than $17,500,000, to be appropriated from the general fund of the Treasury, in accordance with subsection (e)(2).

''(3) AVAILABILITY.—Amounts in the Challenge Fund shall—

''(A) be available to the Secretary for signature projects and programs under this title, without further appropriation; and

''(B) remain available until expended.

''(d) SIGNATURE PROJECTS AND PROGRAMS.—

''(1) DEVELOPMENT OF LIST.—Not later than 180 days after the date of enactment of this section, the Secretary shall develop a list of signature projects and programs eligible for funding from the Challenge Fund.

''(2) SUBMISSION TO CONGRESS.—The Secretary shall submit to the Committees on Appropriations and Energy and Natural Resources of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives the list developed under paragraph (1).

''(3) UPDATES.—Subject to the notice requirements under paragraph (2), the Secretary may add any signature project or program to the list developed under paragraph (1).

''(e) DONATIONS AND MATCHING FEDERAL FUNDS.—

''(1) QUALIFIED DONATIONS.—The Secretary may transfer any qualified donations to the Challenge Fund.

''(2) MATCHING AMOUNT.—There is authorized to be appropriated to the Challenge Fund for each fiscal year through fiscal year 2020 an amount equal to the amount of qualified donations received for the fiscal year.

''(3) SOLICITATION.—Nothing in this section expands any authority of the Secretary, the Service, or any employee of the Service to receive or solicit donations.

''(f) REPORT TO CONGRESS.—The Secretary shall provide with the submission of the budget of the President to Congress for each fiscal year a report on the status and funding of the signature projects and programs.''.

(2) CLERICAL AMENDMENT.—The table of sections affected for title 54, United States Code (as amended by section 5001(b)), is amended by inserting after the item relating to section 104908 the following:

''§104909. National Park Centennial Challenge Fund.''.

(b) SECOND CENTURY ENDOWMENT FOR THE NATIONAL PARK SYSTEM.—

(1) IN GENERAL.—Subchapter II of chapter 1011 of title 54, United States Code, is amended by adding at the end the following:

''§ 101121. Second Century Endowment for the National Park System

''(a) IN GENERAL.—The National Park Foundation shall establish an endowment, to be known as the 'Second Century Endowment for the National Park System' (referred to in this section as the 'Endowment').

''(b) CAMPAIGN.—To further the mission of the Service, the National Park Foundation may undertake a campaign to fund the Endowment through gifts, devises, or bequests, in accordance with section 101113.

''(c) USE OF PROCEEDS.—

''(1) IN GENERAL.—On request of the Secretary, the National Park Foundation shall expend proceeds from the Endowment in accordance with projects and programs in furtherance of the mission of the Service, as identified by the Secretary.

''(2) MANAGEMENT.—The National Park Foundation shall manage the Endowment in a manner that ensures that annual expenditures as a percentage of the principal are consistent with Internal Revenue Service guidelines for endowments maintained for charitable purposes.

''(d) INVESTMENTS.—The National Park Foundation shall—

''(1) maintain the Endowment in an interest-bearing account; and

''(2) invest Endowment proceeds with the purpose of supporting and enriching the System in perpetuity.

''(e) REPORT.—Each year, the National Park Foundation shall make publicly available information on the amounts deposited into, and expended from, the Endowment.''.

(2) CLERICAL AMENDMENT.—The table of sections affected for title 54, United States Code, is amended by inserting after the item relating to section 101120 the following:

''§101121. Second Century Endowment for the National Park System.''.

(c) NATIONAL PARK SERVICE INTELLECTUAL PROPERTY PROTECTION.—

(1) IN GENERAL.—Chapter 1049 of title 54, United States Code (as amended by subsection (a)(1)), is amended by adding at the end the following:

''§ 104910. Intellectual property

''(a) DEFINITIONS.—In this section:

''(1) SERVICE EMBLEM.—

''(A) IN GENERAL.—The term 'Service emblem' means any word, phrase, insignia, logo, logotype, trademark, service mark, symbol, design, graphic, image, color, badge, uniform, or any combination of emblems used to identify the Service or a component of the System.

''(B) INCLUSIONS.—The term 'Service emblem' includes—

''(i) the Service name;

''(ii) an official System unit name;

''(iii) any other name used to identify a Service component or program; and

''(iv) the Arrowhead symbol.

''(2) SERVICE UNIFORM.—The term 'Service uniform' means any combination of apparel, accessories, or emblems, any distinctive clothing or other items of dress, or a representation of dress—

''(A) that is worn during the performance of official duties; and

''(B) that identifies the wearer as a Service employee.

''(b) PROHIBITED ACTS.—No person shall, without the written permission of the Secretary—

''(1) use any Service emblem or uniform, or any word, term, name, symbol or device or any combination of emblems to suggest any colorable likeness of the Service emblem or Service uniform in connection with goods or services in commerce if the use is likely to cause confusion, or to deceive the public into believing that the emblem or uniform is from or connected with the Service;

''(2) use any Service emblem or Service uniform or any word, term, name, symbol, device, or any combination of emblems or uniforms to suggest any likeness of the Service emblem or Service uniform in connection with goods or services in commerce in a manner reasonably calculated to convey the impression to the public that the goods or services are approved, endorsed, or authorized by the Service;

''(3) use in commerce any word, term, name, symbol, device or any combination of words, terms, names, symbols, or devices to suggest any likeness of the Service emblem or Service uniform in a manner that is reasonably calculated to convey the impression that the wearer of the item of apparel is acting pursuant to the legal authority of the Service; or

''(4) knowingly make any false statement for the purpose of obtaining permission to use any Service emblem or Service uniform.''.

(2) CLERICAL AMENDMENT.—The table of sections affected for title 54, United States Code, is amended by inserting after the item relating to section 104908 (as added by subsection (a)(2)) the following:

''§104910. Intellectual property.''.

(d) NATIONAL PARK SERVICE EDUCATION AND INTERPRETATION.—

(1) IN GENERAL.—Division A of subtitle I of title 54, United States Code, is amended by inserting after chapter 1007 the following:

''CHAPTER 1008—EDUCATION AND INTERPRETATION

''CHAPTER 1008—EDUCATION AND INTERPRETATION

''Sec.

''100801. Definitions.

''100802. Interpretation and education authority.

''100803. Interpretation and education evaluation and quality improvement.

''100804. Improved utilization of partners and volunteers in interpretation and education.

''§ 100801. Definitions

''In this chapter:

''(1) EDUCATION.—The term 'education' means enhancing public awareness, understanding, and appreciation of the resources of the System through learner-centered, place-based materials, programs, and activities that achieve specific learning objectives as identified in a curriculum.

''(2) INTERPRETATION.—The term 'interpretation' means—

''(A) providing opportunities for people to form intellectual and emotional connections to gain awareness, appreciation, and understanding of the resources of the System; and

''(B) the professional career field of Service employees, volunteers, and partners who interpret the resources of the System.

''(3) RELATED AREA.—The term 'related area' means—

''(A) a component of the National Trails System;

''(B) a National Heritage Area; and

''(C) an affiliated area administered in connection with the System.

''§ 100802. Interpretation and education authority

''The Secretary shall ensure that management of System units and related areas is enhanced by the availability and utilization of a broad program of the highest quality interpretation and education.

''§ 100803. Interpretation and education evaluation and quality improvement

''The Secretary may undertake a program of regular evaluation of interpretation and education programs to ensure that the programs—

''(1) adjust to the ways in which people learn and engage with the natural world and shared heritage as embodied in the System;

''(2) reflect different cultural backgrounds, ages, education, gender, abilities, ethnicity, and needs;

''(3) demonstrate innovative approaches to management and appropriately incorporate emerging learning and communications technology; and

''(4) reflect current scientific and academic research, content, methods, and audience analysis.

''§ 100804. Improved utilization of partners and volunteers in interpretation and education

''The Secretary may—

''(1) coordinate with System unit partners and volunteers in the delivery of quality programs and services to supplement the programs and services provided by the Service as part of a Long-Range Interpretive Plan for a System unit;

''(2) support interpretive partners by providing opportunities to participate in interpretive training; and

''(3) collaborate with other Federal and non-Federal public or private agencies, organizations, or institutions for the purposes of developing, promoting, and making available educational opportunities related to resources of the System and programs.''.

(2) CLERICAL AMENDMENT.—The table of chapters for division A of subtitle I of title 54, United States Code, is amended by inserting after the item relating to chapter 1007 the following:

''1008. Education and Interpretation 100801''.

(e) PUBLIC LAND CORPS AMENDMENTS.—

(1) DEFINITIONS.—Section 203(10)(A) of the Public Lands Corps Act of 1993 (16 U.S.C. 1722(10)(A)) is amended by striking ''25'' and inserting ''30''.

(2) PARTICIPANTS.—Section 204(b) of the Public Lands Corps Act of 1993 (16 U.S.C. 1723(b)) is amended in the first sentence by striking ''25'' and inserting ''30''.

(3) HIRING.—Section 207(c)(2) of the Public Lands Corps Act of 1993 (16 U.S.C., 1726(c)(2)) is amended by striking ''120 days'' and inserting ''2 years''.

(f) NATIONAL PARK FOUNDATION.—Subchapter II of chapter 1011 of title 54, United States Code, is amended—

(1) in section 101112—

(A) by striking subsection (a) and inserting the following:

''(a) MEMBERSHIP.—The National Park Foundation shall consist of a Board having as members at least 6 private citizens of the United States appointed by the Secretary, with the Secretary and the Director serving as ex officio members of the Board.''; and

(B) by striking subsection (c) and inserting the following:

''(c) CHAIRMAN.—

''(1) SELECTION.—The Board shall select a Chairman of the Board from among the members of the Board.

''(2) TERM.—The Chairman of the Board shall serve for a 2-year term.''; and

(2) in section 101113(a)—

SEC. 4413. PROGRAM TO REDUCE THE POTENTIAL IMPACTS OF SOLAR ENERGY FACILITIES ON CERTAIN SPECIES.

In carrying out a program of the Department relating to solar energy or the conduct of solar energy projects using funds provided by the Department, the Secretary shall establish a program to undertake research that—

(1) identifies baseline avian populations and mortality; and

(2) quantifies the impacts of solar energy projects on birds, as compared to other threats to birds.

SEC. 4414. WILD HORSES IN AND AROUND THE CURRITUCK NATIONAL WILDLIFE REFUGE.

(a) GENETIC DIVERSITY.—The Secretary of the Interior (referred to in this section as the ''Secretary''), in consultation with the North Carolina Department of Environment and Natural Resources, Currituck County, North Carolina, and the Corolla Wild Horse Fund, shall allow for the introduction of a small number of free-roaming wild horses from the Cape Lookout National Seashore as necessary to ensure the genetic diversity and viability of the wild horse population currently found in and around the Currituck National Wildlife Refuge, consistent with—

(1) the laws (including regulations) applicable to the Currituck National Wildlife Refuge and the Cape Lookout National Seashore; and

(2) the December 2014 Wild Horse Management Agreement approved by the United States Fish and Wildlife Service, the North Carolina Department of Environment and Natural Resources, Currituck County, North Carolina, and the Corolla Wild Horse Fund.

(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary may enter into an agreement with the Corolla Wild Horse Fund to provide for the cost-effective management of the horses in and around the Currituck National Wildlife Refuge while ensuring that natural resources within the Currituck National Wildlife Refuge are not adversely impacted.

(2) REQUIREMENTS.—The agreement entered into under paragraph (1) shall specify that the Corolla Wild Horse Fund shall pay the costs associated with—

(A) coordinating and conducting a periodic census, and inspecting the health, of the horses;

(B) maintaining records of the horses living in the wild and in confinement;

(C) coordinating and conducting the removal and placement of horses and monitoring of any horses removed from the Currituck County Outer Banks; and

(D) administering a viable population control plan for the horses, including auctions, adoptions, contraceptive fertility methods, and other viable options.

Subtitle F—Markets

SEC. 4501. ENHANCED INFORMATION ON CRITICAL ENERGY SUPPLIES.

(a) IN GENERAL.—Section 205 of the Department of Energy Organization Act (42 U.S.C. 7135) is amended by adding at the end the following:

''(n) COLLECTION OF INFORMATION ON CRITICAL ENERGY SUPPLIES.—

''(1) IN GENERAL.—To ensure transparency of information relating to energy infrastructure and product ownership in the United

States and improve the ability to evaluate the energy security of the United States, the Administrator, in consultation with other Federal agencies (as necessary), shall—

''(A) not later than 120 days after the date of enactment of this subsection, develop and provide notice of a plan to collect, in cooperation with the Commodity Futures Trade Commission, information identifying all oil inventories, and other physical oil assets (including all petroleum-based products and the storage of such products in off-shore tankers), that are owned by the 50 largest traders of oil contracts (including derivative contracts), as determined by the Commodity Futures Trade Commission; and

''(B) not later than 90 days after the date on which notice is provided under subparagraph (A), implement the plan described in that subparagraph.

''(2) INFORMATION.—The plan required under paragraph (1) shall include a description of the plan of the Administrator for collecting company-specific data, including—

''(A) volumes of product under ownership; and

''(B) storage and transportation capacity (including owned and leased capacity).

''(3) PROTECTION OF PROPRIETARY INFORMATION.—Section 12(f) of the Federal Energy Administration Act of 1974 (15 U.S.C. 771(f)) shall apply to information collected under this subsection.

''(o) COLLECTION OF INFORMATION ON STORAGE CAPACITY FOR OIL AND NATURAL GAS.—

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of this subsection, the Administrator of the Energy Information Administration shall collect information quantifying the commercial storage capacity for oil and natural gas in the United States.

''(2) UPDATES.—The Administrator shall update annually the information required under paragraph (1).

''(3) PROTECTION OF PROPRIETARY INFORMATION.—Section 12(f) of the Federal Energy Administration Act of 1974 (15 U.S.C. 771(f)) shall apply to information collected under this subsection.

''(p) FINANCIAL MARKET ANALYSIS OFFICE.—

''(1) ESTABLISHMENT.—There shall be within the Energy Information Administration a Financial Market Analysis Office.

''(2) DUTIES.—The Office shall—

''(A) be responsible for analysis of the financial aspects of energy markets;

''(B) review the reports required by section 4503(c) of the Energy Policy Modernization Act of 2016 in advance of the submission of the reports to Congress; and

''(C) not later than 1 year after the date of enactment of this subsection—

''(i) make recommendations to the Administrator of the Energy Information Administration that identify and quantify any additional resources that are required to improve the ability of the Energy Information Administration to more fully integrate financial market information into the analyses and forecasts of the Energy Information Administration, including the role of energy futures contracts, energy commodity swaps, and derivatives in price formation for oil;

''(ii) conduct a review of implications of policy changes (including changes in export or import policies) and changes in how crude oil and refined petroleum products are transported with respect to price formation of crude oil and refined petroleum products; and

''(iii) notify the Committee on Energy and Natural Resources, and the Committee on Appropriations, of the Senate and the Committee on Energy and Commerce, and the Committee on Appropriations, of the House of Representatives of the recommendations described in clause (i).

''(3) ANALYSES.—The Administrator of the Energy Information Administration shall take analyses by the Office into account in conducting analyses and forecasting of energy prices.''.

(b) CONFORMING AMENDMENT.—Section 645 of the Department of Energy Organization Act (42 U.S.C. 7255) is amended by inserting ''(15 U.S.C. 3301 et seq.) and the Natural Gas Act (15 U.S.C. 717 et seq.)'' after ''Natural Gas Policy Act of 1978''.

SEC. 4502. WORKING GROUP ON ENERGY MARKETS.

(a) ESTABLISHMENT.—There is established a Working Group on Energy Markets (referred to in this section as the ''Working Group'').

(b) COMPOSITION.—The Working Group shall be composed of—

(1) the Secretary;

(2) the Secretary of the Treasury;

(3) the Chairman of the Federal Energy Regulatory Commission;

(4) the Chairman of Federal Trade Commission;

(5) the Chairman of the Securities and Exchange Commission;

(6) the Chairman of the Commodity Futures Trading Commission; and

(7) the Administrator of the Energy Information Administration.

(c) CHAIRPERSON.—The Secretary shall serve as the Chairperson of the Working Group.

(d) COMPENSATION.—A member of the Working Group shall serve without additional compensation for the work of the member of the Working Group.

(e) PURPOSE AND FUNCTION.—The Working Group shall—

(1) investigate the effect of increased financial investment in energy commodities on energy prices and the energy security of the United States;

(2) recommend to the President and Congress laws (including regulations) that may be needed to prevent excessive speculation in energy commodity markets in order to prevent or minimize the adverse impact of excessive speculation on energy prices on consumers and the economy of the United States; and

(3) review energy security implications of developments in international energy markets.

(f) ADMINISTRATION.—The Secretary shall provide the Working Group with such administrative and support services as may be necessary for the performance of the functions of the Working Group.

(g) COOPERATION OF OTHER AGENCIES.—The heads of Executive departments, agencies, and independent instrumentalities shall, to the extent permitted by law, provide the Working Group with such information as the Working Group requires to carry out this section.

(h) CONSULTATION.—The Working Group shall consult, as appropriate, with representatives of the various exchanges, clearinghouses, self-regulatory bodies, other major market participants, consumers, and the general public.

SEC. 4503. STUDY OF REGULATORY FRAMEWORK FOR ENERGY MARKETS.

(a) STUDY.—The Working Group shall conduct a study—

(1) to identify the factors that affect the pricing of crude oil and refined petroleum products, including an examination of the effects of market speculation on prices; and

(2) to review and assess—

(A) existing statutory authorities relating to the oversight and regulation of markets critical to the energy security of the United States; and

(B) the need for additional statutory authority for the Federal Government to effectively oversee and regulate markets critical to the energy security of the United States.

(b) ELEMENTS OF STUDY.—The study shall include—

(1) an examination of price formation of crude oil and refined petroleum products;

(2) an examination of relevant international regulatory regimes; and

(3) an examination of the degree to which changes in energy market transparency, liquidity, and structure have influenced or driven abuse, manipulation, excessive speculation, or inefficient price formation.

(c) REPORT AND RECOMMENDATIONS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives quarterly progress reports during the conduct of the study under this section, and a final report not later than 1 year after the date of enactment of this Act, that—

(1) describes the results of the study; and

(2) provides options and the recommendations of the Working Group for appropriate Federal coordination of oversight and regulatory actions to ensure transparency of crude oil and refined petroleum product pricing and the elimination of excessive speculation, including recommendations on data collection and analysis to be carried out by the Financial Market Analysis Office established by section 205(p) of the Department of Energy Organization Act (42 U.S.C. 7135(p)).

Subtitle G—Affordability

SEC. 4601. E-PRIZE COMPETITION PILOT PROGRAM.

Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) is amended by adding at the end the following:

''(g) E-PRIZE COMPETITION PILOT PROGRAM.—

''(1) DEFINITIONS.—In this section:

''(A) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(i) a private sector for-profit or nonprofit entity;

''(ii) a public-private partnership; or

''(iii) a local, municipal, or tribal governmental entity.

''(B) HIGH-COST REGION.—The term 'high-cost region' means a region in which the average annual unsubsidized costs of electrical power retail rates or household space heating costs per square foot exceed 150 percent of the national average, as determined by the Secretary.

''(2) E-PRIZE COMPETITION PILOT PROGRAM.—

''(A) IN GENERAL.—The Secretary shall establish an e-prize competition or challenge pilot program to broadly implement sustainable community and regional energy solutions that seek to reduce energy costs through increased efficiency, conservation, and technology innovation in high-cost regions.

''(B) SELECTION.—In carrying out the pilot program under subparagraph (A), the Secretary shall award a prize purse, in amounts to be determined by the Secretary, to each eligible entity selected through 1 or more of the following competitions or challenges:

''(i) A point solution competition that rewards and spurs the development of solutions for a particular, well-defined problem.

''(ii) An exposition competition that helps identify and promote a broad range of ideas and practices that may not otherwise attract attention, facilitating further development of the idea or practice by third parties.

''(iii) A participation competition that creates value during and after the competition by encouraging contestants to change their behavior or develop new skills that may have beneficial effects during and after the competition.

''(iv) Such other types of prizes or challenges as the Secretary, in consultation with

relevant heads of Federal agencies, considers appropriate to stimulate innovation that has the potential to advance the mission of the applicable Federal agency.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $10,000,000, to remain available until expended.''.

SEC. 4602. CARBON DIOXIDE CAPTURE TECHNOLOGY PRIZE.

Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) (as amended by section 4601) is amended by adding at the end the following:

''(h) CARBON DIOXIDE CAPTURE TECHNOLOGY PRIZE.—

''(1) DEFINITIONS.—In this subsection:

''(A) BOARD.—The term 'Board' means the Carbon Dioxide Capture Technology Advisory Board established by paragraph (6).

''(B) DILUTE.—The term 'dilute' means a concentration of less than 1 percent by volume.

''(C) INTELLECTUAL PROPERTY.—The term 'intellectual property' means—

''(i) an invention that is patentable under title 35, United States Code; and

''(ii) any patent on an invention described in clause (i).

''(D) SECRETARY.—The term 'Secretary' means the Secretary of Energy or designee, in consultation with the Board.

''(2) AUTHORITY.—Not later than 1 year after the date of enactment of this subsection, as part of the program carried out under this section, the Secretary shall establish and award competitive technology financial awards for carbon dioxide capture from media in which the concentration of carbon dioxide is dilute.

''(3) DUTIES.—In carrying out this subsection, the Secretary shall—

''(A) subject to paragraph (4), develop specific requirements for—

''(i) the competition process;

''(ii) minimum performance standards for qualifying projects; and

''(iii) monitoring and verification procedures for approved projects;

''(B) establish minimum levels for the capture of carbon dioxide from a dilute medium that are required to be achieved to qualify for a financial award described in subparagraph (C);

''(C) offer financial awards for—

''(i) a design for a promising capture technology;

''(ii) a successful bench-scale demonstration of a capture technology;

''(iii) a design for a technology described in clause (i) that will—

''(I) be operated on a demonstration scale; and

''(II) achieve significant reduction in the level of carbon dioxide; and

''(iv) an operational capture technology on a commercial scale that meets the minimum levels described in subparagraph (B); and

''(D) submit to Congress—

''(i) an annual report that describes the progress made by the Board and recipients of financial awards under this subsection in achieving the demonstration goals established under subparagraph (C); and

''(ii) not later than 1 year after the date of enactment of this subsection, a report on the adequacy of authorized funding levels in this subsection.

''(4) PUBLIC PARTICIPATION.—In carrying out paragraph (3)(A), the Board shall—

''(A) provide notice of and, for a period of at least 60 days, an opportunity for public comment on, any draft or proposed version of the requirements described in paragraph (3)(A); and

''(B) take into account public comments received in developing the final version of those requirements.

''(5) PEER REVIEW.—No financial awards may be provided under this subsection until the proposal for which the award is sought has been peer reviewed in accordance with such standards for peer review as are established by the Secretary.

''(6) CARBON DIOXIDE CAPTURE TECHNOLOGY ADVISORY BOARD.—

''(A) ESTABLISHMENT.—There is established an advisory board to be known as the 'Carbon Dioxide Capture Technology Advisory Board'.

''(B) COMPOSITION.—The Board shall be composed of 9 members appointed by the President, who shall provide expertise in—

''(i) climate science;

''(ii) physics;

''(iii) chemistry;

''(iv) biology;

''(v) engineering;

''(vi) economics;

''(vii) business management; and

''(viii) such other disciplines as the Secretary determines to be necessary to achieve the purposes of this subsection.

''(C) TERM; VACANCIES.—

''(i) TERM.—A member of the Board shall serve for a term of 6 years.

''(ii) VACANCIES.—A vacancy on the Board—

''(I) shall not affect the powers of the Board; and

''(II) shall be filled in the same manner as the original appointment was made.

''(D) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

''(E) MEETINGS.—The Board shall meet at the call of the Chairperson.

''(F) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold hearings.

''(G) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and Vice Chairperson from among the members of the Board.

''(H) COMPENSATION.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule for each day during which the member is engaged in the actual performance of the duties of the Board.

''(I) DUTIES.—The Board shall advise the Secretary on carrying out the duties of the Secretary under this subsection.

''(7) INTELLECTUAL PROPERTY.—

''(A) IN GENERAL.—As a condition of receiving a financial award under this subsection, an applicant shall agree to vest the intellectual property of the applicant derived from the technology in 1 or more entities that are incorporated in the United States.

''(B) RESERVATION OF LICENSE.—The United States—

''(i) may reserve a nonexclusive, nontransferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States, in connection with any intellectual property described in subparagraph (A); but

''(ii) shall not, in the exercise of a license reserved under clause (i), publicly disclose proprietary information relating to the license.

''(C) TRANSFER OF TITLE.—Title to any intellectual property described in subparagraph (A) shall not be transferred or passed, except to an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

''(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $50,000,000, to remain available until expended.

''(9) TERMINATION OF AUTHORITY.—The Board and all authority provided under this subsection shall terminate on December 31, 2026.''.

Subtitle H—Code Maintenance

SEC. 4701. REPEAL OF OFF-HIGHWAY MOTOR VEHICLES STUDY.

(a) REPEAL.—Part I of title III of the Energy Policy and Conservation Act (42 U.S.C. 6373) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy and Conservation Act (Public Law 94–163; 89 Stat. 871) is amended—

(1) by striking the item relating to part I of title III; and

(2) by striking the item relating to section 385.

SEC. 4702. REPEAL OF METHANOL STUDY.

Section 400EE of the Energy Policy and Conservation Act (42 U.S.C. 6374d) is amended—

(1) by striking subsection (a); and

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

SEC. 4703. REPEAL OF AUTHORIZATION OF APPROPRIATIONS PROVISION.

(a) REPEAL.—Section 208 of the Energy Conservation and Production Act (42 U.S.C. 6808) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Conservation and Production Act (Public Law 94–385; 90 Stat. 1126) is amended by striking the item relating to section 208.

SEC. 4704. REPEAL OF RESIDENTIAL ENERGY EFFICIENCY STANDARDS STUDY.

(a) REPEAL.—Section 253 of the National Energy Conservation Policy Act (42 U.S.C. 8232) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended by striking the item relating to section 253.

SEC. 4705. REPEAL OF WEATHERIZATION STUDY.

(a) REPEAL.—Section 254 of the National Energy Conservation Policy Act (42 U.S.C. 8233) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended by striking the item relating to section 254.

SEC. 4706. REPEAL OF REPORT TO CONGRESS.

(a) REPEAL.—Section 273 of the National Energy Conservation Policy Act (42 U.S.C. 8236b) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended by striking the item relating to section 273.

SEC. 4707. REPEAL OF REPORT BY GENERAL SERVICES ADMINISTRATION.

(a) REPEAL.—Section 154 of the Energy Policy Act of 1992 (42 U.S.C. 8262a) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 154.

(2) Section 159 of the Energy Policy Act of 1992 (42 U.S.C. 8262e) is amended by striking subsection (c).

SEC. 4708. REPEAL OF INTERGOVERNMENTAL ENERGY MANAGEMENT PLANNING AND COORDINATION WORKSHOPS.

(a) REPEAL.—Section 156 of the Energy Policy Act of 1992 (42 U.S.C. 8262b) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 156.

SEC. 4709. REPEAL OF INSPECTOR GENERAL AUDIT SURVEY AND PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY REPORT TO CONGRESS.

(a) REPEAL.—Section 160 of the Energy Policy Act of 1992 (42 U.S.C. 8262f) is amended by striking the section designation and heading and all that follows through ''(c) INSPECTOR GENERAL REVIEW.—Each Inspector General'' and inserting the following:

''SEC. 160. INSPECTOR GENERAL REVIEW.

''Each Inspector General''.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 160 and inserting the following:

''Sec. 160. Inspector General review. ''.

SEC. 4710. REPEAL OF PROCUREMENT AND IDENTIFICATION OF ENERGY EFFICIENT PRODUCTS PROGRAM.

(a) REPEAL.—Section 161 of the Energy Policy Act of 1992 (42 U.S.C. 8262g) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 161.

SEC. 4711. REPEAL OF NATIONAL ACTION PLAN FOR DEMAND RESPONSE.

(a) REPEAL.—Part 5 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8279 et seq.) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206; 121 Stat. 1665) is amended—

(1) by striking the item relating to part 5 of title V; and

(2) by striking the item relating to section 571.

SEC. 4712. REPEAL OF NATIONAL COAL POLICY STUDY.

(a) REPEAL.—Section 741 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8451) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 741.

SEC. 4713. REPEAL OF STUDY ON COMPLIANCE PROBLEM OF SMALL ELECTRIC UTILITY SYSTEMS.

(a) REPEAL.—Section 744 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8454) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 744.

SEC. 4714. REPEAL OF STUDY OF SOCIO-ECONOMIC IMPACTS OF INCREASED COAL PRODUCTION AND OTHER ENERGY DEVELOPMENT.

(a) REPEAL.—Section 746 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8456) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 746.

SEC. 4715. REPEAL OF STUDY OF THE USE OF PETROLEUM AND NATURAL GAS IN COMBUSTORS.

(a) REPEAL.—Section 747 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8457) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 747.

SEC. 4716. REPEAL OF SUBMISSION OF REPORTS.

(a) REPEAL.—Section 807 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8483) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 807.

SEC. 4717. REPEAL OF ELECTRIC UTILITY CONSERVATION PLAN.

(a) REPEAL.—Section 808 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8484) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 808.

(2) REPORT ON IMPLEMENTATION.—Section 712 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8422) is amended—

(A) by striking ''(a) GENERALLY.—''; and

(B) by striking subsection (b).

SEC. 4718. EMERGENCY ENERGY CONSERVATION REPEALS.

(a) REPEALS.—

(1) Section 201 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8501) is amended—

(A) in the section heading, by striking ''**FINDINGS AND**''; and

(B) by striking subsection (a).

(2) Section 221 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8521) is repealed.

(3) Section 222 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8522) is repealed.

(4) 241 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8531) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Emergency Energy Conservation Act of 1979 (Public Law 96–102; 93 Stat. 749) is amended—

(1) by striking the item relating to section 201 and inserting the following:

''Sec. 201. Purposes.''; and

(2) by striking the items relating to sections 221, 222, and 241.

SEC. 4719. ENERGY SECURITY ACT REPEALS.

(a) BIOMASS ENERGY DEVELOPMENT PLANS.—Subtitle A of title II of the Energy Security Act (42 U.S.C. 8811 et seq.) is repealed.

(b) MUNICIPAL WASTE BIOMASS ENERGY.—Subtitle B of title II of the Energy Security Act (42 U.S.C. 8831 et seq.) is repealed.

(c) USE OF GASOHOL IN FEDERAL MOTOR VEHICLES.—Section 271 of the Energy Security Act (42 U.S.C. 8871) is repealed.

(d) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Security Act (Public Law 96–294; 94 Stat. 611) is amended—

(A) by striking the items relating to subtitle A and B of title II;

(B) by striking the item relating to section 204 and inserting the following:

''Sec. 204. Funding. ..... ''; and

(C) by striking the item relating to section 271.

(2) Section 203 of the Biomass Energy and Alcohol Fuels Act of 1980 (42 U.S.C. 8802) is amended—

(A) by striking paragraph (16); and

(B) by redesignating paragraphs (17) through (19) as paragraphs (16) through (18), respectively.

(3) Section 204 of the Energy Security Act (42 U.S.C. 8803) is amended—

(A) in the section heading, by striking ''FOR SUBTITLES A AND B''; and

(B) in subsection (a)—

(i) in paragraph (1), by adding ''and'' after the semicolon at the end;

(ii) in paragraph (2), by striking ''; and'' at the end and inserting a period; and

(iii) by striking paragraph (3).

SEC. 4720. NUCLEAR SAFETY RESEARCH, DEVELOPMENT, AND DEMONSTRATION ACT OF 1980 REPEALS.

Sections 5 and 6 of the Nuclear Safety Research, Development, and Demonstration Act of 1980 (42 U.S.C. 9704, 9705) are repealed.

SEC. 4721. ELIMINATION AND CONSOLIDATION OF CERTAIN AMERICA COMPETES PROGRAMS.

(a) ELIMINATION OF PROGRAM AUTHORITIES.—

(1) NUCLEAR SCIENCE TALENT EXPANSION PROGRAM FOR INSTITUTIONS OF HIGHER EDUCATION.—Section 5004 of the America COMPETES Act (42 U.S.C. 16532) is repealed.

(2) HYDROCARBON SYSTEMS SCIENCE TALENT EXPANSION PROGRAM FOR INSTITUTIONS OF HIGHER EDUCATION.—

(A) IN GENERAL.—Section 5005(e) of the America COMPETES Act (42 U.S.C. 16533(e)) is repealed.

(B) CONFORMING AMENDMENTS.—Section 5005(f) of the America COMPETES Act (42 U.S.C. 16533(f)) is amended—

(i) by striking paragraph (2);

(ii) by striking the subsection designation and heading and all that follows through ''There are'' in paragraph (1) and inserting the following:

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are''; and

(iii) by redesignating subparagraphs (A) through (F) as paragraphs (1) through (6), respectively, and indenting appropriately.

(3) DISCOVERY SCIENCE AND ENGINEERING INNOVATION INSTITUTES.—Section 5008 of the America COMPETES Act (42 U.S.C. 16535) is repealed.

(4) ELIMINATION OF DUPLICATIVE AUTHORITY FOR EDUCATION PROGRAMS.—Sections 3181 and 3185 of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381l, 42 U.S.C. 7381n) are repealed.

(5) MENTORING PROGRAM.—Section 3195 of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381r) is repealed.

(b) REPEAL OF AUTHORIZATIONS.—

(1) DEPARTMENT OF ENERGY EARLY CAREER AWARDS FOR SCIENCE, ENGINEERING, AND MATHEMATICS RESEARCHERS.—Section 5006 of the America COMPETES Act (42 U.S.C. 16534) is amended by striking subsection (h).

(2) DISTINGUISHED SCIENTIST PROGRAM.—Section 5011 of the America COMPETES Act (42 U.S.C. 16537) is amended by striking subsection (j).

(3) PROTECTING AMERICA'S COMPETITIVE EDGE (PACE) GRADUATE FELLOWSHIP PROGRAM.—Section 5009 of the America COMPETES Act (42 U.S.C. 16536) is amended by striking subsection (f).

(c) CONSOLIDATION OF DUPLICATIVE PROGRAM AUTHORITIES.—

(1) UNIVERSITY NUCLEAR SCIENCE AND ENGINEERING SUPPORT.—Section 954 of the Energy Policy Act of 2005 (42 U.S.C. 16274) is amended—

(A) in subsection (a), by inserting ''nuclear chemistry,'' after ''nuclear engineering,''; and

(B) in subsection (b)—

(i) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(ii) by inserting after paragraph (2) the following:

''(3) award grants, not to exceed 5 years in duration, to institutions of higher education with existing academic degree programs in nuclear sciences and related fields—

''(A) to increase the number of graduates in nuclear science and related fields;

''(B) to enhance the teaching and research of advanced nuclear technologies;

''(C) to undertake collaboration with industry and National Laboratories; and

''(D) to bolster or sustain nuclear infrastructure and research facilities of institutions of higher education, such as research and training reactors and laboratories;''.

(2) CONSOLIDATION OF DEPARTMENT OF ENERGY EARLY CAREER AWARDS FOR SCIENCE, ENGINEERING, AND MATHEMATICS RESEARCHERS PROGRAM AND DISTINGUISHED SCIENTIST PROGRAM.—

(A) FUNDING.—Section 971(c) of the Energy Policy Act of 2005 (42 U.S.C. 16311(c)) is amended by adding at the end the following:

''(8) For the Department of Energy early career awards for science, engineering, and mathematics researchers program under section 5006 of the America COMPETES Act (42 U.S.C. 16534) and the distinguished scientist program under section 5011 of that Act (42 U.S.C. 16537), $150,000,000 for each of fiscal years 2016 through 2020, of which not more than 65 percent of the amount made available for a fiscal year under this paragraph may be used to carry out section 5006 or 5011 of that Act.''.

(B) DEPARTMENT OF ENERGY EARLY CAREER AWARDS FOR SCIENCE, ENGINEERING, AND MATHEMATICS RESEARCHERS.—Section 5006 of the America COMPETES Act (42 U.S.C. 16534) is amended—

(i) in subsection (b)(1)—

(I) in the matter preceding subparagraph (A)—

(aa) by inserting ''average'' before ''amount''; and

(bb) by inserting ''for each year'' before ''shall'';

(II) in subparagraph (A), by striking ''$80,000'' and inserting ''$190,000''; and

(III) in subparagraph (B), by striking ''$125,000'' and inserting ''$490,000'';

(ii) in subsection (c)(1)(C)—

(I) in clause (i)—

(aa) by striking ''assistant professor or equivalent title'' and inserting ''untenured assistant or associate professor''; and

(bb) by inserting ''or'' after the semicolon at the end;

(II) by striking clause (ii); and

(III) by redesignating clause (iii) as clause (ii);

(iii) in subsection (d), by striking ''on a competitive, merit-reviewed basis'' and inserting ''through a competitive process using merit-based peer review.'';

(iv) in subsection (e)—

(I) by striking ''(e)'' and all that follows through ''To be eligible'' and inserting the following:

''(e) SELECTION PROCESS AND CRITERIA.—To be eligible''; and

(II) by striking paragraph (2); and

(v) in subsection (f)(1), by striking ''nonprofit, nondegree-granting research organizations'' and inserting ''National Laboratories''.

(3) SCIENCE EDUCATION PROGRAMS.—Section 3164 of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381a) is amended—

(A) in subsection (b)—

(i) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—The Director of the Office of Science (referred to in this subsection as the 'Director') shall provide for appropriate coordination of science, technology, engineering, and mathematics education programs across all functions of the Department.

''(2) ADMINISTRATION.—In carrying out paragraph (1), the Director shall—

''(A) consult with—

''(i) the Assistant Secretary of Energy with responsibility for energy efficiency and renewable energy programs; and

''(ii) the Deputy Administrator for Defense Programs of the National Nuclear Security Administration; and

''(B) seek to increase the participation and advancement of women and underrepresented minorities at every level of science, technology, engineering, and mathematics education.''; and

(ii) in paragraph (3)—

(I) in subparagraph (D), by striking ''and'' at the end;

(II) by redesignating subparagraph (E) as subparagraph (F); and

(III) by inserting after subparagraph (D) the following:

''(E) represent the Department as the principal interagency liaison for all coordination activities under the President for science, technology, engineering, and mathematics education programs; and''; and

(B) in subsection (d)—

(i) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(ii) by adding at the end the following:

''(2) REPORT.—Not later than 180 days after the date of enactment of this subparagraph, the Director shall submit a report describing the impact of the activities assisted with the Fund established under paragraph (1) to—

''(A) the Committee on Science, Space, and Technology of the House of Representatives; and

''(B) the Committee on Energy and Natural Resources of the Senate.''.

(4) PROTECTING AMERICA'S COMPETITIVE EDGE (PACE) GRADUATE FELLOWSHIP PROGRAM.—Section 5009 of the America COMPETES Act (42 U.S.C. 16536) is amended—

(A) in subsection (c)—

(i) in paragraph (1) by striking '', involving'' and all that follows through ''Secretary''; and

(ii) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) to demonstrate excellent academic performance and understanding of scientific or technical subjects; and'';

(B) in subsection (d)(1)(B)(i), by inserting ''full or partial'' before ''graduate tuition''; and

(C) in subsection (e), in the matter preceding paragraph (1), by striking ''Director of Science, Engineering, and Mathematics Education'' and inserting ''Director of the Office of Science.''.

(d) CONFORMING AMENDMENTS.—The table of contents for the America COMPETES ACT (Public Law 110–69; 121 Stat. 573) is amended by striking the items relating to sections 5004 and 5008.

SEC. 4722. REPEAL OF STATE UTILITY REGULATORY ASSISTANCE.

(a) REPEAL.—Section 207 of the Energy Conservation and Production Act (42 U.S.C. 6807) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Conservation and Production Act (Public Law 94–385; 90 Stat. 1126) is amended by striking the item relating to section 207.

SEC. 4723. REPEAL OF SURVEY OF ENERGY SAVING POTENTIAL.

(a) REPEAL.—Section 550 of the National Energy Conservation Policy Act (42 U.S.C. 8258b) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206; 106 Stat. 2851) is amended by striking the item relating to section 550.

(2) Section 543(d)(2) of the National Energy Conservation Policy Act (42 U.S.C. 8253(d)(2)) is amended by striking '', incorporating any relevant information obtained from the survey conducted pursuant to section 550''.

SEC. 4724. REPEAL OF PHOTOVOLTAIC ENERGY PROGRAM.

(a) REPEAL.—Part 4 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8271 et seq.) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended—

(1) by striking the item relating to part 4 of title V; and

(2) by striking the items relating to sections 561 through 569.

SEC. 4725. REPEAL OF ENERGY AUDITOR TRAINING AND CERTIFICATION.

(a) REPEAL.—Subtitle F of title V of the Energy Security Act (42 U.S.C. 8285 et seq.) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Security Act (Public Law 96–294; 94 Stat. 611) is amended by striking the items relating to subtitle F of title V.

SEC. 4726. REPEAL OF AUTHORIZATION OF APPROPRIATIONS.

(a) REPEAL.—Subtitle F of title VII of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8461) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to subtitle F of title VII.

SEC. 4727. REPEAL OF RENEWABLE ENERGY AND ENERGY EFFICIENCY TECHNOLOGY COMPETITIVENESS ACT OF 1989.

(a) REPEAL.—The Renewable Energy and Energy Efficiency Technology Competitiveness Act of 1989 (42 U.S.C. 12001 et seq.) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 6(b)(3) of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5905(b)(3)) is amended—

(A) in subparagraph (Q), by adding ''and'' after the semicolon;

(B) by striking subparagraph (R); and

(C) by redesignating subparagraph (S) as subparagraph (R).

(2) Section 1204 of the Energy Policy Act of 1992 (42 U.S.C. 13313) is amended—

(A) in subsection (b), in the matter preceding paragraph (1), in the first sentence, by striking '', in consultation with'' and all that follows through ''under section 6 of the Renewable Energy and Energy Efficiency Technology Competitiveness Act of 1989,''; and

(B) in subsection (c), by striking '', in consultation with the Advisory Committee,''.

SEC. 4728. REPEAL OF HYDROGEN RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.

The Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990 (42 U.S.C. 12401 et seq.) is repealed.

SEC. 4729. REPEAL OF STUDY ON ALTERNATIVE FUEL USE IN NONROAD VEHICLES AND ENGINES.

(a) IN GENERAL.—Section 412 of the Energy Policy Act of 1992 (42 U.S.C. 13238) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 412.

SEC. 4730. REPEAL OF LOW INTEREST LOAN PROGRAM FOR SMALL BUSINESS FLEET PURCHASES.

(a) IN GENERAL.—Section 414 of the Energy Policy Act of 1992 (42 U.S.C. 13239) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 414.

SEC. 4731. REPEAL OF TECHNICAL AND POLICY ANALYSIS FOR REPLACEMENT FUEL DEMAND AND SUPPLY INFORMATION.

(a) IN GENERAL.—Section 506 of the Energy Policy Act of 1992 (42 U.S.C. 13256) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 506.

(2) Section 507(m) of the Energy Policy Act of 1992 (42 U.S.C. 13257(m)) is amended by striking ''and section 506''.

SEC. 4732. REPEAL OF 1992 REPORT ON CLIMATE CHANGE.

(a) IN GENERAL.—Section 1601 of the Energy Policy Act of 1992 (42 U.S.C. 13381) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 1601.

(2) Section 1602(a) of the Energy Policy Act of 1992 (42 U.S.C. 13382(a)) is amended, in the matter preceding paragraph (1), in the third sentence, by striking ''the report required under section 1601 and''.

SEC. 4733. REPEAL OF DIRECTOR OF CLIMATE PROTECTOR ESTABLISHMENT.

(a) IN GENERAL.—Section 1603 of the Energy Policy Act of 1992 (42 U.S.C. 13383) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 1603.

SEC. 4734. REPEAL OF 1994 REPORT ON GLOBAL CLIMATE CHANGE EMISSIONS.

(a) IN GENERAL.—Section 1604 of the Energy Policy Act of 1992 (42 U.S.C. 13384) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 1604.

SEC. 4735. REPEAL OF TELECOMMUTING STUDY.

(a) IN GENERAL.—Section 2028 of the Energy Policy Act of 1992 (42 U.S.C. 13438) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 2028.

SEC. 4736. REPEAL OF ADVANCED BUILDINGS FOR 2005 PROGRAM.

(a) IN GENERAL.—Section 2104 of the Energy Policy Act of 1992 (42 U.S.C. 13454) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 2104.

(2) Section 2101(a) of the Energy Policy Act of 1992 (42 U.S.C. 13451(a)) is amended, in the third sentence, by striking ''2104,''.

SEC. 4737. REPEAL OF ENERGY RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION ADVISORY BOARD.

(a) IN GENERAL.—Section 2302 of the Energy Policy Act of 1992 (42 U.S.C. 13522) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 2302.

(2) Section 6 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5905) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), in the first sentence, by striking '', in consultation with the Advisory Board established under section 2302 of the Energy Policy Act of 1992,'';

(B) in subsection (b)—

(i) in paragraph (1), in the first sentence, by striking '', in consultation with the Advisory Board established under section 2302 of the Energy Policy Act of 1992,''; and

(ii) in paragraph (2), in the second sentence, by striking '', in consultation with the Advisory Board established under section 2302 of the Energy Policy Act of 1992,''; and

(C) in subsection (c), in the first sentence, by striking '', in consultation with the Advisory Board established under section 2302 of the Energy Policy Act of 1992,''.

(3) Section 2011(c) of the Energy Policy Act of 1992 (42 U.S.C. 13411(c)) is amended, in the second sentence, by striking '', and with the Advisory Board established under section 2302''.

(4) Section 2304 of the Energy Policy Act of 1992 (42 U.S.C. 13523), is amended—

(A) in subsection (a), by striking '', in consultation with the Advisory Board established under section 2302,''; and

(B) in subsection (c), in the matter preceding paragraph (1), in the first sentence, by striking '', with the advice of the Advisory Board established under section 2302 of this Act,''.

SEC. 4738. REPEAL OF STUDY ON USE OF ENERGY FUTURES FOR FUEL PURCHASE.

(a) IN GENERAL.—Section 3014 of the Energy Policy Act of 1992 (42 U.S.C. 13552) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 3014.

SEC. 4739. REPEAL OF ENERGY SUBSIDY STUDY.

(a) IN GENERAL.—Section 3015 of the Energy Policy Act of 1992 (42 U.S.C. 13553) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 3015.

SEC. 4740. MODERNIZATION OF TERMS RELATING TO MINORITIES.

(a) OFFICE OF MINORITY ECONOMIC IMPACT.—Section 211(f)(1) of the Department of Energy Organization Act (42 U.S.C. 7141(f)(1)) is amended by striking ''a Negro, Puerto Rican, American Indian, Eskimo, Oriental, or Aleut or is a Spanish speaking individual of Spanish descent'' and inserting ''Asian American, Native Hawaiian, a Pacific Islander, African-American, Hispanic, Puerto Rican, Native American, or an Alaska Native''.

(b) MINORITY BUSINESS ENTERPRISES.—Section 106(f)(2) of the Local Public Works Capital Development and Investment Act of 1976 (42 U.S.C. 6705(f)(2)) is amended in the third sentence by striking ''Negroes, Spanish-speaking, Orientals, Indians, Eskimos, and Aleuts'' and inserting ''Asian American, Native Hawaiian, Pacific Islanders, African-American, Hispanic, Native American, or Alaska Natives''.

TITLE V—CONSERVATION REAUTHORIZATION

SEC. 5001. NATIONAL PARK SERVICE MAINTENANCE AND REVITALIZATION CONSERVATION FUND.

(a) IN GENERAL.—Chapter 1049 of title 54, United States Code, is amended by adding at the end the following:

''§ 104908. National Park Service Maintenance and Revitalization Conservation Fund

''(a) IN GENERAL.—There is established in the Treasury a fund, to be known as the 'National Park Service Critical Maintenance and Revitalization Conservation Fund' (referred to in this section as the 'Fund').

''(b) DEPOSITS TO FUND.—Notwithstanding any provision of law providing that the proceeds shall be credited to miscellaneous receipts of the Treasury, for each fiscal year, there shall be deposited in the Fund, from revenues due and payable to the United States under section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) $150,000,000.

''(c) USE AND AVAILABILITY.—

''(1) IN GENERAL.—Amounts deposited in the Fund shall—

''(A) be used only for the purposes described in subsection (d); and

''(B) be available for expenditure only after the amounts are appropriated for those purposes.

''(2) AVAILABILITY.—Any amounts in the Fund not appropriated shall remain available in the Fund until appropriated.

''(3) NO LIMITATION.—Appropriations from the Fund pursuant to this section may be made without fiscal year limitation.

''(d) NATIONAL PARK SYSTEM CRITICAL DEFERRED MAINTENANCE.—The Secretary shall use amounts appropriated from the Fund for high-priority deferred maintenance needs of the Service that support critical infrastructure and visitor services.

''(e) LAND ACQUISITION PROHIBITION.—Amounts in the Fund shall not be used for land acquisition.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1049 of title 54, United States Code, is amended by inserting after the item relating to section 104907 the following:

''§104908. National Park Service Maintenance and Revitalization Conservation Fund.''.

SEC. 5002. LAND AND WATER CONSERVATION FUND.

(a) REAUTHORIZATION.—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''During the period ending September 30, 2018, there'' and inserting ''There''; and

(2) in subsection (c)(1), by striking ''through September 30, 2018''.

(b) ALLOCATION OF FUNDS.—Section 200304 of title 54, United States Code, is amended—

(1) by striking ''There'' and inserting ''(a) In General.—There''; and

(2) by striking the second sentence and inserting the following:

''(b) ALLOCATION.—Of the appropriations from the Fund—

''(1) not less than 40 percent shall be used collectively for Federal purposes under section 200306;

''(2) not less than 40 percent shall be used collectively—

''(A) to provide financial assistance to States under section 200305;

''(B) for the Forest Legacy Program established under section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c);

''(C) for cooperative endangered species grants authorized under section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535); and

''(D) for the American Battlefield Protection Program established under chapter 3081; and

''(3) not less than 1.5 percent or $10,000,000, whichever is greater, shall be used for projects that secure recreational public access to Federal public land for hunting, fishing, or other recreational purposes.''.

(c) CONSERVATION EASEMENTS.—Section 200306 of title 54, United States Code, is amended by adding at the end the following:

''(c) CONSERVATION EASEMENTS.—The Secretary and the Secretary of Agriculture shall consider the acquisition of conservation easements and other similar interests in land where appropriate and feasible.''.

(d) ACQUISITION CONSIDERATIONS.—Section 200306 of title 54, United States Code (as amended by subsection (c)), is amended by adding at the end the following:

''(d) ACQUISITION CONSIDERATIONS.—The Secretary and the Secretary of Agriculture shall take into account the following in determining the land or interests in land to acquire:

''(1) Management efficiencies.

''(2) Management cost savings.

''(3) Geographic distribution.

''(4) Significance of the acquisition.

''(5) Urgency of the acquisition.

''(6) Threats to the integrity of the land to be acquired.

''(7) The recreational value of the land.''.

SEC. 5003. HISTORIC PRESERVATION FUND.

Section 303102 of title 54, United States Code, is amended by striking ''of fiscal years 2012 to 2015'' and inserting ''fiscal year''.

SEC. 5004. CONSERVATION INCENTIVES LANDOWNER EDUCATION PROGRAM.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior shall establish a conservation incentives landowner education program (referred to in this section as the ''program'').

(b) PURPOSE OF PROGRAM.—The program shall provide information on Federal conservation programs available to landowners interested in undertaking conservation actions on the land of the landowners, including options under each conservation program available to achieve the conservation goals of the program, such as—

(1) fee title land acquisition;

(2) donation; and

(3) perpetual and term conservation easements or agreements.

(c) AVAILABILITY.—The Secretary of the Interior shall ensure that the information provided under the program is made available to—

(1) interested landowners; and

(2) the public.

(d) NOTIFICATION.—In any case in which the Secretary of the Interior contacts a landowner directly about participation in a Federal conservation program, the Secretary shall, in writing—

(1) notify the landowner of the program; and

(2) make available information on the conservation program options that may be available to the landowner.

TITLE VI—INDIAN TRIBAL ENERGY DEVELOPMENT AND SELF-DETERMINATION

SECTION 6001. SHORT TITLE.

This title may be cited as the ''Indian Tribal Energy Development and Self-Determination Act Amendments of 2016''.

Subtitle A—Indian Tribal Energy Development and Self-determination Act Amendments

SEC. 6011. INDIAN TRIBAL ENERGY RESOURCE DEVELOPMENT.

(a) IN GENERAL.—Section 2602(a) of the Energy Policy Act of 1992 (25 U.S.C. 3502(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (C), by striking ''and'' after the semicolon;

(B) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(E) consult with each applicable Indian tribe before adopting or approving a well spacing program or plan applicable to the energy resources of that Indian tribe or the members of that Indian tribe.''; and

(2) by adding at the end the following:

''(4) PLANNING.—

''(A) IN GENERAL.—In carrying out the program established by paragraph (1), the Secretary shall provide technical assistance to interested Indian tribes to develop energy plans, including—

''(i) plans for electrification;

''(ii) plans for oil and gas permitting, renewable energy permitting, energy efficiency, electricity generation, transmission planning, water planning, and other planning relating to energy issues;

''(iii) plans for the development of energy resources and to ensure the protection of natural, historic, and cultural resources; and

''(iv) any other plans that would assist an Indian tribe in the development or use of energy resources.

''(B) COOPERATION.—In establishing the program under paragraph (1), the Secretary shall work in cooperation with the Office of Indian Energy Policy and Programs of the Department of Energy.''.

(b) DEPARTMENT OF ENERGY INDIAN ENERGY EDUCATION PLANNING AND MANAGEMENT ASSISTANCE PROGRAM.—Section 2602(b)(2) of the Energy Policy Act of 1992 (25 U.S.C. 3502(b)(2)) is amended—

(1) in the matter preceding subparagraph (A), by inserting '', intertribal organization,'' after ''Indian tribe'';

(2) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

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

''(C) activities to increase the capacity of Indian tribes to manage energy development and energy efficiency programs;''.

(c) DEPARTMENT OF ENERGY LOAN GUARANTEE PROGRAM.—Section 2602(c) of the Energy Policy Act of 1992 (25 U.S.C. 3502(c)) is amended—

(1) in paragraph (1), by inserting ''or a tribal energy development organization'' after ''Indian tribe'';

(2) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking ''guarantee'' and inserting ''guaranteed'';

(B) in subparagraph (A), by striking ''or'';

(C) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(D) by adding at the end the following:

''(C) a tribal energy development organization, from funds of the tribal energy development organization.''; and

(3) in paragraph (5), by striking ''The Secretary of Energy may'' and inserting ''Not later than 1 year after the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016, the Secretary of Energy shall''.

SEC. 6012. INDIAN TRIBAL ENERGY RESOURCE REGULATION.

Section 2603(c) of the Energy Policy Act of 1992 (25 U.S.C. 3503(c)) is amended—

(1) in paragraph (1), by striking ''on the request of an Indian tribe, the Indian tribe'' and inserting ''on the request of an Indian tribe or a tribal energy development organization, the Indian tribe or tribal energy development organization''; and

(2) in paragraph (2)(B), by inserting ''or tribal energy development organization'' after ''Indian tribe''.

SEC. 6013. TRIBAL ENERGY RESOURCE AGREEMENTS.

(a) AMENDMENT.—Section 2604 of the Energy Policy Act of 1992 (25 U.S.C. 3504) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''or'' after the semicolon at the end;

(ii) in subparagraph (B)—

(I) by striking clause (i) and inserting the following:

''(i) an electric production, generation, transmission, or distribution facility (including a facility that produces electricity from renewable energy resources) located on tribal land; or''; and

(II) in clause (ii)—

(aa) by inserting '', at least a portion of which have been'' after ''energy resources'';

(bb) by inserting ''or produced from'' after ''developed on''; and

(cc) by striking ''and'' after the semicolon at the end and inserting ''or''; and

(iii) by adding at the end the following:

''(C) pooling, unitization, or communitization of the energy mineral resources of the Indian tribe located on tribal land with any other energy mineral resource (including energy mineral resources owned by the Indian tribe or an individual Indian in fee, trust, or restricted status or by any other persons or entities) if the owner, or, if appropriate, lessee, of the resources has consented or consents to the pooling, unitization, or communitization of the other resources under any lease or agreement; and''; and

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

''(2) a lease or business agreement described in paragraph (1) shall not require review by, or the approval of, the Secretary under section 2103 of the Revised Statutes (25 U.S.C. 81), or any other provision of law (including regulations), if the lease or business agreement—

''(A) was executed—

''(i) in accordance with the requirements of a tribal energy resource agreement in effect under subsection (e) (including the periodic review and evaluation of the activities of the Indian tribe under the agreement, to be conducted pursuant to subparagraphs (D) and (E) of subsection (e)(2)); or

''(ii) by the Indian tribe and a tribal energy development organization for which the Indian tribe has obtained a certification pursuant to subsection (h); and

''(B) has a term that does not exceed—

''(i) 30 years; or

''(ii) in the case of a lease for the production of oil resources, gas resources, or both, 10 years and as long thereafter as oil or gas is produced in paying quantities.'';

(2) by striking subsection (b) and inserting the following:

''(b) RIGHTS-OF-WAY.—An Indian tribe may grant a right-of-way over tribal land without review or approval by the Secretary if the right-of-way—

''(1) serves—

''(A) an electric production, generation, transmission, or distribution facility (including a facility that produces electricity from renewable energy resources) located on tribal land;

''(B) a facility located on tribal land that extracts, produces, processes, or refines energy resources; or

''(C) the purposes, or facilitates in carrying out the purposes, of any lease or agreement entered into for energy resource development on tribal land;

''(2) was executed—

''(A) in accordance with the requirements of a tribal energy resource agreement in effect under subsection (e) (including the periodic review and evaluation of the activities of the Indian tribe under the agreement, to be conducted pursuant to subparagraphs (D) and (E) of subsection (e)(2)); or

''(B) by the Indian tribe and a tribal energy development organization for which the Indian tribe has obtained a certification pursuant to subsection (h); and

''(3) has a term that does not exceed 30 years.'';

(3) by striking subsection (d) and inserting the following:

''(d) VALIDITY.—No lease or business agreement entered into, or right-of-way granted, pursuant to this section shall be valid unless the lease, business agreement, or right-of-way is authorized by subsection (a) or (b).'';

(4) in subsection (e)—

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

''(1) IN GENERAL.—

''(A) AUTHORIZATION.—On or after the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016, a qualified Indian tribe may submit to the Secretary a tribal energy resource agreement governing leases, business agreements, and rights-of-way under this section.

''(B) NOTICE OF COMPLETE PROPOSED AGREEMENT.—Not later than 60 days after the date on which the tribal energy resource agreement is submitted under subparagraph (A), the Secretary shall—

''(i) notify the Indian tribe as to whether the agreement is complete or incomplete;

''(ii) if the agreement is incomplete, notify the Indian tribe of what information or documentation is needed to complete the submission; and

''(iii) identify and notify the Indian tribe of the financial assistance, if any, to be provided by the Secretary to the Indian tribe to assist in the implementation of the tribal energy resource agreement, including the environmental review of individual projects.

''(C) EFFECT.—Nothing in this paragraph precludes the Secretary from providing any financial assistance at any time to the Indian tribe to assist in the implementation of the tribal energy resource agreement.'';

(B) in paragraph (2)—

(i) by striking ''(2)(A)'' and all that follows through the end of subparagraph (A) and inserting the following:

''(2) PROCEDURE.—

''(A) EFFECTIVE DATE.—

''(i) IN GENERAL.—On the date that is 271 days after the date on which the Secretary receives a tribal energy resource agreement from a qualified Indian tribe under paragraph (1), the tribal energy resource agreement shall take effect, unless the Secretary disapproves the tribal energy resource agreement under subparagraph (B).

''(ii) REVISED TRIBAL ENERGY RESOURCE AGREEMENT.—On the date that is 91 days after the date on which the Secretary receives a revised tribal energy resource agreement from a qualified Indian tribe under paragraph (4)(B), the revised tribal energy resource agreement shall take effect, unless the Secretary disapproves the revised tribal energy resource agreement under subparagraph (B).'';

(ii) in subparagraph (B)—

(I) by striking ''(B)'' and all that follows through clause (ii) and inserting the following:

''(B) DISAPPROVAL.—The Secretary shall disapprove a tribal energy resource agreement submitted pursuant to paragraph (1) or (4)(B) only if—

''(i) a provision of the tribal energy resource agreement violates applicable Federal law (including regulations) or a treaty applicable to the Indian tribe;

''(ii) the tribal energy resource agreement does not include 1 or more provisions required under subparagraph (D); or''; and

(II) in clause (iii)—

(aa) in the matter preceding subclause (I), by striking ''includes'' and all that follows through ''section—'' and inserting ''does not include provisions that, with respect to any lease, business agreement, or right-of-way to which the tribal energy resource agreement applies—'';

(bb) by striking subclauses (I), (II), (V), (VIII), and (XV);

(cc) by redesignating clauses (III), (IV), (VI), (VII), (IX) through (XIV), and (XVI) as clauses (I), (II), (III), (IV), (V) through (X), and (XI), respectively;

(dd) in item (bb) of subclause (XI) (as redesignated by item (cc))—

(AA) by striking ''or tribal''; and

(BB) by striking the period at the end and inserting a semicolon; and

(ee) by adding at the end the following:

''(XII) include a certification by the Indian tribe that the Indian tribe has—

''(aa) carried out a contract or compact under title I or IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) for a period of not less than 3 consecutive years ending on the date on which the Indian tribe submits the application without material audit exception (or without any material audit exceptions that were not corrected within the 3-year period) relating to the management of tribal land or natural resources; or

''(bb) substantial experience in the administration, review, or evaluation of energy resource leases or agreements or has otherwise substantially participated in the administration, management, or development of energy resources located on the tribal land of the Indian tribe; and

''(XIII) at the option of the Indian tribe, identify which functions, if any, authorizing any operational or development activities pursuant to a lease, right-of-way, or business agreement approved by the Indian tribe, that the Indian tribe intends to conduct.'';

(iii) in subparagraph (C)—

(I) by striking clauses (i) and (ii);

(II) by redesignating clauses (iii) through (v) as clauses (ii) through (iv), respectively; and

(III) by inserting before clause (ii) (as redesignated by subclause (II)) the following:

''(i) a process for ensuring that—

''(I) the public is informed of, and has reasonable opportunity to comment on, any significant environmental impacts of the proposed action; and

''(II) the Indian tribe provides responses to relevant and substantive public comments on any impacts described in subclause (I) before the Indian tribe approves the lease, business agreement, or right-of-way.'';

(iv) in subparagraph (D)(ii), by striking ''subparagraph (B)(iii)(XVI)'' and inserting ''subparagraph (B)(iv)(XI)''; and

(v) by adding at the end the following:

''(F) EFFECTIVE PERIOD.—A tribal energy resource agreement that takes effect pursuant to this subsection shall remain in effect to the extent any provision of the tribal energy resource agreement is consistent with applicable Federal law (including regulations), unless the tribal energy resource agreement is—

''(i) rescinded by the Secretary pursuant to paragraph (7)(D)(iii)(II); or

''(ii) voluntarily rescinded by the Indian tribe pursuant to the regulations promulgated under paragraph (8)(B) (or successor regulations).'';

(C) in paragraph (4), by striking ''date of disapproval'' and all that follows through the end of subparagraph (C) and inserting the following: ''date of disapproval, provide the Indian tribe with—

''(A) a detailed, written explanation of—

''(i) each reason for the disapproval; and

''(ii) the revisions or changes to the tribal energy resource agreement necessary to address each reason; and

''(B) an opportunity to revise and resubmit the tribal energy resource agreement.'';

(D) in paragraph (6)—

(i) in subparagraph (B)—

(I) by striking ''(B) Subject to'' and inserting the following:

''(B) Subject only to''; and

(II) by striking ''subparagraph (D)'' and inserting ''subparagraphs (C) and (D)'';

(ii) in subparagraph (C), in the matter preceding clause (i), by inserting ''to perform the obligations of the Secretary under this section and'' before ''to ensure''; and

(iii) in subparagraph (D), by adding at the end the following:

''(iii) Nothing in this section absolves, limits, or otherwise affects the liability, if any, of the United States for any—

''(I) term of any lease, business agreement, or right-of-way under this section that is not a negotiated term; or

''(II) losses that are not the result of a negotiated term, including losses resulting from the failure of the Secretary to perform an obligation of the Secretary under this section.'';

(E) in paragraph (7)—

(i) in subparagraph (A), by striking ''has demonstrated'' and inserting ''the Secretary determines has demonstrated with substantial evidence'';

(ii) in subparagraph (B), by striking ''any tribal remedy'' and inserting ''all remedies (if any) provided under the laws of the Indian tribe'';

(iii) in subparagraph (D)—

(I) in clause (i), by striking ''determine'' and all that follows through the end of the clause and inserting the following: ''determine—

''(I) whether the petitioner is an interested party; and

''(II) if the petitioner is an interested party, whether the Indian tribe is not in compliance with the tribal energy resource agreement as alleged in the petition.'';

(II) in clause (ii), by striking ''determination'' and inserting ''determinations''; and

(III) in clause (iii), in the matter preceding subclause (I) by striking ''agreement'' the first place it appears and all that follows through '', including'' and inserting ''agreement pursuant to clause (i), the Secretary shall only take such action as the Secretary determines necessary to address the claims of noncompliance made in the petition, including'';

(iv) in subparagraph (E)(i), by striking ''the manner in which'' and inserting '', with respect to each claim made in the petition, how''; and

(v) by adding at the end the following:

''(G) Notwithstanding any other provision of this paragraph, the Secretary shall dismiss any petition from an interested party that has agreed with the Indian tribe to a resolution of the claims presented in the petition of that party.'';

(F) in paragraph (8)—

(i) by striking subparagraph (A);

(ii) by redesignating subparagraphs (B) through (D) as subparagraphs (A) through (C), respectively; and

(iii) in subparagraph (A) (as redesignated by clause (ii))—

(I) in clause (i), by striking ''and'' at the end;

(II) in clause (ii), by adding ''and'' after the semicolon; and

(III) by adding at the end the following:

''(iii) amend an approved tribal energy resource agreement to assume authority for approving leases, business agreements, or rights-of-way for development of another energy resource that is not included in an approved tribal energy resource agreement without being required to apply for a new tribal energy resource agreement;'' and

(G) by adding at the end the following:

''(9) EFFECT.—Nothing in this section authorizes the Secretary to deny a tribal energy resource agreement or any amendment to a tribal energy resource agreement, or to limit the effect or implementation of this section, due to lack of promulgated regulations.'';

(5) by redesignating subsection (g) as subsection (j); and

(6) by inserting after subsection (f) the following:

''(g) FINANCIAL ASSISTANCE IN LIEU OF ACTIVITIES BY THE SECRETARY.—

''(1) IN GENERAL.—Any amounts that the Secretary would otherwise expend to operate or carry out any program, function, service, or activity (or any portion of a program, function, service, or activity) of the Department that, as a result of an Indian tribe carrying out activities under a tribal energy resource agreement, the Secretary does not expend, the Secretary shall, at the request of the Indian tribe, make available to the Indian tribe in accordance with this subsection.

''(2) ANNUAL FUNDING AGREEMENTS.—The Secretary shall make the amounts described in paragraph (1) available to an Indian tribe through an annual written funding agreement that is negotiated and entered into with the Indian tribe that is separate from the tribal energy resource agreement.

''(3) EFFECT OF APPROPRIATIONS.—Notwithstanding paragraph (1)—

''(A) the provision of amounts to an Indian tribe under this subsection is subject to the availability of appropriations; and

''(B) the Secretary shall not be required to reduce amounts for programs, functions, services, or activities that serve any other Indian tribe to make amounts available to an Indian tribe under this subsection.

''(4) DETERMINATION.—

''(A) IN GENERAL.—The Secretary shall calculate the amounts under paragraph (1) in accordance with the regulations adopted under section 6013(b) of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016.

''(B) APPLICABILITY.—The effective date or implementation of a tribal energy resource agreement under this section shall not be delayed or otherwise affected by—

''(i) a delay in the promulgation of regulations under section 6013(b) of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016;

''(ii) the period of time needed by the Secretary to make the calculation required under paragraph (1); or

''(iii) the adoption of a funding agreement under paragraph (2).

''(h) CERTIFICATION OF TRIBAL ENERGY DEVELOPMENT ORGANIZATION.—

''(1) IN GENERAL.—Not later than 90 days after the date on which an Indian tribe submits an application for certification of a tribal energy development organization in accordance with regulations promulgated under section 6013(b) of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016, the Secretary shall approve or disapprove the application.

''(2) REQUIREMENTS.—The Secretary shall approve an application for certification if—

''(A)(i) the Indian tribe has carried out a contract or compact under title I or IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.); and

''(ii) for a period of not less than 3 consecutive years ending on the date on which the Indian tribe submits the application, the contract or compact—

''(I) has been carried out by the Indian tribe without material audit exceptions (or without any material audit exceptions that were not corrected within the 3-year period); and

''(II) has included programs or activities relating to the management of tribal land; and

''(B)(i) the tribal energy development organization is organized under the laws of the Indian tribe;

''(ii)(I) the majority of the interest in the tribal energy development organization is owned and controlled by the Indian tribe (or the Indian tribe and 1 or more other Indian tribes) the tribal land of which is being developed; and

''(II) the organizing document of the tribal energy development organization requires that the Indian tribe with jurisdiction over the land maintain at all times the controlling interest in the tribal energy development organization;

''(iii) the organizing document of the tribal energy development organization requires that the Indian tribe (or the Indian tribe and 1 or more other Indian tribes) the tribal land of which is being developed own and control at all times a majority of the interest in the tribal energy development organization; and

''(iv) the organizing document of the tribal energy development organization includes a statement that the organization shall be subject to the jurisdiction, laws, and authority of the Indian tribe.

''(3) ACTION BY SECRETARY.—If the Secretary approves an application for certification pursuant to paragraph (2), the Secretary shall, not more than 10 days after making the determination—

''(A) issue a certification stating that—

''(i) the tribal energy development organization is organized under the laws of the Indian tribe and subject to the jurisdiction, laws, and authority of the Indian tribe;

''(ii) the majority of the interest in the tribal energy development organization is owned and controlled by the Indian tribe (or the Indian tribe and 1 or more other Indian tribes) the tribal land of which is being developed;

''(iii) the organizing document of the tribal energy development organization requires that the Indian tribe with jurisdiction over the land maintain at all times the controlling interest in the tribal energy development organization;

''(iv) the organizing document of the tribal energy development organization requires that the Indian tribe (or the Indian tribe and 1 or more other Indian tribes the tribal land of which is being developed) own and control at all times a majority of the interest in the tribal energy development organization; and

''(v) the certification is issued pursuant this subsection;

''(B) deliver a copy of the certification to the Indian tribe; and

''(C) publish the certification in the Federal Register.

''(i) SOVEREIGN IMMUNITY.—Nothing in this section waives the sovereign immunity of an Indian tribe.''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016, the Secretary shall promulgate or update any regulations that are necessary to implement this section, including provisions to implement—

(1) section 2604(e)(8) of the Energy Policy Act of 1992 (25 U.S.C. 3504(e)(8)), including the process to be followed by an Indian tribe amending an existing tribal energy resource agreement to assume authority for approving leases, business agreements, or rights-of-way for development of an energy resource that is not included in the tribal energy resource agreement;

(2) section 2604(g) of the Energy Policy Act of 1992 (25 U.S.C. 3504(g)) including the manner in which the Secretary, at the request of an Indian tribe, shall—

(A) identify the programs, functions, services, and activities (or any portions of programs, functions, services, or activities) that the Secretary will not have to operate or carry out as a result of the Indian tribe carrying out activities under a tribal energy resource agreement;

(B) identify the amounts that the Secretary would have otherwise expended to operate or carry out each program, function, service, and activity (or any portion of a program, function, service, or activity) identified pursuant to subparagraph (A); and

(C) provide to the Indian tribe a list of the programs, functions, services, and activities (or any portions of programs, functions, services, or activities) identified pursuant subparagraph (A) and the amounts associated with each program, function, service, and activity (or any portion of a program, function, service, or activity) identified pursuant to subparagraph (B); and

(3) section 2604(h) of the Energy Policy Act of 1992 (25 U.S.C. 3504(h)), including the process to be followed by, and any applicable criteria and documentation required for, an Indian tribe to request and obtain the certification described in that section.

SEC. 6014. TECHNICAL ASSISTANCE FOR INDIAN TRIBAL GOVERNMENTS.

Section 2602(b) of the Energy Policy Act of 1992 (25 U.S.C. 3502(b)) is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively; and

(2) by inserting after paragraph (2) the following:

''(3) TECHNICAL AND SCIENTIFIC RESOURCES.—In addition to providing grants to Indian tribes under this subsection, the Secretary shall collaborate with the Directors of the National Laboratories in making the full array of technical and scientific resources of the Department of Energy available for tribal energy activities and projects.''.

SEC. 6015. CONFORMING AMENDMENTS.

(a) DEFINITION OF TRIBAL ENERGY DEVELOPMENT ORGANIZATION.—Section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501) is amended—

(1) by redesignating paragraphs (9) through (12) as paragraphs (10) through (13), respectively;

(2) by inserting after paragraph (8) the following:

''(9) The term 'qualified Indian tribe' means an Indian tribe that has—

''(A) carried out a contract or compact under title I or IV of the Indian Self Determination and Education Assistance Act (25 U.S.C. 450 et seq.) for a period of not less than 3 consecutive years ending on the date on which the Indian tribe submits the application without material audit exception (or without any material audit exceptions that were not corrected within the 3-year period) relating to the management of tribal land or natural resources; or

''(B) substantial experience in the administration, review, or evaluation of energy resource leases or agreements or has otherwise substantially participated in the administration, management, or development of energy resources located on the tribal land of the Indian tribe.''; and

(3) by striking paragraph (12) (as redesignated by paragraph (1)) and inserting the following:

''(12) The term 'tribal energy development organization' means—

''(A) any enterprise, partnership, consortium, corporation, or other type of business organization that is engaged in the development of energy resources and is wholly owned by an Indian tribe (including an organization incorporated pursuant to section 17

of the Indian Reorganization Act of 1934 (25 U.S.C. 477) or section 3 of the Act of June 26, 1936 (25 U.S.C. 503) (commonly known as the 'Oklahoma Indian Welfare Act')); and

''(B) any organization of 2 or more entities, at least 1 of which is an Indian tribe, that has the written consent of the governing bodies of all Indian tribes participating in the organization to apply for a grant, loan, or other assistance under section 2602 or to enter into a lease or business agreement with, or acquire a right-of-way from, an Indian tribe pursuant to subsection (a)(2)(A)(ii) or (b)(2)(B) of section 2604.''.

(b) INDIAN TRIBAL ENERGY RESOURCE DEVELOPMENT.—Section 2602 of the Energy Policy Act of 1992 (25 U.S.C. 3502) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''tribal energy resource development organizations'' and inserting ''tribal energy development organizations''; and

(B) in paragraph (2), by striking ''tribal energy resource development organizations'' each place it appears and inserting ''tribal energy development organizations''; and

(2) in subsection (b)(2), by striking ''tribal energy resource development organization'' and inserting ''tribal energy development organization''.

(c) WIND AND HYDROPOWER FEASIBILITY STUDY.—Section 2606(c)(3) of the Energy Policy Act of 1992 (25 U.S.C. 3506(c)(3)) is amended by striking ''energy resource development'' and inserting ''energy development''.

(d) CONFORMING AMENDMENTS.—Section 2604(e) of the Energy Policy Act of 1992 (25 U.S.C. 3504(e)) is amended—

(1) in paragraph (3)—

(A) by striking ''(3) The Secretary'' and inserting the following:

''(3) NOTICE AND COMMENT; SECRETARIAL REVIEW.—The Secretary''; and

(B) by striking ''for approval'';

(2) in paragraph (4), by striking ''(4) If the Secretary'' and inserting the following:

''(4) ACTION IN CASE OF DISAPPROVAL.—If the Secretary'';

(3) in paragraph (5)—

(A) by striking ''(5) If an Indian tribe'' and inserting the following:

''(5) PROVISION OF DOCUMENTS TO SECRETARY.—If an Indian tribe''; and

(B) in the matter preceding subparagraph (A), by striking ''approved'' and inserting ''in effect'';

(4) in paragraph (6)—

(A) by striking ''(6)(A) In carrying out'' and inserting the following:

''(6) SECRETARIAL OBLIGATIONS AND EFFECT OF SECTION.—

''(A) In carrying out'';

(B) in subparagraph (A), by indenting clauses (i) and (ii) appropriately;

(C) in subparagraph (B), by striking ''approved'' and inserting ''in effect''; and

(D) in subparagraph (D)—

(i) in clause (i), by striking ''an approved tribal energy resource agreement'' and inserting ''a tribal energy resource agreement in effect under this section''; and

(ii) in clause (ii), by striking ''approved by the Secretary'' and inserting ''in effect''; and

(5) in paragraph (7)—

(A) by striking ''(7)(A) In this paragraph'' and inserting the following:

''(7) PETITIONS BY INTERESTED PARTIES.—

''(A) In this paragraph'';

(B) in subparagraph (A), by striking ''approved by the Secretary'' and inserting ''in effect'';

(C) in subparagraph (B), by striking ''approved by the Secretary'' and inserting ''in effect''; and

(D) in subparagraph (D)(iii)—

(i) in subclause (I), by striking ''approved''; and

(ii) in subclause (II)—

(I) by striking ''approval of'' in the first place it appears; and

(II) by striking ''subsection (a) or (b)'' and inserting ''subsection (a)(2)(A)(i) or (b)(2)(A)''.

SEC. 6016. REPORT.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of the Interior shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that details with respect to activities for energy development on Indian land, how the Department of the Interior—

(1) processes and completes the reviews of energy-related documents in a timely and transparent manner;

(2) monitors the timeliness of agency review for all energy-related documents;

(3) maintains databases to track and monitor the review and approval process for energy-related documents associated with conventional and renewable Indian energy resources that require Secretarial approval prior to development, including—

(A) any seismic exploration permits;

(B) permission to survey;

(C) archeological and cultural surveys;

(D) access permits;

(E) environmental assessments;

(F) oil and gas leases;

(G) surface leases;

(H) rights-of-way agreements; and

(I) communitization agreements;

(4) identifies in the databases—

(A) the date lease applications and permits are received by the agency;

(B) the status of the review;

(C) the date the application or permit is considered complete and ready for review;

(D) the date of approval; and

(E) the start and end dates for any significant delays in the review process;

(5) tracks in the databases, for all energy-related leases, agreements, applications, and permits that involve multiple agency review—

(A) the dates documents are transferred between agencies;

(B) the status of the review;

(C) the date the required reviews are completed; and

(D) the date interim or final decisions are issued.

(b) INCLUSIONS.—The report under subsection (a) shall include—

(1) a description of any intermediate and final deadlines for agency action on any Secretarial review and approval required for Indian conventional and renewable energy exploration and development activities;

(2) a description of the existing geographic database established by the Bureau of Indian Affairs, explaining—

(A) how the database identifies—

(i) the location and ownership of all Indian oil and gas resources held in trust;

(ii) resources available for lease; and

(iii) the location of—

(I) any lease of land held in trust or restricted fee on behalf of any Indian tribe or individual Indian; and

(II) any rights-of-way on that land in effect;

(B) how the information from the database is made available to—

(i) the officials of the Bureau of Indian Affairs with responsibility over the management and development of Indian resources; and

(ii) resource owners; and

(C) any barriers to identifying the information described in subparagraphs (A) and (B) or any deficiencies in that information; and

(3) an evaluation of—

(A) the ability of each applicable agency to track and monitor the review and approval process of the agency for Indian energy development; and

(B) the extent to which each applicable agency complies with any intermediate and final deadlines.

Subtitle B—Miscellaneous Amendments

SEC. 6201. ISSUANCE OF PRELIMINARY PERMITS OR LICENSES.

(a) IN GENERAL.—Section 7(a) of the Federal Power Act (16 U.S.C. 800(a)) is amended by striking ''States and municipalities'' and inserting ''States, Indian tribes, and municipalities''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall not affect—

(1) any preliminary permit or original license issued before the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016; or

(2) an application for an original license, if the Commission has issued a notice accepting that application for filing pursuant to section 4.32(d) of title 18, Code of Federal Regulations (or successor regulations), before the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016.

(c) DEFINITION OF INDIAN TRIBE.—For purposes of section 7(a) of the Federal Power Act (16 U.S.C. 800(a)) (as amended by subsection (a)), the term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 6202. TRIBAL BIOMASS DEMONSTRATION PROJECT.

(a) PURPOSE.—The purpose of this section is to establish a biomass demonstration project for federally recognized Indian tribes and Alaska Native corporations to promote biomass energy production.

(b) TRIBAL BIOMASS DEMONSTRATION PROJECT.—The Tribal Forest Protection Act of 2004 (Public Law 108–278; 118 Stat. 868) is amended—

(1) in section 2(a), by striking ''In this section'' and inserting ''In this Act''; and

(2) by adding at the end the following:

''SEC. 3. TRIBAL BIOMASS DEMONSTRATION PROJECT.

''(a) STEWARDSHIP CONTRACTS OR SIMILAR AGREEMENTS.—For each of fiscal years 2017 through 2021, the Secretary shall enter into stewardship contracts or similar agreements (excluding direct service contracts) with Indian tribes to carry out demonstration projects to promote biomass energy production (including biofuel, heat, and electricity generation) on Indian forest land and in nearby communities by providing reliable supplies of woody biomass from Federal land.

''(b) DEMONSTRATION PROJECTS.—In each fiscal year for which projects are authorized, at least 4 new demonstration projects that meet the eligibility criteria described in subsection (c) shall be carried out under contracts or agreements described in subsection (a).

''(c) ELIGIBILITY CRITERIA.—To be eligible to enter into a contract or agreement under this section, an Indian tribe shall submit to the Secretary an application—

''(1) containing such information as the Secretary may require; and

''(2) that includes a description of—

''(A) the Indian forest land or rangeland under the jurisdiction of the Indian tribe; and

''(B) the demonstration project proposed to be carried out by the Indian tribe.

''(d) SELECTION.—In evaluating the applications submitted under subsection (c), the Secretary shall—

''(1) take into consideration—

''(A) the factors set forth in paragraphs (1) and (2) of section 2(e); and

''(B) whether a proposed project would—

''(i) increase the availability or reliability of local or regional energy;

''(ii) enhance the economic development of the Indian tribe;

''(iii) result in or improve the connection of electric power transmission facilities serving the Indian tribe with other electric transmission facilities;

''(iv) improve the forest health or watersheds of Federal land or Indian forest land or rangeland;

''(v) demonstrate new investments in infrastructure; or

''(vi) otherwise promote the use of woody biomass; and

''(2) exclude from consideration any merchantable logs that have been identified by the Secretary for commercial sale.

''(e) IMPLEMENTATION.—The Secretary shall—

''(1) ensure that the criteria described in subsection (c) are publicly available by not later than 120 days after the date of enactment of this section; and

''(2) to the maximum extent practicable, consult with Indian tribes and appropriate intertribal organizations likely to be affected in developing the application and otherwise carrying out this section.

''(f) REPORT.—Not later than September 20, 2019, the Secretary shall submit to Congress a report that describes, with respect to the reporting period—

''(1) each individual tribal application received under this section; and

''(2) each contract and agreement entered into pursuant to this section.

''(g) INCORPORATION OF MANAGEMENT PLANS.—In carrying out a contract or agreement under this section, on receipt of a request from an Indian tribe, the Secretary shall incorporate into the contract or agreement, to the maximum extent practicable, management plans (including forest management and integrated resource management plans) in effect on the Indian forest land or rangeland of the respective Indian tribe.

''(h) TERM.—A contract or agreement entered into under this section—

''(1) shall be for a term of not more than 20 years; and

''(2) may be renewed in accordance with this section for not more than an additional 10 years.''.

(c) ALASKA NATIVE BIOMASS DEMONSTRATION PROJECT.—

(1) DEFINITIONS.—In this subsection:

(A) FEDERAL LAND.—The term ''Federal land'' means—

(i) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)) administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and

(ii) public lands (as defined in section 103 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1702)), the surface of which is administered by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(B) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(C) SECRETARY.—The term ''Secretary'' means—

(i) the Secretary of Agriculture, with respect to land under the jurisdiction of the Forest Service; and

(ii) the Secretary of the Interior, with respect to land under the jurisdiction of the Bureau of Land Management.

(D) TRIBAL ORGANIZATION.—The term ''tribal organization'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) AGREEMENTS.—For each of fiscal years 2017 through 2021, the Secretary shall enter into an agreement or contract with an Indian tribe or a tribal organization to carry out a demonstration project to promote biomass energy production (including biofuel, heat, and electricity generation) by providing reliable supplies of woody biomass from Federal land.

(3) DEMONSTRATION PROJECTS.—In each fiscal year for which projects are authorized, at least 1 new demonstration project that meets the eligibility criteria described in paragraph (4) shall be carried out under contracts or agreements described in paragraph (2).

(4) ELIGIBILITY CRITERIA.—To be eligible to enter into a contract or agreement under this subsection, an Indian tribe or tribal organization shall submit to the Secretary an application—

(A) containing such information as the Secretary may require; and

(B) that includes a description of the demonstration project proposed to be carried out by the Indian tribe or tribal organization.

(5) SELECTION.—In evaluating the applications submitted under paragraph (4), the Secretary shall—

(A) take into consideration whether a proposed project would—

(i) increase the availability or reliability of local or regional energy;

(ii) enhance the economic development of the Indian tribe;

(iii) result in or improve the connection of electric power transmission facilities serving the Indian tribe with other electric transmission facilities;

(iv) improve the forest health or watersheds of Federal land or non-Federal land;

(v) demonstrate new investments in infrastructure; or

(vi) otherwise promote the use of woody biomass; and

(B) exclude from consideration any merchantable logs that have been identified by the Secretary for commercial sale.

(6) IMPLEMENTATION.—The Secretary shall—

(A) ensure that the criteria described in paragraph (4) are publicly available by not later than 120 days after the date of enactment of this subsection; and

(B) to the maximum extent practicable, consult with Indian tribes and appropriate tribal organizations likely to be affected in developing the application and otherwise carrying out this subsection.

(7) REPORT.—Not later than September 20, 2019, the Secretary shall submit to Congress a report that describes, with respect to the reporting period—

(A) each individual application received under this subsection; and

(B) each contract and agreement entered into pursuant to this subsection.

(8) TERM.—A contract or agreement entered into under this subsection—

(A) shall be for a term of not more than 20 years; and

(B) may be renewed in accordance with this subsection for not more than an additional 10 years.

SEC. 6203. WEATHERIZATION PROGRAM.

Section 413(d) of the Energy Conservation and Production Act (42 U.S.C. 6863(d)) is amended—

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

''(1) RESERVATION OF AMOUNTS.—

''(A) IN GENERAL.—Subject to subparagraph (B) and notwithstanding any other provision of this part, the Secretary shall reserve from amounts that would otherwise be allocated to a State under this part not less than 100 percent, but not more than 150 percent, of an amount which bears the same proportion to the allocation of that State for the applicable fiscal year as the population of all low-income members of an Indian tribe in that State bears to the population of all low-income individuals in that State.

''(B) RESTRICTIONS.—Subparagraph (A) shall apply only if—

''(i) the tribal organization serving the low-income members of the applicable Indian tribe requests that the Secretary make a grant directly; and

''(ii) the Secretary determines that the low-income members of the applicable Indian tribe would be equally or better served by making a grant directly than a grant made to the State in which the low-income members reside.

''(C) PRESUMPTION.—If the tribal organization requesting the grant is a tribally designated housing entity (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) that has operated without material audit exceptions (or without any material audit exceptions that were not corrected within a 3-year period), the Secretary shall presume that the low-income members of the applicable Indian tribe would be equally or better served by making a grant directly to the tribal organization than by a grant made to the State in which the low-income members reside.'';

(2) in paragraph (2)—

(A) by striking ''The sums'' and inserting ''ADMINISTRATION.—The amounts'';

(B) by striking ''on the basis of his determination'';

(C) by striking ''individuals for whom such a determination has been made'' and inserting ''low-income members of the Indian tribe''; and

(D) by striking ''he'' and inserting ''the Secretary''; and

(3) in paragraph (3), by striking ''In order'' and inserting ''APPLICATION.—In order''.

SEC. 6204. APPRAISALS.

(a) IN GENERAL.—Title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.) is amended by adding at the end the following:

''SEC. 2607. APPRAISALS.

''(a) IN GENERAL.—For any transaction that requires approval of the Secretary and involves mineral or energy resources held in trust by the United States for the benefit of an Indian tribe or by an Indian tribe subject to Federal restrictions against alienation, any appraisal relating to fair market value of those resources required to be prepared under applicable law may be prepared by—

''(1) the Secretary;

''(2) the affected Indian tribe; or

''(3) a certified, third-party appraiser pursuant to a contract with the Indian tribe.

''(b) SECRETARIAL REVIEW AND APPROVAL.—Not later than 45 days after the date on which the Secretary receives an appraisal prepared by or for an Indian tribe under paragraph (2) or (3) of subsection (a), the Secretary shall—

''(1) review the appraisal; and

''(2) approve the appraisal unless the Secretary determines that the appraisal fails to meet the standards set forth in regulations promulgated under subsection (d).

''(c) NOTICE OF DISAPPROVAL.—If the Secretary determines that an appraisal submitted for approval under subsection (b) should be disapproved, the Secretary shall give written notice of the disapproval to the Indian tribe and a description of—

''(1) each reason for the disapproval; and

''(2) how the appraisal should be corrected or otherwise cured to meet the applicable standards set forth in the regulations promulgated under subsection (d).

''(d) REGULATIONS.—The Secretary shall promulgate regulations to carry out this section, including standards the Secretary shall use for approving or disapproving the appraisal described in subsection (a).''.

SEC. 6205. LEASES OF RESTRICTED LANDS FOR NAVAJO NATION.

(a) IN GENERAL.—Subsection (e)(1) of the first section of the Act of August 9, 1955 (commonly known as the ''Long-Term Leasing Act'') (25 U.S.C. 415(e)(1)), is amended—

(1) by striking '', except a lease for'' and inserting '', including a lease for'';

(2) by striking subparagraph (A) and inserting the following:

''(A) in the case of a business or agricultural lease, 99 years;'';

(3) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(C) in the case of a lease for the exploration, development, or extraction of any mineral resource (including geothermal resources), 25 years, except that—

''(i) any such lease may include an option to renew for 1 additional term of not to exceed 25 years; and

''(ii) any such lease for the exploration, development, or extraction of an oil or gas resource shall be for a term of not to exceed 10 years, plus such additional period as the Navajo Nation determines to be appropriate in any case in which an oil or gas resource is produced in a paying quantity.''.

(b) GAO REPORT.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit to Congress a report describing the progress made in carrying out the amendment made by subsection (a).

SEC. 6206. EXTENSION OF TRIBAL LEASE PERIOD FOR THE CROW TRIBE OF MONTANA.

Subsection (a) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(a)), is amended in the second sentence by inserting '', land held in trust for the Crow Tribe of Montana'' after ''Devils Lake Sioux Reservation''.

SEC. 6207. TRUST STATUS OF LEASE PAYMENTS.

(a) DEFINITION OF SECRETARY.—In this section, the term ''Secretary'' means the Secretary of the Interior.

(b) TREATMENT OF LEASE PAYMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2) and at the request of the Indian tribe or individual Indian, any advance payments, bid deposits, or other earnest money received by the Secretary in connection with the review and Secretarial approval under any other Federal law (including regulations) of a sale, lease, permit, or any other conveyance of any interest in any trust or restricted land of any Indian tribe or individual Indian shall, upon receipt and prior to Secretarial approval of the contract or conveyance instrument, be held in the trust fund system for the benefit of the Indian tribe and individual Indian from whose land the funds were generated.

(2) RESTRICTION.—If the advance payment, bid deposit, or other earnest money received by the Secretary results from competitive bidding, upon selection of the successful bidder, only the funds paid by the successful bidder shall be held in the trust fund system.

(c) USE OF FUNDS.—

(1) IN GENERAL.—On the approval of the Secretary of a contract or other instrument for a sale, lease, permit, or any other conveyance described in subsection (b)(1), the funds held in the trust fund system and described in subsection (b), along with all income generated from the investment of those funds, shall be disbursed to the Indian tribe or individual Indian landowners.

(2) ADMINISTRATION.—If a contract or other instrument for a sale, lease, permit, or any other conveyance described in subsection (b)(1) is not approved by the Secretary, the funds held in the trust fund system and described in subsection (b), along with all income generated from the investment of those funds, shall be paid to the party identified in, and in such amount and on such terms as set out in, the applicable regulations, advertisement, or other notice governing the proposed conveyance of the interest in the land at issue.

(d) APPLICABILITY.—This section shall apply to any advance payment, bid deposit, or other earnest money received by the Secretary in connection with the review and Secretarial approval under any other Federal law (including regulations) of a sale, lease, permit, or any other conveyance of any interest in any trust or restricted land of any Indian tribe or individual Indian on or after the date of enactment of this Act.

TITLE VII—BROWNFIELDS REAUTHORIZATION

SEC. 7001. SHORT TITLE.

This title may be cited as the ''Brownfields Utilization, Investment, and Local Development Act of 2016'' or the ''BUILD Act''.

SEC. 7002. EXPANDED ELIGIBILITY FOR NONPROFIT ORGANIZATIONS.

Section 104(k)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(1)) is amended—

(1) in subparagraph (G), by striking ''or'' after the semicolon;

(2) in subparagraph (H), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(I) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code;

''(J) a limited liability corporation in which all managing members are organizations described in subparagraph (I) or limited liability corporations whose sole members are organizations described in subparagraph (I);

''(K) a limited partnership in which all general partners are organizations described in subparagraph (I) or limited liability corporations whose sole members are organizations described in subparagraph (I); or

''(L) a qualified community development entity (as defined in section 45D(c)(1) of the Internal Revenue Code of 1986).''.

SEC. 7003. MULTIPURPOSE BROWNFIELDS GRANTS.

Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) is amended—

(1) by redesignating paragraphs (4) through (9) and (10) through (12) as paragraphs (5) through (10) and (13) through (15), respectively;

(2) in paragraph (3)(A), by striking ''subject to paragraphs (4) and (5)'' and inserting ''subject to paragraphs (5) and (6)''; and

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

''(4) MULTIPURPOSE BROWNFIELDS GRANTS.—

''(A) IN GENERAL.—Subject to subparagraph (D) and paragraphs (5) and (6), the Administrator shall establish a program to provide multipurpose grants to an eligible entity based on the considerations under paragraph (3)(C), to carry out inventory, characterization, assessment, planning, or remediation activities at 1 or more brownfield sites in a proposed area.

''(B) GRANT AMOUNTS.—

''(i) INDIVIDUAL GRANT AMOUNTS.—Each grant awarded under this paragraph shall not exceed $950,000.

''(ii) CUMULATIVE GRANT AMOUNTS.—The total amount of grants awarded for each fiscal year under this paragraph shall not exceed 15 percent of the funds made available for the fiscal year to carry out this subsection.

''(C) CRITERIA.—In awarding a grant under this paragraph, the Administrator shall consider the extent to which an eligible entity is able—

''(i) to provide an overall plan for revitalization of the 1 or more brownfield sites in the proposed area in which the multipurpose grant will be used;

''(ii) to demonstrate a capacity to conduct the range of eligible activities that will be funded by the multipurpose grant; and

''(iii) to demonstrate that a multipurpose grant will meet the needs of the 1 or more brownfield sites in the proposed area.

''(D) CONDITION.—As a condition of receiving a grant under this paragraph, each eligible entity shall expend the full amount of the grant not later than the date that is 3 years after the date on which the grant is awarded to the eligible entity unless the Administrator, in the discretion of the Administrator, provides an extension.''.

SEC. 7004. TREATMENT OF CERTAIN PUBLICLY OWNED BROWNFIELD SITES.

Section 104(k)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(2)) is amended by adding at the end the following:

''(C) EXEMPTION FOR CERTAIN PUBLICLY OWNED BROWNFIELD SITES.—Notwithstanding any other provision of law, an eligible entity that is a governmental entity may receive a grant under this paragraph for property acquired by that governmental entity prior to January 11, 2002, even if the governmental entity does not qualify as a bona fide prospective purchaser (as that term is defined in section 101(40)), so long as the eligible entity has not caused or contributed to a release or threatened release of a hazardous substance at the property.''.

SEC. 7005. INCREASED FUNDING FOR REMEDIATION GRANTS.

Section 104(k)(3)(A)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(3)(A)(ii)) is amended by striking ''$200,000 for each site to be remediated'' and inserting ''$500,000 for each site to be remediated, which limit may be waived by the Administrator, but not to exceed a total of $650,000 for each site, based on the anticipated level of contamination, size, or ownership status of the site''.

SEC. 7006. ALLOWING ADMINISTRATIVE COSTS FOR GRANT RECIPIENTS.

Paragraph (5) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 3(1)) is amended—

(1) in subparagraph (B)—

(A) in clause (i)—

(i) by striking subclause (III); and

(ii) by redesignating subclauses (IV) and (V) as subclauses (III) and (IV), respectively;

(B) by striking clause (ii);

(C) by redesignating clause (iii) as clause (ii); and

(D) in clause (ii) (as redesignated by subparagraph (C)), by striking ''Notwithstanding clause (i)(IV)'' and inserting ''Notwithstanding clause (i)(III)''; and

(2) by adding at the end the following:

''(E) ADMINISTRATIVE COSTS.—

''(i) IN GENERAL.—An eligible entity may use up to 8 percent of the amounts made available under a grant or loan under this subsection for administrative costs.

''(ii) RESTRICTION.—For purposes of clause (i), the term 'administrative costs' does not include—

''(I) investigation and identification of the extent of contamination;

''(II) design and performance of a response action; or

''(III) monitoring of a natural resource.''.

SEC. 7007. SMALL COMMUNITY TECHNICAL ASSISTANCE GRANTS.

Paragraph (7)(A) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 7003(1)) is amended—

(1) by striking ''The Administrator may provide,'' and inserting the following:

''(i) DEFINITIONS.—In this subparagraph:

''(I) DISADVANTAGED AREA.—The term 'disadvantaged area' means an area with an annual median household income that is less than 80 percent of the State-wide annual median household income, as determined by the latest available decennial census.

''(II) SMALL COMMUNITY.—The term 'small community' means a community with a population of not more than 15,000 individuals, as determined by the latest available decennial census.

''(ii) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish a program to provide grants that provide,''; and

(2) by adding at the end the following:

''(iii) SMALL OR DISADVANTAGED COMMUNITY RECIPIENTS.—

''(I) IN GENERAL.—Subject to subclause (II), in carrying out the program under clause (ii), the Administrator shall use not more than $600,000 of the amounts made available to carry out this paragraph to provide grants to States that receive amounts under section 128(a) to assist small communities, Indian tribes, rural areas, or disadvantaged areas in achieving the purposes described in clause (ii).

''(II) LIMITATION.—Each grant awarded under subclause (I) shall be not more than $7,500.''.

SEC. 7008. WATERFRONT BROWNFIELDS GRANTS.

Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) is amended by inserting after paragraph (10) (as redesignated by section 7003(1)) the following:

''(11) WATERFRONT BROWNFIELD SITES.—

''(A) DEFINITION OF WATERFRONT BROWNFIELD SITE.—In this paragraph, the term 'waterfront brownfield site' means a brownfield site that is adjacent to a body of water or a federally designated floodplain.

''(B) REQUIREMENTS.—In providing grants under this subsection, the Administrator shall—

''(i) take into consideration whether the brownfield site to be served by the grant is a waterfront brownfield site; and

''(ii) give consideration to waterfront brownfield sites.''.

SEC. 7009. CLEAN ENERGY BROWNFIELDS GRANTS.

Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as amended by section 7008) is amended by inserting after paragraph (11) the following:

''(12) CLEAN ENERGY PROJECTS AT BROWNFIELD SITES.—

''(A) DEFINITION OF CLEAN ENERGY PROJECT.—In this paragraph, the term 'clean energy project' means—

''(i) a facility that generates renewable electricity from wind, solar, or geothermal energy; and

''(ii) any energy efficiency improvement project at a facility, including combined heat and power and district energy.

''(B) ESTABLISHMENT.—The Administrator shall establish a program to provide grants—

''(i) to eligible entities to carry out inventory, characterization, assessment, planning, feasibility analysis, design, or remediation activities to locate a clean energy project at 1 or more brownfield sites; and

''(ii) to capitalize a revolving loan fund for the purposes described in clause (i).

''(C) MAXIMUM AMOUNT.—A grant under this paragraph shall not exceed $500,000.''.

SEC. 7010. TARGETED FUNDING FOR STATES.

Paragraph (15) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 7003(1)) is amended by adding at the end the following:

''(C) TARGETED FUNDING.—Of the amounts made available under subparagraph (A) for a fiscal year, the Administrator may use not more than $2,000,000 to provide grants to States for purposes authorized under section 128(a), subject to the condition that each State that receives a grant under this subparagraph shall have used at least 50 percent of the amounts made available to that State in the previous fiscal year to carry out assessment and remediation activities under section 128(a).''.

SEC. 7011. AUTHORIZATION OF APPROPRIATIONS.

(a) BROWNFIELDS REVITALIZATION FUNDING.—Paragraph (15)(A) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 7003(1)) is amended by striking ''2006'' and inserting ''2018''.

(b) STATE RESPONSE PROGRAMS.—Section 128(a)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9628(a)(3)) is amended by striking ''2006'' and inserting ''2018''.

TITLE VIII—MISCELLANEOUS

SEC. 8001. REMOVAL OF USE RESTRICTION.

Public Law 101–479 (104 Stat. 1158) is amended—

(1) by striking section 2(d); and

(2) by adding the following new section at the end:

''SEC. 4. REMOVAL OF USE RESTRICTION.

''(a) The approximately 1-acre portion of the land referred to in section 3 that is used for purposes of a child care center, as authorized by this Act, shall not be subject to the use restriction imposed in the deed referred to in section 3.

''(b) Upon enactment of this section, the Secretary of the Interior shall execute an instrument to carry out subsection (a).''.

TITLE IX—MISCELLANEOUS

SEC. 9001. INTERAGENCY TRANSFER OF LAND ALONG GEORGE WASHINGTON MEMORIAL PARKWAY.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term ''Map'' means the map entitled ''George Washington Memorial Parkway—Claude Moore Farm Proposed Boundary Adjustment'', numbered 850_130815, and dated February 2016.

(2) RESEARCH CENTER.—The term ''Research Center'' means the Turner-Fairbank Highway Research Center of the Federal Highway Administration.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) ADMINISTRATIVE JURISDICTION TRANSFER.—

(1) TRANSFER OF JURISDICTION.—

(A) GEORGE WASHINGTON MEMORIAL PARKWAY LAND.—Administrative jurisdiction over the approximately 0.342 acres of Federal land under the jurisdiction of the Secretary within the boundary of the George Washington Memorial Parkway, as generally depicted as ''B'' on the Map, is transferred from the Secretary to the Secretary of Transportation.

(B) RESEARCH CENTER LAND.—Administration jurisdiction over the approximately 0.479 acres of Federal land within the boundary of the Research Center land under the jurisdiction of the Secretary of Transportation adjacent to the boundary of the George Washington Memorial Parkway, as generally depicted as ''A'' on the Map, is transferred from the Secretary of Transportation to the Secretary.

(2) USE RESTRICTION.—The Secretary shall restrict the use of 0.139 acres of Federal land within the boundary of the George Washington Memorial Parkway immediately adjacent to part of the perimeter fence of the Research Center, generally depicted as ''C'' on the Map, by prohibiting the storage, construction, or installation of any item that may interfere with the access of the Research Center to the restricted land for security and maintenance purposes.

(3) REIMBURSEMENT OR CONSIDERATION.—The transfers of administrative jurisdiction under this subsection shall not be subject to reimbursement or consideration.

(4) COMPLIANCE WITH AGREEMENT.—

(A) AGREEMENT.—The National Park Service and the Federal Highway Administration shall comply with all terms and conditions of the agreement entered into by the parties on September 11, 2002, regarding the transfer of administrative jurisdiction, management, and maintenance of the land described in the agreement.

(B) ACCESS TO RESTRICTED LAND.—

(i) IN GENERAL.—Subject to the terms of the agreement described in subparagraph (A), the Secretary shall allow the Research Center—

(I) to access the Federal land described in paragraph (1)(B) for purposes of transportation to and from the Research Center; and

(II) to access the Federal land described in paragraphs (1)(B) and (2) for purposes of maintenance in accordance with National Park Service standards, including grass mowing, weed control, tree maintenance, fence maintenance, and maintenance of the visual appearance of the Federal land.

(c) MANAGEMENT OF TRANSFERRED LAND.—

(1) INTERIOR LAND.—The Federal land transferred to the Secretary under subsection (b)(1)(B) shall be—

(A) included in the boundary of the George Washington Memorial Parkway; and

(B) administered by the Secretary as part of the George Washington Memorial Parkway, subject to applicable laws (including regulations).

(2) TRANSPORTATION LAND.—The Federal land transferred to the Secretary of Transportation under subsection (b)(1)(A) shall be—

(A) included in the boundary of the Research Center land; and

(B) removed from the boundary of the George Washington Memorial Parkway.

(3) RESTRICTED-USE LAND.—The Federal land that the Secretary has designated for restricted use under subsection (b)(2) shall be maintained by the Research Center.

(d) MAP ON FILE.—The Map shall be available for public inspection in the appropriate offices of the National Park Service.

TITLE X—NATURAL RESOURCES

Subtitle A—Land Conveyances and Related Matters

SEC. 10001. ARAPAHO NATIONAL FOREST BOUNDARY ADJUSTMENT.

(a) IN GENERAL.—The boundary of the Arapaho National Forest in the State of Colorado is adjusted to incorporate the approximately 92.95 acres of land generally depicted as ''The Wedge'' on the map entitled ''Arapaho National Forest Boundary Adjustment'' and dated November 6, 2013, and described as lots three, four, eight, and nine of section 13, Township 4 North, Range 76 West, Sixth Principal Meridian, Colorado. A lot described in this subsection may be included in the

boundary adjustment only after the Secretary of Agriculture obtains written permission for such action from the lot owner or owners.

(b) BOWEN GULCH PROTECTION AREA.—The Secretary of Agriculture shall include all Federal land within the boundary described in subsection (a) in the Bowen Gulch Protection Area established under section 6 of the Colorado Wilderness Act of 1993 (16 U.S.C. 539j).

(c) LAND AND WATER CONSERVATION FUND.—For purposes of section 200306(a)(2)(B)(i) of title 54, United States Code, the boundaries of the Arapaho National Forest, as modified under subsection (a), shall be considered to be the boundaries of the Arapaho National Forest as in existence on January 1, 1965.

(d) PUBLIC MOTORIZED USE.—Nothing in this section opens privately owned lands within the boundary described in subsection (a) to public motorized use.

(e) ACCESS TO NON-FEDERAL LANDS.—Notwithstanding the provisions of section 6(f) of the Colorado Wilderness Act of 1993 (16 U.S.C. 539j(f)) regarding motorized travel, the owners of any non-Federal lands within the boundary described in subsection (a) who historically have accessed their lands through lands now or hereafter owned by the United States within the boundary described in subsection (a) shall have the continued right of motorized access to their lands across the existing roadway.

SEC. 10002. LAND CONVEYANCE, ELKHORN RANCH AND WHITE RIVER NATIONAL FOREST, COLORADO.

(a) LAND CONVEYANCE REQUIRED.—Consistent with the purpose of the Act of March 3, 1909 (43 U.S.C. 772), all right, title, and interest of the United States (subject to subsection (b)) in and to a parcel of land consisting of approximately 148 acres as generally depicted on the map entitled ''Elkhorn Ranch Land Parcel–White River National Forest'' and dated March 2015 shall be conveyed by patent to the Gordman-Leverich Partnership, a Colorado Limited Liability Partnership (in this section referred to as ''GLP'').

(b) EXISTING RIGHTS.—The conveyance under subsection (a)—

(1) is subject to the valid existing rights of the lessee of Federal oil and gas lease COC–75070 and any other valid existing rights; and

(2) shall reserve to the United States the right to collect rent and royalty payments on the lease referred to in paragraph (1) for the duration of the lease.

(c) EXISTING BOUNDARIES.—The conveyance under subsection (a) does not modify the exterior boundary of the White River National Forest or the boundaries of Sections 18 and 19 of Township 7 South, Range 93 West, Sixth Principal Meridian, Colorado, as such boundaries are in effect on the date of the enactment of this Act.

(d) TIME FOR CONVEYANCE; PAYMENT OF COSTS.—The conveyance directed under subsection (a) shall be completed not later than 180 days after the date of the enactment of this Act. The conveyance shall be without consideration, except that all costs incurred by the Secretary of the Interior relating to any survey, platting, legal description, or other activities carried out to prepare and issue the patent shall be paid by GLP to the Secretary prior to the land conveyance.

SEC. 10003. LAND EXCHANGE IN CRAGS, COLORADO.

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

(1) to authorize, direct, expedite, and facilitate the land exchange set forth herein; and

(2) to promote enhanced public outdoor recreational and natural resource conservation opportunities in the Pike National Forest near Pikes Peak, Colorado, via acquisition of the non-Federal land and trail easement.

(b) DEFINITIONS.—In this section:

(1) BHI.—The term ''BHI'' means Broadmoor Hotel, Inc., a Colorado corporation.

(2) FEDERAL LAND.—The term ''Federal land'' means all right, title, and interest of the United States in and to approximately 83 acres of land within the Pike National Forest, El Paso County, Colorado, together with a non-exclusive perpetual access easement to BHI to and from such land on Forest Service Road 371, as generally depicted on the map entitled ''Proposed Crags Land Exchange–Federal Parcel–Emerald Valley Ranch'', dated March 2015.

(3) NON-FEDERAL LAND.—The term ''non-Federal land'' means the land and trail easement to be conveyed to the Secretary by BHI in the exchange and is—

(A) approximately 320 acres of land within the Pike National Forest, Teller County, Colorado, as generally depicted on the map entitled ''Proposed Crags Land Exchange–Non-Federal Parcel–Crags Property'', dated March 2015; and

(B) a permanent trail easement for the Barr Trail in El Paso County, Colorado, as generally depicted on the map entitled ''Proposed Crags Land Exchange–Barr Trail Easement to United States'', dated March 2015, and which shall be considered as a voluntary donation to the United States by BHI for all purposes of law.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture, unless otherwise specified.

(c) LAND EXCHANGE.—

(1) IN GENERAL.—If BHI offers to convey to the Secretary all right, title, and interest of BHI in and to the non-Federal land, the Secretary shall accept the offer and simultaneously convey to BHI the Federal land.

(2) LAND TITLE.—Title to the non-Federal land conveyed and donated to the Secretary under this section shall be acceptable to the Secretary and shall conform to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(3) PERPETUAL ACCESS EASEMENT TO BHI.—The nonexclusive perpetual access easement to be granted to BHI as shown on the map referred to in subsection (b)(2) shall allow—

(A) BHI to fully maintain, at BHI's expense, and use Forest Service Road 371 from its junction with Forest Service Road 368 in accordance with historic use and maintenance patterns by BHI; and

(B) full and continued public and administrative access and use of FSR 371 in accordance with the existing Forest Service travel management plan, or as such plan may be revised by the Secretary.

(4) ROUTE AND CONDITION OF ROAD.—BHI and the Secretary may mutually agree to improve, relocate, reconstruct, or otherwise alter the route and condition of all or portions of such road as the Secretary, in close consultation with BHI, may determine advisable.

(5) EXCHANGE COSTS.—BHI shall pay for all land survey, appraisal, and other costs to the Secretary as may be necessary to process and consummate the exchange directed by this section, including reimbursement to the Secretary, if the Secretary so requests, for staff time spent in such processing and consummation.

(d) EQUAL VALUE EXCHANGE AND APPRAISALS.—

(1) APPRAISALS.—The values of the lands to be exchanged under this section shall be determined by the Secretary through appraisals performed in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions;

(B) the Uniform Standards of Professional Appraisal Practice;

(C) appraisal instructions issued by the Secretary; and

(D) shall be performed by an appraiser mutually agreed to by the Secretary and BHI.

(2) EQUAL VALUE EXCHANGE.—The values of the Federal and non-Federal land parcels exchanged shall be equal, or if they are not equal, shall be equalized as follows:

(A) SURPLUS OF FEDERAL LAND VALUE.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land parcel identified in subsection (b)(3)(A), BHI shall make a cash equalization payment to the United States as necessary to achieve equal value, including, if necessary, an amount in excess of that authorized pursuant to section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(B) USE OF FUNDS.—Any cash equalization moneys received by the Secretary under subparagraph (A) shall be—

(i) deposited in the fund established under Public Law 90–171 (commonly known as the ''Sisk Act''; 16 U.S.C. 484a); and

(ii) made available to the Secretary for the acquisition of land or interests in land in Region 2 of the Forest Service.

(C) SURPLUS OF NON-FEDERAL LAND VALUE.—If the final appraised value of the non-Federal land parcel identified in subsection (b)(3)(A) exceeds the final appraised value of the Federal land, the United States shall not make a cash equalization payment to BHI, and surplus value of the non-Federal land shall be considered a donation by BHI to the United States for all purposes of law.

(3) APPRAISAL EXCLUSIONS.—

(A) SPECIAL USE PERMIT.—The appraised value of the Federal land parcel shall not reflect any increase or diminution in value due to the special use permit existing on the date of the enactment of this Act to BHI on the parcel and improvements thereunder.

(B) BARR TRAIL EASEMENT.—The Barr Trail easement donation identified in subsection (b)(3)(B) shall not be appraised for purposes of this section.

(e) MISCELLANEOUS PROVISIONS.—

(1) WITHDRAWAL PROVISIONS.—

(A) WITHDRAWAL.—Lands acquired by the Secretary under this section shall, without further action by the Secretary, be permanently withdrawn from all forms of appropriation and disposal under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1930 (30 U.S.C. 1001 et seq.).

(B) WITHDRAWAL REVOCATION.—Any public land order that withdraws the Federal land from appropriation or disposal under a public land law shall be revoked to the extent necessary to permit disposal of the Federal land parcel to BHI.

(C) WITHDRAWAL OF FEDERAL LAND.—All Federal land authorized to be exchanged under this section, if not already withdrawn or segregated from appropriation or disposal under the public lands laws upon enactment of this Act, is hereby so withdrawn, subject to valid existing rights, until the date of conveyance of the Federal land to BHI.

(2) POSTEXCHANGE LAND MANAGEMENT.—Land acquired by the Secretary under this section shall become part of the Pike-San Isabel National Forest and be managed in accordance with the laws, rules, and regulations applicable to the National Forest System.

(3) EXCHANGE TIMETABLE.—It is the intent of Congress that the land exchange directed by this section be consummated no later than 1 year after the date of the enactment of this Act.

(4) MAPS, ESTIMATES, AND DESCRIPTIONS.—

(A) MINOR ERRORS.—The Secretary and BHI may by mutual agreement make minor boundary adjustments to the Federal and non-Federal lands involved in the exchange, and may correct any minor errors in any map, acreage estimate, or description of any land to be exchanged.

(B) CONFLICT.—If there is a conflict between a map, an acreage estimate, or a description of land under this section, the map shall control unless the Secretary and BHI mutually agree otherwise.

(C) AVAILABILITY.—Upon enactment of this Act, the Secretary shall file and make available for public inspection in the headquarters of the Pike-San Isabel National Forest a copy of all maps referred to in this section.

SEC. 10004. CERRO DEL YUTA AND RÍO SAN ANTONIO WILDERNESS AREAS.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term ''map'' means the map entitled ''Río Grande del Norte National Monument Proposed Wilderness Areas'' and dated July 28, 2015.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) WILDERNESS AREA.—The term ''wilderness area'' means a wilderness area designated by subsection (b)(1).

(b) DESIGNATION OF CERRO DEL YUTA AND RÍO SAN ANTONIO WILDERNESS AREAS.—

(1) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the Río Grande del Norte National Monument are designated as wilderness and as components of the National Wilderness Preservation System:

(A) CERRO DEL YUTA WILDERNESS.—Certain land administered by the Bureau of Land Management in Taos County, New Mexico, comprising approximately 13,420 acres as generally depicted on the map, which shall be known as the ''Cerro del Yuta Wilderness''.

(B) RÍO SAN ANTONIO WILDERNESS.—Certain land administered by the Bureau of Land Management in Río Arriba County, New Mexico, comprising approximately 8,120 acres, as generally depicted on the map, which shall be known as the ''Río San Antonio Wilderness''.

(2) MANAGEMENT OF WILDERNESS AREAS.—Subject to valid existing rights, the wilderness areas shall be administered in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this section, except that with respect to the wilderness areas designated by this subsection—

(A) any reference to the effective date of the Wilderness Act shall be considered to be a reference to the date of enactment of this Act; and

(B) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(3) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land within the boundary of the wilderness areas that is acquired by the United States shall—

(A) become part of the wilderness area in which the land is located; and

(B) be managed in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.);

(ii) this section; and

(iii) any other applicable laws.

(4) GRAZING.—Grazing of livestock in the wilderness areas, where established before the date of enactment of this Act, shall be administered in accordance with—

(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(B) the guidelines set forth in appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(5) BUFFER ZONES.—

(A) IN GENERAL.—Nothing in this section creates a protective perimeter or buffer zone around the wilderness areas.

(B) ACTIVITIES OUTSIDE WILDERNESS AREAS.—The fact that an activity or use on land outside a wilderness area can be seen or heard within the wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

(6) RELEASE OF WILDERNESS STUDY AREAS.—Congress finds that, for purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the public land within the San Antonio Wilderness Study Area not designated as wilderness by this subsection—

(A) has been adequately studied for wilderness designation;

(B) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(C) shall be managed in accordance with this section.

(7) MAPS AND LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file the map and legal descriptions of the wilderness areas with—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(B) FORCE OF LAW.—The map and legal descriptions filed under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct errors in the legal description and map.

(C) PUBLIC AVAILABILITY.—The map and legal descriptions filed under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(8) NATIONAL LANDSCAPE CONSERVATION SYSTEM.—The wilderness areas shall be administered as components of the National Landscape Conservation System.

(9) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction of the State of New Mexico with respect to fish and wildlife located on public land in the State.

(10) WITHDRAWALS.—Subject to valid existing rights, any Federal land within the wilderness areas designated by paragraph (1), including any land or interest in land that is acquired by the United States after the date of enactment of this Act, is withdrawn from—

(A) entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(11) TREATY RIGHTS.—Nothing in this section enlarges, diminishes, or otherwise modifies any treaty rights.

SEC. 10005. CLARIFICATION RELATING TO A CERTAIN LAND DESCRIPTION UNDER THE NORTHERN ARIZONA LAND EXCHANGE AND VERDE RIVER BASIN PARTNERSHIP ACT OF 2005.

Section 104(a)(5) of the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 (Public Law 109–110; 119 Stat. 2356) is amended by inserting before the period at the end '', which, notwithstanding section 102(a)(4)(B), includes the N½, NE¼, SW¼, SW¼, the N½, N½, SE¼, SW¼, and the N½, N½, SW¼, SE¼, sec. 34, T. 22 N., R. 2 E., Gila and Salt River Meridian, Coconino County, comprising approximately 25 acres''.

SEC. 10006. COOPER SPUR LAND EXCHANGE CLARIFICATION AMENDMENTS.

Section 1206(a) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1018) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking ''120 acres'' and inserting ''107 acres''; and

(B) in subparagraph (E)(ii), by inserting ''improvements,'' after ''buildings,''; and

(2) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking ''As soon as practicable after the date of enactment of this Act, the Secretary and Mt. Hood Meadows shall select'' and inserting ''Not later than 120 days after the date of the enactment of the Energy Policy Modernization Act of 2016, the Secretary and Mt. Hood Meadows shall jointly select'';

(ii) in clause (ii), in the matter preceding subclause (I), by striking ''An appraisal under clause (i) shall'' and inserting ''Except as provided under clause (iii), an appraisal under clause (i) shall assign a separate value to each tax lot to allow for the equalization of values and''; and

(iii) by adding at the end the following:

''(iii) FINAL APPRAISED VALUE.—

''(I) IN GENERAL.—Subject to subclause (II), after the final appraised value of the Federal land and the non-Federal land are determined and approved by the Secretary, the Secretary shall not be required to reappraise or update the final appraised value for a period of up to 3 years, beginning on the date of the approval by the Secretary of the final appraised value.

''(II) EXCEPTION.—Subclause (I) shall not apply if the condition of either the Federal land or the non-Federal land referred to in subclause (I) is significantly and substantially altered by fire, windstorm, or other events.

''(iv) PUBLIC REVIEW.—Before completing the land exchange under this Act, the Secretary shall make available for public review the complete appraisals of the land to be exchanged.''; and

(B) by striking subparagraph (G) and inserting the following:

''(G) REQUIRED CONVEYANCE CONDITIONS.—Prior to the exchange of the Federal and non-Federal land—

''(i) the Secretary and Mt. Hood Meadows may mutually agree for the Secretary to reserve a conservation easement to protect the identified wetland in accordance with applicable law, subject to the requirements that—

''(I) the conservation easement shall be consistent with the terms of the September 30, 2015, mediation between the Secretary and Mt. Hood Meadows; and

''(II) in order to take effect, the conservation easement shall be finalized not later than 120 days after the date of enactment of the Energy Policy Modernization Act of 2016; and

''(ii) the Secretary shall reserve a 24-foot-wide nonexclusive trail easement at the existing trail locations on the Federal land that retains for the United States existing rights to construct, reconstruct, maintain, and permit nonmotorized use by the public of existing trails subject to the right of the owner of the Federal land—

''(I) to cross the trails with roads, utilities, and infrastructure facilities; and

''(II) to improve or relocate the trails to accommodate development of the Federal land.

''(H) EQUALIZATION OF VALUES.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), in addition to or in lieu of monetary compensation, a lesser area of Federal land or non-Federal land may be conveyed if necessary to equalize appraised values of the exchange properties, without

limitation, consistent with the requirements of this Act and subject to the approval of the Secretary and Mt. Hood Meadows.

''(ii) TREATMENT OF CERTAIN COMPENSATION OR CONVEYANCES AS DONATION.—If, after payment of compensation or adjustment of land area subject to exchange under this Act, the amount by which the appraised value of the land and other property conveyed by Mt. Hood Meadows under subparagraph (A) exceeds the appraised value of the land conveyed by the Secretary under subparagraph (A) shall be considered a donation by Mt. Hood Meadows to the United States.''.

SEC. 10007. EXPEDITED ACCESS TO CERTAIN FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE.—The term ''eligible'', with respect to an organization or individual, means that the organization or individual, respectively, is—

(A) acting in a not-for-profit capacity; and

(B) composed entirely of members who, at the time of the good Samaritan search-and-recovery mission, have attained the age of majority under the law of the State where the mission takes place.

(2) GOOD SAMARITAN SEARCH-AND-RECOVERY MISSION.—The term ''good Samaritan search-and-recovery mission'' means a search conducted by an eligible organization or individual for 1 or more missing individuals believed to be deceased at the time that the search is initiated.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior or the Secretary of Agriculture, as applicable.

(b) PROCESS.—

(1) IN GENERAL.—Each Secretary shall develop and implement a process to expedite access to Federal land under the administrative jurisdiction of the Secretary for eligible organizations and individuals to request access to Federal land to conduct good Samaritan search-and-recovery missions.

(2) INCLUSIONS.—The process developed and implemented under this subsection shall include provisions to clarify that—

(A) an eligible organization or individual granted access under this section—

(i) shall be acting for private purposes; and

(ii) shall not be considered to be a Federal volunteer;

(B) an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section shall not be considered to be a volunteer under section 102301(c) of title 54, United States Code;

(C) chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act''), shall not apply to an eligible organization or individual carrying out a privately requested good Samaritan search-and-recovery mission under this section; and

(D) chapter 81 of title 5, United States Code (commonly known as the ''Federal Employees Compensation Act''), shall not apply to an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section, and the conduct of the good Samaritan search-and-recovery mission shall not constitute civilian employment.

(c) RELEASE OF FEDERAL GOVERNMENT FROM LIABILITY.—The Secretary shall not require an eligible organization or individual to have liability insurance as a condition of accessing Federal land under this section, if the eligible organization or individual—

(1) acknowledges and consents, in writing, to the provisions described in subparagraphs (A) through (D) of subsection (b)(2); and

(2) signs a waiver releasing the Federal Government from all liability relating to the access granted under this section and agrees to indemnify and hold harmless the United States from any claims or lawsuits arising from any conduct by the eligible organization or individual on Federal land.

(d) APPROVAL AND DENIAL OF REQUESTS.—

(1) IN GENERAL.—The Secretary shall notify an eligible organization or individual of the approval or denial of a request by the eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section by not later than 48 hours after the request is made.

(2) DENIALS.—If the Secretary denies a request from an eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section, the Secretary shall notify the eligible organization or individual of—

(A) the reason for the denial of the request; and

(B) any actions that the eligible organization or individual can take to meet the requirements for the request to be approved.

(e) PARTNERSHIPS.—Each Secretary shall develop search-and-recovery-focused partnerships with search-and-recovery organizations—

(1) to coordinate good Samaritan search-and-recovery missions on Federal land under the administrative jurisdiction of the Secretary; and

(2) to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of the Secretary.

(f) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretaries shall submit to Congress a joint report describing—

(1) plans to develop partnerships described in subsection (e)(1); and

(2) efforts carried out to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of each Secretary pursuant to subsection (e)(2).

SEC. 10008. BLACK HILLS NATIONAL CEMETERY BOUNDARY MODIFICATION.

(a) DEFINITIONS.—In this section:

(1) CEMETERY.—The term ''Cemetery'' means the Black Hills National Cemetery in Sturgis, South Dakota.

(2) FEDERAL LAND.—The term ''Federal land'' means the approximately 200 acres of Bureau of Land Management land adjacent to the Cemetery, generally depicted as ''Proposed National Cemetery Expansion'' on the map entitled ''Proposed Expansion of Black Hills National Cemetery-South Dakota'' and dated September 28, 2015.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) TRANSFER AND WITHDRAWAL OF BUREAU OF LAND MANAGEMENT LAND FOR CEMETERY USE.—

(1) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(A) IN GENERAL.—Subject to valid existing rights, administrative jurisdiction over the Federal land is transferred from the Secretary to the Secretary of Veterans Affairs for use as a national cemetery in accordance with chapter 24 of title 38, United States Code.

(B) LEGAL DESCRIPTIONS.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall publish in the Federal Register a notice containing a legal description of the Federal land.

(ii) EFFECT.—A legal description published under clause (i) shall have the same force and effect as if included in this section, except that the Secretary may correct any clerical and typographical errors in the legal description.

(iii) AVAILABILITY.—Copies of the legal description published under clause (i) shall be available for public inspection in the appropriate offices of—

(I) the Bureau of Land Management; and

(II) the National Cemetery Administration.

(iv) COSTS.—The Secretary of Veterans Affairs shall reimburse the Secretary for the costs incurred by the Secretary in carrying out this subparagraph, including the costs of any surveys and other reasonable costs.

(2) WITHDRAWAL.—Subject to valid existing rights, for any period during which the Federal land is under the administrative jurisdiction of the Secretary of Veterans Affairs, the Federal land—

(A) is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws; and

(B) shall be treated as property as defined under section 102(9) of title 40, United States Code.

(3) BOUNDARY MODIFICATION.—The boundary of the Cemetery is modified to include the Federal land.

(4) MODIFICATION OF PUBLIC LAND ORDER.—Public Land Order 2112, dated June 6, 1960 (25 Fed. Reg. 5243), is modified to exclude the Federal land.

(c) SUBSEQUENT TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) NOTICE.—On a determination by the Secretary of Veterans Affairs that all or a portion of the Federal land is not being used for purposes of the Cemetery, the Secretary of Veterans Affairs shall notify the Secretary of the determination.

(2) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Subject to paragraphs (3) and (4), the Secretary of Veterans Affairs shall transfer to the Secretary administrative jurisdiction over the Federal land subject to a notice under paragraph (1).

(3) DECONTAMINATION.—The Secretary of Veterans Affairs shall be responsible for the costs of any decontamination of the Federal land subject to a notice under paragraph (1) that the Secretary determines to be necessary for the Federal land to be restored to public land status.

(4) RESTORATION TO PUBLIC LAND STATUS.—The Federal land subject to a notice under paragraph (1) shall only be restored to public land status on—

(A) acceptance by the Secretary of the Federal land subject to the notice; and

(B) a determination by the Secretary that the Federal land subject to the notice is suitable for—

(i) restoration to public land status; and

(ii) the operation of 1 or more of the public land laws with respect to the Federal land.

(5) ORDER.—If the Secretary accepts the Federal land under paragraph (4)(A) and makes a determination of suitability under paragraph (4)(B), the Secretary may—

(A) open the accepted Federal land to operation of 1 or more of the public land laws; and

(B) issue an order to carry out the opening authorized under subparagraph (A).

Subtitle B—National Park Management, Studies, and Related Matters

SEC. 10101. REFUND OF FUNDS USED BY STATES TO OPERATE NATIONAL PARKS DURING SHUTDOWN.

(a) IN GENERAL.—The Director of the National Park Service shall refund to each State all funds of the State that were used to reopen and temporarily operate a unit of the National Park System during the period in October 2013 in which there was a lapse in appropriations for the unit.

(b) FUNDING.—Funds of the National Park Service that are appropriated after the date of enactment of this Act shall be used to carry out this section.

SEC. 10102. LOWER FARMINGTON AND SALMON BROOK RECREATIONAL RIVERS.

(a) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

''(213) LOWER FARMINGTON RIVER AND SALMON BROOK, CONNECTICUT.—Segments of the main stem and its tributary, Salmon Brook, totaling approximately 62 miles, to be administered by the Secretary of the Interior as follows:

''(A) The approximately 27.2-mile segment of the Farmington River beginning 0.2 miles below the tailrace of the Lower Collinsville Dam and extending to the site of the Spoonville Dam in Bloomfield and East Granby as a recreational river.

''(B) The approximately 8.1-mile segment of the Farmington River extending from 0.5 miles below the Rainbow Dam to the confluence with the Connecticut River in Windsor as a recreational river.

''(C) The approximately 2.4-mile segment of the main stem of Salmon Brook extending from the confluence of the East and West Branches to the confluence with the Farmington River as a recreational river.

''(D) The approximately 12.6-mile segment of the West Branch of Salmon Brook extending from its headwaters in Hartland, Connecticut to its confluence with the East Branch of Salmon Brook as a recreational river.

''(E) The approximately 11.4-mile segment of the East Branch of Salmon Brook extending from the Massachusetts-Connecticut State line to the confluence with the West Branch of Salmon Brook as a recreational river.''.

(b) MANAGEMENT.—

(1) IN GENERAL.—The river segments designated by subsection (a) shall be managed in accordance with the management plan and such amendments to the management plan as the Secretary determines are consistent with this section. The management plan shall be deemed to satisfy the requirements for a comprehensive management plan pursuant to section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(2) COMMITTEE.—The Secretary shall coordinate the management responsibilities of the Secretary under this section with the Lower Farmington River and Salmon Brook Wild and Scenic Committee, as specified in the management plan.

(3) COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—In order to provide for the long-term protection, preservation, and enhancement of the river segment designated by subsection (a), the Secretary is authorized to enter into cooperative agreements pursuant to sections 10(e) and 11(b)(1) of the Wild and Scenic Rivers Act with—

(i) the State of Connecticut;

(ii) the towns of Avon, Bloomfield, Burlington, East Granby, Farmington, Granby, Hartland, Simsbury, and Windsor in Connecticut; and

(iii) appropriate local planning and environmental organizations.

(B) CONSISTENCY.—All cooperative agreements provided for under this section shall be consistent with the management plan and may include provisions for financial or other assistance from the United States.

(4) LAND MANAGEMENT.—

(A) ZONING ORDINANCES.—For the purposes of the segments designated in subsection (a), the zoning ordinances adopted by the towns in Avon, Bloomfield, Burlington, East Granby, Farmington, Granby, Hartland, Simsbury, and Windsor in Connecticut, including provisions for conservation of floodplains, wetlands and watercourses associated with the segments, shall be deemed to satisfy the standards and requirements of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

(B) ACQUISITION OF LAND.—The provisions of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)) that prohibit Federal acquisition of lands by condemnation shall apply to the segments designated in subsection (a). The authority of the Secretary to acquire lands for the purposes of the segments designated in subsection (a) shall be limited to acquisition by donation or acquisition with the consent of the owner of the lands, and shall be subject to the additional criteria set forth in the management plan.

(5) RAINBOW DAM.—The designation made by subsection (a) shall not be construed to—

(A) prohibit, pre-empt, or abridge the potential future licensing of the Rainbow Dam and Reservoir (including any and all aspects of its facilities, operations and transmission lines) by the Federal Energy Regulatory Commission as a federally licensed hydroelectric generation project under the Federal Power Act, provided that the Commission may, in the discretion of the Commission and consistent with this section, establish such reasonable terms and conditions in a hydropower license for Rainbow Dam as are necessary to reduce impacts identified by the Secretary as invading or unreasonably diminishing the scenic, recreational, and fish and wildlife values of the segments designated by subsection (a); or

(B) affect the operation of, or impose any flow or release requirements on, the unlicensed hydroelectric facility at Rainbow Dam and Reservoir.

(6) RELATION TO NATIONAL PARK SYSTEM.—Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), the Lower Farmington River shall not be administered as part of the National Park System or be subject to regulations which govern the National Park System.

(c) FARMINGTON RIVER, CONNECTICUT, DESIGNATION REVISION.—Section 3(a)(156) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended in the first sentence—

(1) by striking ''14-mile'' and inserting ''15.1-mile''; and

(2) by striking ''to the downstream end of the New Hartford-Canton, Connecticut town line'' and inserting ''to the confluence with the Nepaug River''.

(d) DEFINITIONS.—For the purposes of this section:

(1) MANAGEMENT PLAN.—The term ''management plan'' means the management plan prepared by the Salmon Brook Wild and Scenic Study Committee entitled the ''Lower Farmington River and Salmon Brook Management Plan'' and dated June 2011.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 10103. SPECIAL RESOURCE STUDY OF PRESIDENT STREET STATION.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) STUDY AREA.—The term ''study area'' means the President Street Station, a railroad terminal in Baltimore, Maryland, the history of which is tied to the growth of the railroad industry in the 19th century, the Civil War, the Underground Railroad, and the immigrant influx of the early 20th century.

(b) SPECIAL RESOURCE STUDY.—

(1) STUDY.—The Secretary shall conduct a special resource study of the study area.

(2) CONTENTS.—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(D) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) APPLICABLE LAW.—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) REPORT.—Not later than 3 years after the date on which funds are first made available for the study under paragraph (1), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

SEC. 10104. SPECIAL RESOURCE STUDY OF THURGOOD MARSHALL'S ELEMENTARY SCHOOL.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) STUDY AREA.—The term ''study area'' means—

(A) P.S. 103, the public school located in West Baltimore, Maryland, which Thurgood Marshall attended as a youth; and

(B) any other resources in the neighborhood surrounding P.S. 103 that relate to the early life of Thurgood Marshall.

(b) SPECIAL RESOURCE STUDY.—

(1) STUDY.—The Secretary shall conduct a special resource study of the study area.

(2) CONTENTS.—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(D) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) APPLICABLE LAW.—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) REPORT.—Not later than 3 years after the date on which funds are first made available to carry out the study under paragraph (1), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

SEC. 10105. SPECIAL RESOURCE STUDY OF JAMES K. POLK PRESIDENTIAL HOME.

(a) IN GENERAL.—The Secretary of the Interior (referred to in this section as the ''Secretary'') shall conduct a special resource study of the site of the James K. Polk Home in Columbia, Tennessee, and adjacent

property (referred to in this section as the ''site'').

(b) CRITERIA.—The Secretary shall conduct the study under subsection (a) in accordance with section 100507 of title 54, United States Code.

(c) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the site;

(2) determine the suitability and feasibility of designating the site as a unit of the National Park System;

(3) include cost estimates for any necessary acquisition, development, operation, and maintenance of the site;

(4) consult with interested Federal, State, or local governmental entities, private and nonprofit organizations, or other interested individuals; and

(5) identify alternatives for the management, administration, and protection of the site.

(d) REPORT.—Not later than 3 years after the date on which funds are made available to carry out the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the findings and conclusions of the study; and

(2) any recommendations of the Secretary.

SEC. 10106. NORTH COUNTRY NATIONAL SCENIC TRAIL ROUTE ADJUSTMENT.

(a) ROUTE ADJUSTMENT.—Section 5(a)(8) of the National Trails System Act (16 U.S.C. 1244(a)(8)) is amended in the first sentence—

(1) by striking ''thirty two hundred miles, extending from eastern New York State'' and inserting ''4,600 miles, extending from the Appalachian Trail in Vermont''; and

(2) by striking ''Proposed North Country Trail'' and all that follows through ''June 1975.'' and inserting '''North Country National Scenic Trail, Authorized Route' dated February 2014, and numbered 649/116870.''.

(b) NO CONDEMNATION.—Section 5(a)(8) of the National Trails System Act (16 U.S.C. 1244(a)(8)) is amended by adding at the end the following: ''No land or interest in land outside of the exterior boundary of any Federally administered area may be acquired by the Federal Government for the trail by condemnation.''.

SEC. 10107. DESIGNATION OF JAY S. HAMMOND WILDERNESS AREA.

(a) DESIGNATION.—The approximately 2,600,000 acres of National Wilderness Preservation System land located within the Lake Clark National Park and Preserve designated by section 201(e)(7)(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 410hh(e)(7)(a)) shall be known and designated as the ''Jay S. Hammond Wilderness Area''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the wilderness area referred to in subsection (a) shall be deemed to be a reference to the ''Jay S. Hammond Wilderness Area''.

SEC. 10108. ADVISORY COUNCIL ON HISTORIC PRESERVATION.

Section 304101(a) of title 54, United States Code, is amended—

(1) by redesignating paragraphs (8), (9), (10), and (11) as paragraphs (9), (10), (11), and (12), respectively; and

(2) by inserting after paragraph (7) the following:

''(8) The General Chairman of the National Association of Tribal Historic Preservation Officers.''.

SEC. 10109. ESTABLISHMENT OF A VISITOR SERVICES FACILITY ON THE ARLINGTON RIDGE TRACT.

(a) DEFINITION OF ARLINGTON RIDGE TRACT.—In this section, the term ''Arlington Ridge tract'' means the parcel of Federal land located in Arlington County, Virginia, known as the ''Nevius Tract'' and transferred to the Department of the Interior in 1953, that is bounded generally by—

(1) Arlington Boulevard (United States Route 50) to the north;

(2) Jefferson Davis Highway (Virginia Route 110) to the east;

(3) Marshall Drive to the south; and

(4) North Meade Street to the west.

(b) ESTABLISHMENT OF VISITOR SERVICES FACILITY.—Notwithstanding section 2863(g) of the Military Construction Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1332), the Secretary of the Interior may construct a structure for visitor services to include a public restroom facility on the Arlington Ridge tract in the area of the United States Marine Corps War Memorial.

Subtitle C—Sportsmen's Access and Land Management Issues

PART I—NATIONAL POLICY

SEC. 10201. CONGRESSIONAL DECLARATION OF NATIONAL POLICY.

(a) IN GENERAL.—Congress declares that it is the policy of the United States that Federal departments and agencies, in accordance with the missions of the departments and agencies, Executive Orders 12962 and 13443 (60 Fed. Reg. 30769 (June 7, 1995); 72 Fed. Reg. 46537 (August 16, 2007)), and applicable law, shall—

(1) facilitate the expansion and enhancement of hunting, fishing, and recreational shooting opportunities on Federal land, in consultation with the Wildlife and Hunting Heritage Conservation Council, the Sport Fishing and Boating Partnership Council, State and tribal fish and wildlife agencies, and the public;

(2) conserve and enhance aquatic systems and the management of game species and the habitat of those species on Federal land, including through hunting and fishing, in a manner that respects—

(A) State management authority over wildlife resources; and

(B) private property rights; and

(3) consider hunting, fishing, and recreational shooting opportunities as part of all Federal plans for land, resource, and travel management.

(b) EXCLUSION.—In this subtitle, the term ''fishing'' does not include commercial fishing in which fish are harvested, either in whole or in part, that are intended to enter commerce through sale.

PART II—SPORTSMEN'S ACCESS TO FEDERAL LAND

SEC. 10211. DEFINITIONS.

In this part:

(1) FEDERAL LAND.—The term ''Federal land'' means—

(A) any land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))) that is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and

(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), the surface of which is administered by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(2) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of Agriculture, with respect to land described in paragraph (1)(A); and

(B) the Secretary of the Interior, with respect to land described in paragraph (1)(B).

SEC. 10212. FEDERAL LAND OPEN TO HUNTING, FISHING, AND RECREATIONAL SHOOTING.

(a) IN GENERAL.—Subject to subsection (b), Federal land shall be open to hunting, fishing, and recreational shooting, in accordance with applicable law, unless the Secretary concerned closes an area in accordance with section 6213.

(b) EFFECT OF PART.—Nothing in this part opens to hunting, fishing, or recreational shooting any land that is not open to those activities as of the date of enactment of this Act.

SEC. 10213. CLOSURE OF FEDERAL LAND TO HUNTING, FISHING, AND RECREATIONAL SHOOTING.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Subject to paragraph (2) and in accordance with section 302(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(b)), the Secretary concerned may designate any area on Federal land in which, and establish any period during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or recreational shooting shall be permitted.

(2) REQUIREMENT.—In making a designation under paragraph (1), the Secretary concerned shall designate the smallest area for the least amount of time that is required for public safety, administration, or compliance with applicable laws.

(b) CLOSURE PROCEDURES.—

(1) IN GENERAL.—Except in an emergency, before permanently or temporarily closing any Federal land to hunting, fishing, or recreational shooting, the Secretary concerned shall—

(A) consult with State fish and wildlife agencies; and

(B) provide public notice and opportunity for comment under paragraph (2).

(2) PUBLIC NOTICE AND COMMENT.—

(A) IN GENERAL.—Public notice and comment shall include—

(i) a notice of intent—

(I) published in advance of the public comment period for the closure—

(aa) in the Federal Register;

(bb) on the website of the applicable Federal agency;

(cc) on the website of the Federal land unit, if available; and

(dd) in at least 1 local newspaper;

(II) made available in advance of the public comment period to local offices, chapters, and affiliate organizations in the vicinity of the closure that are signatories to the memorandum of understanding entitled ''Federal Lands Hunting, Fishing, and Shooting Sports Roundtable Memorandum of Understanding''; and

(III) that describes—

(aa) the proposed closure; and

(bb) the justification for the proposed closure, including an explanation of the reasons and necessity for the decision to close the area to hunting, fishing, or recreational shooting; and

(ii) an opportunity for public comment for a period of—

(I) not less than 60 days for a permanent closure; or

(II) not less than 30 days for a temporary closure.

(B) FINAL DECISION.—In a final decision to permanently or temporarily close an area to hunting, fishing, or recreation shooting, the Secretary concerned shall—

(i) respond in a reasoned manner to the comments received;

(ii) explain how the Secretary concerned resolved any significant issues raised by the comments; and

(iii) show how the resolution led to the closure.

(c) TEMPORARY CLOSURES.—

(1) IN GENERAL.—A temporary closure under this section may not exceed a period of 180 days.

(2) RENEWAL.—Except in an emergency, a temporary closure for the same area of land closed to the same activities—

(A) may not be renewed more than 3 times after the first temporary closure; and

(B) must be subject to a separate notice and comment procedure in accordance with subsection (b)(2).

(3) EFFECT OF TEMPORARY CLOSURE.—Any Federal land that is temporarily closed to hunting, fishing, or recreational shooting under this section shall not become permanently closed to that activity without a separate public notice and opportunity to comment in accordance with subsection (b)(2).

(d) REPORTING.—On an annual basis, the Secretaries concerned shall—

(1) publish on a public website a list of all areas of Federal land temporarily or permanently subject to a closure under this section; and

(2) submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a report that identifies—

(A) a list of each area of Federal land temporarily or permanently subject to a closure;

(B) the acreage of each closure; and

(C) a survey of—

(i) the aggregate areas and acreage closed under this section in each State; and

(ii) the percentage of Federal land in each State closed under this section with respect to hunting, fishing, and recreational shooting.

(e) APPLICATION.—This section shall not apply if the closure is—

(1) less than 14 days in duration; and

(2) covered by a special use permit.

SEC. 10214. SHOOTING RANGES.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary concerned may, in accordance with this section and other applicable law, lease or permit the use of Federal land for a shooting range.

(b) EXCEPTION.—The Secretary concerned shall not lease or permit the use of Federal land for a shooting range, within—

(1) a component of the National Landscape Conservation System;

(2) a component of the National Wilderness Preservation System;

(3) any area that is—

(A) designated as a wilderness study area;

(B) administratively classified as—

(i) wilderness-eligible; or

(ii) wilderness-suitable; or

(C) a primitive or semiprimitive area;

(4) a national monument, national volcanic monument, or national scenic area; or

(5) a component of the National Wild and Scenic Rivers System (including areas designated for study for potential addition to the National Wild and Scenic Rivers System).

SEC. 10215. FEDERAL ACTION TRANSPARENCY.

(a) MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.—

(1) AGENCY PROCEEDINGS.—Section 504 of title 5, United States Code, is amended—

(A) in subsection (c)(1), by striking '', United States Code'';

(B) by redesignating subsection (f) as subsection (i); and

(C) by striking subsection (e) and inserting the following:

''(e)(1) Not later than March 31 of the first fiscal year beginning after the date of enactment of the Energy Policy Modernization Act of 2016, and every fiscal year thereafter, the Chairman of the Administrative Conference of the United States, after consultation with the Chief Counsel for Advocacy of the Small Business Administration, shall submit to Congress and make publicly available online a report on the amount of fees and other expenses awarded during the preceding fiscal year under this section.

''(2) Each report under paragraph (1) shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid Congress in evaluating the scope and impact of such awards.

''(3)(A) Each report under paragraph (1) shall account for all payments of fees and other expenses awarded under this section that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to a nondisclosure provision.

''(B) The disclosure of fees and other expenses required under subparagraph (A) shall not affect any other information that is subject to a nondisclosure provision in a settlement agreement.

''(f) As soon as practicable, and in any event not later than the date on which the first report under subsection (e)(1) is required to be submitted, the Chairman of the Administrative Conference of the United States shall create and maintain online a searchable database containing, with respect to each award of fees and other expenses under this section made on or after the date of enactment of the Energy Policy Modernization Act of 2016, the following information:

''(1) The case name and number of the adversary adjudication, if available, hyperlinked to the case, if available.

''(2) The name of the agency involved in the adversary adjudication.

''(3) A description of the claims in the adversary adjudication.

''(4) The name of each party to whom the award was made as such party is identified in the order or other court document making the award.

''(5) The amount of the award.

''(6) The basis for the finding that the position of the agency concerned was not substantially justified.

''(g) The online searchable database described in subsection (f) may not reveal any information the disclosure of which is prohibited by law or a court order.

''(h) The head of each agency shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of subsections (e), (f), and (g).''.

(2) COURT CASES.—Section 2412(d) of title 28, United States Code, is amended by adding at the end the following:

''(5)(A) Not later than March 31 of the first fiscal year beginning after the date of enactment of the Energy Policy Modernization Act of 2016, and every fiscal year thereafter, the Chairman of the Administrative Conference of the United States shall submit to Congress and make publicly available online a report on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this subsection.

''(B) Each report under subparagraph (A) shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid Congress in evaluating the scope and impact of such awards.

''(C)(i) Each report under subparagraph (A) shall account for all payments of fees and other expenses awarded under this subsection that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to a nondisclosure provision.

''(ii) The disclosure of fees and other expenses required under clause (i) shall not affect any other information that is subject to a nondisclosure provision in a settlement agreement.

''(D) The Chairman of the Administrative Conference of the United States shall include and clearly identify in each annual report under subparagraph (A), for each case in which an award of fees and other expenses is included in the report—

''(i) any amounts paid under section 1304 of title 31 for a judgment in the case;

''(ii) the amount of the award of fees and other expenses; and

''(iii) the statute under which the plaintiff filed suit.

''(6) As soon as practicable, and in any event not later than the date on which the first report under paragraph (5)(A) is required to be submitted, the Chairman of the Administrative Conference of the United States shall create and maintain online a searchable database containing, with respect to each award of fees and other expenses under this subsection made on or after the date of enactment of the Energy Policy Modernization Act of 2016, the following information:

''(A) The case name and number, hyperlinked to the case, if available.

''(B) The name of the agency involved in the case.

''(C) The name of each party to whom the award was made as such party is identified in the order or other court document making the award.

''(D) A description of the claims in the case.

''(E) The amount of the award.

''(F) The basis for the finding that the position of the agency concerned was not substantially justified.

''(7) The online searchable database described in paragraph (6) may not reveal any information the disclosure of which is prohibited by law or a court order.

''(8) The head of each agency (including the Attorney General of the United States) shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of paragraphs (5), (6), and (7).''.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Section 2412 of title 28, United States Code, is amended—

(A) in subsection (d)(3), by striking ''United States Code,''; and

(B) in subsection (e)—

(i) by striking ''of section 2412 of title 28, United States Code,'' and inserting ''of this section''; and

(ii) by striking ''of such title'' and inserting ''of this title''.

(b) JUDGMENT FUND TRANSPARENCY.—Section 1304 of title 31, United States Code, is amended by adding at the end the following:

''(d) Beginning not later than the date that is 60 days after the date of enactment of the Energy Policy Modernization Act of 2016, and unless the disclosure of such information is otherwise prohibited by law or a court order, the Secretary of the Treasury shall make available to the public on a website, as soon as practicable, but not later than 30 days after the date on which a payment under this section is tendered, the following information with regard to that payment:

''(1) The name of the specific agency or entity whose actions gave rise to the claim or judgment.

''(2) The name of the plaintiff or claimant.

''(3) The name of counsel for the plaintiff or claimant.

''(4) The amount paid representing principal liability, and any amounts paid representing any ancillary liability, including attorney fees, costs, and interest.

''(5) A brief description of the facts that gave rise to the claim.

''(6) The name of the agency that submitted the claim.''.

PART III—FILMING ON FEDERAL LAND MANAGEMENT AGENCY LAND

SEC. 10221. COMMERCIAL FILMING.

(a) IN GENERAL.—Section 1 of Public Law 106–206 (16 U.S.C. 4601–6d) is amended—

(1) by redesignating subsections (a) through (f) as subsections (b) through (g), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following:

''(a) DEFINITION OF SECRETARY.—The term 'Secretary' means the Secretary of the Interior or the Secretary of Agriculture, as applicable, with respect to land under the respective jurisdiction of the Secretary.'';

(3) in subsection (b) (as so redesignated)—

(A) in paragraph (1)—

(i) in the first sentence, by striking ''of the Interior or the Secretary of Agriculture (hereafter individually referred to as the 'Secretary' with respect to land (except land in a System unit as defined in section 100102 of title 54, United States Code) under their respective jurisdictions)''; and

(ii) in subparagraph (B), by inserting '', except in the case of film crews of 3 or fewer individuals'' before the period at the end; and

(B) by adding at the end the following:

''(3) FEE SCHEDULE.—Not later than 180 days after the date of enactment of the Energy Policy Modernization Act of 2016, to enhance consistency in the management of Federal land, the Secretaries shall publish a single joint land use fee schedule for commercial filming and still photography.'';

(4) in subsection (c) (as so redesignated), in the second sentence, by striking ''subsection (a)'' and inserting ''subsection (b)'';

(5) in subsection (d) (as so redesignated), in the heading, by inserting ''Commercial'' before ''Still'';

(6) in paragraph (1) of subsection (f) (as so redesignated), by inserting ''in accordance with the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801 et seq.),'' after ''without further appropriation,'';

(7) in subsection (g) (as so redesignated)—

(A) by striking ''The Secretary shall'' and inserting the following:

''(1) IN GENERAL.—The Secretary shall''; and

(B) by adding at the end the following:

''(2) CONSIDERATIONS.—The Secretary shall not consider subject matter or content as a criterion for issuing or denying a permit under this Act.''; and

(8) by adding at the end the following:

''(h) EXEMPTION FROM COMMERCIAL FILMING OR STILL PHOTOGRAPHY PERMITS AND FEES.—The Secretary shall not require persons holding commercial use authorizations or special recreation permits to obtain an additional permit or pay a fee for commercial filming or still photography under this Act if the filming or photography conducted is—

''(1) incidental to the permitted activity that is the subject of the commercial use authorization or special recreation permit; and

''(2) the holder of the commercial use authorization or special recreation permit is an individual or small business concern (within the meaning of section 3 of the Small Business Act (15 U.S.C. 632)).

''(i) EXCEPTION FROM CERTAIN FEES.—Commercial filming or commercial still photography shall be exempt from fees under this Act, but not from recovery of costs under subsection (c), if the activity—

''(1) is conducted by an entity that is a small business concern (within the meaning of section 3 of the Small Business Act (15 U.S.C. 632));

''(2) is conducted by a crew of not more than 3 individuals; and

''(3) uses only a camera and tripod.

''(j) APPLICABILITY TO NEWS GATHERING ACTIVITIES.—

''(1) IN GENERAL.—News gathering shall not be considered a commercial activity.

''(2) INCLUDED ACTIVITIES.—In this subsection, the term 'news gathering' includes, at a minimum, the gathering, recording, and filming of news and information related to news in any medium.''.

(b) CONFORMING AMENDMENTS.—Chapter 1009 of title 54, United States Code, is amended—

(1) by striking section 100905; and

(2) in the table of sections for chapter 1009 of title 54, United States Code, by striking the item relating to section 100905.

PART IV—BOWS, WILDLIFE MANAGEMENT, AND ACCESS OPPORTUNITIES FOR RECREATION, HUNTING, AND FISHING

SEC. 10231. BOWS IN PARKS.

(a) IN GENERAL.—Chapter 1049 of title 54, United States Code (as amended by section 5001(a)), is amended by adding at the end the following:

''§ 104909. Bows in parks

''(a) DEFINITION OF NOT READY FOR IMMEDIATE USE.—The term 'not ready for immediate use' means—

''(1) a bow or crossbow, the arrows of which are secured or stowed in a quiver or other arrow transport case; and

''(2) with respect to a crossbow, uncocked.

''(b) VEHICULAR TRANSPORTATION AUTHORIZED.—The Director shall not promulgate or enforce any regulation that prohibits an individual from transporting bows and crossbows that are not ready for immediate use across any System unit in the vehicle of the individual if—

''(1) the individual is not otherwise prohibited by law from possessing the bows and crossbows;

''(2) the bows or crossbows that are not ready for immediate use remain inside the vehicle of the individual throughout the period during which the bows or crossbows are transported across System land; and

''(3) the possession of the bows and crossbows is in compliance with the law of the State in which the System unit is located.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1049 of title 54, United States Code (as amended by section 5001(b)), is amended by inserting after the item relating to section 104908 the following:

''104909. Bows in parks.''.

SEC. 10232. WILDLIFE MANAGEMENT IN PARKS.

(a) IN GENERAL.—Chapter 1049 of title 54, United States Code (as amended by section 6231(a)), is amended by adding at the end the following:

''SEC. 104910. WILDLIFE MANAGEMENT IN PARKS.

''(a) USE OF QUALIFIED VOLUNTEERS.—If the Secretary determines it is necessary to reduce the size of a wildlife population on System land in accordance with applicable law (including regulations), the Secretary may use qualified volunteers to assist in carrying out wildlife management on System land.

''(b) REQUIREMENTS FOR QUALIFIED VOLUNTEERS.—Qualified volunteers providing assistance under subsection (a) shall be subject to—

''(1) any training requirements or qualifications established by the Secretary; and

''(2) any other terms and conditions that the Secretary may require.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1049 of title 54 (as amended by section 6231(b)), United States Code, is amended by inserting after the item relating to section 104909 the following:

''104910. Wildlife management in parks.''.

SEC. 10233. IDENTIFYING OPPORTUNITIES FOR RECREATION, HUNTING, AND FISHING ON FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means—

(A) the Secretary of the Interior, with respect to land administered by—

(i) the Director of the National Park Service;

(ii) the Director of the United States Fish and Wildlife Service; and

(iii) the Director of the Bureau of Land Management; and

(B) the Secretary of Agriculture, with respect to land administered by the Chief of the Forest Service.

(2) STATE OR REGIONAL OFFICE.—The term ''State or regional office'' means—

(A) a State office of the Bureau of Land Management; or

(B) a regional office of—

(i) the National Park Service;

(ii) the United States Fish and Wildlife Service; or

(iii) the Forest Service.

(3) TRAVEL MANAGEMENT PLAN.—The term ''travel management plan'' means a plan for the management of travel—

(A) with respect to land under the jurisdiction of the National Park Service, on park roads and designated routes under section 4.10 of title 36, Code of Federal Regulations (or successor regulations);

(B) with respect to land under the jurisdiction of the United States Fish and Wildlife Service, on the land under a comprehensive conservation plan prepared under section 4(e) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(e));

(C) with respect to land under the jurisdiction of the Forest Service, on National Forest System land under part 212 of title 36, Code of Federal Regulations (or successor regulations); and

(D) with respect to land under the jurisdiction of the Bureau of Land Management, under a resource management plan developed under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(b) PRIORITY LISTS REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, annually during the 10-year period beginning on the date on which the first priority list is completed, and every 5 years after the end of the 10-year period, the Secretary shall prepare a priority list, to be made publicly available on the website of the applicable Federal agency referred to in subsection (a)(1), which shall identify the location and acreage of land within the jurisdiction of each State or regional office on which the public is allowed, under Federal or State law, to hunt, fish, or use the land for other recreational purposes but—

(A) to which there is no public access or egress; or

(B) to which public access or egress to the legal boundaries of the land is significantly restricted (as determined by the Secretary).

(2) MINIMUM SIZE.—Any land identified under paragraph (1) shall consist of contiguous acreage of at least 640 acres.

(3) CONSIDERATIONS.—In preparing the priority list required under paragraph (1), the Secretary shall consider with respect to the land—

(A) whether access is absent or merely restricted, including the extent of the restriction;

(B) the likelihood of resolving the absence of or restriction to public access;

(C) the potential for recreational use;

(D) any information received from the public or other stakeholders during the nomination process described in paragraph (5); and

(E) any other factor as determined by the Secretary.

(4) ADJACENT LAND STATUS.—For each parcel of land on the priority list, the Secretary shall include in the priority list whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title from—

(A) another Federal agency;

(B) a State, local, or tribal government; or

(C) a private landowner.

(5) NOMINATION PROCESS.—In preparing a priority list under this section, the Secretary shall provide an opportunity for members of the public to nominate parcels for inclusion on the priority list.

(c) ACCESS OPTIONS.—With respect to land included on a priority list described in subsection (b), the Secretary shall develop and submit to the Committees on Appropriations and Energy and Natural Resources of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives a report on options for providing access that—

(1) identifies how public access and egress could reasonably be provided to the legal boundaries of the land in a manner that minimizes the impact on wildlife habitat and water quality;

(2) specifies the steps recommended to secure the access and egress, including acquiring an easement, right-of-way, or fee title from a willing owner of any land that abuts the land or the need to coordinate with State land management agencies or other Federal, State, or tribal governments to allow for such access and egress; and

(3) is consistent with the travel management plan in effect on the land.

(d) PROTECTION OF PERSONALLY IDENTIFYING INFORMATION.—In making the priority list and report prepared under subsections (b) and (c) available, the Secretary shall ensure that no personally identifying information is included, such as names or addresses of individuals or entities.

(e) WILLING OWNERS.—For purposes of providing any permits to, or entering into agreements with, a State, local, or tribal government or private landowner with respect to the use of land under the jurisdiction of the government or landowner, the Secretary shall not take into account whether the State, local, or tribal government or private landowner has granted or denied public access or egress to the land.

(f) MEANS OF PUBLIC ACCESS AND EGRESS INCLUDED.—In considering public access and egress under subsections (b) and (c), the Secretary shall consider public access and egress to the legal boundaries of the land described in those subsections, including access and egress—

(1) by motorized or non-motorized vehicles; and

(2) on foot or horseback.

(g) EFFECT.—

(1) IN GENERAL.—This section shall have no effect on whether a particular recreational use shall be allowed on the land included in a priority list under this section.

(2) EFFECT OF ALLOWABLE USES ON AGENCY CONSIDERATION.—In preparing the priority list under subsection (b), the Secretary shall only consider recreational uses that are allowed on the land at the time that the priority list is prepared.

PART V—FEDERAL LAND TRANSACTION FACILITATION ACT

SEC. 10241. FEDERAL LAND TRANSACTION FACILITATION ACT.

(a) IN GENERAL.—The Federal Land Transaction Facilitation Act is amended—

(1) in section 203(2) (43 U.S.C. 2302(2)), by striking ''on the date of enactment of this Act was'' and inserting ''is'';

(2) in section 205 (43 U.S.C. 2304)—

(A) in subsection (a), by striking ''(as in effect on the date of enactment of this Act)''; and

(B) by striking subsection (d);

(3) in section 206 (43 U.S.C. 2305), by striking subsection (f); and

(4) in section 207(b) (43 U.S.C. 2306(b))—

(A) in paragraph (1)—

(i) by striking ''96–568'' and inserting ''96–586''; and

(ii) by striking ''; or'' and inserting a semicolon;

(B) in paragraph (2)—

(i) by inserting ''Public Law 105–263;'' before ''112 Stat.''; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(3) the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109–432; 120 Stat. 3028);

''(4) the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2403);

''(5) subtitle F of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1132 note; Public Law 111–11);

''(6) subtitle O of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 460www note, 1132 note; Public Law 111–11);

''(7) section 2601 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1108); or

''(8) section 2606 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1121).''.

(b) FUNDS TO TREASURY.—Of the amounts deposited in the Federal Land Disposal Account, there shall be transferred to the general fund of the Treasury $1,000,000 for each of fiscal years 2016 through 2025.

PART VI—FISH AND WILDLIFE CONSERVATION

SEC. 10251. AMENDMENTS TO PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.

(a) PURPOSE.—The purpose of this section is to facilitate the construction and expansion of public target ranges, including ranges on Federal land managed by the Forest Service and the Bureau of Land Management.

(b) DEFINITION OF PUBLIC TARGET RANGE.—In this section, the term ''public target range'' means a specific location that—

(1) is identified by a governmental agency for recreational shooting;

(2) is open to the public;

(3) may be supervised; and

(4) may accommodate archery or rifle, pistol, or shotgun shooting.

(c) AMENDMENTS TO PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.—

(1) DEFINITIONS.—Section 2 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a) is amended—

(A) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

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

''(2) the term 'public target range' means a specific location that—

''(A) is identified by a governmental agency for recreational shooting;

''(B) is open to the public;

''(C) may be supervised; and

''(D) may accommodate archery or rifle, pistol, or shotgun shooting;''.

(2) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—Section 8(b) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g(b)) is amended—

(A) by striking ''(b) Each State'' and inserting the following:

''(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each State'';

(B) in paragraph (1) (as so designated), by striking ''construction, operation,'' and inserting ''operation'';

(C) in the second sentence, by striking ''The non-Federal share'' and inserting the following:

''(3) NON-FEDERAL SHARE.—The non-Federal share'';

(D) in the third sentence, by striking ''The Secretary'' and inserting the following:

''(4) REGULATIONS.—The Secretary''; and

(E) by inserting after paragraph (1) (as designated by subparagraph (A)) the following:

''(2) EXCEPTION.—Notwithstanding the limitation described in paragraph (1), a State may pay up to 90 percent of the cost of acquiring land for, expanding, or constructing a public target range.''.

(3) FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.—Section 10 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h–1) is amended—

(A) in subsection (a), by adding at the end the following:

''(3) ALLOCATION OF ADDITIONAL AMOUNTS.—Of the amount apportioned to a State for any fiscal year under section 4(b), the State may elect to allocate not more than 10 percent, to be combined with the amount apportioned to the State under paragraph (1) for that fiscal year, for acquiring land for, expanding, or constructing a public target range.'';

(B) by striking subsection (b) and inserting the following:

''(b) COST SHARING.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the cost of any activity carried out using a grant under this section shall not exceed 75 percent of the total cost of the activity.

''(2) PUBLIC TARGET RANGE CONSTRUCTION OR EXPANSION.—The Federal share of the cost of acquiring land for, expanding, or constructing a public target range in a State on Federal or non-Federal land pursuant to this section or section 8(b) shall not exceed 90 percent of the cost of the activity.''; and

(C) in subsection (c)(1)—

(i) by striking ''Amounts made'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), amounts made''; and

(ii) by adding at the end the following:

''(B) EXCEPTION.—Amounts provided for acquiring land for, constructing, or expanding a public target range shall remain available for expenditure and obligation during the 5-fiscal-year period beginning on October 1 of the first fiscal year for which the amounts are made available.''.

(d) SENSE OF CONGRESS REGARDING COOPERATION.—It is the sense of Congress that, consistent with applicable laws (including regulations), the Chief of the Forest Service and the Director of the Bureau of Land Management should cooperate with State and local authorities and other entities to carry out waste removal and other activities on any Federal land used as a public target range to encourage continued use of that land for target practice or marksmanship training.

SEC. 10252. NORTH AMERICAN WETLANDS CONSERVATION ACT.

(a) CONSERVATION INCENTIVES LANDOWNER EDUCATION PROGRAM.—Any acquisition of land (including any interest in land) under the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.) shall be subject to the notification requirements under section [50____(d)].

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 7(c) of the North American Wetlands Conservation Act (16 U.S.C. 4406(c)) is amended—

(1) in paragraph (4), by striking ''and'';

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(6) $50,000,000 for each of fiscal years 2015 through 2020.''.

SEC. 10253. NATIONAL FISH HABITAT CONSERVATION.

(a) SHORT TITLE.—This section may be cited as the ''National Fish Habitat Conservation Through Partnerships Act''.

(b) PURPOSE.—The purpose of this section is to encourage partnerships among public agencies and other interested parties to promote fish conservation—

(1) to achieve measurable habitat conservation results through strategic actions of Fish Habitat Partnerships that lead to better fish habitat conditions and increased fishing opportunities by—

(A) improving ecological conditions;

(B) restoring natural processes; or

(C) preventing the decline of intact and healthy systems;

(2) to establish a consensus set of national conservation strategies as a framework to guide future actions and investment by Fish Habitat Partnerships;

(3) to broaden the community of support for fish habitat conservation by—

(A) increasing fishing opportunities;

(B) fostering the participation of local communities, especially young people in local communities, in conservation activities; and

(C) raising public awareness of the role healthy fish habitat play in the quality of life and economic well-being of local communities;

(4) to fill gaps in the National Fish Habitat Assessment and the associated database of the National Fish Habitat Assessment—

(A) to empower strategic conservation actions supported by broadly available scientific information; and

(B) to integrate socioeconomic data in the analysis to improve the lives of humans in a manner consistent with fish habitat conservation goals; and

(5) to communicate to the public and conservation partners—

(A) the conservation outcomes produced collectively by Fish Habitat Partnerships; and

(B) new opportunities and voluntary approaches for conserving fish habitat.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) BOARD.—The term ''Board'' means the National Fish Habitat Board established by subsection (d)(1)(A).

(3) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

(4) EPA ASSISTANT ADMINISTRATOR.—The term ''EPA Assistant Administrator'' means the Assistant Administrator for Water of the Environmental Protection Agency.

(5) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(6) NOAA ASSISTANT ADMINISTRATOR.—The term ''NOAA Assistant Administrator'' means the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration.

(7) PARTNERSHIP.—The term ''Partnership'' means a self-governed entity designated by the Board as a Fish Habitat Conservation Partnership pursuant to subsection (e)(1).

(8) REAL PROPERTY INTEREST.—The term ''real property interest'' means an ownership interest in—

(A) land; or

(B) water (including water rights).

(9) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(10) STATE.—The term ''State'' means each of the several States.

(11) STATE AGENCY.—The term ''State agency'' means—

(A) the fish and wildlife agency of a State; and

(B) any department or division of a department or agency of a State that manages in the public trust the inland or marine fishery resources or sustains the habitat for those fishery resources of the State pursuant to State law or the constitution of the State.

(d) NATIONAL FISH HABITAT BOARD.—

(1) ESTABLISHMENT.—

(A) FISH HABITAT BOARD.—There is established a board, to be known as the ''National Fish Habitat Board'', whose duties are—

(i) to promote, oversee, and coordinate the implementation of this section;

(ii) to establish national goals and priorities for fish habitat conservation;

(iii) to approve Partnerships; and

(iv) to review and make recommendations regarding fish habitat conservation projects.

(B) MEMBERSHIP.—The Board shall be composed of 25 members, of whom—

(i) 1 shall be a representative of the Department of the Interior;

(ii) 1 shall be a representative of the United States Geological Survey;

(iii) 1 shall be a representative of the Department of Commerce;

(iv) 1 shall be a representative of the Department of Agriculture;

(v) 1 shall be a representative of the Association of Fish and Wildlife Agencies;

(vi) 4 shall be representatives of State agencies, 1 of whom shall be nominated by a regional association of fish and wildlife agencies from each of the Northeast, Southeast, Midwest, and Western regions of the United States;

(vii) 1 shall be a representative of either—

(I) Indian tribes in the State of Alaska; or

(II) Indian tribes in States other than the State of Alaska;

(viii) 1 shall be a representative of either—

(I) the Regional Fishery Management Councils established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852); or

(II) a representative of the Marine Fisheries Commissions, which is composed of—

(aa) the Atlantic States Marine Fisheries Commission;

(bb) the Gulf States Marine Fisheries Commission; and

(cc) the Pacific States Marine Fisheries Commission;

(ix) 1 shall be a representative of the Sportfishing and Boating Partnership Council;

(x) 7 shall be representatives selected from each of—

(I) the recreational sportfishing industry;

(II) the commercial fishing industry;

(III) marine recreational anglers;

(IV) freshwater recreational anglers;

(V) habitat conservation organizations; and

(VI) science-based fishery organizations;

(xi) 1 shall be a representative of a national private landowner organization;

(xii) 1 shall be a representative of an agricultural production organization;

(xiii) 1 shall be a representative of local government interests involved in fish habitat restoration;

(xiv) 2 shall be representatives from different sectors of corporate industries, which may include—

(I) natural resource commodity interests, such as petroleum or mineral extraction;

(II) natural resource user industries; and

(III) industries with an interest in fish and fish habitat conservation; and

(xv) 1 shall be a leadership private sector or landowner representative of an active partnership.

(C) COMPENSATION.—A member of the Board shall serve without compensation.

(D) TRAVEL EXPENSES.—A member of the Board may be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(2) APPOINTMENT AND TERMS.—

(A) IN GENERAL.—Except as otherwise provided in this subsection, a member of the Board described in any of clauses (vi) through (xiv) of paragraph (1)(B) shall serve for a term of 3 years.

(B) INITIAL BOARD MEMBERSHIP.—

(i) IN GENERAL.—The initial Board will consist of representatives as described in clauses (i) through (vi) of paragraph (1)(B).

(ii) REMAINING MEMBERS.—Not later than 60 days after the date of enactment of this Act, the representatives of the initial Board pursuant to clause (i) shall appoint the remaining members of the Board described in clauses (viii) through (xiv) of paragraph (1)(B).

(iii) TRIBAL REPRESENTATIVES.—Not later than 60 days after the enactment of this Act, the Secretary shall provide to the Board a recommendation of not fewer than 3 tribal representatives, from which the Board shall appoint 1 representative pursuant to clause (vii) of paragraph (1)(B).

(C) TRANSITIONAL TERMS.—Of the members described in paragraph (1)(B)(x) initially appointed to the Board—

(i) 2 shall be appointed for a term of 1 year;

(ii) 2 shall be appointed for a term of 2 years; and

(iii) 3 shall be appointed for a term of 3 years.

(D) VACANCIES.—

(i) IN GENERAL.—A vacancy of a member of the Board described in any of clauses (viii) through (xiv) of paragraph (1)(B) shall be filled by an appointment made by the remaining members of the Board.

(ii) TRIBAL REPRESENTATIVES.—Following a vacancy of a member of the Board described in clause (vii) of paragraph (1)(B), the Secretary shall recommend to the Board a list of not fewer than 3 tribal representatives, from which the remaining members of the Board shall appoint a representative to fill the vacancy.

(E) CONTINUATION OF SERVICE.—An individual whose term of service as a member of the Board expires may continue to serve on the Board until a successor is appointed.

(F) REMOVAL.—If a member of the Board described in any of clauses (viii) through (xiv) of paragraph (1)(B) misses 3 consecutive regularly scheduled Board meetings, the members of the Board may—

(i) vote to remove that member; and

(ii) appoint another individual in accordance with subparagraph (D).

(3) CHAIRPERSON.—

(A) IN GENERAL.—The representative of the Association of Fish and Wildlife Agencies appointed pursuant to paragraph (1)(B)(v) shall serve as Chairperson of the Board.

(B) TERM.—The Chairperson of the Board shall serve for a term of 3 years.

(4) MEETINGS.—

(A) IN GENERAL.—The Board shall meet—

(i) at the call of the Chairperson; but

(ii) not less frequently than twice each calendar year.

(B) PUBLIC ACCESS.—All meetings of the Board shall be open to the public.

(5) PROCEDURES.—

(A) IN GENERAL.—The Board shall establish procedures to carry out the business of the Board, including—

(i) a requirement that a quorum of the members of the Board be present to transact business;

(ii) a requirement that no recommendations may be adopted by the Board, except by the vote of ⅔ of all members;

(iii) procedures for establishing national goals and priorities for fish habitat conservation for the purposes of this section;

(iv) procedures for designating Partnerships under subsection (e); and

(v) procedures for reviewing, evaluating, and making recommendations regarding fish habitat conservation projects.

(B) QUORUM.—A majority of the members of the Board shall constitute a quorum.

(e) FISH HABITAT PARTNERSHIPS.—

(1) AUTHORITY TO APPROVE.—The Board may approve and designate Fish Habitat Partnerships in accordance with this subsection.

(2) PURPOSES.—The purposes of a Partnership shall be—

(A) to work with other regional habitat conservation programs to promote cooperation and coordination to enhance fish and fish habitats;

(B) to engage local and regional communities to build support for fish habitat conservation;

(C) to involve diverse groups of public and private partners;

(D) to develop collaboratively a strategic vision and achievable implementation plan that is scientifically sound;

(E) to leverage funding from sources that support local and regional partnerships;

(F) to use adaptive management principles, including evaluation of project success and functionality;

(G) to develop appropriate local or regional habitat evaluation and assessment measures and criteria that are compatible with national habitat condition measures; and

(H) to implement local and regional priority projects that improve conditions for fish and fish habitat.

(3) CRITERIA FOR APPROVAL.—An entity seeking to be designated as a Partnership shall—

(A) submit to the Board an application at such time, in such manner, and containing such information as the Board may reasonably require; and

(B) demonstrate to the Board that the entity has—

(i) a focus on promoting the health of important fish and fish habitats;

(ii) an ability to coordinate the implementation of priority projects that support the goals and national priorities set by the Board that are within the Partnership boundary;

(iii) a self-governance structure that supports the implementation of strategic priorities for fish habitat;

(iv) the ability to develop local and regional relationships with a broad range of entities to further strategic priorities for fish and fish habitat;

(v) a strategic plan that details required investments for fish habitat conservation that addresses the strategic fish habitat priorities of the Partnership and supports and meets the strategic priorities of the Board;

(vi) the ability to develop and implement fish habitat conservation projects that address strategic priorities of the Partnership and the Board; and

(vii) the ability to develop fish habitat conservation priorities based on sound science and data, the ability to measure the effectiveness of fish habitat projects of the Partnership, and a clear plan as to how Partnership science and data components will be integrated with the overall Board science and data effort.

(4) APPROVAL.—The Board may approve an application for a Partnership submitted under paragraph (3) if the Board determines that the applicant—

(A) identifies representatives to provide support and technical assistance to the Partnership from a diverse group of public and private partners, which may include State or local governments, nonprofit entities, Indian tribes, and private individuals, that are focused on conservation of fish habitats to achieve results across jurisdictional boundaries on public and private land;

(B) is organized to promote the health of important fish species and important fish habitats, including reservoirs, natural lakes, coastal and marine environments, and estuaries;

(C) identifies strategic fish and fish habitat priorities for the Partnership area in the form of geographical focus areas or key stressors or impairments to facilitate strategic planning and decisionmaking;

(D) is able to address issues and priorities on a nationally significant scale;

(E) includes a governance structure that—

(i) reflects the range of all partners; and

(ii) promotes joint strategic planning and decisionmaking by the applicant;

(F) demonstrates completion of, or significant progress toward the development of, a strategic plan to address the decline in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(G) promotes collaboration in developing a strategic vision and implementation program that is scientifically sound and achievable.

(f) FISH HABITAT CONSERVATION PROJECTS.—

(1) SUBMISSION TO BOARD.—Not later than March 31 of each calendar year, each Partnership shall submit to the Board a list of priority fish habitat conservation projects recommended by the Partnership for annual funding under this section.

(2) RECOMMENDATIONS BY BOARD.—Not later than July 1 of each calendar year, the Board shall submit to the Secretary a priority list of fish habitat conservation projects that includes the description, including estimated costs, of each project that the Board recommends that the Secretary approve and fund under this section for the following fiscal year.

(3) CRITERIA FOR PROJECT SELECTION.—The Board shall select each fish habitat conservation project to be recommended to the Secretary under paragraph (2) after taking into consideration, at a minimum, the following information:

(A) A recommendation of the Partnership that is, or will be, participating actively in implementing the fish habitat conservation project.

(B) The capabilities and experience of project proponents to implement successfully the proposed project.

(C) The extent to which the fish habitat conservation project—

(i) fulfills a local or regional priority that is directly linked to the strategic plan of the Partnership and is consistent with the purpose of this section;

(ii) addresses the national priorities established by the Board;

(iii) is supported by the findings of the Habitat Assessment of the Partnership or the Board, and aligns or is compatible with other conservation plans;

(iv) identifies appropriate monitoring and evaluation measures and criteria that are compatible with national measures;

(v) provides a well-defined budget linked to deliverables and outcomes;

(vi) leverages other funds to implement the project;

(vii) addresses the causes and processes behind the decline of fish or fish habitats; and

(viii) includes an outreach or education component that includes the local or regional community.

(D) The availability of sufficient non-Federal funds to match Federal contributions for the fish habitat conservation project, as required by paragraph (5);

(E) The extent to which the local or regional fish habitat conservation project—

(i) will increase fish populations in a manner that leads to recreational fishing opportunities for the public;

(ii) will be carried out through a cooperative agreement among Federal, State, and local governments, Indian tribes, and private entities;

(iii) increases public access to land or water for fish and wildlife-dependent recreational opportunities;

(iv) advances the conservation of fish and wildlife species that have been identified by the States as species of greatest conservation need;

(v) where appropriate, advances the conservation of fish and fish habitats under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) and other relevant Federal law and State wildlife action plans; and

(vi) promotes strong and healthy fish habitats so that desired biological communities are able to persist and adapt.

(F) The substantiality of the character and design of the fish habitat conservation project.

(4) LIMITATIONS.—

(A) REQUIREMENTS FOR EVALUATION.—No fish habitat conservation project may be recommended by the Board under paragraph (2) or provided financial assistance under this section unless the fish habitat conservation project includes an evaluation plan designed using applicable Board guidance—

(i) to appropriately assess the biological, ecological, or other results of the habitat protection, restoration, or enhancement activities carried out using the assistance;

(ii) to reflect appropriate changes to the fish habitat conservation project if the assessment substantiates that the fish habitat conservation project objectives are not being met;

(iii) to identify improvements to existing fish populations, recreational fishing opportunities and the overall economic benefits for the local community of the fish habitat conservation project; and

(iv) to require the submission to the Board of a report describing the findings of the assessment.

(B) ACQUISITION AUTHORITIES.—

(i) IN GENERAL.—A State, local government, or other non-Federal entity is eligible to receive funds for the acquisition of real property from willing sellers under this section if the acquisition ensures 1 of—

(I) public access for compatible fish and wildlife-dependent recreation; or

(II) a scientifically based, direct enhancement to the health of fish and fish populations, as determined by the Board.

(ii) STATE AGENCY APPROVAL.—

(I) IN GENERAL.—All real property interest acquisition projects funded under this section are required to be approved by the State agency in the State in which the project is occurring.

(II) PROHIBITION.—The Board may not recommend, and the Secretary may not provide any funding for, any real property interest acquisition that has not been approved by the State agency.

(iii) ASSESSMENT OF OTHER AUTHORITIES.—The Fish Habitat Partnership shall conduct a project assessment, submitted with the funding request and approved by the Board, to demonstrate all other Federal, State, and local authorities for the acquisition of real property have been exhausted.

(iv) RESTRICTIONS.—A real property interest may not be acquired pursuant to a fish habitat conservation project by a State, local government, or other non-Federal entity, unless—

(I) the owner of the real property authorizes the State, local government, or other non-Federal entity to acquire the real property; and

(II) the Secretary and the Board determine that the State, local government, or other non-Federal entity would benefit from undertaking the management of the real property being acquired because that is in accordance with the goals of a partnership.

(5) NON-FEDERAL CONTRIBUTIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), no fish habitat conservation project may be recommended by the Board under paragraph (2) or provided financial assistance under this section unless at least 50 percent of the cost of the fish habitat conservation project will be funded with non-Federal funds.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of a fish habitat conservation project—

(i) may not be derived from another Federal grant program; but

(ii) may include in-kind contributions and cash.

(C) SPECIAL RULE FOR INDIAN TRIBES.—Notwithstanding subparagraph (A) or any other provision of law, any funds made available to an Indian tribe pursuant to this section may be considered to be non-Federal funds for the purpose of subparagraph (A).

(6) APPROVAL.—

(A) IN GENERAL.—Not later than 90 days after the date of receipt of the recommended priority list of fish habitat conservation projects under paragraph (2), subject to the limitations of paragraph (4), and based, to the maximum extent practicable, on the criteria described in paragraph (3), the Secretary, after consulting with the Secretary of Commerce on marine or estuarine projects, shall approve or reject any fish habitat conservation project recommended by the Board.

(B) FUNDING.—If the Secretary approves a fish habitat conservation project under subparagraph (A), the Secretary shall use amounts made available to carry out this section to provide funds to carry out the fish habitat conservation project.

(C) NOTIFICATION.—If the Secretary rejects any fish habitat conservation project recommended by the Board under paragraph (2), not later than 180 days after the date of receipt of the recommendation, the Secretary shall provide to the Board, the appropriate Partnership, and the appropriate congressional committees a written statement of the reasons that the Secretary rejected the fish habitat conservation project.

(g) TECHNICAL AND SCIENTIFIC ASSISTANCE.—

(1) IN GENERAL.—The Director, the NOAA Assistant Administrator, the EPA Assistant Administrator, and the Director of the United States Geological Survey, in coordination with the Forest Service and other appropriate Federal departments and agencies, may provide scientific and technical assistance to the Partnerships, participants in fish habitat conservation projects, and the Board.

(2) INCLUSIONS.—Scientific and technical assistance provided pursuant to paragraph (1) may include—

(A) providing technical and scientific assistance to States, Indian tribes, regions, local communities, and nongovernmental organizations in the development and implementation of Partnerships;

(B) providing technical and scientific assistance to Partnerships for habitat assessment, strategic planning, and prioritization;

(C) supporting the development and implementation of fish habitat conservation projects that are identified as high priorities by Partnerships and the Board;

(D) supporting and providing recommendations regarding the development of science-based monitoring and assessment approaches for implementation through Partnerships;

(E) supporting and providing recommendations for a national fish habitat assessment;

(F) ensuring the availability of experts to assist in conducting scientifically based evaluation and reporting of the results of fish habitat conservation projects; and

(G) providing resources to secure state agency scientific and technical assistance to support Partnerships, participants in fish habitat conservation projects, and the Board.

(h) COORDINATION WITH STATES AND INDIAN TRIBES.—The Secretary shall provide a notice to, and cooperate with, the appropriate State agency or tribal agency, as applicable, of each State and Indian tribe within the boundaries of which an activity is planned to be carried out pursuant to this section, including notification, by not later than 30 days before the date on which the activity is implemented.

(i) INTERAGENCY OPERATIONAL PLAN.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director, in cooperation with the NOAA Assistant Administrator, the EPA Assistant Administrator, the Director of the United States Geological Survey, and the heads of other appropriate Federal departments and agencies (including at a minimum, those agencies represented on the Board) shall develop an interagency operational plan that describes—

(1) the functional, operational, technical, scientific, and general staff, administrative, and material needs for the implementation of this section; and

(2) any interagency agreements between or among Federal departments and agencies to address those needs.

(j) ACCOUNTABILITY AND REPORTING.—

(1) REPORTING.—

(A) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, and every 5 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the progress of this section.

(B) CONTENTS.—Each report submitted under subparagraph (A) shall include—

(i) an estimate of the number of acres, stream miles, or acre-feet, or other suitable measures of fish habitat, that was maintained or improved by partnerships of Federal, State, or local governments, Indian tribes, or other entities in the United States during the 5-year period ending on the date of submission of the report;

(ii) a description of the public access to fish habitats established or improved during that 5-year period;

(iii) a description of the improved opportunities for public recreational fishing; and

(iv) an assessment of the status of fish habitat conservation projects carried out with funds provided under this section during that period, disaggregated by year, including—

(I) a description of the fish habitat conservation projects recommended by the Board under subsection (f)(2);

(II) a description of each fish habitat conservation project approved by the Secretary under subsection (f)(6), in order of priority for funding;

(III) a justification for—

(aa) the approval of each fish habitat conservation project; and

(bb) the order of priority for funding of each fish habitat conservation project;

(IV) a justification for any rejection of a fish habitat conservation project recommended by the Board under subsection (f)(2) that was based on a factor other than the criteria described in subsection (f)(3); and

(V) an accounting of expenditures by Federal, State, or local governments, Indian tribes, or other entities to carry out fish habitat conservation projects.

(2) STATUS AND TRENDS REPORT.—Not later than December 31, 2016, and every 5 years thereafter, the Board shall submit to the appropriate congressional committees a report that includes—

(A) a status of all Partnerships approved under this section;

(B) a description of the status of fish habitats in the United States as identified by established Partnerships; and

(C) enhancements or reductions in public access as a result of—

(i) the activities of the Partnerships; or

(ii) any other activities carried out pursuant to this section.

(3) REVISIONS.—Not later than December 31, 2016, and every 5 years thereafter, the Board shall consider revising the goals of the Board, after consideration of each report required by paragraph (2).

(k) EFFECT OF SECTION.—

(1) WATER RIGHTS.—Nothing in this section—

(A) establishes any express or implied reserved water right in the United States for any purpose;

(B) affects any water right in existence on the date of enactment of this Act;

(C) preempts or affects any State water law or interstate compact governing water; or

(D) affects any Federal or State law in existence on the date of enactment of the Act regarding water quality or water quantity.

(2) AUTHORITY TO ACQUIRE WATER RIGHTS OR RIGHTS TO PROPERTY.—Under this section, only a State, local government, or other non-Federal entity may acquire, under State law, water rights or rights to property.

(3) STATE AUTHORITY.—Nothing in this section—

(A) affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate fish and wildlife under the laws and regulations of the State; or

(B) authorizes the Secretary to control or regulate within a State the fishing or hunting of fish and wildlife.

(4) EFFECT ON INDIAN TRIBES.—Nothing in this section abrogates, abridges, affects, modifies, supersedes, or alters any right of an Indian tribe recognized by treaty or any other means, including—

(A) an agreement between the Indian tribe and the United States;

(B) Federal law (including regulations);

(C) an Executive order; or

(D) a judicial decree.

(5) ADJUDICATION OF WATER RIGHTS.—Nothing in this section diminishes or affects the ability of the Secretary to join an adjudication of rights to the use of water pursuant to subsection (a), (b), or (c) of section 208 of the

Department of Justice Appropriation Act, 1953 (43 U.S.C. 666).

(6) DEPARTMENT OF COMMERCE AUTHORITY.—Nothing in this section affects the authority, jurisdiction, or responsibility of the Department of Commerce to manage, control, or regulate fish or fish habitats under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(7) EFFECT ON OTHER AUTHORITIES.—

(A) PRIVATE PROPERTY PROTECTION.—Nothing in this section permits the use of funds made available to carry out this section to acquire real property or a real property interest without the written consent of each owner of the real property or real property interest.

(B) MITIGATION.—Nothing in this section permits the use of funds made available to carry out this section for fish and wildlife mitigation purposes under—

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

(ii) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(iii) the Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4082); or

(iv) any other Federal law or court settlement.

(C) CLEAN WATER ACT.—Nothing in this section affects any provision of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including any definition in that Act.

(l) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

(1) the Board; or

(2) any Partnership.

(m) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—

(A) FISH HABITAT CONSERVATION PROJECTS.—There is authorized to be appropriated to the Secretary $7,200,000 for each of fiscal years 2016 through 2021 to provide funds for fish habitat conservation projects approved under subsection (f)(6), of which 5 percent shall be made available for each fiscal year for projects carried out by Indian tribes.

(B) ADMINISTRATIVE AND PLANNING EXPENSES.—There is authorized to be appropriated to the Secretary for each of fiscal years 2016 through 2021 an amount equal to 5 percent of the amount appropriated for the applicable fiscal year pursuant to subparagraph (A)—

(i) for administrative and planning expenses; and

(ii) to carry out subsection (j).

(C) TECHNICAL AND SCIENTIFIC ASSISTANCE.—There is authorized to be appropriated for each of fiscal years 2016 through 2021 to carry out, and provide technical and scientific assistance under, subsection (g)—

(i) $500,000 to the Secretary for use by the United States Fish and Wildlife Service;

(ii) $500,000 to the NOAA Assistant Administrator for use by the National Oceanic and Atmospheric Administration;

(iii) $500,000 to the EPA Assistant Administrator for use by the Environmental Protection Agency; and

(iv) $500,000 to the Secretary for use by the United States Geological Survey.

(2) AGREEMENTS AND GRANTS.—The Secretary may—

(A) on the recommendation of the Board, and notwithstanding sections 6304 and 6305 of title 31, United States Code, and the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note; Public Law 106–107), enter into a grant agreement, cooperative agreement, or contract with a Partnership or other entity for a fish habitat conservation project or restoration or enhancement project;

(B) apply for, accept, and use a grant from any individual or entity to carry out the purposes of this section; and

(C) make funds available to any Federal department or agency for use by that department or agency to provide grants for any fish habitat protection project, restoration project, or enhancement project that the Secretary determines to be consistent with this section.

(3) DONATIONS.—

(A) IN GENERAL.—The Secretary may—

(i) enter into an agreement with any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of that Code to solicit private donations to carry out the purposes of this section; and

(ii) accept donations of funds, property, and services to carry out the purposes of this section.

(B) TREATMENT.—A donation accepted under this section—

(i) shall be considered to be a gift or bequest to, or otherwise for the use of, the United States; and

(ii) may be—

(I) used directly by the Secretary; or

(II) provided to another Federal department or agency through an interagency agreement.

SEC. 10254. GULF STATES MARINE FISHERIES COMMISSION REPORT ON GULF OF MEXICO OUTER CONTINENTAL SHELF STATE BOUNDARY EXTENSION.

(a) REPORT ON RESOURCE MANAGEMENT OUTCOMES.—Not later than March 1, 2017, the Gulf States Marine Fisheries Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Natural Resources and Transportation and Infrastructure of the House of Representatives a report on the economic, conservation and management, and law enforcement impacts of the implementation of section 110 of division B of the Consolidated Appropriations Act, 2016 (Public Law 114–113).

(b) INFORMATION REQUIRED.—The report required under subsection (a) shall include a detailed accounting of how the implementation of section 110 of division B of the Consolidated Appropriations Act, 2016 (Public Law 114–113) has affected—

(1) the economies of the States of Alabama, Florida, Louisiana, Mississippi, and Texas;

(2) the sustained participation of fishing communities;

(3) conservation and management of living resources under all applicable Federal laws;

(4) enforcement of Federal maritime laws; and

(5) the ability of the governments of the States described in paragraph (1) to effectively manage activities pursuant to the fishery management plan for reef fish resources of the Gulf of Mexico.

(c) FUNDING.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Commerce shall make available to the Gulf States Marine Fisheries Commission $500,000 to carry out the report required under subsection (a).

(2) SUBSEQUENT APPROPRIATIONS.—Amounts made available under paragraph (1) shall be available only to the extent specifically provided for in advance in subsequent appropriations Acts.

SEC. 10255. GAO REPORT ON GULF OF MEXICO OUTER CONTINENTAL SHELF STATE BOUNDARY EXTENSION.

(a) REPORT ON RESOURCE MANAGEMENT OUTCOMES.—Not later than March 1, 2017, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources and the Committee on Transportation and Infrastructure of the House of Representatives a report on the economic, conservation and management, and law enforcement impacts of section 110 of division B of the Consolidated Appropriations Act, 2016 (Public Law 114–113).

(b) INFORMATION REQUIRED.—The report required by subsection (a) shall include a detailed accounting of how section 110 of division B of the Consolidated Appropriations Act, 2016 (Public Law 114–113) has affected—

(1) the economies of Alabama, Florida, Louisiana, Mississippi, and Texas;

(2) the sustained participation of fishing communities;

(3) conservation and management of living resources under all applicable Federal laws;

(4) enforcement of Federal maritime laws; and

(5) the ability of the governments of Alabama, Florida, Louisiana, Mississippi, and Texas to effectively manage activities pursuant to the fishery management plan for reef fish resources of the Gulf of Mexico.

PART VII—MISCELLANEOUS

SEC. 10261. RESPECT FOR TREATIES AND RIGHTS.

Nothing in this subtitle or the amendments made by this subtitle—

(1) affects or modifies any treaty or other right of any federally recognized Indian tribe; or

(2) modifies any provision of Federal law relating to migratory birds or to endangered or threatened species.

SEC. 10262. NO PRIORITY.

Nothing in this subtitle or the amendments made by this subtitle provides a preference to hunting, fishing, or recreational shooting over any other use of Federal land or water.

Subtitle D—Water Infrastructure and Related Matters

PART I—FONTENELLE RESERVOIR

SEC. 10301. AUTHORITY TO MAKE ENTIRE ACTIVE CAPACITY OF FONTENELLE RESERVOIR AVAILABLE FOR USE.

(a) IN GENERAL.—The Secretary of the Interior, in cooperation with the State of Wyoming, may amend the Definite Plan Report for the Seedskadee Project authorized under the first section of the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (43 U.S.C. 620), to provide for the study, design, planning, and construction activities that will enable the use of all active storage capacity (as may be defined or limited by legal, hydrologic, structural, engineering, economic, and environmental considerations) of Fontenelle Dam and Reservoir, including the placement of sufficient riprap on the upstream face of Fontenelle Dam to allow the active storage capacity of Fontenelle Reservoir to be used for those purposes for which the Seedskadee Project was authorized.

(b) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—The Secretary of the Interior may enter into any contract, grant, cooperative agreement, or other agreement that is necessary to carry out subsection (a).

(2) STATE OF WYOMING.—

(A) IN GENERAL.—The Secretary of the Interior shall enter into a cooperative agreement with the State of Wyoming to work in cooperation and collaboratively with the State of Wyoming for planning, design, related preconstruction activities, and construction of any modification of the Fontenelle Dam under subsection (a).

(B) REQUIREMENTS.—The cooperative agreement under subparagraph (A) shall, at a minimum, specify the responsibilities of the Secretary of the Interior and the State of Wyoming with respect to—

(i) completing the planning and final design of the modification of the Fontenelle Dam under subsection (a);

(ii) any environmental and cultural resource compliance activities required for the modification of the Fontenelle Dam under subsection (a) including compliance with—

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

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

(III) subdivision 2 of division A of subtitle III of title 54, United States Code; and

(iii) the construction of the modification of the Fontenelle Dam under subsection (a).

(c) FUNDING BY STATE OF WYOMING.—Pursuant to the Act of March 4, 1921 (41 Stat. 1404, chapter 161; 43 U.S.C. 395), and as a condition of providing any additional storage under subsection (a), the State of Wyoming shall provide to the Secretary of the Interior funds for any work carried out under subsection (a).

(d) OTHER CONTRACTING AUTHORITY.—

(1) IN GENERAL.—The Secretary of the Interior may enter into contracts with the State of Wyoming, on such terms and conditions as the Secretary of the Interior and the State of Wyoming may agree, for division of any additional active capacity made available under subsection (a).

(2) TERMS AND CONDITIONS.—Unless otherwise agreed to by the Secretary of the Interior and the State of Wyoming, a contract entered into under paragraph (1) shall be subject to the terms and conditions of Bureau of Reclamation Contract No. 14–06–400–2474 and Bureau of Reclamation Contract No. 14–06–400–6193.

SEC. 10302. SAVINGS PROVISIONS.

Unless expressly provided in this part, nothing in this part modifies, conflicts with, preempts, or otherwise affects—

(1) the Act of December 31, 1928 (43 U.S.C. 617 et seq.) (commonly known as the ''Boulder Canyon Project Act'');

(2) the Colorado River Compact of 1922, as approved by the Presidential Proclamation of June 25, 1929 (46 Stat. 3000);

(3) the Act of July 19, 1940 (43 U.S.C. 618 et seq.) (commonly known as the ''Boulder Canyon Project Adjustment Act'');

(4) the Treaty between the United States of America and Mexico relating to the utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande, and supplementary protocol signed November 14, 1944, signed at Washington February 3, 1944 (59 Stat. 1219);

(5) the Upper Colorado River Basin Compact as consented to by the Act of April 6, 1949 (63 Stat. 31);

(6) the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (43 U.S.C. 620 et seq.);

(7) the Colorado River Basin Project Act (Public Law 90–537; 82 Stat. 885); or

(8) any State of Wyoming or other State water law.

PART II—BUREAU OF RECLAMATION TRANSPARENCY

SEC. 10311. DEFINITIONS.

In this part:

(1) ASSET.—

(A) IN GENERAL.—The term ''asset'' means any of the following assets that are used to achieve the mission of the Bureau of Reclamation to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the people of the United States:

(i) Capitalized facilities, buildings, structures, project features, power production equipment, recreation facilities, or quarters.

(ii) Capitalized and noncapitalized heavy equipment and other installed equipment.

(B) INCLUSIONS.—The term ''asset'' includes assets described in subparagraph (A) that are considered to be mission critical.

(2) ASSET MANAGEMENT REPORT.—The term ''Asset Management Report'' means—

(A) the annual plan prepared by the Bureau of Reclamation known as the ''Asset Management Plan''; and

(B) any publicly available information relating to the plan described in subparagraph (A) that summarizes the efforts of the Bureau of Reclamation to evaluate and manage infrastructure assets of the Bureau of Reclamation.

(3) MAJOR REPAIR AND REHABILITATION NEED.—The term ''major repair and rehabilitation need'' means major nonrecurring maintenance at a Reclamation facility, including maintenance related to the safety of dams, extraordinary maintenance of dams, deferred major maintenance activities, and all other significant repairs and extraordinary maintenance.

(4) RECLAMATION FACILITY.—The term ''Reclamation facility'' means each of the infrastructure assets that are owned by the Bureau of Reclamation at a Reclamation project.

(5) RECLAMATION PROJECT.—The term ''Reclamation project'' means a project that is owned by the Bureau of Reclamation, including all reserved works and transferred works owned by the Bureau of Reclamation.

(6) RESERVED WORKS.—The term ''reserved works'' means buildings, structures, facilities, or equipment that are owned by the Bureau of Reclamation for which operations and maintenance are performed by employees of the Bureau of Reclamation or through a contract entered into by the Bureau of Reclamation, regardless of the source of funding for the operations and maintenance.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(8) TRANSFERRED WORKS.—The term ''transferred works'' means a Reclamation facility at which operations and maintenance of the facility is carried out by a non-Federal entity under the provisions of a formal operations and maintenance transfer contract or other legal agreement with the Bureau of Reclamation.

SEC. 10312. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR RESERVED WORKS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress an Asset Management Report that—

(1) describes the efforts of the Bureau of Reclamation—

(A) to maintain in a reliable manner all reserved works at Reclamation facilities; and

(B) to standardize and streamline data reporting and processes across regions and areas for the purpose of maintaining reserved works at Reclamation facilities; and

(2) expands on the information otherwise provided in an Asset Management Report, in accordance with subsection (b).

(b) INFRASTRUCTURE MAINTENANCE NEEDS ASSESSMENT.—

(1) IN GENERAL.—The Asset Management Report submitted under subsection (a) shall include—

(A) a detailed assessment of major repair and rehabilitation needs for all reserved works at all Reclamation projects; and

(B) to the extent practicable, an itemized list of major repair and rehabilitation needs of individual Reclamation facilities at each Reclamation project.

(2) INCLUSIONS.—To the extent practicable, the itemized list of major repair and rehabilitation needs under paragraph (1)(B) shall include—

(A) a budget level cost estimate of the appropriations needed to complete each item; and

(B) an assignment of a categorical rating for each item, consistent with paragraph (3).

(3) RATING REQUIREMENTS.—

(A) IN GENERAL.—The system for assigning ratings under paragraph (2)(B) shall be—

(i) consistent with existing uniform categorization systems to inform the annual budget process and agency requirements; and

(ii) subject to the guidance and instructions issued under subparagraph (B).

(B) GUIDANCE.—As soon as practicable after the date of enactment of this Act, the Secretary shall issue guidance that describes the applicability of the rating system applicable under paragraph (2)(B) to Reclamation facilities.

(4) PUBLIC AVAILABILITY.—Except as provided in paragraph (5), the Secretary shall make publicly available, including on the Internet, the Asset Management Report required under subsection (a).

(5) CONFIDENTIALITY.—The Secretary may exclude from the public version of the Asset Management Report made available under paragraph (4) any information that the Secretary identifies as sensitive or classified, but shall make available to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a version of the report containing the sensitive or classified information.

(c) UPDATES.—Not later than 2 years after the date on which the Asset Management Report is submitted under subsection (a) and biennially thereafter, the Secretary shall update the Asset Management Report, subject to the requirements of section 6313(b)(2).

(d) CONSULTATION.—To the extent that such consultation would assist the Secretary in preparing the Asset Management Report under subsection (a) and updates to the Asset Management Report under subsection (c), the Secretary shall consult with—

(1) the Secretary of the Army (acting through the Chief of Engineers); and

(2) water and power contractors.

SEC. 10313. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR TRANSFERRED WORKS.

(a) IN GENERAL.—The Secretary shall coordinate with the non-Federal entities responsible for the operation and maintenance of transferred works in developing reporting requirements for Asset Management Reports with respect to major repair and rehabilitation needs for transferred works that are similar to the reporting requirements described in section 6312(b).

(b) GUIDANCE.—

(1) IN GENERAL.—After considering input from water and power contractors of the Bureau of Reclamation, the Secretary shall develop and implement a rating system for transferred works that incorporates, to the maximum extent practicable, the rating system for major repair and rehabilitation needs for reserved works developed under section 6312(b)(3).

(2) UPDATES.—The ratings system developed under paragraph (1) shall be included in the updated Asset Management Reports under section 6312(c).

SEC. 10314. OFFSET.

Notwithstanding any other provision of law, in the case of the project authorized by section 1617 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h–12c), the maximum amount of the Federal share of the cost of the project under section 1631(d)(1) of that Act (43 U.S.C. 390h–13(d)(1)) otherwise available as of the date of enactment of this Act shall be reduced by $2,000,000.

PART III—BASIN WATER MANAGEMENT

Subpart A—Yakima River Basin Water Enhancement

SEC. 10321. SHORT TITLE.

This subpart may be cited as the ''Yakima River Basin Water Enhancement Project Phase III Act of 2016''.

SEC. 10322. MODIFICATION OF TERMS, PURPOSES, AND DEFINITIONS.

(a) MODIFICATION OF TERMS.—Title XII of Public Law 103–434 (108 Stat. 4550) is amended—

(1) by striking ''Yakama Indian'' each place it appears (except section 1204(g)) and inserting ''Yakama''; and

(2) by striking ''Superintendent'' each place it appears and inserting ''Manager''.

(b) MODIFICATION OF PURPOSES.—Section 1201 of Public Law 103–434 (108 Stat. 4550) is amended—

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

''(1) to protect, mitigate, and enhance fish and wildlife and the recovery and maintenance of self-sustaining harvestable populations of fish and other aquatic life, both anadromous and resident species, throughout their historic distribution range in the Yakima Basin through—

''(A) improved water management and the constructions of fish passage at storage and diversion dams, as authorized under the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.);

''(B) improved instream flows and water supplies;

''(C) improved water quality, watershed, and ecosystem function;

''(D) protection, creation, and enhancement of wetlands; and

''(E) other appropriate means of habitat improvement;'';

(2) in paragraph (2), by inserting '', municipal, industrial, and domestic water supply and use purposes, especially during drought years, including reducing the frequency and severity of water supply shortages for proratable irrigation entities'' before the semicolon at the end;

(3) by striking paragraph (4);

(4) by redesignating paragraph (3) as paragraph (4);

(5) by inserting after paragraph (2) the following:

''(3) to authorize the Secretary to make water available for purchase or lease for meeting municipal, industrial, and domestic water supply purposes;'';

(6) by redesignating paragraphs (5) and (6) as paragraphs (6) and (8), respectively;

(7) by inserting after paragraph (4) (as so redesignated) the following:

''(5) to realize sufficient water savings from implementing the Yakima River Basin Integrated Water Resource Management Plan, so that not less than 85,000 acre feet of water savings are achieved by implementing the first phase of the Integrated Plan pursuant to section 1213(a), in addition to the 165,000 acre feet of water savings targeted through the Basin Conservation Program, as authorized on October 31, 1994;'';

(8) in paragraph (6) (as so redesignated)—

(A) by inserting ''an increase in'' before ''voluntary''; and

(B) by striking ''and'' at the end;

(9) by inserting after paragraph (6) (as so redesignated) the following:

''(7) to encourage an increase in the use of, and reduce the barriers to, water transfers, leasing, markets, and other voluntary transactions among public and private entities to enhance water management in the Yakima River basin;'';

(10) in paragraph (8) (as redesignated by paragraph (6)), by striking the period at the end and inserting a semicolon; and

(11) by adding at the end the following:

''(9) to improve the resilience of the ecosystems, economies, and communities in the Basin as they face drought, hydrologic changes, and other related changes and variability in natural and human systems, for the benefit of both the people and the fish and wildlife of the region; and

''(10) to authorize and implement the Yakima River Basin Integrated Water Resource Management Plan as Phase III of the Yakima River Basin Water Enhancement Project, as a balanced and cost-effective approach to maximize benefits to the communities and environment in the Basin.''.

(c) MODIFICATION OF DEFINITIONS.—Section 1202 of Public Law 103–434 (108 Stat. 4550) is amended—

(1) by redesignating paragraphs (6), (7), (8), (9), (10), (11), (12), (13), and (14) as paragraphs (8), (10), (11), (13), (14), (15), (16), (18), and (19), respectively;

(2) by inserting after paragraph (5) the following:

''(6) DESIGNATED FEDERAL OFFICIAL.—The term 'designated Federal official' means the Commissioner of Reclamation (or a designee), acting pursuant to the charter of the Conservation Advisory Group.

''(7) INTEGRATED PLAN.—The terms 'Integrated Plan' and 'Yakima River Basin Integrated Water Resource Plan' mean the plan and activities authorized by the Yakima River Basin Water Enhancement Project Phase III Act of 2016 and the amendments made by that subpart, to be carried out in cooperation with and in addition to activities of the State of Washington and Yakama Nation.'';

(3) by inserting after paragraph (8) (as redesignated by paragraph (1)) the following:

''(9) MUNICIPAL, INDUSTRIAL, AND DOMESTIC WATER SUPPLY AND USE.—The term 'municipal, industrial, and domestic water supply and use' means the supply and use of water for—

''(A) domestic consumption (whether urban or rural);

''(B) maintenance and protection of public health and safety;

''(C) manufacture, fabrication, processing, assembly, or other production of a good or commodity;

''(D) production of energy;

''(E) fish hatcheries; or

''(F) water conservation activities relating to a use described in subparagraphs (A) through (E).'';

(4) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

''(12) PRORATABLE IRRIGATION ENTITY.—The term 'proratable irrigation entity' means a district, project, or State-recognized authority, board of control, agency, or entity located in the Yakima River basin that—

''(A) manages and delivers irrigation water to farms in the basin; and

''(B) possesses, or the members of which possess, water rights that are proratable during periods of water shortage.''; and

(5) by inserting after paragraph (16) (as redesignated by paragraph (1)) the following:

''(17) YAKIMA ENHANCEMENT PROJECT; YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.—The terms 'Yakima Enhancement Project' and 'Yakima River Basin Water Enhancement Project' mean the Yakima River basin water enhancement project authorized by Congress pursuant to this Act and other Acts (including Public Law 96–162 (93 Stat. 1241), section 109 of Public Law 98–381 (16 U.S.C. 839b note; 98 Stat. 1340), Public Law 105–62 (111 Stat. 1320), and Public Law 106–372 (114 Stat. 1425)) to promote water conservation, water supply, habitat, and stream enhancement improvements in the Yakima River basin.''.

SEC. 10323. YAKIMA RIVER BASIN WATER CONSERVATION PROGRAM.

Section 1203 of Public Law 103–434 (108 Stat. 4551) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the second sentence, by striking ''title'' and inserting ''section''; and

(ii) in the third sentence, by striking ''within 5 years of the date of enactment of this Act''; and

(B) in paragraph (2), by striking ''irrigation'' and inserting ''the number of irrigated acres'';

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in each of subparagraphs (A) through (D), by striking the comma at the end and inserting a semicolon;

(ii) in subparagraph (E), by striking the comma at the end and inserting ''; and'';

(iii) in subparagraph (F), by striking ''Department of Wildlife of the State of Washington, and'' and inserting ''Department of Fish and Wildlife of the State of Washington.''; and

(iv) by striking subparagraph (G);

(B) in paragraph (3)—

(i) in each of subparagraphs (A) through (C), by striking the comma at the end and inserting a semicolon;

(ii) in subparagraph (D), by striking '', and'' and inserting a semicolon;

(iii) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(F) provide recommendations to advance the purposes and programs of the Yakima Enhancement Project, including the Integrated Plan.''; and

(C) by striking paragraph (4) and inserting the following:

''(4) AUTHORITY OF DESIGNATED FEDERAL OFFICIAL.—The designated Federal official may—

''(A) arrange and provide logistical support for meetings of the Conservation Advisory Group;

''(B) use a facilitator to serve as a moderator for meetings of the Conservation Advisory Group or provide additional logistical support; and

''(C) grant any request for a facilitator by any member of the Conservation Advisory Group.'';

(3) in subsection (d), by adding at the end the following:

''(4) PAYMENT OF LOCAL SHARE BY STATE OR FEDERAL GOVERNMENT.—

''(A) IN GENERAL.—The State or the Federal Government may fund not more than the 17.5 percent local share of the costs of the Basin Conservation Program in exchange for the long-term use of conserved water, subject to the requirement that the funding by the Federal Government of the local share of the costs shall provide a quantifiable public benefit in meeting Federal responsibilities in the Basin and the purposes of this title.

''(B) USE OF CONSERVED WATER.—The Yakima Project Manager may use water resulting from conservation measures taken under this title, in addition to water that the Bureau of Reclamation may acquire from any willing seller through purchase, donation, or lease, for water management uses pursuant to this title.'';

(4) in subsection (e), by striking the first sentence and inserting the following: ''To participate in the Basin Conservation Program, as described in subsection (b), an entity shall submit to the Secretary a proposed water conservation plan.'';

(5) in subsection (i)(3)—

(A) by striking ''purchase or lease'' each place it appears and inserting ''purchase, lease, or management''; and

(B) in the third sentence, by striking ''made immediately upon availability'' and all that follows through ''Committee'' and inserting ''continued as needed to provide water to be used by the Yakima Project Manager as recommended by the System Operations Advisory Committee and the Conservation Advisory Group''; and

(6) in subsection (j)(4), in the first sentence, by striking ''initial acquisition'' and all that follows through ''flushing flows'' and inserting ''acquisition of water from willing sellers or lessors specifically to provide improved instream flows for anadromous and resident fish and other aquatic life, including pulse flows to facilitate outward migration of anadromous fish''.

SEC. 10324. YAKIMA BASIN WATER PROJECTS, OPERATIONS, AND AUTHORIZATIONS.

(a) YAKAMA NATION PROJECTS.—Section 1204 of Public Law 103–434 (108 Stat. 4555) is amended—

(1) in subsection (a)(2), in the first sentence, by striking ''not more than $23,000,000'' and inserting ''not more than $100,000,000''; and

(2) in subsection (g)—

(A) by striking the subsection heading and inserting ''REDESIGNATION OF YAKAMA INDIAN NATION TO YAKAMA NATION.—'';

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

''(1) REDESIGNATION.—The Confederated Tribes and Bands of the Yakama Indian Nation shall be known and designated as the 'Confederated Tribes and Bands of the Yakama Nation'.''; and

(C) in paragraph (2), by striking ''deemed to be a reference to the 'Confederated Tribes and Bands of the Yakama Indian Nation'.'' and inserting ''deemed to be a reference to the 'Confederated Tribes and Bands of the Yakama Nation'.''.

(b) OPERATION OF YAKIMA BASIN PROJECTS.—Section 1205 of Public Law 103–434 (108 Stat. 4557) is amended—

(1) in subsection (a)—

(A) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i)—

(aa) by inserting ''additional'' after ''secure'';

(bb) by striking ''flushing'' and inserting ''pulse''; and

(cc) by striking ''uses'' and inserting ''uses, in addition to the quantity of water provided under the treaty between the Yakama Nation and the United States'';

(II) by striking clause (ii);

(III) by redesignating clause (iii) as clause (ii); and

(IV) in clause (ii) (as so redesignated) by inserting ''and water rights mandated'' after ''goals''; and

(ii) in subparagraph (B)(i), in the first sentence, by inserting ''in proportion to the funding received'' after ''Program'';

(2) in subsection (b) (as amended by section 6322(a)(2)), in the second sentence, by striking ''instream flows for use by the Yakima Project Manager as flushing flows or as otherwise'' and inserting ''fishery purposes, as''; and

(3) in subsection (e), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Additional purposes of the Yakima Project shall be any of the following:

''(A) To recover and maintain self-sustaining harvestable populations of native fish, both anadromous and resident species, throughout their historic distribution range in the Yakima Basin.

''(B) To protect, mitigate, and enhance aquatic life and wildlife.

''(C) Recreation.

''(D) Municipal, industrial, and domestic use.''.

(c) LAKE CLE ELUM AUTHORIZATION OF APPROPRIATIONS.—Section 1206(a)(1) of Public Law 103–434 (108 Stat. 4560), is amended, in the matter preceding subparagraph (A), by striking ''at September'' and all that follows through ''to—'' and inserting ''not more than $12,000,000 to—''.

(d) ENHANCEMENT OF WATER SUPPLIES FOR YAKIMA BASIN TRIBUTARIES.—Section 1207 of Public Law 103–434 (108 Stat. 4560) is amended—

(1) in the heading, by striking ''**SUPPLIES**'' and inserting ''**MANAGEMENT**'';

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''supplies'' and inserting ''management'';

(B) in paragraph (1), by inserting ''and water supply entities'' after ''owners''; and

(C) in paragraph (2)—

(i) in subparagraph (A), by inserting ''that choose not to participate or opt out of tributary enhancement projects pursuant to this section'' after ''water right owners''; and

(ii) in subparagraph (B), by inserting ''nonparticipating'' before ''tributary water users'';

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by striking the paragraph designation and all that follows through ''(but not limited to)—'' and inserting the following:

''(1) IN GENERAL.—The Secretary, following consultation with the State of Washington, tributary water right owners, and the Yakama Nation, and on agreement of appropriate water right owners, is authorized to conduct studies to evaluate measures to further Yakima Project purposes on tributaries to the Yakima River. Enhancement programs that use measures authorized by this subsection may be investigated and implemented by the Secretary in tributaries to the Yakima River, including Taneum Creek, other areas, or tributary basins that currently or could potentially be provided supplemental or transfer water by entities, such as the Kittitas Reclamation District or the Yakima-Tieton Irrigation District, subject to the condition that activities may commence on completion of applicable and required feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development, as appropriate. Measures to evaluate include—'';

(ii) by indenting subparagraphs (A) through (F) appropriately;

(iii) in subparagraph (A), by inserting before the semicolon at the end the following: '', including irrigation efficiency improvements (in coordination with programs of the Department of Agriculture), consolidation of diversions or administration, and diversion scheduling or coordination'';

(iv) by redesignating subparagraphs (C) through (F) as subparagraphs (E) through (H), respectively;

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

''(C) improvements in irrigation system management or delivery facilities within the Yakima River basin when those improvements allow for increased irrigation system conveyance and corresponding reduction in diversion from tributaries or flow enhancements to tributaries through direct flow supplementation or groundwater recharge;

''(D) improvements of irrigation system management or delivery facilities to reduce or eliminate excessively high flows caused by the use of natural streams for conveyance or irrigation water or return water;'';

(vi) in subparagraph (E) (as redesignated by clause (iv)), by striking ''ground water'' and inserting ''groundwater recharge and'';

(vii) in subparagraph (G) (as redesignated by clause (iv)), by inserting ''or transfer'' after ''purchase''; and

(viii) in subparagraph (H) (as redesignated by clause (iv)), by inserting ''stream processes and'' before ''stream habitats'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''the Taneum Creek study'' and inserting ''studies under this subsection'';

(ii) in subparagraph (B)—

(I) by striking ''and economic'' and inserting '', infrastructure, economic, and land use''; and

(II) by striking ''and'' at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(D) any related studies already underway or undertaken.''; and

(C) in paragraph (3), in the first sentence, by inserting ''of each tributary or group of tributaries'' after ''study'';

(4) in subsection (c)—

(A) in the heading, by inserting ''**AND NONSURFACE STORAGE**'' after ''**NONSTORAGE**''; and

(B) in the matter preceding paragraph (1), by inserting ''and nonsurface storage'' after ''nonstorage'';

(5) by striking subsection (d);

(6) by redesignating subsection (e) as subsection (d); and

(7) in paragraph (2) of subsection (d) (as so redesignated)—

(A) in the first sentence—

(i) by inserting ''and implementation'' after ''investigation'';

(ii) by striking ''other'' before ''Yakima River''; and

(iii) by inserting ''and other water supply entities'' after ''owners''; and

(B) by striking the second sentence.

(e) CHANDLER PUMPING PLANT AND POWERPLANT-OPERATIONS AT PROSSER DIVERSION DAM.—Section 1208(d) of Public Law 103–434 (108 Stat. 4562; 114 Stat. 1425) is amended by inserting ''negatively'' before ''affected''.

(f) INTERIM COMPREHENSIVE BASIN OPERATING PLAN.—Section 1210(c) of Public Law 103–434 (108 Stat. 4564) is amended by striking ''$100,000'' and inserting ''$200,000''.

(g) ENVIRONMENTAL COMPLIANCE.—Section 1211 of Public Law 103–434 (108 Stat. 4564) is amended by striking ''$2,000,000'' and inserting ''$5,000,000''.

SEC. 10325. AUTHORIZATION OF PHASE III OF YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.

Title XII of Public Law 103–434 (108 Stat. 4550) is amended by adding at the end the following:

''SEC. 1213. AUTHORIZATION OF THE INTEGRATED PLAN AS PHASE III OF YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.

''(a) INTEGRATED PLAN.—

''(1) IN GENERAL.—The Secretary shall implement the Integrated Plan as Phase III of the Yakima River Basin Water Enhancement Project in accordance with this section and applicable laws.

''(2) INITIAL DEVELOPMENT PHASE OF THE INTEGRATED PLAN.—

''(A) IN GENERAL.—The Secretary, in coordination with the State of Washington and Yakama Nation and subject to feasibility studies, environmental reviews, and the availability of appropriations, shall implement an initial development phase of the Integrated Plan, to—

''(i) complete the planning, design, and construction or development of upstream and downstream fish passage facilities, as previously authorized by the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.) at Cle Elum Reservoir and another Yakima Project reservoir identified by the Secretary as consistent with the Integrated Plan, subject to

the condition that, if the Yakima Project reservoir identified by the Secretary contains a hydropower project licensed by the Federal Energy Regulatory Commission, the Secretary shall cooperate with the Federal Energy Regulatory Commission in a timely manner to ensure that actions taken by the Secretary are consistent with the applicable hydropower project license;

''(ii) negotiate long-term agreements with participating proratable irrigation entities in the Yakima Basin and, acting through the Bureau of Reclamation, coordinate between Bureaus of the Department of the Interior and with the heads of other Federal agencies to negotiate agreements concerning leases, easements, and rights-of-way on Federal land, and other terms and conditions determined to be necessary to allow for the non-Federal financing, construction, operation, and maintenance of—

''(I) new facilities needed to access and deliver inactive storage in Lake Kachess for the purpose of providing drought relief for irrigation (known as the 'Kachess Drought Relief Pumping Plant'); and

''(II) a conveyance system to allow transfer of water between Keechelus Reservoir to Kachess Reservoir for purposes of improving operational flexibility for the benefit of both fish and irrigation (known as the 'K to K Pipeline');

''(iii) participate in, provide funding for, and accept non-Federal financing for—

''(I) water conservation projects, not subject to the provisions of the Basin Conservation Program described in section 1203, that are intended to partially implement the Integrated Plan by providing 85,000 acre-feet of conserved water to improve tributary and mainstem stream flow; and

''(II) aquifer storage and recovery projects;

''(iv) study, evaluate, and conduct feasibility analyses and environmental reviews of fish passage, water supply (including groundwater and surface water storage), conservation, habitat restoration projects, and other alternatives identified as consistent with the purposes of this Act, for the initial and future phases of the Integrated Plan;

''(v) coordinate with and assist the State of Washington in implementing a robust water market to enhance water management in the Yakima River basin, including—

''(I) assisting in identifying ways to encourage and increase the use of, and reduce the barriers to, water transfers, leasing, markets, and other voluntary transactions among public and private entities in the Yakima River basin;

''(II) providing technical assistance, including scientific data and market information; and

''(III) negotiating agreements that would facilitate voluntary water transfers between entities, including as appropriate, the use of federally managed infrastructure; and

''(vi) enter into cooperative agreements with, or, subject to a minimum non-Federal cost-sharing requirement of 50 percent, make grants to, the Yakama Nation, the State of Washington, Yakima River basin irrigation districts, water districts, conservation districts, other local governmental entities, nonprofit organizations, and land owners to carry out this title under such terms and conditions as the Secretary may require, including the following purposes:

''(I) Land and water transfers, leases, and acquisitions from willing participants, so long as the acquiring entity shall hold title and be responsible for any and all required operations, maintenance, and management of that land and water.

''(II) To combine or relocate diversion points, remove fish barriers, or for other activities that increase flows or improve habitat in the Yakima River and its tributaries in furtherance of this title.

''(III) To implement, in partnership with Federal and non-Federal entities, projects to enhance the health and resilience of the watershed.

''(B) COMMENCEMENT DATE.—The Secretary shall commence implementation of the activities included under the initial development phase pursuant to this paragraph—

''(i) on the date of enactment of this section; and

''(ii) on completion of applicable feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development.

''(3) INTERMEDIATE AND FINAL PHASES.—

''(A) IN GENERAL.—The Secretary, in coordination with the State of Washington and in consultation with the Yakama Nation, shall develop plans for intermediate and final development phases of the Integrated Plan to achieve the purposes of this Act, including conducting applicable feasibility studies, environmental reviews, and other relevant studies needed to develop the plans.

''(B) INTERMEDIATE PHASE.—The Secretary shall develop an intermediate development phase to implement the Integrated Plan that, subject to authorization and appropriation, would commence not later than 10 years after the date of enactment of this section.

''(C) FINAL PHASE.—The Secretary shall develop a final development phase to implement the Integrated Plan that, subject to authorization and appropriation, would commence not later than 20 years after the date of enactment of this section.

''(4) CONTINGENCIES.—The implementation by the Secretary of projects and activities identified for implementation under the Integrated Plan shall be—

''(A) subject to authorization and appropriation;

''(B) contingent on the completion of applicable feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development;

''(C) implemented on public review and a determination by the Secretary that design, construction, and operation of a proposed project or activity is in the best interest of the public; and

''(D) in compliance with all applicable laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

''(5) PROGRESS REPORT.—

''(A) IN GENERAL.—Not later than 5 years after the date of enactment of this section, the Secretary, in conjunction with the State of Washington and in consultation with the Yakama Nation, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a progress report on the development and implementation of the Integrated Plan.

''(B) REQUIREMENTS.—The progress report under this paragraph shall—

''(i) provide a review and reassessment, if needed, of the objectives of the Integrated Plan, as applied to all elements of the Integrated Plan;

''(ii) assess, through performance metrics developed at the initiation of, and measured throughout the implementation of, the Integrated Plan, the degree to which the implementation of the initial development phase addresses the objectives and all elements of the Integrated Plan;

''(iii) identify the amount of Federal funding and non-Federal contributions received and expended during the period covered by the report;

''(iv) describe the pace of project development during the period covered by the report;

''(v) identify additional projects and activities proposed for inclusion in any future phase of the Integrated Plan to address the objectives of the Integrated Plan, as applied to all elements of the Integrated Plan; and

''(vi) for water supply projects—

''(I) provide a preliminary discussion of the means by which—

''(aa) water and costs associated with each recommended project would be allocated among authorized uses; and

''(bb) those allocations would be consistent with the objectives of the Integrated Plan; and

''(II) establish a plan for soliciting and formalizing subscriptions among individuals and entities for participation in any of the recommended water supply projects that will establish the terms for participation, including fiscal obligations associated with subscription.

''(b) FINANCING, CONSTRUCTION, OPERATION, AND MAINTENANCE OF KACHESS DROUGHT RELIEF PUMPING PLANT AND K TO K PIPELINE.—

''(1) AGREEMENTS.—Long-term agreements negotiated between the Secretary and participating proratable irrigation entities in the Yakima Basin for the non-Federal financing, construction, operation, and maintenance of the Drought Relief Pumping Plant and K to K Pipeline shall include provisions regarding—

''(A) responsibilities of the participating proratable irrigation entities for the planning, design, and construction of infrastructure in consultation and coordination with the Secretary;

''(B) property titles and responsibilities of the participating proratable irrigation entities for the maintenance of and liability for all infrastructure constructed under this title;

''(C) operation and integration of the projects by the Secretary in the operation of the Yakima Project;

''(D) costs associated with the design, financing, construction, operation, maintenance, and mitigation of projects, with the costs of Federal oversight and review to be nonreimbursable to the participating proratable irrigation entities and the Yakima Project; and

''(E) responsibilities for the pumping and operational costs necessary to provide the total water supply available made inaccessible due to drought pumping during the preceding 1 or more calendar years, in the event that the Kachess Reservoir fails to refill as a result of pumping drought storage water during the preceding 1 or more calendar years, which shall remain the responsibility of the participating proratable irrigation entities.

''(2) USE OF KACHESS RESERVOIR STORED WATER.—

''(A) IN GENERAL.—The additional stored water made available by the construction of facilities to access and deliver inactive storage in Kachess Reservoir under subsection (a)(2)(A)(ii)(I) shall—

''(i) be considered to be Yakima Project water;

''(ii) not be part of the total water supply available, as that term is defined in various court rulings; and

''(iii) be used exclusively by the Secretary—

''(I) to enhance the water supply in years when the total water supply available is not sufficient to provide 70 percent of proratable entitlements in order to make that additional water available up to 70 percent of

proratable entitlements to the Kittitas Reclamation District, the Roza Irrigation District, or other proratable irrigation entities participating in the construction, operation, and maintenance costs of the facilities under this title under such terms and conditions to which the districts may agree, subject to the conditions that—

''(aa) the Bureau of Indian Affairs, the Wapato Irrigation Project, and the Yakama Nation, on an election to participate, may also obtain water from Kachess Reservoir inactive storage to enhance applicable existing irrigation water supply in accordance with such terms and conditions to which the Bureau of Indian Affairs and the Yakama Nation may agree; and

''(bb) the additional supply made available under this clause shall be available to participating individuals and entities in proportion to the proratable entitlements of the participating individuals and entities, or in such other proportion as the participating entities may agree; and

''(II) to facilitate reservoir operations in the reach of the Yakima River between Keechelus Dam and Easton Dam for the propagation of anadromous fish.

''(B) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects (as in existence on the date of enactment of this section) any contract, law (including regulations) relating to repayment costs, water right, or Yakama Nation treaty right.

''(3) COMMENCEMENT.—The Secretary shall not commence entering into agreements pursuant to subsection (a)(2)(A)(ii) or subsection (b)(1) or implementing any activities pursuant to the agreements before the date on which—

''(A) all applicable and required feasibility studies, environmental reviews, and cost-benefit analyses have been completed and include favorable recommendations for further project development, including an analysis of—

''(i) the impacts of the agreements and activities conducted pursuant to subsection (a)(2)(A)(ii) on adjacent communities, including potential fire hazards, water access for fire districts, community and homeowner wells, future water levels based on projected usage, recreational values, and property values; and

''(ii) specific options and measures for mitigating the impacts, as appropriate;

''(B) the Secretary has made the agreements and any applicable project designs, operations plans, and other documents available for public review and comment in the Federal Register for a period of not less than 60 days; and

''(C) the Secretary has made a determination, consistent with applicable law, that the agreements and activities to which the agreements relate—

''(i) are in the public interest; and

''(ii) could be implemented without significant adverse impacts to the environment.

''(4) ELECTRICAL POWER ASSOCIATED WITH KACHESS DROUGHT RELIEF PUMPING PLANT.—

''(A) IN GENERAL.—The Administrator of the Bonneville Power Administration, pursuant to the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839 et seq.), shall provide to the Secretary project power to operate the Kachess Pumping Plant constructed under this title if inactive storage in Kachess Reservoir is needed to provide drought relief for irrigation, subject to the requirements of subparagraphs (B) and (C).

''(B) DETERMINATION.—Power may be provided under subparagraph (A) only if—

''(i) there is in effect a drought declaration issued by the State of Washington;

''(ii) there are conditions that have led to 70 percent or less water delivery to proratable irrigation districts, as determined by the Secretary; and

''(iii) the Secretary determines that it is appropriate to provide power under that subparagraph.

''(C) PERIOD OF AVAILABILITY.—Power under subparagraph (A) shall be provided until the date on which the Secretary determines that power should no longer be provided under that subparagraph, but for not more than a 1-year period or the period during which the Secretary determines that drought mitigation measures are necessary in the Yakima River basin.

''(D) RATE.—The Administrator of the Bonneville Power Administration shall provide power under subparagraph (A) at the then-applicable lowest Bonneville Power Administration rate for public body, cooperative, and Federal agency customers firm obligations, which as of the date of enactment of this section is the priority firm Tier 1 rate, and shall not include any irrigation discount.

''(E) LOCAL PROVIDER.—During any period in which power is not being provided under subparagraph (A), the power needed to operate the Kachess Pumping Plant shall be obtained by the Secretary from a local provider.

''(F) COSTS.—The cost of power for such pumping, station service power, and all costs of transmitting power from the Federal Columbia River Power System to the Yakima Enhancement Project pumping facilities shall be borne by irrigation districts receiving the benefits of that water.

''(G) DUTIES OF COMMISSIONER.—The Commissioner of Reclamation shall be responsible for arranging transmission for deliveries of Federal power over the Bonneville system through applicable tariff and business practice processes of the Bonneville system and for arranging transmission for deliveries of power obtained from a local provider.

''(c) DESIGN AND USE OF GROUNDWATER RECHARGE PROJECTS.—

''(1) IN GENERAL.—Any water supply that results from an aquifer storage and recovery project shall not be considered to be a part of the total water supply available if—

''(A) the water for the aquifer storage and recovery project would not be available for use, but instead for the development of the project;

''(B) the aquifer storage and recovery project will not otherwise impair any water supply available for any individual or entity entitled to use the total water supply available; and

''(C) the development of the aquifer storage and recovery project will not impair fish or other aquatic life in any localized stream reach.

''(2) PROJECT TYPES.—The Secretary may provide technical assistance for, and participate in, any of the following 3 types of groundwater recharge projects (including the incorporation of groundwater recharge projects into Yakima Project operations, as appropriate):

''(A) Aquifer recharge projects designed to redistribute Yakima Project water within a water year for the purposes of supplementing stream flow during the irrigation season, particularly during storage control, subject to the condition that if such a project is designed to supplement a mainstem reach, the water supply that results from the project shall be credited to instream flow targets, in lieu of using the total water supply available to meet those targets.

''(B) Aquifer storage and recovery projects that are designed, within a given water year or over multiple water years—

''(i) to supplement or mitigate for municipal uses;

''(ii) to supplement municipal supply in a subsurface aquifer; or

''(iii) to mitigate the effect of groundwater use on instream flow or senior water rights.

''(C) Aquifer storage and recovery projects designed to supplement existing irrigation water supply, or to store water in subsurface aquifers, for use by the Kittitas Reclamation District, the Roza Irrigation District, or any other proratable irrigation entity participating in the repayment of the construction, operation, and maintenance costs of the facilities under this section during years in which the total water supply available is insufficient to provide to those proratable irrigation entities all water to which the entities are entitled, subject to the conditions that—

''(i) the Bureau of Indian Affairs, the Wapato Irrigation Project, and the Yakama Nation, on an election to participate, may also obtain water from aquifer storage to enhance applicable existing irrigation water supply in accordance with such terms and conditions to which the Bureau of Indian Affairs and the Yakama Nation may agree; and

''(ii) nothing in this subparagraph affects (as in existence on the date of enactment of this section) any contract, law (including regulations) relating to repayment costs, water right, or Yakama Nation treaty right.

''(d) FEDERAL COST-SHARE.—

''(1) IN GENERAL.—The Federal cost-share of a project carried out under this section shall be determined in accordance with the applicable laws (including regulations) and policies of the Bureau of Reclamation.

''(2) INITIAL PHASE.—The Federal cost-share for the initial development phase of the Integrated Plan shall not exceed 50 percent of the total cost of the initial development phase.

''(3) STATE AND OTHER CONTRIBUTIONS.—The Secretary may accept as part of the non-Federal cost-share of a project carried out under this section, and expend as if appropriated, any contribution (including in-kind services) by the State of Washington or any other individual or entity that the Secretary determines will enhance the conduct and completion of the project.

''(4) LIMITATION ON USE OF OTHER FEDERAL FUNDS.—Except as otherwise provided in this title, other Federal funds may not be used to provide the non-Federal cost-share of a project carried out under this section.

''(e) SAVINGS AND CONTINGENCIES.—Nothing in this section shall—

''(1) be a new or supplemental benefit for purposes of the Reclamation Reform Act of 1982 (43 U.S.C. 390aa et seq.);

''(2) affect any contract in existence on the date of enactment of the Yakima River Basin Water Enhancement Project Phase III Act of 2016 that was executed pursuant to the reclamation laws;

''(3) affect any contract or agreement between the Bureau of Indian Affairs and the Bureau of Reclamation;

''(4) affect, waive, abrogate, diminish, define, or interpret the treaty between the Yakama Nation and the United States; or

''(5) constrain the continued authority of the Secretary to provide fish passage in the Yakima Basin in accordance with the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.).

''SEC. 1214. OPERATIONAL CONTROL OF WATER SUPPLIES.

''The Secretary shall retain authority and discretion over the management of project supplies to optimize operational use and flexibility to ensure compliance with all applicable Federal and State laws, treaty rights of the Yakama Nation, and legal obligations, including those contained in this Act. That authority and discretion includes

the ability of the United States to store, deliver, conserve, and reuse water supplies deriving from projects authorized under this title.''.

Subpart B—Klamath Project Water and Power

SEC. 10329. KLAMATH PROJECT.

(a) ADDRESSING WATER MANAGEMENT AND POWER COSTS FOR IRRIGATION.—The Klamath Basin Water Supply Enhancement Act of 2000 (Public Law 106–498; 114 Stat. 2221) is amended—

(1) by redesignating sections 4 through 6 as sections 5 through 7, respectively; and

(2) by inserting after section 3 the following:

''SEC. 4. POWER AND WATER MANAGEMENT.

''(a) DEFINITIONS.—In this section:

''(1) COVERED POWER USE.—The term 'covered power use' means a use of power to develop or manage water for irrigation, wildlife purposes, or drainage on land that is—

''(A) associated with the Klamath Project, including land within a unit of the National Wildlife Refuge System that receives water due to the operation of Klamath Project facilities; or

''(B) irrigated by the class of users covered by the agreement dated April 30, 1956, between the California Oregon Power Company and Klamath Basin Water Users Protective Association and within the Off Project Area (as defined in the Upper Basin Comprehensive Agreement entered into on April 18, 2014), only if each applicable owner and holder of a possessory interest of the land is a party to that agreement (or a successor agreement that the Secretary determines provides a comparable benefit to the United States).

''(2) KLAMATH PROJECT.—

''(A) IN GENERAL.—The term 'Klamath Project' means the Bureau of Reclamation project in the States of California and Oregon.

''(B) INCLUSIONS.—The term 'Klamath Project' includes any dams, canals, and other works and interests for water diversion, storage, delivery, and drainage, flood control, and similar functions that are part of the project described in subparagraph (A).

''(3) POWER COST BENCHMARK.—The term 'power cost benchmark' means the average net delivered cost of power for irrigation and drainage at Reclamation projects in the area surrounding the Klamath Project that are similarly situated to the Klamath Project, including Reclamation projects that—

''(A) are located in the Pacific Northwest; and

''(B) receive project-use power.

''(b) WATER, ENVIRONMENTAL, AND POWER ACTIVITIES.—

''(1) IN GENERAL.—Pursuant to the reclamation laws and subject to appropriations and required environmental reviews, the Secretary may carry out activities, including entering into an agreement or contract or otherwise making financial assistance available—

''(A) to plan, implement, and administer programs to align water supplies and demand for irrigation water users associated with the Klamath Project, with a primary emphasis on programs developed or endorsed by local entities comprised of representatives of those water users;

''(B) to plan and implement activities and projects that—

''(i) avoid or mitigate environmental effects of irrigation activities; or

''(ii) restore habitats in the Klamath Basin watershed, including restoring tribal fishery resources held in trust; and

''(C) to limit the net delivered cost of power for covered power uses.

''(2) EFFECT.—Nothing in subparagraph (A) or (B) of paragraph (1) authorizes the Secretary—

''(A) to develop or construct new facilities for the Klamath Project without appropriate approval from Congress under section 9 of the Reclamation Projects Act of 1939 (43 U.S.C. 485h); or

''(B) to carry out activities that have not otherwise been authorized.

''(c) REDUCING POWER COSTS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Energy Policy Modernization Act of 2016, the Secretary, in consultation with interested irrigation interests that are eligible for covered power use and representative organizations of those interests, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that—

''(A) identifies the power cost benchmark; and

''(B) recommends actions that, in the judgment of the Secretary, are necessary and appropriate to ensure that the net delivered power cost for covered power use is equal to or less than the power cost benchmark, including a description of—

''(i) actions to immediately reduce power costs and to have the net delivered power cost for covered power use be equal to or less than the power cost benchmark in the near term, while longer-term actions are being implemented;

''(ii) actions that prioritize water and power conservation and efficiency measures and, to the extent actions involving the development or acquisition of power generation are included, renewable energy technologies (including hydropower);

''(iii) the potential costs and timeline for the actions recommended under this subparagraph;

''(iv) provisions for modifying the actions and timeline to adapt to new information or circumstances; and

''(v) a description of public input regarding the proposed actions, including input from water users that have covered power use and the degree to which those water users concur with the recommendations.

''(2) IMPLEMENTATION.—Not later than 180 days after the date of submission of the report under paragraph (1), the Secretary shall implement those recommendations described in the report that the Secretary determines will ensure that the net delivered power cost for covered power use is equal to or less than the power cost benchmark, subject to availability of appropriations, on the fastest practicable timeline.

''(3) ANNUAL REPORTS.—The Secretary shall submit to each Committee described in paragraph (1) annual reports describing progress achieved in meeting the requirements of this subsection.

''(d) TREATMENT OF POWER PURCHASES.—

''(1) IN GENERAL.—Any purchase of power by the Secretary under this section shall be considered to be an authorized sale for purposes of section 5(b)(3) of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839c(b)(3)).

''(2) EFFECT.—Nothing in this section authorizes the Bonneville Power Administration to make a sale of power from the Federal Columbia River Power System at rates, terms, or conditions better than those afforded preference customers of the Bonneville Power Administration.

''(e) GOALS.—The goals of activities under subsections (b) and (c) shall include, as applicable—

''(1) the short-term and long-term reduction and resolution of conflicts relating to water in the Klamath Basin watershed; and

''(2) compatibility and utility for protecting natural resources throughout the Klamath Basin watershed, including the protection, preservation, and restoration of Klamath River tribal fishery resources, particularly through collaboratively developed agreements.

''(f) PUMPING PLANT D.—The Secretary may enter into 1 or more agreements with the Tulelake Irrigation District to reimburse the Tulelake Irrigation District for not more than 69 percent of the cost incurred by the Tulelake Irrigation District for the operation and maintenance of Pumping Plant D, on the condition that the cost benefits the United States.''.

(b) CONVEYANCE OF NON-PROJECT WATER; REPLACEMENT OF C CANAL.—

(1) DEFINITION OF KLAMATH PROJECT.—In this subsection:

(A) IN GENERAL.—The term ''Klamath Project'' means the Bureau of Reclamation project in the States of California and Oregon.

(B) INCLUSIONS.—The term ''Klamath Project'' includes any dams, canals, and other works and interests for water diversion, storage, delivery, and drainage, flood control, and similar functions that are part of the project described in subparagraph (A).

(2) CONVEYANCE OF NON-PROJECT WATER.—

(A) IN GENERAL.—An entity operating under a contract entered into with the United States for the operation and maintenance of Klamath Project works or facilities, and an entity operating any work or facility not owned by the United States that receives Klamath Project water, may use any of the Klamath Project works or facilities to convey non-Klamath Project water for any authorized purpose of the Klamath Project, subject to subparagraphs (B) and (C).

(B) PERMITS; MEASUREMENT.—An addition, conveyance, and use of water pursuant to subparagraph (A) shall be subject to the requirements that—

(i) the applicable entity shall secure all permits required under State or local laws; and

(ii) all water delivered into, or taken out of, a Klamath Project facility pursuant to that subparagraph shall be measured.

(C) EFFECT.—A use of non-Klamath Project water under this paragraph shall not—

(i) adversely affect the delivery of water to any water user or land served by the Klamath Project; or

(ii) result in any additional cost to the United States.

(3) REPLACEMENT OF C CANAL FLUME.—The replacement of the C Canal flume within the Klamath Project shall be considered to be, and shall receive the treatment authorized for, emergency extraordinary operation and maintenance work in accordance with Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)).

(c) ADMINISTRATION.—

(1) COMPLIANCE.—In implementing this section and the amendments made by this section, the Secretary of the Interior shall comply with—

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

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

(C) all other applicable laws.

(2) EFFECT.—Nothing in this section—

(A) modifies the authorities or obligations of the United States with respect to the tribal trust and treaty obligations of the United States; or

(B) creates or determines water rights or affects water rights or water right claims in existence on the date of enactment of this Act.

PART IV—RESERVOIR OPERATION IMPROVEMENT

SEC. 10331. RESERVOIR OPERATION IMPROVEMENT.

(a) DEFINITIONS.—In this section:

(1) RESERVED WORKS.—The term ''reserved works'' means any Bureau of Reclamation project facility at which the Secretary of the Interior carries out the operation and maintenance of the project facility.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Army.

(3) TRANSFERRED WORKS.—The term ''transferred works'' means a Bureau of Reclamation project facility, the operation and maintenance of which is carried out by a non-Federal entity, under the provisions of a formal operation and maintenance transfer contract.

(4) TRANSFERRED WORKS OPERATING ENTITY.—The term ''transferred works operating entity'' means the organization that is contractually responsible for operation and maintenance of transferred works.

(b) REPORT.—Not later than 360 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report including, for any State in which a county designated by the Secretary of Agriculture as a drought disaster area during water year 2015 is located, a list of projects, including Corps of Engineers projects, and those non-Federal projects and transferred works that are operated for flood control in accordance with rules prescribed by the Secretary pursuant to section 7 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 890, chapter 665), including, as applicable—

(1) the year the original water control manual was approved;

(2) the year for any subsequent revisions to the water control plan and manual of the project;

(3) a list of projects for which—

(A) operational deviations for drought contingency have been requested;

(B) the status of the request; and

(C) a description of how water conservation and water quality improvements were addressed; and

(4) a list of projects for which permanent or seasonal changes to storage allocations have been requested, and the status of the request.

(c) PROJECT IDENTIFICATION.—Not later than 60 days after the date of completion of the report under subsection (b), the Secretary shall identify any projects described in the report—

(1) for which the modification of the water operations manuals, including flood control rule curve, would be likely to enhance existing authorized project purposes, including for water supply benefits and flood control operations;

(2) for which the water control manual and hydrometeorological information establishing the flood control rule curves of the project have not been substantially revised during the 15-year period ending on the date of review by the Secretary; and

(3) for which the non-Federal sponsor or sponsors of a Corps of Engineers project, the owner of a non-Federal project, or the non-Federal transferred works operating entity, as applicable, has submitted to the Secretary a written request to revise water operations manuals, including flood control rule curves, based on the use of improved weather forecasting or run-off forecasting methods, new watershed data, changes to project operations, or structural improvements.

(d) PILOT PROJECTS.—

(1) IN GENERAL.—Not later than 1 year after the date of identification of projects under subsection (c), if any, the Secretary shall carry out not fewer than 15 pilot projects, which shall include not less than 6 non-Federal projects, to implement revisions of water operations manuals, including flood control rule curves, based on the best available science, which may include—

(A) forecast-informed operations;

(B) new watershed data; and

(C) if applicable, in the case of non-Federal projects, structural improvements.

(2) CONSULTATION.—In implementing a pilot project under this subsection, the Secretary shall consult with all affected interests, including—

(A) non-Federal entities responsible for operations and maintenance costs of a Federal facility;

(B) individuals and entities with storage entitlements; and

(C) local agencies with flood control responsibilities downstream of a facility.

(e) COORDINATION WITH NON-FEDERAL PROJECT ENTITIES.—If a project identified under subsection (c) is—

(1) a non-Federal project, the Secretary, prior to carrying out an activity under this section, shall—

(A) consult with the non-Federal project owner; and

(B) enter into a cooperative agreement, memorandum of understanding, or other agreement with the non-Federal project owner describing the scope and goals of the activity and the coordination among the parties; and

(2) a Federal project, the Secretary, prior to carrying out an activity under this section, shall—

(A) consult with each Federal and non-Federal entity (including a municipal water district, irrigation district, joint powers authority, transferred works operating entity, or other local governmental entity) that currently—

(i) manages (in whole or in part) a Federal dam or reservoir; or

(ii) is responsible for operations and maintenance costs; and

(B) enter into a cooperative agreement, memorandum of understanding, or other agreement with each such entity describing the scope and goals of the activity and the coordination among the parties.

(f) CONSIDERATION.—In designing and implementing a forecast-informed reservoir operations plan under subsection (d) or (g), the Secretary may consult with the appropriate agencies within the Department of the Interior and the Department of Commerce with expertise in atmospheric, meteorological, and hydrologic science to consider—

(1) the relationship between ocean and atmospheric conditions, including—

(A) the El Niño and La Niña cycles; and

(B) the potential for above-normal, normal, and below-normal rainfall for the coming water year, including consideration of atmospheric river forecasts;

(2) the precipitation and runoff index specific to the basin and watershed of the relevant dam or reservoir, including incorporating knowledge of hydrological and meteorological conditions that influence the timing and quantity of runoff;

(3) improved hydrologic forecasting for precipitation, snowpack, and soil moisture conditions;

(4) an adjustment of operational flood control rule curves to optimize water supply storage and reliability, hydropower production, environmental benefits for flows and temperature, and other authorized project benefits, without a reduction in flood safety; and

(5) proactive management in response to changes in forecasts.

(g) FUNDING.—The Secretary may accept and expend amounts from non-Federal entities and other Federal agencies to fund all or a portion of the cost of carrying out a review or revision of operational documents, including water control plans, water control manuals, water control diagrams, release schedules, rule curves, operational agreements with non-Federal entities, and any associated environmental documentation for—

(1) a Corps of Engineers project;

(2) a non-Federal project regulated for flood control by the Secretary; or

(3) a Bureau of Reclamation transferred works regulated for flood control by the Secretary.

(h) EFFECT.—

(1) MANUAL REVISIONS.—A revision of a manual shall not interfere with the authorized purposes of a Federal project or the existing purposes of a non-Federal project regulated for flood control by the Secretary.

(2) EFFECT OF SECTION.—

(A) Nothing in this section authorizes the Secretary to carry out, at a Federal dam or reservoir, any project or activity for a purpose not otherwise authorized as of the date of enactment of this Act.

(B) Nothing in this section affects or modifies any obligation of the Secretary under State law.

(C) Nothing in this section affects or modifies any obligation to comply with any applicable Federal law.

(3) BUREAU OF RECLAMATION RESERVED WORKS EXCLUDED.—This section—

(A) shall not apply to any dam or reservoir operated by the Bureau of Reclamation as a reserved work, unless all non-Federal project sponsors of a reserved work jointly provide to the Secretary a written request for application of this section to the project; and

(B) shall apply only to Bureau of Reclamation transferred works at the written request of the transferred works operating entity.

(4) PRIOR STUDIES.—The Secretary shall—

(A) to the maximum extent practicable, coordinate the efforts of the Secretary in carrying out subsections (b), (c), and (d) with the efforts of the Secretary in completing—

(i) the report required under section 1046(a)(2)(A) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2319 note; Public Law 113–121); and

(ii) the updated report required under subsection (a)(2)(B) of that section; and

(B) if the reports are available before the date on which the Secretary carries out the actions described in subsections (b), (c), and (d), consider the findings of the reports described in clauses (i) and (ii) of subparagraph (A).

(i) MODIFICATIONS TO MANUALS AND CURVES.—Not later than 180 days after the date of completion of a modification to an operations manual or flood control rule curve, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the components of the forecast-based reservoir operations plan incorporated into the change.

PART V—HYDROELECTRIC PROJECTS

SEC. 10341. TERROR LAKE HYDROELECTRIC PROJECT UPPER HIDDEN BASIN DIVERSION AUTHORIZATION.

(a) DEFINITIONS.—In this section:

(1) TERROR LAKE HYDROELECTRIC PROJECT.—The term ''Terror Lake Hydroelectric Project'' means the project identified in section 1325 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3212), and which is Federal Energy Regulatory Commission project number 2743.

(2) UPPER HIDDEN BASIN DIVERSION EXPANSION.—The term ''Upper Hidden Basin Diversion Expansion'' means the expansion of the Terror Lake Hydroelectric Project as generally described in Exhibit E to the Upper Hidden Basin Grant Application dated July 2, 2014 and submitted to the Alaska Energy Authority Renewable Energy Fund Round VIII by Kodiak Electric Association, Inc.

(b) AUTHORIZATION.—The licensee for the Terror Lake Hydroelectric Project may occupy not more than 20 acres of Federal land to construct, operate, and maintain the Upper Hidden Basin Diversion Expansion without further authorization of the Secretary of the Interior or under the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.).

(c) SAVINGS CLAUSE.—The Upper Hidden Basin Diversion Expansion shall be subject to appropriate terms and conditions included in an amendment to a license issued by the Federal Energy Regulatory Commission pursuant to the Federal Power Act (16 U.S.C. 791a et seq.), including section 4(e) of that Act (16 U.S.C. 797(e)), following an environmental review by the Commission under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 10342. STAY AND REINSTATEMENT OF FERC LICENSE NO. 11393 FOR THE MAHONEY LAKE HYDROELECTRIC PROJECT.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Energy Regulatory Commission.

(2) LICENSE.—The term ''license'' means the license for Commission project number 11393.

(3) LICENSEE.—The term ''licensee'' means the holder of the license.

(b) STAY OF LICENSE.—On the request of the licensee, the Commission shall issue an order continuing the stay of the license.

(c) LIFTING OF STAY.—On the request of the licensee, but not later than 10 years after the date of enactment of this Act, the Commission shall—

(1) issue an order lifting the stay of the license under subsection (b); and

(2) make the effective date of the license the date on which the stay is lifted under paragraph (1).

(d) EXTENSION OF LICENSE.—On the request of the licensee and notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) for commencement of construction of the project subject to the license, the Commission shall, after reasonable notice and in accordance with the good faith, due diligence, and public interest requirements of that section, extend the time period during which the licensee is required to commence the construction of the project for not more than 3 consecutive 2-year periods, notwithstanding any other provision of law.

(e) EFFECT.—Nothing in this section prioritizes, or creates any advantage or disadvantage to, Commission project number 11393 under Federal law, including the Federal Power Act (16 U.S.C. 791a et seq.) or the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.), as compared to—

(1) any electric generating facility in existence on the date of enactment of this Act; or

(2) any electric generating facility that may be examined, proposed, or developed during the period of any stay or extension of the license under this section.

SEC. 10343. EXTENSION OF DEADLINE FOR HYDROELECTRIC PROJECT.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission (referred to in this section as the ''Commission'') project numbered 12642, the Commission may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission shall reinstate the license effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration date.

SEC. 10344. EXTENSION OF DEADLINE FOR CERTAIN OTHER HYDROELECTRIC PROJECTS.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission (referred to in this section as the ''Commission'') projects numbered 12737 and 12740, the Commission may, at the request of the licensee for the applicable project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the applicable project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of a project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission may reinstate the license for the applicable project effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration.

SEC. 10345. EQUUS BEDS DIVISION EXTENSION.

Section 10(h) of Public Law 86–787 (74 Stat. 1026; 120 Stat. 1474) is amended by striking ''10 years'' and inserting ''20 years''.

SEC. 10346. EXTENSION OF TIME FOR A FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING CANNONSVILLE DAM.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 13287, the Federal Energy Regulatory Commission (referred to in this section as the ''Commission'') may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence construction of the project for up to 4 consecutive 2-year periods after the required date of the commencement of construction described in Article 301 of the license.

(b) REINSTATEMENT OF EXPIRED LICENSE.—

(1) IN GENERAL.—If the required date of the commencement of construction described in subsection (a) has expired prior to the date of enactment of this Act, the Commission may reinstate the license effective as of that date of expiration.

(2) EXTENSION.—If the Commission reinstates the license under paragraph (1), the first extension authorized under subsection (a) shall take effect on the date of that expiration.

PART VI—PUMPED STORAGE HYDROPOWER COMPENSATION

SEC. 10351. PUMPED STORAGE HYDROPOWER COMPENSATION.

Not later than 180 days after the date of enactment of this Act, the Federal Energy Regulatory Commission shall initiate a proceeding to identify and determine the market, procurement, and cost recovery mechanisms that would—

(1) encourage development of pumped storage hydropower assets; and

(2) properly compensate those assets for the full range of services provided to the power grid, including—

(A) balancing electricity supply and demand;

(B) ensuring grid reliability; and

(C) cost-effectively integrating intermittent power sources into the grid.

The PRESIDING OFFICER. The Senator from Alaska.

MORNING BUSINESS

Ms. MURKOWSKI. Mr. 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.

The Senator from Alaska.

ENERGY POLICY MODERNIZATION BILL

Ms. MURKOWSKI. Mr. President, I thank my colleagues for their support of the Energy Policy Modernization Act. I think the vote we have just concluded is indicative of what I have been saying for years now. I have a relatively lengthy policy manual or handbook, if you will, of how I view the energy space and how we can work to advance our energy policies, but, as with so much nowadays, if you put down a 115-page book or if you have a multipage white paper, it kind of goes by the way. So I have framed my energy policy into three simple words. I don't have it on a chart this afternoon, but it is basically pretty simple: ''Energy is good.'' I think that is what we have concluded with passage of the Energy Policy Modernization Act of 2016, with 85 Members supporting us in this effort.

I thank my ranking member, Senator CANTWELL, for working with me throughout this very collaborative process. The way we built this bill was not just the two of us as colleagues on the Energy Committee but working with Members on the committee across the aisle, working with other Members of this body in a very open and transparent manner. And it was not just colleagues here within the Senate; it was the outreach we did with numerous listening sessions and the administration.

I thank Secretary of Energy Moniz for his assistance in what we built. What we have in front of us and what we are recognizing today is truly a strong, committed process that yielded a strong product.

I wish to acknowledge the very, very hard work of our staffs. We all know we cannot do what we need to do as Senators without good people backing us at every turn. I am extraordinarily fortunate as chairman of the Energy and Natural Resources Committee to have a team on the majority's side that is not only extraordinarily hard-working, but they are all amazing experts when it comes to the energy space.

I wish to particularly recognize my staff director, Colin Hayes. Colin came into this Energy bill midway. He came on as my staff director at the first of the year after my previous staff director, Karen Billups, who had served on the Energy Committee for close to 25 years, retires. So we had that experience and expertise leaving—and Karen worked so hard to help craft so much of this bill, but then we needed the technician to move it through this process, and Colin Hayes stepped up in an extraordinary and remarkable way, and I thank him for all he did to guide us here.

I wish to recognize the others on my Energy Committee staff: Pat McCormick, Brian Hughes, Kellie Donnelly, and Lucy Murfitt.

I want to give a special shout-out to Lucy because she was able to help navigate some of the issues that perhaps were not seen upfront and in person, but behind the scenes were very important, not the least of which was the amendment we took a voice vote on yesterday relating to the wild horses in North Carolina. Managing interesting issues and doing it deftly was Lucy's strong suit.

I thank Severin Randall. I also thank Annie Hoefler, who made sure anything I needed in my book was there, Michael Tadeo, Tristan Abbey, Chester Carson, Isaac Edwards, Heidi Hansen, Chris Kearney, Chuck Kleeschulte, Kip Knudson, Brianne Miller, Jason Huffnagle, Ben Reinke, Krystal Edens, Melissa Enriquez, Deanna Mitchell, and Karen Dildei. They are all members of our team on the Republican side who have been working day and night for weeks and months now.

But we can't work a bill as successfully as we have today without working hand-in-glove with your counterparts on the other side. Just as Senator CANTWELL and I worked together, our staffs worked together, and they were led very ably by Angela Becker-Dippmann. Angela came to the committee after being pulled out of another place at the request of Senator CANTWELL, and her guidance has been extraordinary. I greatly appreciate her work.

I wish to recognize the other members of the minority Energy Committee staff as well. Sam Fowler has been around since time immemorial guiding us. I thank Rebecca Bonner, David Brooks, John Davis, Benjamin Drake, David Gillers, Rich Glick, Spencer Gray, Sa'Rah Hamm, Aisha Johnson, Faye Matthews, Scott McKee, Casey Neal, Bryan Petit, David Poyer, Betsy Rosenblatt, Samantha Siegler, Bradley Sinkaus, Carolyn Sloan, Rory Stanley, Melanie Stansbury, Al Stayman, Nick Sutter, Stephanie Teich-McGoldrick, and Brie Van Cleve.

This is kind of a list of Emmy Award winners in my book. But as good as our teams are, we need help here on the floor. The folks on the floor staff have been fabulous and extraordinary, and we thank them for their efforts. Laura Dove and Gary, thank you for what you have done. The other members of the Republican floor staff—Robert Duncan, Chris Tuck, Mary Elizabeth Taylor, Megan Mercer, Katherine Kilroy, Tony Hanagan, and Mike Smith—are great people to work with, and we appreciate their guidance.

We had good, strong support from the leader's office. Neil Chatterjee was a kind of energy whisperer for many of us and was a great help, as well as Kate Sterne and Monica Popp with Senator CORNYN's office, Eric Ueland and Becky Cole on the Budget Committee, Heather Burnham and Christina Jacquet at Senate Legislative Counsel, and Megan Carroll and Kathy Gramp at the Congressional Budget Office.

I am proud of the work so many have done in getting us here. We are looking forward to sitting down with our counterparts on the House side and getting to work to make sure the benefits we have achieved today in the Senate are replicated with our colleagues in the House so that we can see passage of an energy bill by both bodies and signed into law by the President.

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.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask consent that I be permitted to make some remarks followed by the Senator from California, after which the Senate would go back into a quorum call.

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. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Senator FEINSTEIN and I be allowed to speak, me first and Senator FEINSTEIN second.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL

Mr. ALEXANDER. Mr. President, in the next few minutes, Senator FEINSTEIN and I will submit for the Senate's consideration the first appropriations bill of the year. This will be the Energy and Water appropriations bill. It will be the earliest that any appropriations bill has been submitted since the Budget Act was passed in 1974. This is a good sign for the Senate. It means we are serious about our most basic constitutional responsibilities, which is the oversight of the spending of money, the setting of priorities, and doing it in a way that allows every Senator to participate.

I am privileged to be able to work with Senator FEINSTEIN, who is able to come to a result after we have examined an important piece of legislation. She has a background as a manager, as a mayor, as a chairman of important committees, and I am very privileged to have the chance to work with her, whether we are in the majority or the minority.

Before I talk about the bill specifically, since this is the first bill, I wish to say a few words about the money we are spending. This year the Budget Control Act, which the Senate adopted in 2015—which was the law passed by the Senate by a vote of 64 to 35, October 30 of last year. This year the Budget Control Act sets the amount of money we are to spend at $1.07 trillion. Our bill, the Energy and Water bill, will be $37.5 billion of that approximately $1 trillion. However, the entire Federal budget is a lot more than $1 trillion. In fact, it is four times as much. The entire Federal budget this year is $3.9 trillion—nearly $4 trillion.

We are talking about appropriated dollars of about $1 trillion, plus about 3 trillion other dollars we will spend this year through the Federal Government. Those dollars are what we call mandatory or automatic spending, plus interest on the debt.

Federal health care spending, as an example, is about $1 trillion. It is about the same amount as all of the 12 appropriations bills that will be considered. The Centers for Medicare & Medicaid Services head, Mr. Slavitt, is in charge of spending about $886 billion every year—almost all mandatory spending. The part of the budget we are talking about, and we will be talking about for the next 12 weeks, is one-fourth of the total Federal spending.

I thank Senator MCCONNELL, the majority leader, for making this a priority. I thank Senator REID, the Democratic leader, for suggesting to Senator MCCONNELL and to all of us on behalf of the Democrats that they, too, want to see us move through the process. This gives the American people a chance to see how we spend their money.

The American people care about how we spend their money because we have a big debt. There is a lot of talk about that debt, which is $19 trillion. This year, the total revenues of the Federal

Government are about $3.36 billion, but the spending is about $3.9 trillion. Elementary school mathematics will show we are adding about $534 billion more to our $19 trillion debt this year.

It is important to point out that the spending we are talking about in this bill and the other 11 discretionary bills is not the problem. I would like to ask the Chair to look at the bottom line, the blue line. That is what we call the discretionary spending. That is the money the Appropriations Committee works on. That is the trillion dollars we are appropriating in these bills.

It has been flat since 2008, and it is rising at about the rate of inflation over the next 10 years, according to the Congressional Budget Office. If the entire budget had followed the path of that blue line on the bottom—that is the money we are in charge of in the Appropriations Committee—we would not have a debt problem. Look where the debt problem is coming from. That is the automatic mandatory spending, that red line. That does not even include the interest on the Federal debt. I have suggested in our conference that maybe what the Senate would want to do is turn the entire budget over to the Appropriations Committee because we are doing our job, and apparently the rest of the Senate—or all of us as a whole—is not doing its job and is running up a big Federal debt.

Senator FEINSTEIN and I have been presented an amount of money by the committee and by the Senate that we allocate. We have done that through four hearings. I will be talking about that. We have set priorities, we have cut wasteful spending, and we are beginning to get big construction projects under control.

We have eliminated funding for an infusion project in France. That saves $125 million in a year, which we can then put on other priorities. We have the Uranium Processing Facility in Oak Ridge, TN, now on a project where it will be 90 percent designed before it is built, and it will be on time and on budget before it is finished.

We are working with the Armed Services Committee to try to do something similar with a mock facility in South Carolina. We have a red team—the kind of red team that helped us at Oak Ridge and South Carolina—working on the New Mexico construction projects. Working together, our oversight is saving the taxpayers money, staying within the budget, and I am glad to say we are not part of the debt problem.

Sometimes we as a full Senate will start working on that top line. Senator CORKER and I have a bill that would reduce that top-line growth by $1 trillion over the next 10 years. The problem is, Senator CORKER and I are the only cosponsors of the bill, so we will not be talking about that much today.

I understand there may be an attempt to change the level of funding that we make, and I will talk about that at the time this afternoon when the amendments come up. So everybody is thinking about that beforehand, No. 1, we are following the law. That is where our budgeting is. No. 2, the Budget Committee of the Senate has begun to start its budget process based upon the number that the law sets. No. 3, our appropriations bills are not the debt problem. The problem is the mandatory spending and interest on the debt, and sooner or later we need to deal with it.

Last Thursday Senator FEINSTEIN and I and the Senate Appropriations Committee approved the fiscal year 2017 Energy and Water Development appropriations bill by a unanimous vote of 30 to nothing. Thirty of the 100 Members of this body who are on that committee all voted for it.

This bill includes some items very familiar to the American people, things that they would like for us to fund properly, such as flood control; navigation on our rivers; deepening harbors, whether it is in California, Mobile, Charleston, or Savannah; rebuilding locks, whether they are in Ohio, Kentucky, Tennessee, or in inland waterways; the 17 National Labs, which are our secret weapon in job growth across our country; and supercomputing. We seek to lead the world in supercomputing, and it is another great source of job growth.

A big part of our budget has to do with nuclear weapons and national defense. At a time when our world is so unsafe, Americans are hoping we can deal with that.

We worked together in a fair and accommodating manner under challenging fiscal strengths to create a bipartisan bill. As I said earlier, the sum is $37.5 billion, $355 million more than last year. Reaching a bipartisan consensus wasn't easy. We received an allocation for defense spending that was higher than last year by $1.163 billion but $808 million lower for the nondefense parts of our budget.

The funding includes several Federal agencies that do important work, including the U.S. Department of Energy, the Nuclear Regulatory Commission, the Army Corps of Engineers, the Bureau of Reclamation, the National Nuclear Security Administration, and the Appalachian Regional Commission.

We also started with an unrealistic budget proposal from the President, which cut the Corps of Engineers by $1.4 billion and proposed $2.3 billion in new mandatory funding for the Department of Energy.

The bill Senator FEINSTEIN and I negotiated supports our waterways and puts us one step closer to doubling basic energy research, helps to resolve the nuclear waste stalemate, cleans up hazardous material at Cold War sites, and maintains our nuclear weapons stockpile. We also conducted intensive oversight of the President's budget request and the Department of Energy. As I mentioned earlier, we eliminated at least one low-priority program which will save about $125 million to reduce waste. That program, the International Thermonuclear Experimental Reactor, is located in France and started in 2005 with an initial cost of $1.1 billion, but we have already invested that much and the project will not likely be completed until after 2025.

As I mentioned earlier, we worked together to keep the big uranium projects on time and on budget. It is now on time and on budget. It will be 90-percent designed before it is constructed, and we are also working together to control the MOX facility and the facility in New Mexico.

Mr. President, 77 Senators submitted requests to us, and we worked hard to accommodate the request of every Senator. We have had many other Senators who have come to us since then with amendments they would like to offer. Most Senators—I would say in the eighties—have something they think is important in this bill. If Senators decide we need to spend less money, I guess they need to be prepared to send us letters suggesting what they would like to take out of the bill, since we put letters into the bill based upon the amount of money the law said we should spend.

The last time the Senate passed this bill, the Energy and Water appropriations bill, under regular order was 2009. I look forward to a regular appropriations process.

At this time, I will briefly highlight a few parts of the bill. No. 1 is waterways infrastructure. The bill restores $1.4 billion that the President proposed to cut from the Corps of Engineers. It sets a new record level of funding for the Corps in a regular appropriations bill. Many Senators have urged us to do this. There is not a funding line in the bill that has more support than the Army Corps of Engineers. The Corps rebuilds locks and dams, dredges our rivers and harbors, works to prevent floods and storm damage, and builds environmental restoration projects. If we had simply approved the President's request, the Corps would have received less than what Congress appropriated in 2006, setting us back more than a decade.

In Tennessee, we provided enough funding to continue building a new Chickamauga Lock in fiscal year 2017. Up to $37 million will be available to the U.S. Army Corps of Engineers to continue work on the Chickamauga Lock. Only last month the Corps reiterated its most recent study that the Chickamauga Lock continues to be the fourth highest priority of essential American waterways to be rebuilt.

We included $1.3 billion for the Harbor Maintenance Trust Fund. This is the third consecutive year we funded the Harbor Maintenance Trust Fund consistent with the funding level that Congress recommended in the Water Resources Development Act. This will permit us to deepen harbors, including Gulfport, Charleston, Mobile, Texas, Louisiana, Anchorage, Savannah, and harbors on the west coast.

Doubling basic energy research is a goal I have long supported and is one of the most important things we can do to unleash our free enterprise system.

Senator DURBIN and I worked together on an amendment to the Energy bill that increases the authorized funding levels for the Office of Science by about 7 percent per year, which would double the budget of the Office of Science from a little over $5 billion today to more than $10 billion in 10 years. That is basically the money that the U.S. Government spends on energy research. The Senate adopted our amendment by a voice vote, which demonstrates how much support there is for this goal. The President proposed to spend even more on energy research, including the Mission Innovation proposal, the pledge launched by the United States and 19 other countries at the climate summit in Paris, to double Federal clean energy research over the next 5 years. The problem is that President Obama's budget request proposed $2.259 billion in new mandatory funding for the Department of Energy. However, his commitment to doubling Federal clean energy research with mandatory funding comes at the expense of other resources and other agencies, which is at best unhelpful and at worse misleading. It is wishful thinking, and everyone knows it is not going to happen. Instead, we focused on priorities for discretionary funding annually approved by Congress. That is the bottom line that is under control, and it is not the source of our Federal debt problems.

Our top priority was the Office of Science, which includes $5.4 billion to support basic energy research—$50 million more than last year. This is the second year we have been able to increase funding for the Office of Science, which sets a new record level for funding for that office in a regular appropriations bill. This puts us one step closer to doubling funding for Federal basic energy research.

The bill includes $292.7 million for ARPA–E, an agency that invests in high-impact energy technologies. The funding is a little more than last year's $1.7 million. The bill also supports the Department of Energy's continued efforts to advance exascale computing and includes a total of $285 million to produce these next-generation computers.

Nuclear power provides about 20 percent of our country's electricity and 60 percent of our carbon-free electricity. If we are going to have the abundance of clean, cheap, reliable energy that we want and need, we need to unleash nuclear power by removing obstacles in its way.

Our legislation sends a strong signal about our support for new technologies in the next generation of nuclear powerplants. We included $94.5 million for advanced reactors, $21 million more than the President's budget request. We included $95 million for small modular reactors, $32.5 million over last year.

One way our bill helps is by taking important steps towards solving our country's stalemate over what to do with nuclear waste—a bipartisan issue and a goal that Senator FEINSTEIN and I agree on and have been working hard to accomplish. Our legislation, therefore, includes a pilot program, which was Senator FEINSTEIN's suggestion 3 years ago, for consolidated nuclear waste storage. She and I introduced that over the past 4 years. The new sites we are seeking to establish will not take the place of Yucca Mountain—we have more than enough useful fuel to fill Yucca Mountain to its legal capacity—but it would rather complement it. We also provide funding for the U.S. Department of Energy to store nuclear waste at private facilities approved by the Nuclear Regulatory Commission, such as the one proposed in West Texas.

We are also supporting research in this bill that will help continue the work that is necessary to safely extend nuclear power operating licenses from 60 to 80 years. In my view, that is the simplest, easiest way to have a large amount of new carbon-free electricity in the near term.

Finally, this legislation provides a total of $12.9 billion for the National Nuclear Security Administration and fully funds the warhead life extension programs recommended by the Nuclear Weapons Council in the design of the Ohio-class replacement submarine. It also supports crucial weapons facilities related to our national security.

The bill provides $575 million for the Uranium Processing Facility in Oak Ridge, TN. It keeps the project on track to be completed by 2025, at a cost of no more than $6.5 billion.

The legislation also advances our efforts to clean up hazardous materials at Cold War sites. A total of $5.4 billion is provided to support cleanup efforts, which is $144 million above the President's budget request.

This bill adequately funds our Nation's energy and water priorities and fully complies with the spending limits established by the Budget Control Act. The Budget Control Act continues a line of spending for the appropriated dollars, which is the bottom line on the chart. The blue line on the chart, which has been flat since 2008 and only grows with the rate of inflation for the next 10 years according to the Congressional Budget Office, is not the source of the Federal debt problem. The rest of the line spends three times as much as the amount of money we are spending in the 12 appropriation bills we will be addressing for the next 2 weeks.

I thank Senator FEINSTEIN for her leadership and cooperation. I urge Senators to support the bill. We are already working on amendments with Senators that they seek to offer. We hope to begin voting on some this afternoon in an open amendment process and thereby proving that the appropriations process works.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise today to speak in support of the fiscal year 2017 Energy and Water Development appropriations bill.

I wish to begin by thanking my friend and colleague, Senator ALEXANDER. We have served together as chairman or ranking member of this subcommittee for the past 5 years. I know of no one in this body who is more intelligent or has a greater sense of fairness. I just want Senator ALEXANDER to know what a great treat it has been to work with him for 5 years. I think we have a bill that will stand the test of time. Each of us has had different views on different parts of the bill, but that is part of what makes this a great country.

I say to Senator ALEXANDER, I just want to thank you for being who you are and thank you for being the kind of U.S. Senator you are. Thank you very much.

As the chairman mentioned, this bill has reached the floor for the first time since 2009. It is also being considered as an appropriations bill on the floor with the quickest time since the budgeting process began in 1974. I just want to say thank you to our leadership on both sides for the desire to get us back to regular order and particularly on appropriations bills.

I wish to thank all of my colleagues on the Appropriations Committee for supporting this bill during last week's markup. As the chairman said, the vote was 30 to nothing, and that is a pretty good vote, so I thank my colleagues very much.

I believe this is a good bill. It is a fair bill. It does contain trade-offs and hard choices, and we have worked together to settle differences. Obviously, the chair is the chair and those views come No. 1, but in the case of this chair, he has been eminently fair and I am very grateful for that.

As he said, our allocation is $37.5 billion. That is a $350 million increase over fiscal year 2016, and given the top line budget constraints, this is a good allocation.

Let me first speak about the defense portion of the bill. Defense spending in this bill is $20 billion, a $450 million increase over fiscal year 2016. Our defense spending includes funding for cleaning up the environmental legacy of the cold war, maintaining our nuclear deterrent, supporting our nuclear Navy, and partnering with allies to keep nuclear materials out of the hands of terrorists.

Funding for our nuclear deterrent this year is $9.3 billion, $438 million above last year and equal to the President's budget request.

The science and engineering activities needed to maintain the nuclear stockpile without explosive testing are fully funded at $1.8 billion. The life extension programs for our nuclear warheads are also fully funded, including for the new cruise missile warhead, which I will speak to a little bit more in a moment.

I wish to take a moment now, though, to discuss my concerns with the long-range standoff weapon, or the LRSO. I believe the Defense Department is wrong when it argues that this isn't a new nuclear weapon. I think it is, and it carries with it powerful ramifications. The LRSO would carry an upgraded W80 warhead capable of immense destruction, and it would be fitted on to a new missile specifically designed to defeat the world's most advanced missile defense systems.

I firmly believe that the LRSO is unnecessary. The United States has already developed and fielded a conventional cruise missile specifically designed to do the same job as the LRSO. Furthermore, the United States has a variety of nuclear ballistic missiles that can reach any target anywhere in the world.

Why do I feel so strongly about this? It is very personal with me. I am one of the few who have seen this. I was 12 years old when the United States of America—my country—dropped nuclear weapons on Hiroshima and Nagasaki. As the hundreds of thousands of bodies were seared with burns as the radiation spread, I have never quite gotten over what happened. I have reached the concept that nuclear weapons are really bad for this world. I will not go into it. When we see countries like North Korea practicing tests and other countries struggling to get a nuclear weapon and the high likelihood of terrorists also seeking out radioactive materials, I am very concerned about the probable use of this missile.

In a letter sent 2 years ago, Under Secretary of Defense Frank Kendall wrote the following: ''Beyond deterrence, an LRSO-armed bomber force provides the President with uniquely flexible options in an extreme crisis.''

This suggestion—that nuclear weapons should be a ''flexible'' option—is alarming. We should never lower the threshold for using nuclear weapons. In fact, I believe we can further reduce the role of nuclear weapons while still maintaining their deterrent effect by terminating the LRSO and instead relying on conventional nonnuclear weapons.

Obviously, this is a point of disagreement between the two of us. This is why I am very thankful to the chairman. He has agreed to include language in the committee report requiring Energy Secretary Moniz and the Nuclear Weapons Council to provide more information on this warhead, including its military justification and the extent to which conventional weapons systems can meet the same objectives. I think we should have that material.

I am also grateful to Senator ALEXANDER for his commitment to hold a subcommittee hearing on the new nuclear cruise missile. I believe this issue hasn't received the attention it deserves, and it requires some public discussion. So I want to say thank you to him. I have yielded to his point of view and exchange. I actually am happy with the report language and the hearing. So I thank the chairman very much.

Going back to the nonproliferation account, it is funded at the President's requested level of $1.8 billion. But this is a $120 million decrease from last year, and I hope we can do better next year.

Work with Russia on securing material and facilities in that country has slowed, but other threats remain at home and abroad, and I believe we should be investing more.

Funding for the environmental cleanup of legacy cold war sites is the highest it has been in many years—and that is very good—at $5.4 billion, which is a $126 million increase above last year. This reflects the importance this subcommittee has placed on addressing environmental contamination at sites in Washington, New Mexico, South Carolina, and Tennessee. I thank the chairman for what he said about putting a pilot nuclear waste facility reference in our bill. Nuclear waste is piling up all over this country, with no good place for it to go. I can reference my State alone.

Southern California Edison, a huge utility serving over 16 million people, has had two big nuclear reactors, each one 1,100 megawatts. They are now in the process of decommissioning those reactors. This facility sits in the heart of an urban area, and there are now 3,300 hot plutonium rods in spent fuel pools at that facility site. We need a place for nuclear waste in this country because it is very dangerous to have it spread all over and to have decommissioned reactors with hot plutonium waste in spent fuel pools right on the coast of the Pacific Rim where we see earthquakes happening, not the least of which was in Ecuador and a recent quake in Japan.

Now let me turn to the nondefense half of the bill. Our nondefense allocation this year is $17.5 billion, and that is roughly a $100 million decrease from fiscal year 2016. One of the anomalies of this portfolio is the fact that as defense goes up, it crowds out the nondefense—important things like the Army Corps of Engineers, important things like the Office of Science. So our nondefense allocation is at $17.5 billion.

Despite this, the bill maintains funding levels for basic scientific research, energy technology development, and water infrastructure. Funding for the Department of Energy's Office of Science sees a modest increase of $50 million to $5.4 billion this year.

The Office of Science is the largest single funder of physical science research in the United States—think of that—and supports research at 300 universities in all 50 States. Its experimental facilities host more than 24,000 researchers each year.

Funding for the Office of Energy Efficiency and Renewable Energy is $2.1 billion, equal to fiscal year 2016, and that program funds activities to develop the technology that makes our homes, cars, and factories more efficient. It lowers the cost of renewable energy sources like solar and geothermal.

While I wish we could have funded the President's proposed mark for Mission Innovation climate change, I want my colleagues to know that we did the best we could, but we were simply unable to make it work with the allocation we received.

The chairman mentioned the Army Corps of Engineers. With the highway program and the Army Corps, this is really the Federal infrastructure program, and it is funded at $6 billion. This is a historic high. It maintains level funding for the Bureau of Reclamation at $1.275 billion. In particular, the bill provides an estimated $1.3 billion from the harbor maintenance trust fund. That is the highest level ever.

While users of our Nation's harbors and ports pay into the fund, the money does not get disbursed by itself, and it is up to us to appropriate the money out of the fund. This has been a challenge under current budget caps, and it has been a challenge to me because my State—California—pays approximately 40 percent of the fund's receipts each year but gets shortchanged by the disbursement formula. So I am very pleased that the chairman and the members have agreed to provide an additional $50 million for energy ports and donor ports like L.A.-Long Beach and Seattle-Tacoma that otherwise see little benefit from the harbor maintenance trust fund.

The bill, once again, includes $100 million for the Bureau of Reclamation's Western Drought Response program. Ten of the 17 reclamation States are currently suffering from severe to exceptional drought conditions that have devastated the agricultural industry, left some rural communities without any water for drinking or bathing, and killed tens of millions of trees that could lead to yet another catastrophic wildfire season in these 10 States. We in California had hoped that El Nino storms would refill California reservoirs, but the drought persists and will persist. It is estimated that we need a snowpack, just for point of interest, of 150 percent of the average by April 1 in order to end the drought, and the snowpack was only 87 percent of the historical average. Therefore, this $100 million is critical to operating water systems more flexibly and efficiently, restoring critical wetlands and habitat, and ensuring that the best science and observational techniques are being brought to bear.

The bill also makes critical investments in new water supply technologies to help mitigate the current drought and lessen the impacts of future droughts such as desalinization, water recycling, and groundwater recharge.

As Members begin to bring amendments to the floor, I very much urge my colleagues, particularly on this

side, to exercise restraint, particularly with policy amendments. The Senate has just completed a broad energy authorization bill, and I understand that the Environmental and Public Works Committee will soon be drafting a Water Resources Development Act. So I want my colleagues to know that the subcommittee has had to make some tough choices, but these decisions were made in a bipartisan way and have led us to draft a balanced bill, one that I believe and hope should satisfy Members on both sides of the aisle.

I thank the chairman and the Presiding Officer, and I yield the floor.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the motion to invoke cloture on the motion to proceed on H.R. 2028 is withdrawn and the Senate will proceed to the consideration of H.R. 2028, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2028) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, $109,000,000, to remain available until expended.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); $1,641,000,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $330,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, $2,909,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: Provided, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $200,000,000, to remain available until September 30, 2017.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, $101,500,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, $28,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, $178,000,000, to remain available until September 30, 2017, of which not to exceed $5,000 may be used for official reception and representation purposes and only during the current fiscal year: Provided, That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: Provided further, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), $3,000,000, to remain available until September 30, 2017.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2016, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the House and Senate Committees on Appropriations;

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the House and Senate Committees on Appropriations;

(5) augments or reduces existing programs, projects or activities in excess of the amounts contained in subsections 6 through 10, unless prior approval is received from the House and Senate Committees on Appropriations;

(6) INVESTIGATIONS.—For a base level over $100,000, reprogramming of 25 percent of the base amount up to a limit of $150,000 per project, study or activity is allowed: Provided, That for a base level less than $100,000, the reprogramming limit is $25,000: Provided further, That up to $25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(7) CONSTRUCTION.—For a base level over $2,000,000, reprogramming of 15 percent of the base amount up to a limit of $3,000,000 per project, study or activity is allowed: Provided, That for a base level less than $2,000,000, the reprogramming limit is $300,000: Provided further,

That up to $3,000,000 may be reprogrammed for settled contractor claims, changed conditions, or real estate deficiency judgments: Provided further, That up to $300,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(8) OPERATIONS AND MAINTENANCE.—Unlimited reprogramming authority is granted in order for the Corps to be able to respond to emergencies: Provided, That the Chief of Engineers must notify the House and Senate Committees on Appropriations of these emergency actions as soon thereafter as practicable: Provided further, That for a base level over $1,000,000, reprogramming of 15 percent of the base amount a limit of $5,000,000 per project, study or activity is allowed: Provided further, That for a base level less than $1,000,000, the reprogramming limit is $150,000: Provided further, That $150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—The same reprogramming guidelines for the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account as listed above; and

(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) DE MINIMUS REPROGRAMMINGS.—In no case should a reprogramming for less than $50,000 be submitted to the House and Senate Committees on Appropriations.

(c) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

(d) Not later than 60 days after the date of enactment of this Act, the Corps of Engineers shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided, That the report shall include:

(1) A table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if applicable, and the fiscal year enacted level;

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

(3) An identification of items of special congressional interest.

SEC. 102. (a) Of the funds made available in prior appropriations Acts for water resources efforts under the headings ''Corps of Engineers-Civil, Department of the Army, Construction'' that remain unobligated as of the date of enactment of this Act, including amounts specified in law for particular projects, programs, or activities, $128,000,000 is rescinded.

(b) None of the funds under subsection (a) may be rescinded from amounts that the Congress designated as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 103. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to $4,700,000 of funds provided in this title under the heading ''Operation and Maintenance'' to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 104. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers during the fiscal year ending September 30, 2016, to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms ''fill material'' or ''discharge of fill material'' for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

PROJECT DEAUTHORIZATION

SEC. 105. (a) Not later than 180 days after the date of enactment of this Act, the Secretary shall execute a transfer agreement with the South Florida Water Management District for the project identified as the ''Ten Mile Creek Water Preserve Area Critical Restoration Project'', carried out under section 528(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3768).

(b) The transfer agreement under subsection (a) shall require the South Florida Water Management District to operate the transferred project as an environmental restoration project to provide water storage and water treatment options.

(c) Upon execution of the transfer agreement under subsection (a), the Ten Mile Creek Water Preserve Area Critical Restoration Project shall no longer be authorized as a Federal project.

SEC. 106. Section 5032(a)(2) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1205) is amended by striking ''15'' and inserting ''20''.

SEC. 107. (a) No funds made available in this Act or any prior Act shall be available to reallocate water within the Alabama-Coosa-Tallapoosa (ACT) river basin, or any study thereof, until the Corps of Engineers has executed a Partnering Agreement with Alabama and Georgia outlining the participation of each State in a water reallocation study for the ACT river basin.

(b) The prohibition in subsection (a) shall apply to the use of contributed or other non-Federal funds.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $9,874,000, to remain available until expended, of which $1,000,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: Provided, That, of the amount provided under this heading, $1,350,000 shall be available until September 30, 2017, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: Provided further, That, for fiscal year 2016, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed $1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $988,131,000, to remain available until expended, of which $22,000 shall be available for transfer to the Upper Colorado River Basin Fund and $5,899,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That, of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That, of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $49,528,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: Provided further, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, $37,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: Provided, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: Provided further, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For expenses necessary for policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2017, $58,500,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(5) transfers funds in excess of the following limits—

(A) 15 percent for any program, project or activity for which $2,000,000 or more is available at the beginning of the fiscal year; or

(B) $300,000 for any program, project or activity for which less than $2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category; or

(7) transfers, when necessary to discharge legal obligations of the Bureau of Reclamation, more than $5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term ''transfer'' means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of both Houses of Congress detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. Section 9504(e) of the Secure Water Act of 2009 (42 U.S.C. 10364(e)) is amended by striking ''$300,000,000'' and inserting ''$500,000,000''.

SEC. 204. Title I of Public Law 108–361 (the Calfed Bay-Delta Authorization Act) (118 Stat. 1681), as amended by section 210 of Public Law 111–85, is amended by striking ''2016'' each place it appears and inserting ''2020''.

SEC. 205. The Reclamation Safety of Dams Act of 1978 is amended by—

(1) striking ''Construction'' and inserting ''Except as provided in section 5B, construction'' in section 3; and

(2) inserting after section 5A (43 U.S.C. 509a) the following:

''SEC. 5B. Notwithstanding section 3, if the Secretary, in her judgment, determines that additional project benefits, including but not limited to additional conservation storage capacity, are necessary and in the interests of the United States and the project and are feasible and not inconsistent with the purposes of this Act, the Secretary is authorized to develop additional project benefits through the construction of new or supplementary works on a project in conjunction with the Secretary's activities under section 2 of this Act and subject to the conditions described in the feasibility study, provided the costs associated with developing the additional project benefits are allocated to the authorized purposes of the project that have a benefit, a cost share agreement related to the additional project benefits is reached among State and Federal funding agencies and repaid consistent with all provisions of Federal Reclamation law (the Act of June 17, 1902, 43 U.S.C. 371 et seq.) and acts supplemental to and amendatory of that Act.''.

SEC. 206. Section 5 of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is amended in the first sentence—

(a) by inserting ''and effective October 1, 2015, not to exceed an additional $1,100,000,000 (October 1, 2003, price levels),'' after ''(October 1, 2003, price levels),'';

(b) in the proviso—

(1) by striking ''$1,250,000'' and inserting ''$20,000,000''; and

(2) by striking ''Congress'' and inserting ''Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate''; and

(3) by adding at the end the following: ''For modification expenditures between $1,800,000 and $20,000,000 (October 1, 2013, price levels), the Secretary of the Interior shall, at least 30 days before the date on which the funds are expended, submit written notice of the expenditures to the Committee on Natural Resources of the House of Representatives and Committee on Energy and Natural Resources of the Senate that provides a summary of the project, the cost of the project, and any alternatives that were considered.''.

SEC. 207. The Secretary of the Interior, acting through the Commissioner of Reclamation, shall—

(a) complete the feasibility studies described in clauses (i)(I) and (ii)(II) of section 103(d)(1)(A) of Public Law 108–361 (118 Stat. 1684) and submit such studies to the appropriate committees of the House of Representatives and the Senate not later than December 31, 2015;

(b) complete the feasibility study described in clause (i)(II) of section 103(d)(1)(A) of Public Law 108–361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2016;

(c) complete a publicly available draft feasibility study for the project described in clause (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2016;

(d) complete the feasibility study described in clause (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2017;

(e) complete the feasibility study described in section 103(f)(1)(A) of Public Law 108–361 (118 Stat. 1694) and submit such study to the appropriate committees of the House of Representatives and the Senate not later than December 31, 2017; and

(f) provide a progress report on the status of the feasibility studies referred to in paragraphs (1) through (3) to the appropriate committees of the House of Representatives and the Senate not later than 90 days after the date of the enactment of this Act and each 180 days thereafter until December 31, 2017, as applicable. The report shall include timelines for study completion, draft environmental impact statements, final environmental impact statements, and Records of Decision.

SEC. 208. Notwithstanding any other provision of this Act, funds provided by this Act for California Bay-Delta Restoration may be used to deliver water to the Trinity River above the minimum requirements of the Trinity Record of Decision or to supplement flows in the Klamath River.

SEC. 209. Notwithstanding any other provision of this Act, funds made available by this Act for Central Valley Project Restoration Fund may be used for all authorized activities necessary to supplement or enhance the instream flow requirements in the State of California that are mandated under the Endangered Species Act of 1973 and the Central Valley Project Improvement Act.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,950,000,000, to remain available until expended: Provided, That, of such amount, $160,000,000 shall be available until September 30, 2017, for program direction: Provided further, That, of the amount provided under this heading, the Secretary may transfer up to $45,000,000 to the Defense Production Act Fund for activities of the Department of Energy pursuant to the Defense Production Act of 1950 (50 U.S.C. App. 2061, et seq.).

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $152,306,000, to remain available until expended: Provided, That, of such amount, $27,000,000 shall be available until September 30, 2017, for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $950,161,000, to remain available until expended: Provided, That, of such amount, $80,000,000 shall be available until September 30, 2017, for program direction including official reception and representation expenses not to exceed $10,000: Provided, That, of such amount, $24,000,000 shall be derived from the Nuclear Waste Fund.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For Department of Energy expenses necessary in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral

substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $610,000,000, to remain available until expended: Provided, That, of such amount, $115,000,000 shall be available until September 30, 2017, for program direction.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, $17,500,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $200,000,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

For Department of Energy expenses necessary for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $7,600,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, $122,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $244,000,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, $614,000,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which $32,959,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 17 passenger motor vehicles for replacement only, including one ambulance and one bus, $5,143,877,000, to remain available until expended: Provided, That, of such amount, $185,000,000 shall be available until September 30, 2017, for program direction.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For Department of Energy expenses necessary in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110–69), $291,000,000, to remain available until expended: Provided, That, of such amount, $28,000,000 shall be available until September 30, 2017, for program direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided, That, for necessary administrative expenses to carry out this Loan Guarantee program, $42,000,000 is appropriated, to remain available until September 30, 2017: Provided further, That $25,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2016 appropriation from the general fund estimated at not more than $17,000,000: Provided further, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated: Provided further, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $6,000,000, to remain available until September 30, 2017.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $248,142,000, to remain available until September 30, 2017, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $117,171,000 in fiscal year 2016 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation from the general fund estimated at not more than $130,971,000: Provided further, That, of the total amount made available under this heading, $31,297,000 is for Energy Policy and Systems Analysis.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, $46,424,000, to remain available until September 30, 2017.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $8,882,364,000, to remain available until expended: Provided, That of such amount, $97,118,000 shall be available until September 30, 2017, for program direction.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,705,912,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $1,300,000,000, to remain available until expended: Provided, That of such amount, $42,504,000 shall be available until September 30, 2017, for program direction.

FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, $375,000,000, to remain available until September 30, 2017, including official reception and representation expenses not to exceed $12,000.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one fire apparatus pumper truck and one armored vehicle for replacement only, $5,180,000,000, to remain available until expended: Provided, That, of such amount, $281,951,000 shall be available until September 30, 2017, for program direction: Provided further, That the Office of Environmental Management shall not accept ownership or responsibility for cleanup of any National Nuclear Security Administration facilities or sites without funding specifically designated for that purpose in an Appropriations Act at the time of transfer.

DEFENSE URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for atomic energy defense environmental cleanup activities for Department of Energy contributions for uranium enrichment decontamination and decommissioning activities, $614,000,000, to be deposited into the Defense Environmental Cleanup account which shall be transferred to the ''Uranium Enrichment Decontamination and Decommissioning Fund''.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department

of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $764,000,000, to remain available until expended: Provided, That, of such amount, $249,137,000 shall be available until September 30, 2017, for program direction.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Shoshone Paiute Trout Hatchery, the Spokane Tribal Hatchery, the Snake River Sockeye Weirs and, in addition, for official reception and representation expenses in an amount not to exceed $5,000: Provided, That, during fiscal year 2016, no new direct loan obligations may be made.

OPERATIONS AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For expenses necessary for operations and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $6,900,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended: Provided, That, notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $6,900,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $0: Provided further, That, notwithstanding 31 U.S.C. 3302, up to $66,500,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That, for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATIONS AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For expenses necessary for operations and maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $47,361,000, to remain available until expended: Provided, That, notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to $35,961,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $11,400,000: Provided further, That, notwithstanding 31 U.S.C. 3302, up to $63,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That, for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATIONS AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, $307,714,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended, of which $302,000,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That, notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $214,342,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $93,372,000, of which $87,658,000 is derived from the Reclamation Fund: Provided further, That, notwithstanding 31 U.S.C. 3302, up to $352,813,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That, for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operations, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $4,490,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): Provided, That, notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $4,262,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $228,000: Provided further, That, for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: Provided further, That, for fiscal year 2016, the Administrator of the Western Area Power Administration may accept up to $460,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: Provided further, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed $3,000, and the hire of passenger motor vehicles, $319,800,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, not to exceed $319,800,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2016 shall be retained and used for expenses necessary in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of both Houses of Congress at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling $1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling $1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than $1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from

which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading ''Department of Energy—Energy Programs'', enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of both Houses of Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the ''Bill'' column in the ''Department of Energy'' table included under the heading ''Title III—Department of Energy'' in the report of the Committee on Appropriations accompanying this Act.

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than $5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

SEC. 302. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 303. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2016 until the enactment of the Intelligence Authorization Act for fiscal year 2016.

SEC. 304. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Independent Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 305. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds $100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 306. (a) DEFINITIONS.—In this section:

(1) AFFECTED INDIAN TRIBE.—The term ''affected Indian tribe'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(2) HIGH-LEVEL RADIOACTIVE WASTE.—The term ''high-level radioactive waste'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(3) NUCLEAR WASTE FUND.—The term ''Nuclear Waste Fund'' means the Nuclear Waste Fund established under section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(5) SPENT NUCLEAR FUEL.—The term ''spent nuclear fuel'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(b) PILOT PROGRAM.—Notwithstanding any provision of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.), the Secretary is authorized, in the current fiscal year and subsequent fiscal years, to conduct a pilot program, through 1 or more private sector partners, to license, construct, and operate 1 or more government or privately owned consolidated storage facilities to provide interim storage as needed for spent nuclear fuel and high-level radioactive waste, with priority for storage given to spent nuclear fuel located on sites without an operating nuclear reactor.

(c) REQUESTS FOR PROPOSALS.—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue a request for proposals for cooperative agreements—

(1) to obtain any license necessary from the Nuclear Regulatory Commission for the construction of 1 or more consolidated storage facilities;

(2) to demonstrate the safe transportation of spent nuclear fuel and high-level radioactive waste, as applicable; and

(3) to demonstrate the safe storage of spent nuclear fuel and high-level radioactive waste, as applicable, at the 1 or more consolidated storage facilities pending the construction and operation of deep geologic disposal capacity for the permanent disposal of the spent nuclear fuel.

(d) CONSENT-BASED APPROVAL.—Prior to siting a consolidated storage facility pursuant to this section, the Secretary shall enter into an agreement to host the facility with—

(1) the Governor of the State;

(2) each unit of local government within the jurisdiction of which the facility is proposed to be located; and

(3) each affected Indian tribe.

(e) APPLICABILITY.—In executing this section, the Secretary shall comply with—

(1) all licensing requirements and regulations of the Nuclear Regulatory Commission; and

(2) all other applicable laws (including regulations).

(f) PILOT PROGRAM PLAN.—Not later than 120 days after the date on which the Secretary issues the request for proposals under subsection (c), the Secretary shall submit to Congress a plan to carry out this section that includes—

(1) an estimate of the cost of licensing, constructing, and operating a consolidated storage facility, including the transportation costs, on an annual basis, over the expected lifetime of the facility;

(2) a schedule for—

(A) obtaining any license necessary to construct and operate a consolidated storage facility from the Nuclear Regulatory Commission;

(B) constructing the facility;

(C) transporting spent fuel to the facility; and

(D) removing the spent fuel and decommissioning the facility; and

(3) an estimate of the cost of any financial assistance, compensation, or incentives proposed to be paid to the host State, Indian tribe, or local government;

(4) an estimate of any future reductions in the damages expected to be paid by the United States for the delay of the Department of Energy in accepting spent fuel expected to result from the pilot program;

(5) recommendations for any additional legislation needed to authorize and implement the pilot program; and

(6) recommendations for a mechanism to ensure that any spent nuclear fuel or high-level radioactive waste stored at a consolidated storage facility pursuant to this section shall move to deep geologic disposal capacity, following a consent-based approval process for that deep geologic disposal capacity consistent with subsection (d), within a reasonable time after the issuance of a license to construct and operate the consolidated storage facility.

(g) PUBLIC PARTICIPATION.—Prior to choosing a site for the construction of a consolidated storage facility under this section, the Secretary shall conduct 1 or more public hearings in the vicinity of each potential site and in at least 1 other location within the State in which the site is located to solicit public comments and recommendations.

(h) USE OF NUCLEAR WASTE FUND.—The Secretary may make expenditures from the Nuclear Waste Fund to carry out this section, subject to appropriations.

SEC. 307. (a) NOTIFICATION OF STRATEGIC PETROLEUM RESERVE DRAWDOWN.—None of the funds made available by this Act or any prior or subsequent Act, or funds made available in the SPR Petroleum Account, may be used in this fiscal year or each subsequent fiscal year, to conduct a drawdown (including a test drawdown) and sale or exchange of petroleum products from the Strategic Petroleum Reserve unless the Secretary of Energy provides notice, in accordance with subsection (b), of such exchange, or drawdown (including a test drawdown) to the Committees on Appropriations of both Houses of Congress.

(b)(1) CONTENT OF NOTIFICATION.—The notification required under subsection (a) shall include at a minimum—

(A) the justification for the drawdown or exchange, including—

(i) a specific description of any obligation under international energy agreements; and

(ii) in the case of a test drawdown, the specific aspects of the Strategic Petroleum Reserve to be tested;

(B) the provisions of law (including regulations) authorizing the drawdown or exchange;

(C) the number of barrels of petroleum products proposed to be withdrawn or exchanged;

(D) the location of the Strategic Petroleum Reserve site or sites from which the petroleum products are proposed to be withdrawn;

(E) a good faith estimate of the expected proceeds from the sale of the petroleum products;

(F) an estimate of the total inventories of petroleum products in the Strategic Petroleum Reserve after the anticipated drawdown;

(G) a detailed plan for disposition of the proceeds after deposit into the SPR Petroleum Account; and

(H) a plan for refilling the Strategic Petroleum Reserve, including whether the acquisition will be of the same or a different petroleum product.

(2) TIMING OF NOTIFICATION.—The Secretary shall provide the notification required under subsection (a)—

(A) in the case of an exchange or a drawdown, as soon as practicable after the exchange or drawdown has occurred; and

(B) in the case of a test drawdown, not later than 30 days prior to the test drawdown.

(c) POST-SALE NOTIFICATION.—In addition to reporting requirements under other provisions of law, the Secretary shall, upon the execution of all contract awards in this fiscal year and each subsequent fiscal year associated with a competitive sale of petroleum products, notify the Committees on Appropriations of both Houses of Congress of the actual value of the proceeds from the sale.

(d)(1) NEW REGIONAL RESERVES.—The Secretary may not establish any new regional petroleum product reserve unless funding for the proposed regional petroleum product reserve is explicitly requested in advance in an annual budget submission and approved by the Congress in an appropriations Act.

(2) The budget request or notification shall include—

(A) the justification for the new reserve;

(B) a cost estimate for the establishment, operation, and maintenance of the reserve, including funding sources;

(C) a detailed plan for operation of the reserve, including the conditions upon which the products may be released;

(D) the location of the reserve; and

(E) the estimate of the total inventory of the reserve.

SEC. 308. (a) Unobligated balances available from appropriations for fiscal years 2005 through 2010 are hereby permanently rescinded from the following accounts of the Department of Energy in the specified amounts:

(1) ''Energy Programs—Energy Efficiency and Renewable Energy'', $16,677,000.

(2) ''Energy Programs—Electricity Delivery and Energy Reliability'', $900,000.

(3) ''Energy Programs—Nuclear Energy'', $1,665,000.

(4) ''Energy Programs—Fossil Energy Research and Development'', $12,064,000.

(5) ''Energy Programs—Science'', $4,717,000.

(6) ''Power Marketing Administrations—Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration'', $4,832,000.

(b) No amounts may be rescinded by this section from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 309. (a) Unobligated balances available from appropriations are hereby permanently rescinded from the following accounts of the Department of Energy in the specified amounts:

(1) ''Atomic Energy Defense Activities—National Nuclear Security Administration—Weapons Activities'', $65,135,000.

(2) ''Atomic Energy Defense Activities—National Nuclear Security Administration—Defense Nuclear Nonproliferation'', $19,324,000.

(3) ''Atomic Energy Defense Activities—National Nuclear Security Administration—Naval Reactors'', $628,000.

(b) No amounts may be rescinded by this section from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 310. Of the amounts made available by this Act for ''National Nuclear Security Administration—Weapons Activities'', up to $50,000,000 may be reprogrammed within such account for Domestic Uranium Enrichment, subject to the notice requirements in section 301.

TECHNICAL CORRECTION

SEC. 311. (a) CONTRACTS FOR STORAGE.—Notwithstanding any other provision of law and subject to the availability of appropriations, the Secretary is authorized, in this year and each subsequent fiscal year, to enter into contracts to store spent nuclear fuel and high-level radioactive waste, as applicable, to which the Secretary holds the title or has a contract to accept title, at any facility licensed by the Nuclear Regulatory Commission for such storage.

(b) TRANSFER OF TITLE.—Delivery, and acceptance by the Secretary, of any spent nuclear fuel or high-level radioactive waste for storage under this section shall constitute a transfer of title to the Secretary of such spent fuel or waste.

(c) CONTRACT MODIFICATION.—The Secretary is authorized to enter into new contracts or modify existing contracts with any person who generates or holds title to high-level radioactive waste or spent nuclear fuel, of domestic origin for the acceptance of title, subsequent transportation, and storage of such high-level radioactive waste or spent nuclear fuel at a facility described under subsection (a).

SEC. 312. Notwithstanding any other provision of law, the provisions of 40 U.S.C. 11319 shall not apply to funds appropriated in this title to Federally Funded Research and Development Centers sponsored by the Department of Energy.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, notwithstanding 40 U.S.C. 14704, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $105,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $29,150,000, to remain available until September 30, 2017.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, $25,000,000, to remain available until expended.

DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $11,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: Provided, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities.

NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $7,500,000, to remain available until expended: Provided, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, $990,000,000, including official representation expenses not to exceed $25,000, to remain available until expended: Provided, That, of the amount appropriated herein, not more than $7,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2017, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $872,864,000 in fiscal year 2016 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation estimated at not more than $117,136,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $12,136,000, to remain available until September 30, 2017: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $10,060,000 in fiscal year 2016 shall be retained and be available until September 30, 2017, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation estimated at not more than $2,076,000: Provided further, That, of the amounts appropriated under this heading, $958,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,600,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2017.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project, or activity, and the Commission shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program funding level to increase or decrease by more than $500,000 or 10 percent, whichever is less, during the time period covered by this Act.

(b)(1) The Nuclear Regulatory Commission may waive the notification requirement in (a) if compliance with such requirement would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Nuclear Regulatory Commission shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver and shall provide a detailed report to the Committees of such waiver and changes to funding levels to programs, projects, or activities.

(c) None of the funds provided for the Nuclear Regulatory Commission shall be available for obligation or expenditure through a reprogramming of funds that increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act.

(d) The Commission shall provide a monthly report to the Committees on Appropriations of

both Houses of Congress, which includes the following for each program, project, or activity, including any prior year appropriations—

(1) total budget authority;

(2) total unobligated balances; and

(3) total unliquidated obligations.

SEC. 402. The Nuclear Regulatory Commission shall comply with the July 5, 2011, version of Chapter VI of its Internal Commission Procedures when responding to Congressional requests for information.

SEC. 403. Public Law 105–277, division A, section 101(g) (title III, section 329(a), (b)) is amended by inserting, in subsection (b), after ''State law'' and before the period the following: ''or for the construction and repair of barge mooring points and barge landing sites to facilitate pumping fuel from fuel transport barges into bulk fuel storage tanks.''.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of both Houses of Congress a semiannual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 503. None of the funds made available by this Act may be used to implement, administer, carry out, modify, revise, or enforce Executive Order 13690 (entitled ''Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input'').

This Act may be cited as the ''Energy and Water Development and Related Agencies Appropriations Act, 2016''.

The PRESIDING OFFICER. The Senator from Tennessee.

AMENDMENT NO. 3801

(Purpose: In the nature of a substitute.)

Mr. ALEXANDER. Mr. President, I call up the substitute amendment No. 3801.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes an amendment numbered 3801.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

AMENDMENT NO. 3804 TO AMENDMENT NO. 3801

Mr. ALEXANDER. Mr. President, I ask unanimous consent to call up amendment No. 3804.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes an amendment numbered 3804 to amendment No. 3801.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify provisions relating to Nuclear Regulatory Commission fees)

Beginning on page 55, line 23, strike ''*Provided*'' and all that follows through page 56, line 13, and insert the following: ''*Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $823,114,000 in fiscal year 2017 shall be retained and used for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code, and shall remain available until expended: *Provided further*, That of the amounts appropriated under this heading, not less than $5,000,000 shall be available for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, and $5,000,000 of that amount shall not be available for fee revenues, notwithstanding section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214): *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2017 so as to result in a final fiscal year 2017 appropriation estimated at not more than $115,886,000.''.

Mr. ALEXANDER. The senior Senator from Louisiana is here to speak, but I thank Senator FEINSTEIN for her remarks and her leadership.

I would remind our colleagues we are open for business, in terms of amendments. Fortunately, 77 of the Senators had made requests that we were able to accommodate in our basic bill. We have talked to maybe a dozen more since then, and are accommodating amendments whenever we can.

We would like to begin voting on any other amendments that we need to vote on this afternoon, if possible, so we can move on through the bill and hopefully get to the next appropriations bill.

Mr. President, I thank especially the staff of Senator FEINSTEIN—Doug Clapp, Chris Hanson, Mark Mendenhall, and Samantha Nelson—for the way they have worked with us, whether we are in the majority or the minority. I also would like to thank my own staff—Tyler Owens, Adam DeMella, Meyer Seligman, Jen Armstrong, and Hayley Alexander—for extraordinarily good work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

COMMEMORATING THE 6TH ANNIVERSARY OF THE ''DEEPWATER HORIZON'' EXPLOSION AND OIL-SPILL

Mr. VITTER. Mr. President, I rise to commemorate the sixth anniversary of the *Deepwater Horizon* explosion and oilspill that took the lives of 11 men and devastated so many gulf coast communities. It was a horrible event, but I think it is very important and appropriate that we always recognize the lives lost in that disaster.

The 11 lives lost were Jason Anderson, then 35, of Midfield, TX; Aaron Dale ''Bubba'' Burkeen, 37, of Philadelphia, MS; Donald Clark, 49, of Newellton, LA; Stephen Ray Curtis, 40, of Georgetown, LA; Gordon Jones, 28, of Baton Rouge, LA; Roy Wyatt Kemp, 27, of Jonesville, LA; Karl Dale Kleppinger, Jr., Natchez, MS; Keith Blair Manuel, 56, of Gonzales, LA; Dewey Revette, 48, of State Line, MS; Shane Roshto, 22, of Liberty, MS; and Adam Weise, 24, of Yorktown, TX.

The gulf coast is one of the most resilient parts of the country, of the world, having faced a variety of disasters and yet always bounces back, always continues to push forward. In Louisiana, offshore oil and gas development is more than just our State's largest economic driver, it is a way of life, supporting countless jobs and families across the region. That is why our top priority must always be maintaining the highest level of safety standards. In the last 6 years, we have been working to make sure this kind of human tragedy that we commemorate today on this sixth anniversary never happens again.

It has been a real uphill battle, but the good news is that we have had a few solid wins during that time. Louisiana's resilience and recovery cannot be easily measured in terms of numbers and figures, but I can say with confidence that each and every Louisianian should be proud of how far we have come, including in these last 6 years. That is why as a region it continues to be imperative that we fight misguided attempts coming out of Washington that would hinder the progress we have made. From fighting President Obama's misguided drilling moratorium to working to pass the RESTORE Act, our region has continually shown our ability to work together to produce the right positive results, but the battle certainly is ongoing.

The current dramatic downturn in energy production has had ripple effects across Louisiana and the country, which is why the very last thing the government should be doing now is imposing new obstructive rules and regulations. Instead, we should be focusing

on finding commonsense solutions to improve safety and buoy our Louisiana-based businesses and preserve thousands of crucial jobs. We must support policies that create a strong balance between having a solid regulatory scheme that certainly promotes strong safety standards while also allowing the energy industry to thrive and prosper.

In the 6 years since the tragic *Deepwater Horizon* explosion and spill, Louisiana has done what we do best: recover, rebuild, and progress. In order to build a broader future for our families, businesses, and communities, we must also protect the symbiotic relationship between Federal regulations and the oil and gas industry and not allow the former to strangle the positive livelihood so many depend on in that industry.

I thank the Presiding Officer, and I 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. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE AGREEMENT

Mr. BARRASSO. Mr. President, on Friday, representatives from more than 130 countries are going to be gathering at the United Nations in New York to sign a broad new climate change agreement. This is the same agreement that countries negotiated in Paris last year.

Back in December, President Obama said that it was a ''strong'' agreement. Hillary Clinton called it a ''historic step forward.'' But for many Americans, it is actually going to be a giant step backward.

First, I believe this agreement is terrible for our economy. The Obama administration is using this international agreement to force new regulations on American energy producers and new restrictions on the American people. There are new rules on coal producers, and there are new rules on exports of American crude oil and liquefied natural gas.

This administration has spent years—years—targeting the men and women who produce American energy, energy in our country. Well, Democrats and Republicans in Congress rejected the President's radical ideas. We knew that all of these regulations would cripple America's energy industries and would throw Americans out of work, many in my home State of Wyoming. We knew that all of these destructive rules would cost billions of dollars and produce little or no positive benefit. The Obama administration went ahead and ignored what the people wanted, and they wrote these destructive new rules anyway.

All of these regulations have consequences. My home State of Wyoming has seen thousands of hard-working men and women lose their jobs in the energy fields. Just over the past few years, people working in oil, gas, coal, and uranium—just a few weeks ago, two of the largest coal mines in Wyoming announced that they would let go 15 percent of their workers. Some 465 families were affected by the job losses.

Despite all of this pain, the Obama administration went out and promised the rest of the world that it was going to keep pushing for more restrictions on American energy, on red, white, and blue energy. The other countries getting together in New York on Friday need to be aware that there are serious doubts about whether this administration is actually going to be able to actually do that.

This administration has promised huge cuts to America's greenhouse gas emissions, but the promise has already run into legal problems. The Supreme Court ordered the Environmental Protection Agency to stop enforcing the so-called Clean Power Plan—stop enforcing it completely—until the courts can decide if it is even legal. I believe it is not legal.

Now the Obama administration has promised $3 billion to the United Nations for its climate change efforts. Well, it turns out that giving away this money will violate U.S. law. The money the administration pledged was supposed to go to the Green Climate Fund. This is the money the United Nations plans to use to coerce—really coerce—developing countries to go along with the climate change—what I believe is a sideshow.

President Obama asked for $500 million for this fund in his budget last year. So what happened when the budget came here to the Senate where the President had a request? Congress rejected the President's budget 98 to 1. Talk about bipartisan rejection. That is it. But the administration went ahead and transferred the money anyway, even though the money was never authorized by Congress. Now the President wants to give this Green Climate Fund another $750 million in taxpayer money.

There is a second climate change organization; it is called the United Nations Framework Convention on Climate Change. This organization is the foundation for funding this whole climate change agreement. The administration has contributed to it in the past. It wants to send another $13 million next year.

Here is the problem and the legacy the administration faces: As the administration tries to give away money to these international climate change groups, it is now prohibited by law. You may ask why. Well, it is because last month, on March 17, the United Nations officially recognized the so-called State of Palestine. They said that the State of Palestine is a full member of the United Nations Framework Convention on Climate Change. Well, according to a 1994 law passed by the House, passed by the Senate, and signed into law, the United States cannot give any money to any affiliated organization of the United Nations that grants the Palestinians membership as a state. It is called the 1994 Foreign Relations Authorization Act.

These climate change groups are clearly affiliated organizations of the U.N. The United Nations Framework Convention on Climate Change—the organization that the Palestinian group, this so-called State of Palestine, just joined as a member state—says on its own Web site that it is institutionally linked to the United Nations. There is no denying it. It says that the Green Climate Fund is one of its ''constituted bodies.'' So there is a direct link. The law of the United States on this is clear, it is simple, and it is unmistakable.

The pipeline of money the Obama administration is planning to send to these organizations is shut off. That is what happened in 2011 when the Palestinian group joined the United Nations Educational, Scientific and Cultural Organization, commonly known as UNESCO. That triggered a similar 1990 law, and the United States has not given any money to UNESCO ever since.

The Palestinians have been trying to get international organizations connected to the United Nations to recognize them as a state for a long time. It is part of their strategy. They think that if they can get the rest of the world to recognize the ''State of Palestinian,'' then it strengthens their hand in negotiations with Israel.

That strategy absolutely undercuts U.S. policy that says the Palestinians and the Israelis should be negotiating these things on their own without the rest of the world getting involved. That is the best way for Middle East peace negotiations to go forward, and that is what both the Palestinians and the Israelis have agreed to in the past. So U.S. law says that when the Palestinians try to go around that process, as we just saw with this climate change organization, there are legal consequences. That is why a group of 28 Senators wrote to Secretary of State John Kerry earlier this week. We wrote to demand that he follow the law, obey the law of the land. We wanted to make sure the rest of the world understands clearly that it is unlawful for the United States to give another dime to these U.N. climate change groups.

The Obama administration has skirted the will of Congress in the past when it sent $500 million of U.S. taxpayer money to these groups. It will not get away with sending any more money in violation of the law. The administration needs to understand this fact, and so do the rest of the countries getting together in New York on Friday.

The American people do not support shutting down our economy, hurting our economy, to support the administration's promises on greenhouse gasses. The American people don't support

the administration spending billions of their hard-earned taxpayer dollars to support this alarming climate change agreement. What the American people expect is their President and his administration to follow and to obey the law.

I 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. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

WORKING TOGETHER IN THE SENATE

Mr. CORNYN. Mr. President, yesterday this Chamber passed a bill to reauthorize the Federal Aviation Administration, another bipartisan accomplishment that without a doubt has helped return this Chamber to operating the way that I think we all believe it should function. After that, today we were finally able to move forward with an energy bill, the Energy Policy Modernization Act. We have all been working on that legislation for some time now, and I am pleased we got it done earlier today. I give special credit to Chair MURKOWSKI, the bill manager, and her counterpart Senator CANTWELL for their incredible patience and diligence in dealing with this legislation that had been stuck on this Senate floor for some time.

Senator MURKOWSKI, in particular, didn't shy away from addressing some of the most difficult challenges head on. Needless to say, her tirelessness, her diligence, and hard work finally paid off earlier today.

This legislation is important to the country because it helps update our energy policies and helps America produce more energy, use it more efficiently, and save money in the process. One of the most significant portions of that legislation was streamlining the approval process for the liquefied natural gas export. This is really an example of how our energy future has been transformed so dramatically.

You may recall that years ago there were terminals being built around the country on the shorelines that were going to be the recipients of natural gas produced in some other part of the world and then brought to the United States. But thanks to modern drilling technology and the use of fracking—I know in some quarters this is a dirty word, but we have been doing it successfully in the United States for 70 or more years. Thanks to horizontal drilling in fracking and modern drilling technologies, America is now producing more natural gas than we have any use for. It is good for our economy, good for our jobs, and good for the world, really, for America to be able to export more of its natural gas—and oil, for that matter. It is something we dealt with at the end of last year when we lifted the antiquated export ban on crude oil.

This legislation, like the Federal Aviation Administration reauthorization bill, is another example of how the Senate is back to work. When I talk to constituents and folks back home, I say: Well, you may not have heard—or if you heard it, you may not actually believe it—but we are actually getting some work done in this Congress under new leadership. I think it has been beneficial not only to the country, not just to those directly affected by the legislation we are passing—things such as the Comprehensive Addiction and Recovery Act to deal with the opioid prescription drug abuse and heroin issue—not only are the people directly affected by the legislation benefiting, but the entire country is, and particularly Members of the Senate. We have actually been able to debate, discuss, and ultimately vote on legislation. What a concept.

It was not too long ago—when the Democratic leader was majority leader—that this Senate was virtually shut down. Even if you were in the majority party, even if you were a Democrat when Democrats held the majority in the Senate, basically because of the decision to shut down the legislative process and to deny anyone an opportunity to offer an amendment, when it came to election time, many of our Democratic colleagues didn't have anything to show for their service representing their constituents in the Senate, even though they were in the majority party.

Under the new leadership of the Senator from Kentucky, Mr. MCCONNELL, the Senate majority leader is committed to an open process that benefits all Members of the Senate and all 320 million or so people in the United States who we represent. Now any Senator, regardless of whether they are in the majority or minority, can call up and seek votes on amendments to legislation to help make legislation better. I think we have learned an invaluable lesson from the mistakes of the past. Only by working together in a bipartisan way can we try to find consensus and get things done. The American people deserve that.

Now that we have finished our work on the Energy bill, I hope we can work together to address other problems facing the country. One of the most fundamental jobs the Congress has to perform is the appropriations process because somebody has to pay for the policies to actually make the policies that we pass work.

This week we have a chance to start that process with the Energy and Water Appropriations bill. This is another example of great bipartisan work and commitment, a bill that unanimously passed out of committee. This legislation will invest in our Nation's waterways and fund critical infrastructure projects.

Yesterday I spoke about the flooding that has been affecting much of Texas this week, particularly the Houston area, and that we are struggling to deal with. This appropriations bill, for example, would invest in projects to mitigate risks associated with flooding like that which Texas has been experiencing over this week. It would also invest in our nuclear arsenal to make sure we are ready to meet existing and future nuclear threats.

To put it simply, this appropriations bill plays a big role, not only in terms of our national security but also in terms of our public safety. That is both at home and abroad.

Last year we got stuck. We tried to move the appropriations bills through the regular process, but because of a dispute over spending levels, our Democratic friends basically blocked any ability we had to move the appropriations bill through the regular order or the regular process. Unfortunately, at the end of the year, what that left us with was the need to pass one big Omnibus appropriations bill, something that nobody said they liked. In fact, on the Senate floor I called it not an Omnibus appropriations bill but an ominous appropriations bill. The problem with that is there is very little transparency, and only a handful of people are really directly involved in crafting a bill that spends over $1 trillion. That is a terrible way to do business. Now we are trying to get back to the old-fashioned way—one bill at a time.

I commend Chairman ALEXANDER and Ranking Member FEINSTEIN for the good work they have done so far. This is going to take a little bit of cooperation and maybe even a little bit of self-restraint, something that Washington isn't necessarily known for. Even though all 12 appropriations bills were sent out of their respective committees last year for the first time since 2009, we weren't able to get it done. I am hoping this year will be different.

So far our colleagues across the aisle have said they believe we ought to proceed with a markup of different appropriations bills, voting on them one at a time. This is our first test. Believe me, people are watching to see how we proceed on this legislation and on other appropriations bills, including our colleagues in the House of Representatives.

Stop passing some stopgap funding bill at the brink at the end of a fiscal year where people are talking about shutdowns. That is not the way we are supposed to work. We could do better and we could avoid those pitfalls if we would just do our best, show a little restraint, and get our work done.

I hope the Energy and Water bill is the first of 12 appropriations bills that we consider, discuss, and ultimately pass because that is what the American people deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, while the assistant Republican leader is on the floor, I wish to say a word

about this chart that I mentioned earlier.

He mentioned this is the first bill where we are spending $1 trillion. Most of us on both sides of the aisle, I know especially on the Republican side of the aisle, are concerned about the Federal debt, which is $19 trillion, and we make great speeches about it. But as we begin to talk about the $1 trillion we are about to appropriate in 12 bills, I would like to invite my colleagues to look once again at the bottom line. That is the money we are talking about. This is the $1 trillion that we are working on. It has been flat since 2008. It is going up at the rate of inflation or a little less, but that is $1 trillion.

We are spending $4 trillion this year. The other $3 trillion is not what we are working on in these 12 bills; the other $3 trillion is automatic mandatory spending and interest on the debt. If we add interest to that red line, it would be even higher. So I may offer an amendment at some point—maybe not on this bill—to turn the entire budget over to the Appropriations Committee because we are doing our job. We have kept spending down. That is not the problem.

I hear that some people may want to say: Well, let's further reduce the blue line. I invite my friends and colleagues to say—we have letters from more than 80 Senators requesting support for projects important in their States, for flood control, nuclear weapons, national labs, deepening harbors, and for inland waterways. We have included in our bill requests from all those Senators.

If we cut that blue line by $2 billion, we will need to ask for requests from those 80 Senators about what they would like to cut—which flood would they like not to clean up, which lock would they like to close, and which nuclear operation needs to be slowed down. We need to be reasonable about this, and we need to be straightforward about it.

I want to see us deal with that red line. That is where the real spending problem is. I would like to see us be responsible on the blue line.

Senator FEINSTEIN and I have cut a $125 million program. We have control of one big construction project; we are getting control of two others. We are doing our job.

As we enter into this discussion, I respectfully ask my colleagues: Let's keep a focus on the two lines. The $1 trillion is the blue line. It is under control; it is not the problem. If that were the debt, we wouldn't have a problem. It is that red line that we are not doing anything about on either side of the aisle.

Senator CORKER and I have a bill to reduce the growth of that spending by $1 trillion. We are the only two cosponsors.

After we do these 12 bills, we can talk about the blue line. But I am going to make sure during this whole process that, if Senators want to talk about cutting spending, they focus on where the problem is. It is the red line—not the blue line—that we are working on, starting with this bill.

I thank the Senator for his remarks.

Mr. CORNYN. Will the Senator yield for a question?

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I would just ask the distinguished Senator from Tennessee, the bill manager—the point he makes is exactly right, and I think most Americans would be surprised at this blue line and the fact that this is the money the appropriations process spends each year, but it is only about 30 percent of what the Federal Government spends—to his point.

My recollection is that under current projections, that red line is growing at about 5.3 percent, it seems like, over the next 30 years or so, while the blue line remains roughly flat. But that is a product of a lot of things that need to be fixed, such as the fact that for every $1 put into Medicare, $3 is spent, and the fact that in the not too distant future, the Social Security trust fund is going to run out of money because people are getting older, more people are benefiting, and fewer people are paying into it.

But the Senator is exactly right. We actually have been pretty disciplined in dealing with discretionary spending because of the Budget Control Act and sequestration. And many people have decried the fact that we actually renegotiated the sequester numbers, but one reason we did that is for national security purposes, that about half a trillion dollars of the money we spend is for national security.

I know the Senator is aware, as I am, that there is good work being done at the Budget Committee level to come up with some budget reforms, but unless we get control of not just the discretionary spending but the nondiscretionary—the mandatory spending, that red line—we are going to continue to see the deficits and the debt grow. And when interest rates go back up to normal levels, we are going to be spending more money on interest on the debt than we will, perhaps, on national security.

I told the Senator this was a question and I guess it is more of a statement, but I just wanted to thank him and Senator FEINSTEIN and the Committee on Appropriations for getting us back to regular order and back to work, and I hope we will take up and pass this legislation without undue delay.

I would also add that this is not an opportunity for people to empty their out basket on different pieces of legislation they would like. Because of the rules of the Senate, that would create a lot of problems. So, again, I guess we would counsel for some of the self-restraint that was talked about earlier.

I thank the Senators from Tennessee and California for bringing this important piece of legislation to us. I hope we can get this done sometime today or tomorrow.

I thank the Senator.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Texas for his leadership and for his comments. He is exactly right. Over the next 10 years, according to the Congressional Budget Office, that red line is projected to increase by nearly 80 percent—nearly 80 percent. The blue line—the one that is reasonably under control—will go up about 23 percent. But the bigger problem is that the blue line, as a share of the Federal budget, will decrease from 33 percent to 22 percent. That is the money for national defense in an unsafe world. That is the money for national laboratories in an economy that needs the job growth that comes from that research. That is the money that cleans up after the Missouri River, the Tennessee River, and the Mississippi River flood. It deepens the harbors in Savannah, Los Angeles, San Diego, Gulf Port, and all around.

After a big spring flood, I have been to Environmental and Public Works Committee hearings where we have had 17 U.S. Senators come in and ask for more money. Well, we have record levels of funding for the Army Corps of Engineers in this budget for the purpose of locks, dams, flooding, and environmental cleanup, and it is all within the Budget Control Act. We set priorities. We reduced projects. We cut some out that weren't as important. And we have kept that blue line flat. We have done our job on financial oversight.

There are a number of advantages to having a full 10 or 12 weeks to deal with appropriations bills.

The first advantage is that it allows Senators, such as the Senator from Nebraska, who is not a member of the Appropriations Committee, to have a chance on the floor to offer their amendments if they would like to. The way our system works, Senators may ask us—and, as I mentioned, 77 did ask us—to include some of their ideas and policies in our bill, and we did in every case in some way—in some way. Now we are up in the eighties. Everybody has had a shot at this and will have more of a shot in the next day or two on the floor. So the whole Senate will be involved. That is one advantage.

The second advantage is that it will show the American people that we are doing our job, that we are conducting oversight of the government agencies, that we have had four hearings, that we have set priorities, that we have cut out lower priority projects and are getting other projects under control.

The third advantage is that maybe we can put a spotlight on the difference between the top line and the bottom line—the red line and the blue line. The blue line is an example of good government. The red line is an example of malpractice. By whom? By us. By which party? By both. By both.

So let's be specific. If you are a surgeon, you don't cut off the left arm because your nose is hurting; you work on the left arm. And we don't need to cut off the blue line if the red line is the problem—if the red line is the problem.

So as often as I have a chance over the next 2 days, I am going to do my best to remind our colleagues and the American people that we are doing our job on the $1 trillion we appropriate, and Senators will have a chance to help us do our job if they come to the floor with their suggestions.

We are not doing our job on the red line, which is mandatory spending, and if we don't do our job, the Chairman of the Joint Chiefs of Staff has said it is our greatest national security problem.

So maybe it will help over these 12 weeks to have a contrast: the way we should be doing it, the bottom line; and the way we shouldn't be doing it, which is that line that is growing out of control.

I welcome the opportunity, and I thank both the majority leader and the Democratic leader for getting things in order so we can have a regular appropriations process for the first time.

I remind our colleagues that this is the earliest we have started an appropriations process since the Budget Control Act became law in 1974.

The Senator from California has suggested that I remind our colleagues and their staff members that if they have amendments, bring them to our staff, and we will work with them and see if we can include them in the bill, or if Senators would like to offer the amendments, we would like to do that today or tomorrow. There is no need to waste time here. We have 11 other bills we can get to very quickly and other important legislation that is awaiting the Senate's action.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I am extremely pleased to rise to express my support for the open debate we are going to have on the fiscal year 2017 Energy and Water appropriations bill.

I would certainly like to thank the Senator from California and my colleagues on the Appropriations Committee, and I would like to thank Senator ALEXANDER for his leadership and work on their collaboration. As a person who has only been in the Senate for a year and a half and on the Appropriations Committee for about that amount of time, it has been fun for me to watch seasoned pros as they weave their way through the appropriations process. So I thank them for that. But this is what our constituents sent us here to do: to legislate, to express an opinion, to amend and debate. And I appreciate my colleagues' willingness to do that with this piece of legislation.

This is a fiscally responsible, bipartisan bill which unanimously passed out of the Committee on Appropriations last week.

It is also worth noting—and I have heard it noted already today and will probably hear it many more times—that we are considering appropriations bills on the Senate floor at the earliest point since 1974. I look forward to the bill passing with many priorities that are important to my home State of West Virginia, and I also look forward to passing the other 11 appropriations bills as we move through this process.

We can all agree that governing by continuing resolution is not ideal. The leadership in the Senate, and through the work of the Appropriations Committee, of which I am a proud member, has put us on a path to passing bills that will fund our government in a reasoned manner, in a transparent manner, and in a manner which is an open, deliberative, fair, and responsible process. Today marks an important step forward—one of many to come, I hope.

The bill before us has enormous importance to every State and particularly my State of West Virginia. It includes resources that ensure safe and stable infrastructure, promotes and stimulates research in the fossil fuel industry, and provides resources for rural areas most negatively impacted by the economic downturn and continued assault against coal-producing areas in Appalachia, where I live.

A few weeks ago, I visited the Bluestone Dam in Hinton, WV. It is an engineering marvel. It was built in the late 1940s and completed in the 1950s. But we must maintain and modernize to make sure we have the safest and the most technologically superior dams for the prevention of flooding. The importance of the Bluestone Dam to its surrounding area—and really all of West Virginia—cannot be overstated. It is protecting the neighboring capital city of Charleston, where I live, from massive and catastrophic flooding.

This bill provides construction funds for the Army Corps of Engineers for projects such as Bluestone, as well as operation and maintenance funds for hundreds of locks and dams across the country, including many in my State besides Bluestone—from Elkins, to Beech Fork Lake, to Tygart Lake. Disappointingly, the President's budget cut funding for the Corps of Engineers. I don't know how you can do that. That irresponsible action is eliminated in this bill. We restore the cut and fund the Army Corps of Engineers by more than $1 billion above the President's request.

A smaller but equally important investment in West Virginia is the Appalachian Regional Commission, known as the ARC. I am pleased the Senate is again proposing to boost funding for the ARC following the increase in last year's omnibus bill. While it might not be familiar to a lot of people, the ARC really spearheads many worthwhile efforts in the Appalachian region, including actions to help communities impacted by the downturn of the coal industry through worker training, economic diversification, and job services.

One way to provide our citizens with greater opportunities is to provide them with broadband access. West Virginia is not wired for broadband like a lot of our other States. We need to meet the acceptable standards set by the FCC. We understand we have mountains and it is difficult, but if we don't do this, if we don't make this change, West Virginia will be left further behind. This is an economic, educational, and health care tool.

The ARC is one of the entities that are helping West Virginia connect to the Internet, and by doing so, it connects the possibilities for commerce, education, health care, and other things that all of us—particularly these young people in front of me—have come to think of as essential to life as bread and water.

This bill maintains the funding level for fossil fuel energy research and development at $632 million. Sixty-seven percent of the electricity generated in the United States is from fossil fuels—coal, natural gas, and petroleum—and this will not change anytime soon. The Department of Energy's own Energy Information Administration predicts that coal will still make up about one-third of U.S. electricity generation for decades to come.

If the administration itself acknowledges that fossil fuels will be critical to electricity generation, we must ensure that we are using these in the cleanest way possible. Therefore, we must continue to make that investment in research and development for clean coal technologies, which is a large component of this funding. This funding is $272 million above the President's request. The President's proposed cut and those proposed by some of my colleagues—and as we move through the markup we anticipate proposed cuts to fossil fuel research—in my view, are shortsighted because they fail to realize the value of the research being done in places like the National Energy Technology Lab in Morgantown, WV, known as NETL.

NETL has reorganized and restructured its budget to be more transparent, so we can understand what is actually going on, where the dollars are being appropriated, and better focus on research and maximize those funds. I applaud these efforts. Frankly, I think we should all applaud them. Their work is very important to each and every one of us.

There are many other provisions in this bill that are very noteworthy, but I wish to close with this: For West Virginia, this legislation provides funding and support that will help us in many ways. I am proud to have supported it in committee and now on the floor. I will be very excited to see my first appropriations bill actually come to the Senate floor. Well, we maybe did do one last year, but this will be the first time Energy and Water has been on the floor. I look forward to this debate by my colleagues.

The PRESIDING OFFICER. The Senator from Colorado.

FAA AND ENERGY BILLS

Mr. GARDNER. Mr. President, I first wish to congratulate my colleagues for the work they have accomplished this week, work on reauthorizing the Federal Aviation Administration. For those in Colorado, it is important work. For Denver International Airport and for multiple airports around the State, the aviation industry in Colorado accounts for tens of thousands of jobs and billions of dollars of revenue generated by not only DIA, but whether it is Vail, Durango, Grand Junction, or any number of airports across the State, we have benefited from the work this FAA reauthorization has accomplished. I commend the chairman, Senator THUNE, for his work, as well as the chairman, Senator MURKOWSKI, for the work she has accomplished on the Energy bill—legislation that will accomplish greater opportunities for the United States to achieve North American energy security, including thousands of jobs that can be created by legislation I was able to secure within the bill on performance contracting—a very great accomplishment for the Senate. I urge the House and the Senate to come together quickly in order to find a compromise on the Energy bill and to get this signed into law.

CHEYENNE MOUNTAIN DAY

Mr. President, I come to the floor to talk about an event I participated in last week with General Hyten in Colorado Springs, based in Cyber Command, to talk about an event that was shared by Governor Hickenlooper as well from the great State of Colorado.

Since 1966, the U.S. Air Force at Cheyenne Mountain Air Force Station in Colorado Springs has been at the forefront of our Nation's capacity to track foreign threats worldwide, providing an essential component of North American defense and global security.

Today we celebrate the 50th anniversary of the operational capability of Cheyenne Mountain, an event General Hyten, Governor Hickenlooper, and I were able to participate in last week.

Many people across this country probably know Cheyenne Mountain Air Force Station. They know it through popular culture, they know it through movies like ''Dr. Strangelove'' or through ''WarGames,'' for those who aren't quite of the ''Dr. Strangelove'' generation, and perhaps for newer generations yet, they know Cheyenne Mountain Air Force Station from ''Stargate.''

Colorado is proud to be at the center of the effort to provide for the defense of North America through this facility which has far-reaching consequences and whose multiuse services are critical to national and global security.

Cheyenne Mountain Air Force Station is one of the greatest engineering marvels of its time, representing an $18 billion facility, unrivaled anywhere in the world, bored into the front range of the Rocky Mountains. At this world-class facility, countless space and ground sensor data collections are assimilated to provide our Nation's national security leadership apparatus key information to determine threat assessments and ensure the safety and security of millions of people around the world.

The 21st Space Wing at Peterson Air Force Base in Colorado Springs provides operational support and infrastructure sustainability, the 721st Mission Support Group provides the dedicated daily sustainment to more than 13 mission partners performing the national security mission inside the mountain complex—or the ''mountain fortress,'' as it has been nicknamed—and over 1,000 U.S. and Canadian military members and civilians remain vigilant around the clock to defend our great Nation at this facility.

I am proud the Senate came together last week to approve my resolution, which designates today, April 20, 2016, as Cheyenne Mountain Day, to recognize the 50th anniversary of Cheyenne Mountain achieving full operational capability.

Today we recognize the strategic importance of Cheyenne Mountain and celebrate the efforts of the 21st Space Wing, the 721st Mission Support Group, and the men and women who work for the common defense of North America at Cheyenne Mountain.

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.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE. Without objection, it is so ordered.

PRESCRIPTION DRUG ABUSE

Mr. MANCHIN. Mr. President, I rise today to once again share the devastating story of the nationwide opiate epidemic that America currently faces, which is pain pills. It is a crisis I have been dealing with since my days as Governor of the great State of West Virginia, and each and every one of us as Senators representing our great States are dealing with it also.

It is ravaging my State. West Virginia has been hit harder than most States in our country. The drug overdose deaths have soared by more than 700 percent since 1999. Just last year, we lost 600 West Virginians alone to opiate abuse. That is prescription drug abuse.

Let me explain what we are dealing with. We are dealing with a product that is manufactured legally by pharmaceutical companies, a product that is approved by the Food and Drug Administration—the Federal Government—a product that is distributed and prescribed by our doctors—the most trusted people we have in our lives. It goes on and on.

Basically, people don't understand and have not understood for the last two decades the devastating effect that it has. But our State is not unique. This is happening everywhere, and 51 Americans die every day. Every day, 51 Americans die. You have to think about that. Every 30 minutes or less, someone is dying because of an overdose from a prescription drug to which they became addicted. Since 1999, we have lost almost 200,000 Americans to prescription opioid abuse. We need a serious culture change in America to get to the root of the problem. We need to change the approval of all these new, more potent painkillers coming on the market.

The scope of the problem is this: In the United States of America, we have less than 5 percent of the world population. Seven billion people live on this beautiful planet Earth of ours. We have approximately 330 million people. How in the world can we explain how 5 percent of the population consumes 80 percent of all the addictive opioids produced in the world? Our country is the most addicted country on Earth. There is not another one like us. We allow pharmaceuticals to advertise their products on television. We are the only ones who allow drugs that are addictive and have the ability to destroy lives to be advertised, and so naturally people are asking for them. They want to go out and buy something because the market is so slick. How we approach this is totally wrong. There needs to be an overhaul of our culture.

My office continues to get flooded with letters. Today I will read a letter from my State of West Virginia and the Presiding Officer's State of Georgia. We are encouraging people to continue to share their experiences. The reason I am encouraging people to share their letters is because for far too long this has been a silent killer. There is not a person watching this or a person in this Chamber who doesn't know somebody in their immediate family or extended family who has been affected by drug abuse. Most of the time, it is legal prescription drug abuse. We have an epidemic on our hands.

We talk about Ebola, Zika, and all the other things that are of concern to us, but not one of those is killing 51 Americans every day, and people are still silent about it. Well, people are breaking their silence and sending these letters to me. I will read them every week so I can put a personal touch on this epidemic we face. I don't want people to be ashamed. We have all had it happen to us. It could be your father, mother, brother, sister, aunt, uncle, cousins, or children.

We basically have to look at addiction as an illness. For far too long, we have looked at addiction as a crime. We put people in jail because they have committed a crime. Most of them are charged with grand larceny because they had to steal to support their habit and as a result end up with a felony on their record. When they get out of jail, they are no better. They are still addicted, and now they have a felony and

can't get a job. We have taken them out of the productive part of our society. Our society is losing a whole generation of productive, unbelievable, beautiful people.

This is Debbie's story. Debbie is from West Virginia. She said:

My daughter started using drugs off and on around the age of 13. It really escalated after her second child was born, her ''husband'' being from Baltimore, MD with access to lots of different kinds of drugs.

She told me that after the birth of her baby the doctor prescribed percocet after a vaginal birth. She started off snorting and then injecting them. Her drug abuse spiraled out of control to using meth, on to heroin and cocaine, and who knows what else. Then she started buying Suboxone illegally, supposedly to get off the other drugs.

Suboxone is supposed to help you get off your addiction, but it is also an opioid.

When she had her third child, CPS stepped in, but then they walked away 90 days later. She took off to Baltimore, MD, putting her two youngest children in danger, leaving her oldest behind with us. However, we finally got her to bring the children back to us, but she wasn't willing to stay with her children. The drugs were more important. We now have temporary guardianship and she is finally taking steps in recovery.

I don't understand why these doctors hand out opioid drugs like it's candy.

I can tell Debbie why they do it. They don't have the training. They don't understand the effects these drugs are having on people. They are basically told whatever the manufacturer or salesperson has told them. If the drug is a 30-day prescription, they give you 30. If it is 60, they will give you the maximum of 60.

Her letter continues:

I have another daughter that was in a car accident and broke her leg. She had to have surgery and the doctor prescribed her 80 percocet all at one time.

Can you believe that?

Already battling one child with addiction I VERY closely monitored her medication. Not all people are strong willed.

This has to stop. These are dangerous drugs and they lead to more dangerous drugs! These drugs are killing our children, pulling our families apart!

Why are doctors prescribing so many at a time?

Why do we have Suboxone, another addictive drug to treat addiction?

Methadone is another one, methadone clinics. They are the same thing.

Why isn't Suboxone an in care monitored drug so it can't be sold on the streets?

Why don't we have free treatment centers in every county to help with addiction so our children aren't dying?

I am going to talk about the treatment centers—or lack of treatment centers—and what we can and what we should be doing as a country.

My daughter is 24 years old with a lifetime of fighting addiction. My mom and sister had to bury their sons because of addiction. I DON'T want to bury my daughter!!!

That was Debbie's story from West Virginia.

This is Winnie's story from Augusta, GA.

My name is Winnie Garrett.

She wanted me to use her full name because she is not ashamed and she wants to fight this addiction and she needs help.

I have been living in Augusta, GA, for 15 years with my husband, son, and daughter. My daughter Erin is 21 and a heroin addict. She started opiates when she was 16. She met a guy who was shooting pills and heroin, so in September of 2014 she started shooting too.

She had a great job, an apartment, and was a highly functioning addict. In May she asked if her boyfriend and she could come and move into our house so they could save money and get an apartment together.

In July, her boyfriend attempted suicide and was hospitalized and then sent to rehab. Erin's heroin use skyrocketed at that time.

In September, we caught Erin and her friends in our house about to shoot up together, but we intervened. Erin agreed that she needed help and she started methadone at a methadone clinic.

So we have methadone and Suboxone.

In October of 2015, one of her ''friends'' that was in our house back in September overdosed and died at her grandmother's house. Erin started to abuse opioids again. In December, she lost her job. By Christmas she had no new job and no money to pay for methadone. She was going downhill fast.

On January 2, 2016, she called me and asked me to come and get her. Her friends had left her alone, she had no phone, and she was sick. My husband and I found her and told her she must go to the hospital as we were not prepared to help her go through withdrawal. We just didn't have the ability or the knowledge to do it. She fought with us and didn't want to go.

As we drove closer to the hospital and stopped for a light, she jumped out of our moving vehicle and proceeded to walk away from us. We had to walk her into the hospital and commit her.

After the hospital went through her belongings, she was civilly committed for a minimum of 72 hours. Erin went through withdrawal and was clean for about 2 weeks but wouldn't consider going to a rehab place because she wouldn't want to leave her ''friends.'' She has relapsed, and I have tried to talk to her, but she is not ready for rehab.

It breaks my heart to see my baby girl now. It has affected our entire family. Her brother wants nothing to do with her and her father and I can only pray that God will look after her and keep her safe from harm.

She is living on the streets and at anyone's house who will take her in for a day or two. My daughter graduated from Fine Arts Magnet School and was accepted to Savannah College of Art and Design. Erin is smart, beautiful and very capable when she is clean. I don't recognize my little girl on drugs. Something must be done.

Thank you for listening.

Three or four years ago, these people probably wouldn't have written these letters to us. They are desperate and need help. They are willing to put their names to it. They want to put a face on this epidemic. They really do.

Let me tell you the problem. We do not have—Georgia and West Virginia—treatment centers. When people are begging for help, there is no place to send them. We have day courts and drug courts, but there is really no treatment center. They end up with a felony on their record. I am not talking about those who have a violent or sexual crime; I am basically talking about grand larceny. They end up getting a felony. If we do get them clean, they can't get a job with that felony.

There are some things we have to do. Let me tell you what we can do. The first thing we can do is address the treatment centers. Think about this: We have a fee on cigarettes. We know cigarettes are dangerous. They have proved that cigarettes are addictive and dangerous to your health, and you pay a tax when you buy cigarettes. Most of those States use those taxes for their health clinics. We know alcohol is dangerous. We shouldn't drink alcohol, but we partake in it, and they charge a tax.

We have no way of funding or supporting the treatment centers. We are looking at and working on this almost every day. I am going to propose to my colleagues that one penny per milligram of every opioid produced by manufacturers be used to go to a treatment fee. It strictly cannot be used for anything except for treatment centers throughout the United States of America so we can help the people who need help.

We should also consider how to get people back to having a productive lifestyle. Let's say they go through an approved treatment center for 1 year and then go into a mentoring program. Not only do they become clean, but they are mentoring and helping other people become clean. They don't have a violent or sexual crime against them, but they have a crime of larceny. Should that person not be considered—basically from their good standing of finishing a 1-year rehabilitation program, which they passed with flying colors and are clean and have committed another year of their lives to giving back and helping other people through mentoring—to have that felony basically expunged from their record so they can get back into the workforce? If not, we are losing a whole generation of quality workers. These are all bright, smart people who can do something and contribute back to the economy.

I will be coming down here every week, and I will make sure the people of America know they are not alone. We hear you and we are going to do something.

I thank the Presiding Officer for listening.

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. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PARIS CLIMATE AGREEMENT

Mr. INHOFE. Mr. President, as Secretary of State John Kerry prepares to

sign the United States on to the Paris climate agreement on April 22—that is Earth Day—2 days from now, there are lessons from past international climate agreements, namely the 1997 Kyoto Protocol, that we would be remiss to ignore.

Let's keep in mind that the meeting they had was the 21st annual meeting. This is the big United Nations meeting, when everyone tries to get 196 countries to come in and have mandatory emissions reductions. It hasn't worked in 21 years, and it will not work this year either.

The situation they are facing now is kind of embarrassing. Let's just call the Paris Agreement what it is. It is a political stunt for the President to do what President Clinton was going to do in the Kyoto Protocol back in 1997. To recap, in 1997, the United Nations Framework Convention on Climate Change adopted the Kyoto Protocol, which set forth binding targets and timetables for greenhouse gas emission reductions for developed countries such as the United States and the European Union. Meanwhile, developing countries such as China, India, and Brazil got a free pass. In fact, the Kyoto Protocol exempted 80 percent of the world from greenhouse gas emission reductions. That was back in 1997.

I could talk extensively about how it was known then that without developing countries, Kyoto would produce no meaningful impact on global climate change or reductions. What is most important in advance of the Paris Agreement signing, which is 2 days from now, is holding the Obama administration accountable to the lessons learned from the fallout of Kyoto.

Let's not forget that the Kyoto Protocol—which was a legally binding treaty, as opposed to the Paris treaty, which is all voluntary—was signed by the Clinton administration in late 1998 but was never submitted to the Senate for ratification. This was because the Senate had already voted, and they knew they weren't going to ratify it.

About that time in 1997, we had the Byrd-Hagel resolution, which warned that if the United States came back from Kyoto with a signed product that economically harmed the United States or exempted developed countries from participating, we would not ratify it. The resolution passed 95 to 0 in this Chamber. They knew when they came back that it wasn't going to be signed. With a vote of 95 to 0, not one Senator would have voted to ratify.

Ultimately, the 36 developed countries were legally bound to the greenhouse gas targets, and 17 of them failed to meet the greenhouse gas targets. First of all, they are not even meeting the targets. Some countries that joined Kyoto, like Iceland, had targets that actually granted increases in greenhouse gas emissions, while others, like Russia, had a target of zero that required them to do nothing.

The same thing is true for Russia today with the Paris Agreement. Russia pledged to reduce its carbon emissions by 30 percent but made their promise based on emission levels from 1990, not their current emission levels today. So they could actually increase their emissions and still comply with the commitment that they made in Paris.

Of course, they were looking at—and I remember from all the other meetings that Russia is sitting back there with areas such as Siberia, without any development, and they could use that as land that is not being developed, where there are no emissions, so it sounded as though they are really doing something.

I had an occasion many years ago to fly a small Cessna airplane around the world, emulating the trip of Wiley Post, the aviator from Oklahoma. He was the one who was flying the airplane when Will Rogers was killed. I was emulating his flight around the world. I will never forget going all the way from Moscow to Provideniya, across Siberia. There is time zone after time zone, and there is nothing down there. It is bare down there—no houses, no industry, nothing down there. That is the land Russia has been using to give them the advantage that they have.

Others, including Japan, the host country for the signing of the Kyoto Protocol significantly missed its greenhouse gas reduction targets, and instead they increased. Here is the host country, and they increased their emissions.

There were warning signs that the countries would fail to meet the Kyoto targets. For example, in 2005, the year Kyoto went into force, as then-chairman of the EPW committee, I held hearings on Kyoto where I questioned the U.S. senior climate change negotiator, Harlan Watson, about the European Union countries meeting their targets. Watson testified at the time that only two of the EU countries, the U.K. and Sweden, were on track to reach their targets. In other words, they all had targets, but only two countries met them.

Another witness, Dr. Margo Thorning of the American Council for Capital Formation, told the Committee at the hearing that the European Union ''policymakers are beginning to worry about the additional steps required to meet the targets.''

We now know they were right. The EU, one of the staunchest advocates for the global greenhouse gas emission cuts, barely reached half of the targets required by Kyoto.

If developed countries like those in the European Union have ignored legally binding gas emission targets in Kyoto, it is highly unlikely that they would meet the voluntary reductions that are in the Paris Agreement. Within the EU, some individual countries, such as Poland, have already shown fierce opposition to the Paris Agreement due to the fact that they are relying on coal power to run their country. There also has been vigorous debate over EU emissions reductions, and so far further cuts are off the table due to climate leadership fatigue from Kyoto. Everybody is tired of it.

Some have said Paris is different because developing countries like China agreed to the greenhouse gas targets. However, as is normally the case, you have to read a little bit closer. China's climate change commitment to peak their emissions by 2030 is business as usual. Yes, they signed on. They are a developing country. But what did they sign? They agreed to increase their emissions until 2030, and then they will reconsider.

After making their pledge, the New York Times uncovered that China dramatically underreported the amount of coal it burns per year, burning 17 percent more than what China had previously reported during climate talks. Just last month, a London School of Economics and Political Science researcher found that it is possible that Chinese emissions have already peaked. It is no wonder when the country is bringing online a new coal-powered powerplant every 10 days.

We keep hearing from all of our do-good friends: Just give China a chance. They are going to follow our leadership. Yes, they are going to follow our leadership, all right. They are anxious for us to meet our reductions as we chase our manufacturing base to someplace like China, which would be the recipient of it.

China is putting online a new coal-fired plant every 10 days. Why would China bother putting forth such a commitment and why would the Obama administration promote it as historic? First, it is in the interest of China to ensure this commitment is ratified because it makes it more difficult for the United States and the European Union to get out of economically damaging regulations. Second, it is in the interest of President Obama to sign this agreement since his own legacy hinges on its ratification. For the agreement to come into force, 55 countries representing at least 55 percent of emissions are going to have to sign.

We have seen this before. Think back to Kyoto. Clinton did not have the support of the Senate, yet Clinton delegated his U.S. Ambassador to sign it.

That is exactly what is happening today. President Obama doesn't want to go there because President Obama is fully familiar with the fact that they can't reach their targets, and besides that, we have the U.S. Supreme Court stepping in and saying that they can't do it.

The Obama administration should take note that history does repeat itself. If Secretary Kerry signs the Paris Agreement—which he will—it will be an act in defiance of the lessons from the past and in defiance of the best interests of the American people, all while achieving no meaningful impact on global temperatures.

Just like Kyoto, countries will not comply. Here at home, the President's

means to force the United States to achieve a 26- to 28-percent reduction in greenhouse gases by 2025—primarily through the so-called Clean Power Plan, which is likely to get struck by the courts—is extremely limited. Its implementation has already been blocked by the U.S. Supreme Court.

We have 27 countries that have filed lawsuits against the plan. We actually had someone from the National Chamber of Commerce and the Sierra Club come before our committee just a few weeks ago saying: Look, there is no way in the world that you can have this kind of a reduction. So it is dead in the water anyway, with 40 percent doing business as usual. Only 15 percent could have an effect from the power plan, and then the rest—45 percent—are not even in the middle of it. Besides that, the Supreme Court has now said that until all the litigation has cleared up, nothing is going to happen. They intervened in that as well as the WOTUS regulations—the waters of the United States. So it is not going to happen. They are going to have their party there. The President is embarrassed, and he is sending John Kerry to do his dirty work.

I hope all 196 of the countries send their representatives to New York because I would love to have them get to know America, travel around, spend their money, and go down historic Highway 66 that goes through my State of Oklahoma. They will have a wonderful time while they are here, but they might as well skip the New York part.

I see my good friend from Indiana, and, with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

NOMINATIONS OF MARK MCWATTERS AND ADAM SZUBIN

Mr. DONNELLY. Mr. President, for more than a month, many of my colleagues and I have come to this floor to talk about our responsibility as Senators to do our job and consider the President's Supreme Court nominee, Merrick Garland. That is right. Here in one of the world's greatest deliberative bodies, where we have debated war and peace, civil rights, and the right of women to vote, we are now engaged in a debate about whether the Senate should carry out one of its most basic constitutional responsibilities.

Even more troubling than the refusal of some Senators to consider the Supreme Court nominee is that this is one in a series of failures over the past year. It is not an isolated incident; it is a pattern.

Back home in Indiana, our priorities are clear. We want good jobs and safe communities. Hoosiers are asking important questions of their elected officials, such as: What is the Senate doing to strengthen our economy? What are we doing to keep Americans safe?

Today I want to talk about two additional simple things that the Senate can do to strengthen our economy and to keep our country safe. Both have strong bipartisan support already. We just have to do our job. The first relates to the Export-Import Bank. Last December, after months of negotiations, and a 5-month lapse, Congress agreed, with bipartisan support, to reauthorize the Export-Import Bank, the official export credit agency of the United States of America, which helps American companies, including small businesses from my home State and from everyone else's, compete in the global economy.

It does not get more common sense than approving an agency whose sole purpose—sole purpose—is to help create more American jobs at no cost to taxpayers. In fact, in 2014, the Bank supported $27.5 billion in U.S. exports and more than 164,000 American jobs and returned over $675 million to the U.S. Treasury.

The Bank creates jobs, reduces the deficit, and spurs economic growth. It is a win-win-win. Yet, despite bipartisan approval last December, Senate inaction continues to hamstring the Bank, which keeps it from fully functioning. You see, in order to approve certain financing, the Bank needs a minimum of three Senate-approved board members. Today, we have only two.

That is because board nominee Mark McWatters, a Republican, has been stuck in the Senate Banking Committee for more than 3 months. At a time when American companies are struggling to compete in an economy that is often rigged by other countries manipulating their currency, by intellectual property theft, and by insurmountable foreign regulatory barriers, there are a few Members of this body who are intent on obstructing this important economic tool by refusing to consider Mr. McWatters' nomination in order to advance an extreme ideological agenda.

So here we are again, willfully allowing an important tool for economic growth to sit idle simply because some in the Senate refuse to do their job. While most Americans find it hard to believe we cannot agree on something as common sense as supporting the American economy, perhaps more troubling is the refusal to confirm an official to lead our Nation's efforts to combat terrorist financing around the world.

Mr. Adam Szubin is the nominee to be Treasury Under Secretary for Terrorism and Financial Crimes. His job is to identify and to disrupt the lines of financial support to international terrorist organizations, proliferators of weapons of mass destruction, narcotics traffickers, and other actors posing a threat to U.S. national security or foreign policy.

It is a critical job. Just about anyone you ask will tell you that Adam Szubin is the guy we want doing this job. He has helped shape and enforce U.S. sanctions against our adversaries for nearly a decade, under both Republican and Democratic administrations. He is recognized as a leading expert on terrorism financing and is widely considered one of our Nation's best tools in taking the financial footing out from under terrorist groups like ISIS and Al Qaeda and countering adversaries like Iran, North Korean, and, increasingly, Russia.

Today marks 1 year since Mr. Szubin was nominated—an entire year. For 1 full year, our country has worked to combat terrorist financing and enforce and expand sanctions against key adversaries without a confirmed official to lead the charge. At a time when our sanctions regimes are critical to countering Iran's ballistic missile program, North Korea's nuclear weapons development, and Russia's renewed aggression, and at a time when U.S. military personnel are serving in harm's way in locations around the world, combatting ISIS and Al Qaeda and their affiliates, the Senate is undermining the ability of one of our Nation's top counterterrorism officials to do his job.

By failing to act on the nomination of Mr. Szubin, who people on both sides of the aisle agree is the perfect person for the job, we are undermining his credibility with the very countries we need on our side to effect these sanctions and to cut off funding flows to terrorists.

The American people expect us to use every single resource—every single resource we have—to keep our Nation safe. Yet, when it comes to putting our strongest team on the field to fight back and to cut off terrorist financing, some in this body continue to put politics ahead of our national security.

Why has Mr. Szubin not yet been confirmed as the Under Secretary for Terrorism and Financial Crimes? Simply put, the Senate refuses to do its job, to have a vote. I understand it is an election year and there is much discussion in Washington about what is good political strategy for the different parties. While the timing may be inconvenient for some, I will remind my colleagues that every day outside of Washington, law enforcement officers, among many others, rely on a fully functioning Supreme Court for the legal guidance that serves as the basis of our founding promise of liberty and justice for all.

I remind my colleagues that every day across our country, millions of hard-working men and women go to work to support their families, many of whom rely on jobs supported by the Export-Import Bank. Every day across the globe, our service men and women put their lives on the line to protect our country from terrorists and from foreign nations intent on doing us harm.

Many of those terrorists and foreign nations are targets of the crippling sanctions the U.S. Treasury implements and enforces to help keep Americans safe. Adam Szubin is leading that team. These men and women who go to work to support their families, the law enforcement officers who protect our communities, and the service men and

women who fight for our great country every single day do not stop doing their job because it is an election year. They do not pass on confirmations because it is inconvenient timing.

I have said it before, and I will say it again. Most Americans believe Congress can do something to help move our country forward. At the very least, we should do no harm. We are falling short of this most basic standard. But we can change that right now by simply doing our job, by considering Merrick Garland's nomination to the Supreme Court, by doing our job to support the economy by considering the nomination of Mark McWatters to sit on the board of the Export-Import Bank, and by doing our job to support our troops and protect our country by considering the nomination of Adam Szubin to be Under Secretary of the Treasury for Terrorism and Financial Crimes.

This should be the very least that we do. We need to do it now. Let's follow the example of those who elected us, who roll up their sleeves every day and go to work. It is time for us to roll up our sleeves and go to work and do our job.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I just wanted to compliment the Senator from Indiana on the remarks he has just made and thank him very much.

I also want to urge Members: Please bring amendments to the Energy and Water appropriations bill to the floor. We hope to finish this bill. The only way we are going to do it is if Members bring and file their amendments.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. BROWN. Mr. President, 1 year ago today, the President nominated Adam Szubin to serve as Under Secretary for Terrorism and Financial Crimes at the Treasury Department. Mr. Szubin's nomination was pending in the Banking Committee for more than 11 months before we finally acted on it.

So far in this Congress—not this session, but the entire Congress—the Senate has not acted on a single nominee from the Banking Committee, even those who play critical national security roles like Mr. Szubin. We have not even acted yet on certain nominees eligible for expedited consideration by the full Senate. In the past, the Senate acted on these ''privileged nominees'' as a routine manner.

The hard-working people of Ohio, Arkansas, and Georgia expect the Senate to do its job. Part of our job is to give the President's nominees fair, respectful, and timely consideration. Unfortunately, the unprecedented partisan obstruction we have seen over Judge Merrick Garland's nomination to the Supreme Court has been a fact of life longer than that at the Banking Committee.

The Under Secretary for Terrorism and Financial Crimes is one of the most important national security posts in our government. Mr. Szubin serves in an acting capacity in that position. Despite having bipartisan support, as evidenced by the vote out of committee and as evidenced by his initial appointment to the executive branch by President Bush, his nomination has languished for a year—a full year—because of one thing: Republican obstruction.

Allowing this proven leader to remain unconfirmed weakens his position and undermines American influence in our efforts to track terrorists and stop them from raising money on the black market or elsewhere. The mission of Treasury's Office of Terrorism and Financial Intelligence is too important right now for us to have anything less than our best person in that role with the full backing of this Senate.

Mr. Szubin served Republican and Democratic administrations in senior positions related to economic sanctions and countering terrorist financing. His job is focused on leading our country's efforts to disrupt terrorist financing by ISIS, Al Qaeda, and other groups.

There is absolutely no question that he is qualified. Over the last decade and a half, Mr. Szubin has distinguished himself as a tough and aggressive enforcer of our Nation's sanctions laws against Russia, Iran, and North Korea, against money launderers and terrorists and narcotraffickers.

Given all the concerns surrounding terrorist financing, you would think a nomination for this position would be a priority. In the Senate Banking Committee and in the Senate in 2015 and 2016, that has not been the case.

I repeat. One year ago he was nominated. One year ago the Senate Banking Committee got his nomination.

Mr. Szubin's mentor, Bush administration Under Secretary Stuart Levy, was confirmed by the Senate 3 weeks after his nomination came to the Banking Committee, when the Democrats were in control of this Senate. Mr. Szubin's immediate predecessor took the Senate just 2½ months to consider.

This is a critical national security post that must be filled permanently. Szubin heads what is, in effect, Treasury's economic war room, managing U.S. efforts to combat terrorist financing and fight financial crimes. He leads the charge to choke off ISIL's funding sources and prevent it from developing additional capacity to strike targets around the world.

Cutting off the money supply, including profits from illicit oil sales, money-laundering extortion, and other crimes by ISIS actors is a critical part of our strategy to defeat this terrorist organization. He works to hold Iran to its commitment under the nuclear deal and to lead a campaign against the full range of Iran's other terrorizing, destructive, and destabilizing activities, including its support for Hezbollah and other terror proxies.

He has broad support across the political spectrum. Even groups opposed to the Iran nuclear deal support his nomination. Banking Chair Shelby described Szubin as ''eminently qualified.''

The recent Panama Papers scandal shows how some of the richest and most powerful people may have used shell companies in offshore accounts to evade taxes, launder money, and dodge sanctions. The leak of these documents underscores the role that Mr. Szubin and the Office of Terrorism and Financial Intelligence play in combatting money laundering and terrorist finance networks. It is yet another reminder of why Szubin's confirmation is so urgent.

Mr. Szubin is well-regarded around the world for his intellect, his courage, his experience, his expertise, and his integrity. He deserves the strong backing of the Senate. Confirming him would demonstrate the commitment of the United States to disrupt and destroy the global financial networks of terrorist organizations. Without it, his ability to operate here and abroad is undermined.

Treasury must have in place an experienced watchdog with the know-how and with the authority to lead U.S. efforts to track and choke off the financial lifeblood of terrorist organizations.

The bottom line is Republicans in Congress need to stop holding our national security apparatus hostage to political demands. We need to allow Adam Szubin and other national security nominees to be approved. The Senate needs to do its job.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 478, the nomination of Adam J. Szubin to be Under Secretary for Terrorism and Financial Crimes; that the Senate proceed to vote on the nomination without intervening action or debate; and that following disposition of the nomination, the Senate resume legislative session.

The PRESIDING OFFICER (Mr. SCOTT). Is there objection?

The Senator from Arkansas.

Mr. COTTON. Reserving the right to object, and I will object.

Until just a few weeks ago, I did not object to Mr. Szubin's nomination.

I did oppose the nomination in the Banking Committee because he supports a clearly inconsistent interpretation of the Iran threat reduction act because it would hinder the implementation of the Iran nuclear deal. To be fair to Mr. Szubin, he is well respected on both sides of the aisle, having worked in the former Bush administration. I suspect this is not his interpretation. This is the interpretation of the

community organizer, the failed novelist, and the political operative who are in charge of implementing these parts of the Iran nuclear deal. However, I couldn't, in good conscience, support the nomination given that clearly flawed interpretation.

But just 2 or 3 weeks ago, Secretary Jack Lew gave a speech in which he all but announced that the U.S. Government would allow Iran access to the U.S. dollar. This would truly unravel every last sanction we have against Iran, not just for their nuclear program but for their campaign of aggression and terror throughout the Middle East.

This is in direct contradiction to what Secretary Lew said and in direct contradiction to what Mr. Szubin said. In fact, I would note Mr. Szubin's testimony before the Banking Committee last summer:

> Iranian banks will not be able to clear U.S. dollars through New York, hold correspondent account relationships with U.S. financial institutions, or enter into financing arrangements with U.S. banks. . . . In short, Iran will continue to be denied access to the world's principal financial and commercial market.

Further, in another quote, he said:

> . . . nor will Iran be able to access the U.S. banking sector, even for that momentary transaction to, what we call, dollarize a foreign payment.

Yet Secretary Lew has all but announced that the U.S. Government will allow Iran to dollarize their foreign transactions. In fact, Secretary of State John Kerry just this week is meeting with his Iranian counterpart to try to figure out more ways we can heap economic benefits on the world's worst state sponsor of terrorism.

So until President Obama, Secretary Kerry, and Secretary Lew publicly and conclusively renounce any intent to allow Iran to dollarize a foreign transaction, I will object to this nomination.

If the Senator from Ohio and 41 other Democrats don't like that, they should have considered that before they voted for a deal that gave over $100 billion to the world's worst state sponsor of terrorism.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. BROWN. Mr. President, I find it ironic. This is the first time we have actually heard specific reasons—all seeming fairly recent, mostly seeming fairly recent about objections to Mr. Szubin. But I also find it interesting that they talk about sanctions not being fully enforced. Well, don't you need someone in place who has the imprimatur of a full appointment to the position, not just nomination and serving as interim or acting but full appointment with Senate confirmation?

I just stand puzzled by that, but I also understand the partisan nature of this. I remember my colleague's letter to the country of Iran that 46 Republican Senators signed saying, for all intents and purposes: Don't negotiate with President Obama.

This is a lot about President Obama, but I don't care about that. What I care about is that he is acting in that position, and not confirming him makes no sense for our country.

A full year has gone by. I intend to continue to press for approval of Adam Szubin and others before our committee in the weeks ahead.

I yield the floor.

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. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FILLING THE SUPREME COURT VACANCY

Mr. HATCH. Mr. President, I rise to speak about the conflict over the Supreme Court vacancy created by the untimely death of Justice Antonin Scalia. This conflict has two dimensions, one focusing on the nominee and the second focusing on the confirmation process.

America's Founders established a system of government that preserves liberty by limiting government and including a defined role for judges. Three of America's Founders provide principles helping to define that judicial role. James Wilson signed the Declaration of Independence, helped draft the Constitution, and was one of the six original Supreme Court Justices appointed by President George Washington. He explained our system of government by saying that ''here, the people are the masters of the government.''

The second principle is from President Washington himself, who said in a farewell address, on behalf of our system of government, that the basis of our system of government is that authority to control the Constitution belongs to the people.

Alexander Hamilton served in the Continental Congress, helped draft the Constitution, and became the first Secretary of the Treasury. He wrote 51 of the 85 installments of the Federalist Papers, the single most important reference for understanding the Constitution. In Federalist No. 78, he wrote that the judiciary is the weakest and least dangerous branch because judges exercise judgment but not will.

These three principles outline the proper role for judges in our system of government. The people are the masters of government. They alone have the authority to control the Constitution, and judges may exercise judgment but not will. Our system of government and the liberty it makes possible requires judges who leave control of the law in the hands of the people.

The conflict over the appointment of judges is really a conflict over the power of judges—a conflict over whether this should still be the proper judicial job description. Those whose political agenda fares poorly with the American people and their elected representatives want a very different kind of judge. They want willful judges who will impose their political agenda by manipulating statutes or the Constitution.

This is the first dimension of the conflict over filling the Scalia vacancy. I have spoken and written extensively about how the Senate owes the President some deference regarding nominees who are qualified by both legal experience and judicial philosophy. Those considerations are relevant when the confirmation process takes place.

However, the second dimension in the conflict over filling the Scalia vacancy focuses on the process, rather than the nominee. When and how the nomination process should occur is rarely a question at all, but it is a serious one under the circumstances we face today. Ignoring the integrity of the process, acting as if the ends always justify the means, would be a serious dereliction of the Senate's duty.

The President has the constitutional power to nominate judges, but he cannot appoint them without the advice and consent of the Senate. However, the Constitution does not tell either the President or the Senate how to exercise their powers. Deciding when and how to conduct the confirmation process is as valid an exercise of the Senate's advice-and-consent power as is taking a final confirmation vote at the end of that process.

Our late colleague Daniel Patrick Moynihan of New York once said that everyone is entitled to his own opinion but not his own facts. The majority leader recently offered a similar axiom when he said that ''no matter how many times you tell a falsehood, it is still false.'' When it comes to falsehoods, Democrats and their liberal allies are telling some real whoppers. For example, the minority leader has said the Senate's obligation to hold a hearing and a floor vote for President Obama's nominee is ''in the Constitution.'' He has made that claim in different forms on the Senate floor more than 40 times.

I understand Democrats want the Senate to confirm the President's nominee to the Scalia vacancy, but I cannot understand why they would put all their eggs in this completely fictional basket. As falsehoods go, this one is especially easy to expose because the Constitution obviously says no such thing. This is why the Washington Post Fact Checker called the Democrats' claim that the Constitution requires Senate consideration a politically convenient fairytale.

One of the reasons the Constitution says nothing about Judiciary Committee hearings is that the committee was not created until 29 years after the Constitution was written. In fact, the committee's practice of nominees regularly appearing in public hearings did not begin until the 1960s. During the

110th Congress, Chairman PATRICK LEAHY denied a hearing to dozens of President George W. Bush's judicial nominees. If the minority leader is right that the Constitution requires such a hearing, then Chairman LEAHY was guilty of serially violating the Constitution.

Between 2003 and 2007, Senators PATRICK LEAHY, CHARLES SCHUMER, and RICHARD DURBIN voted dozens of times to deny floor votes to Republican judicial nominees. So did Senators HILLARY CLINTON, JOSEPH BIDEN, and JOHN KERRY. If the minority leader is right that the Constitution requires a floor vote on every nominee, then these Senators were guilty of deliberately attempting to violate the Constitution over and over again. So was the minority leader, himself, because he voted 25 times to deny the very floor votes that today he claims the Constitution requires.

The Constitution does not require committee hearings, and it does not require floor votes. The Constitution leaves to the Senate the judgment about when and how to conduct the confirmation process in each situation. Republicans have made that judgment by deciding that the confirmation process for filling the Scalia vacancy should be deferred until after the Presidential election season is over. We are following the recommendation of Vice President JOE BIDEN in 1992, when he chaired the Judiciary Committee. The circumstances compelling his recommendation to defer the confirmation process exist in equal or greater measure today.

Neither Democrats nor their leftwing allies have even attempted to argue that the 1992 Biden speech and his recommendation do not apply today. Instead, they have had three different reactions. First, some have simply dismissed it as not worth taking seriously. For example, President Obama responded by saying that ''we know Senators say stuff all the time.'' Others have complained that Republicans are misconstruing that speech or somehow taking it out of context. Just as anyone can test the minority leader's claim about the Constitution by reading the Constitution, however, they can test our discussion of Chairman Biden's 1992 speech by reading that speech—a rather long one indeed. The Washington Post read it, and reported this on February 23:

> Biden's remarks were especially pointed, voluminous and relevant to the current situation. Embedded in the roughly 20,000 words he delivered on the Senate floor were rebuttals to virtually every point Democrats have brought forth . . . to argue for the consideration of Obama's nominee.

In his 1992 speech, Chairman BIDEN addressed how the confirmation process should be conducted in two different scenarios. First, he spoke about a Supreme Court vacancy in a Presidential election year. This was his recommendation:

> It would be our pragmatic conclusion that once the political season is under way, and it is, action on a Supreme Court nomination must be put off until after the election campaign is over.

That was then-Senator BIDEN, chairman of the committee.

Second, Chairman BIDEN separately discussed how the confirmation process ''might be changed in the next administration, whether it is a Democrat or a Republican.'' He used the phrase ''the next administration'' no less than four times. This was his recommendation:

> If the President consults and cooperates with the Senate or moderates his selections absent consultation, then his nominees may enjoy my support. . . . But if he does not, as is the President's right, then I will oppose his future nominees as is my right.

Two separate scenarios, two separate recommendations. The first scenario involved a Supreme Court vacancy in a Presidential year like 1992, and the recommendation involved the entire appointment process. Those circumstances and that recommendation apply fully today.

The second scenario Chairman BIDEN addressed involved the next administration, outside a Presidential election year, and his recommendation involved his personal support or opposition. Those circumstances and that recommendation do not apply today.

I understand Chairman BIDEN's recommendation for deferring the confirmation process in a Presidential election year is a very inconvenient truth for his party today. However, the only ones misconstruing that speech today are those trying to create confusion where none exists by conflating these two separate scenarios and recommendations.

The third reaction to Chairman BIDEN's 1992 speech is to pretend that he said something he simply did not say. For example, I have heard the claim that Chairman BIDEN would have gone forward with the confirmation process in 1992 if the President consulted the Senate before choosing a nominee. Let me once again quote the minority leader. It is pretty clear: ''No matter how many times you tell a falsehood, it is still false.'' Read the speech. Chairman BIDEN said no such thing.

I also want to comment on the President's recent remarks at the University of Chicago on the Scalia vacancy. For example, he said that ''there has not been a circumstance in which a Republican President's appointee did not get a hearing.'' Of course, the Senate's power of advice and consent applies across the board. If the Constitution requires hearings and floor votes for some nominees, it requires them for all nominees.

Last month, the Congressional Research Service confirmed in a new memo that during the 102nd Congress, when Democrats controlled the Senate, 52—52—Republican judicial nominees never even got a hearing. Vice President BIDEN chaired the committee and denied those hearings. In September 1992, the New York Times reported on page 1 that this was part of a deliberate strategy to keep judicial vacancies open in the hope that Bill Clinton would be elected.

The President also said there has not been a circumstance when a Republican President's nominee did not get a floor vote. Obviously, none of the dozens of nominees denied a hearing ever got a floor vote. The 52 Republican judicial nominees I just mentioned were not only denied a hearing, they were never confirmed at all. When the President served in this body, he voted to deny floor votes to multiple Republican judicial nominees. In fact, he has the distinction of being the only President ever to have voted to filibuster a Supreme Court nominee. The President was a Senator during the 110th Congress, when Chairman LEAHY denied a hearing to dozens of Republican nominees. I could find no record that then-Senator Obama objected in any way that these nominees were being denied full consideration.

The President also said that the increasing use of the filibuster to defeat nominees is unacceptable. Democrats first used the filibuster to defeat a majority-supported judicial nominee in 2003. They are the ones who started this. They led nearly two dozens filibusters during the 108th Congress alone, preventing one appeals court nominee after another from being confirmed. President Obama should know this because, as I mentioned, he participated in and supported this filibuster campaign. The President should also know filibusters of judicial nominees declined by 65 percent after he took office in January 2009. That did not matter to Democrats who, in November of 2013, abolished the very filibusters they had used so aggressively.

The President also expressed concern that an increasingly partisan confirmation process would erode the judiciary's institutional integrity and that the American people would lose confidence that courts can fairly decide cases. I submit that the kind of judge a President advocates has a much bigger impact on the American people's view of the courts.

When he was a Senator, the President said judges decide cases based on their personal views, core concerns, and what is in their hearts. When he ran for President, he told Planned Parenthood that he would appoint judges who have empathy for certain groups. As President, he has nominated men and women who share this politicized, activist approach, believing that judges may make the Constitution conform to current social practices and evolving cultural norms. I think our fellow citizens can easily see that relying on personal empathy and personal concerns is the opposite of impartiality.

Since President Obama took office, the percentage of Americans disapproving of the way the Supreme Court is handling its job has risen by more than 20 points, and the percentage saying the Court is too liberal has

risen steadily. Three-quarters of Americans now believe Supreme Court Justices decide cases based on their personal or political views, even though most Americans think they should not do so. The kind of judge President Obama and other liberals favor has much more to do with such trends than how we handle some procedural matters within the United States Senate.

Finally, I want to respond to the minority leader's recent attack on the Judiciary Committee and its distinguished chairman, Senator GRASSLEY. The minority leader recently made the bizarre claim that Chairman GRASSLEY ''forced his committee members to sign loyalty oaths.'' I first thought I must have heard wrong. That statement is completely detached from reality, and, I thought, no Senator would utter something so strange on the Senate floor, but there it is in the CONGRESSIONAL RECORD.

The minority leader may be referring to the letter dated February 23, signed by the Republican members of the Judiciary Committee affirming that there will be no hearing for any nominee from President Obama for the Scalia vacancy. The chairman did not force anyone to sign anything. It may come as a surprise to the minority leader, but we sincerely and freely came to the conclusion that the confirmation process should be deferred.

If the minority leader really wants to characterize Senators acting together as evidence of a ''loyalty oath,'' then I have another example for everyone to consider. When Democrats led 20 filibusters of President George W. Bush's judicial nominees during the 108th Congress, not a single Democrat voted even once to end debate—not one. Every one of the 868 total votes for those filibusters was cast by a Democrat, 20 of them by the minority leader himself. Now, that is loyalty.

I have yet to hear an argument from the other side regarding the Scalia vacancy that is not contradicted by present facts, by their own past actions or both. The Constitution assigns to this body the responsibility of advice and consent as an important check on the President's power to appoint. Advice and consent begins with a judgment about the best way to exercise that power in each situation. We have done so in different ways, at different times, under different circumstances.

Democrats and their leftwing allies are peddling the false claim that the Constitution requires the Senate to conduct the confirmation process now for this President's nominee to the Scalia vacancy. Of course, they are free to claim the Constitution requires today the very hearings and floor votes they denied to Republican nominees in the past. They may say those falsehoods as often as they wish, but they are still false.

Mr. 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.

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.

NOMINATION OF ADAM SZUBIN

Ms. HEITKAMP. Mr. President, I rise today to remind everybody that today is the 1-year anniversary of Adam Szubin's nomination to a key Federal post that works to stop financing for terrorism; yet he still waits a confirmation vote in the full Senate.

Mr. Szubin, if you have met him—I think almost anyone would agree he is one of the most qualified people for this job to enforce U.S. sanctions on terrorism, finance laws against countries such as Syria, Iran, North Korea, as well as against terrorist organizations, narcotraffickers, and money launderers. The Senate needs to do its job by holding a vote on Mr. Szubin's nomination, as well as the nominations of so many other Federal nominees. We have to stop putting politics above national security.

Exactly 1 year ago today, Adam Szubin was nominated to serve as the U.S. Treasury Department's Under Secretary for Terrorism and Financial Crimes. For 1 year, Adam Szubin and his family have been waiting for a vote in the Senate—and his family. I think way too often when we delay votes, when we string out these nomination processes, we forget that it is not just the nominee, it is also the families of the nominees who are waiting for a final decision. Mr. Szubin received a vote in the Senate Banking Committee in March. Now the Senate needs to do its job and vote up or down on his confirmation.

I have a particular soft spot for Adam because I am convinced that he is one of the most intelligent people I have ever had in my office, and especially in this critical and important job. He has 15 years of experience countering the financing of terrorism in both Republican and Democratic administrations. During Mr. Szubin's confirmation in the Senate Banking Committee last September, Chairman SHELBY called Mr. Szubin eminently qualified.

If we are serious about enforcing sanctions against Iran and defeating terrorist organizations such as ISIL and Al Qaeda, we have to stop the financing of terrorism. That means we need Adam Szubin to be able to do his job at the U.S. Department of Treasury.

In January, I visited the Mideast on an official Senate trip with seven other Senators. We visited Saudi Arabia, Turkey, Israel, and Austria. The goal was to learn more about the ongoing threats posed by terrorist groups such as ISIL and the progress we have made to roll back Iran's nuclear program. We met with allies in the region to learn more about how to best prepare the United States to face these issues. This trip was about protecting the safety and well-being of our country.

During our meetings, the issue that came up over and over again was, how do we stop the financing of terrorism? We know that financing is the linchpin of a terrorist organization being able to do everything they do, threatening our country and threatening the world. For the United States to ably and effectively do that work, Adam Szubin needs to be confirmed to the job for which he has been recommended.

Some would say that it doesn't really matter, that Adam Szubin is still at the Department of the Treasury and we really don't need to do this. I think we need to look at, No. 1, what it means for the individuals and their families when we delay these confirmation votes. I am not saying—and Members on both sides of the aisle will have to make up their minds on how they are going to vote on that confirmation, but why is it that we can't even get a vote? Why is it that we can't even get our job done?

Here is a position which most people in this body would say is absolutely critical to the security of our country. If Adam Szubin isn't the right guy for the job, the right person for the job, then let's find that out—according to the advice and consent of this body—and nominate somebody else. But why are we holding back on this critical job against a nominee who I would tell you is eminently qualified? We should be so lucky as to have someone with his qualifications, his capability helping protect our country. Yet we ask him to wait. We ask other nominees to wait. We ask that they sit by the sidelines with their professional lives in limbo while we have political discussions here in the Senate.

Is this a political decision? It might be. You know what. Let's take the vote. Why is this so hard? Why is it so hard to actually put up a number of nominees, take the vote, make the decision, and move on? I think that as I and many of my colleagues spend a lot of time talking to young people, encouraging them to be involved in public service, encouraging them to be part of a system that really does benefit all the people of this country. We ask people to go into public service, and then, when they aspire and work to achieve some of the highest positions in our country, we say: Not only are we not going to consider your nomination, we are not going to vote on it even after it comes out of committee. That is not a formula that speaks well to our recruitment of the best and brightest to serve the American people.

A year later, Adam Szubin remains in limbo. His family remains in limbo. His confirmation remains in limbo. Please, let's just vote. There are plenty of votes probably on the other side to say ''We are not going to confirm you,'' but it is not right. It is not right. It is not fair to his family, it is not fair to him, and it is not fair to the people of this country to not have a confirmed

person in the position for which Adam Szubin has been nominated.

I hope we can take a look at all of these nominees, break this logjam, and eventually get folks put in positions that are essential for American security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, on behalf of the Senator from California and myself, I ask unanimous consent that the committee-reported substitute to H.R. 2028 be withdrawn and that amendment No. 3801 remain pending and be considered the committee-reported substitute amendment.

The PRESIDING OFFICER (Mr. TOOMEY). Is there objection?

Without objection, it is so ordered.

Mr. ALEXANDER. Mr. 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. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FLAKE). Without objection, it is so ordered.

PRESCRIPTION OPIOID ABUSE

Mr. TOOMEY. Mr. President, I rise this afternoon to talk about a huge problem that I am pretty sure is affecting every one of our States. It is certainly affecting my State in a very serious way, and the abuse of opioid painkillers often leads to the abuse of heroin, overdoses, and death. This is wreaking havoc all across Pennsylvania. It is affecting every geographic part of the State. It is in urban areas, suburban, and rural areas. It affects every demographic group and every age group. The scale of the problem is shocking. The increase in the number of people who are overdosing and becoming addicted is disturbing. I began hearing about this issue immediately when I became a Senator in 2011, and frankly this problem is getting worse.

I recently became the chairman of the Senate Finance Subcommittee on Health, and that has given me an opportunity to delve into this ever more deeply. We have had a series of hearings across Pennsylvania to get as much expertise as possible so we can learn about what is causing this and how we should deal with it. There are three areas that have come to my attention—three directions—that I think the Federal Government can pursue to help deal with this very complex and very widespread problem of opioid addiction. No. 1, we need to improve the access and quality of treatment for people who are addicted. There is no question that this is a very difficult disease to treat. There is so much we don't understand. We don't understand what predisposes someone to be more likely to develop an addiction. We don't understand the genetic implications. We know there are some behavioral issues, but we don't understand as much as we need to know about it. We do know there are often underlying mental health issues which contribute to this problem. Whatever these causes are, we need to learn more so we can treat and prevent them better, and we need to treat the people who currently find themselves in the very difficult situation of facing addiction. As I said, that is category No. 1.

There is another thing we can do in the Federal Government. We need to take steps to reduce the diversion of these powerful prescription narcotics to the black markets. In fact, prescription opioids are available on the street for a price. There is a market for them, and they contribute to the addiction problem we have. They don't get there because a burglar broke in and stole them from a pharmacy. That is not the typical way these narcotics get to the street. They get there because someone prescribed it and a prescription was filled. We need to look at ways to reduce that phenomenon.

I introduced legislation with Senator CASEY, my Pennsylvania colleague, Senator PORTMAN, Senator BROWN, and Senator KAINE. That legislation is designed to reduce the frequency and occurrence of prescription opioids finding their way into the black market. Our bill provides Medicare with a tool that Medicaid and private insurers have long had, and that tool is called Lock-In. When an insurer—in the case of our legislation it would be Medicare—discovers that a patient is doctor shopping, which is systematically going to multiple doctors and getting multiple prescriptions for opioids, filling them at multiple pharmacies, and ending up with a commercial scale quantity, our legislation would allow Medicare to lock that patient into a single prescriber and single pharmacy. Any person with a legitimate need can get that need met, but we can put an end to some of these very large quantities reaching the black market.

The good news is our legislation was offered as an amendment. Senator CASEY and I offered it as an amendment to the CARA legislation a few weeks ago. It was adopted by the Senate, and of course the underlying CARA legislation was passed by the Senate. I am hoping the House will take this up, pass it, and get it to the President, and I am confident he will sign it. That would be a big step in the right direction.

The third category of action that I think we need to consider are steps that would reduce overprescribing in the first place. One of the things I have learned from the many hearings I have had across Pennsylvania are doctors who have told and described to me a culture within medicine in recent decades which has put so much emphasis on eliminating all pain that doctors are tending to prescribe these opioids in far greater quantities than would have been imagined a couple of decades ago. That is an important piece.

I have raised questions about whether it is appropriate to use opioids to treat long-term chronic pain as opposed to short-term acute pain. That is another area we ought to be raising questions with health care professionals so they can help us understand so we have an answer. There is yet another way I think we can address this in the Senate, and that is an unintended consequence of ObamaCare—a provision in ObamaCare that I think is encouraging doctors to overprescribe opioids in the hospital setting. That is what I want to talk about today.

First, a little background on this. ObamaCare created a system that provides financial rewards to hospitals that perform well on certain outcomes, such as reducing readmissions and hospital-acquired infections, for instance. If they do badly in those areas, then they are penalized and get lower reimbursements. It is a financial set of incentives to get better outcomes. Those two examples I just mentioned, readmissions and hospital-acquired infections, are objective, measurable, quantifiable, and there is little doubt we want to see less of those things. You can argue that it makes sense to have financial incentives to deal with that.

ObamaCare also links reimbursement for hospitals to a much more subjective outcome separate and apart from the ones I just mentioned; that is, patient satisfaction as defined by the government. Specifically, the Federal Government mandates that hospitals survey their patients about their stay at a hospital using a form known as the Hospital Consumer Assessment of Health Care Providers and Systems, or HCAHPS. It is known as HCAHPS. That is the survey hospitals are required by ObamaCare to administer to their patients. Hospitals that have a higher score on this survey get more money and hospitals that have lower scores on this survey get less money. There is a roughly $500 million swing nationally across the country based on these personal patient satisfaction scores alone.

It is not just that the government is saying these scores are important, the government is making it financially important to these hospitals. This raises a question, and the question is, Is the hospital score on some bureaucrat's test always in the patient's best interest? It is not clear to me that it always is. There is no doubt that hospitals, physicians, nurses, and health care providers generally want to have satisfied patients. We all do. We want to be a satisfied patient when we go to see a doctor or go to a hospital. It is obviously a good thing if a patient has as good an experience as possible, but it is specifically the survey questions on pain management per se that are raising a lot of red flags and not just with me but with health care professionals and those who have been studying it. There was a recent Time magazine article entitled ''How ObamaCare is Fueling America's Opioid Epidemic.''

This article is a lengthy investigation into the unintended but as I said predictable consequences of this ObamaCare-created HCHAP survey and specifically the questions in the survey that relate to pain management and the prescription of opioids.

One of the questions from the study is: ''During this hospital stay, did you need medicine for pain?'' Second question: ''During this hospital stay, how often was your pain well controlled?'' Finally, during this hospital stay: ''How often did the hospital staff do everything they could to help you with your pain?''

These are the questions that patients respond to, and they contribute to the overall score on the test. The score on the test determines, in part, the level at which the hospital is reimbursed by Medicare. There is a very powerful financial incentive for hospitals to make sure that patients are answering these questions in a way that will get the desired response from CMS—from Medicare. They are graded on these questions. So it is a big incentive. When you tie the measurement of these kinds of questions to reimbursement, you are very likely to get changes in behavior. In fact, that seems to be what is happening.

I think we need to ask ourselves whether we are striking the appropriate balance here when 27,000 people are dying from heroin and prescription painkiller overdoses. Many of the people who are dying from heroin overdoses began with prescription opioids, and they moved on to heroin when they discovered that it was cheaper and more available than the prescription opioid that they got addicted to in the first place.

So there is increasing evidence now that physicians and hospitals are, in fact, responding to these financial incentives, and they are responding by prescribing more opioids.

Dr. Nick Sawyer, a health policy fellow at the UC Davis Department of Emergency Medicine told Time Magazine:

> The government is telling us we need to make sure a patient's pain is under control. It's hard to make them happy without a narcotic. This policy is leading to ongoing opioid abuse.

A survey by the South Carolina Medical Association found that almost half of over 150 doctors responding reported that they were prescribing inappropriate narcotic pain medication because of the patient satisfaction questions. One doctor wrote that drug seekers ''are well aware of the patient satisfaction scores and how they can use these threats and complaints to obtain narcotics.''

Here are two examples from a story entitled ''Patient Satisfaction is Overrated,'' published by the Pennsylvania Academy of Family Physicians, about Press Ganey, a company that administers patient satisfaction surveys that often include these HCAHPS questions.

One doctor reported that he had to give Dilaudid—and that is a powerful prescription opioid—for minor pain because his score on this test was too low in the previous month.

An emergency room doctor with poor survey scores started offering hydrocodone goody bags to discharged patients to improve his ratings.

Now, as I said, I have had multiple field hearings across Pennsylvania to hear firsthand from health care providers, recovering addicts, law enforcement—people who are dealing with this epidemic in a variety of ways. One of our witnesses in Pittsburgh last October was Dr. Jack Kabazie. He is the system director of Allegheny Health Network's Division of Pain Medicine. He testified: ''Physicians who have compensation or employment tied to patient satisfaction scores may feel pressured to prescribe opioids in response to patient pain complaints.''

Another ER doctor told my office how his hospital administrator informed him that the ER patient satisfaction scores are in the 50th percentile—or average—and that he should find a way to get them higher or ''I'll find someone who can.''

This is a big concern. There is a range of evidence that doctors and hospitals have been changing their prescribing habits in response to these pain questions.

Now, let me be clear about one thing. None of us wants to see anyone needlessly suffer. None of us wants to themselves go through pain that is unnecessary. None of us want to see a loved one or anybody experiencing pain if it could be appropriately managed. For the terminally ill, of course, it makes sense to do everything possible to make those folks as comfortable as they can be in their final days. But what I am asking is this: Are we appropriately weighing the risks and the benefits here?

Sure, there is a benefit to complete and immediate elimination of all pain that a powerful narcotic can temporarily provide, but we know that there is also a risk of addiction to that narcotic. That risk is very significant, and it has increased exponentially. That addiction is incredibly dangerous because it can spiral out of control and even lead to heroin abuse, addiction, and death.

Have we gone too far in creating an expectation that the results for every patient must be zero pain? Or are there some circumstances in which it is better to treat pain as best we can with nonnarcotics—other ways or other medicines? There are other treatments, including physical therapy. There are other ways to diminish pain. It may not be 100 percent effective all the time, but if it is temporary and it has zero risk of opioid addiction, then maybe we ought to be considering that a little more frequently.

So this is definitely a complicated issue. There are many factors contributing to the heroin epidemic, the opioid epidemic. But it is increasingly looking like one of the contributing factors at some level is the financial incentives created by this aspect of ObamaCare, this particular questionnaire that focuses significantly on complete elimination of pain. I think we need to ask ourselves whether this is appropriate.

Last week, the group Physicians for Responsible Opioid Prescribing sent a petition signed by more than 60 nonprofit groups and medical experts—including Pennsylvania's Department of Health Secretary Karen Murphy—to CMS, calling for the removal of the pain questions from the HCAHPS survey. Now, that is one approach.

Senator JOHNSON from Wisconsin has introduced a bipartisan bill that has a lot of merit. His bill is called the Promoting Responsible Opioid Prescribing Act. What his bill does is it removes the results of the pain questions from Medicare's calculations of reimbursement. So the questions would still be asked, and we would still learn about how patients feel about the extent to which their pain was managed. But it wouldn't affect the hospital's reimbursement. I think there is a lot of merit for that proposal. Again, it is because we are in the midst of a deadly crisis. It is killing people every day.

The impact of opioid addiction and heroin addiction and overdose on a family is so devastating. I can only imagine the grief, but I know people who have been through the grief of losing a child, losing a loved one to this terrible scourge. That is why I am here on the Senate floor today. That is why I want to continue to focus on this.

I think there are many things that we need to consider, but one of them is decoupling the results of these pain questions from the level of reimbursement, because the evidence is starting to mount that the financial tie is creating incentives to change behavior.

So I hope we will, as a body, address this issue seriously, because there is a lot that needs to be done on this.

I appreciate the recognition, and I yield the floor.

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. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, the faces and voices of the opioid and heroin epidemic are all around us. The victims and survivors are everywhere, in Connecticut and across the country.

Just this past weekend, one of them perished. A young woman, Erikka Lyn Hughes, was found unconscious in her boyfriend's apartment, later dying from a heroin overdose. Erikka was only 21 years old. She had her whole life ahead of her, and her future was destroyed as a result of this epidemic.

Her family, bravely and strongly, has chosen to speak out and stand up in the midst of their shock and grief to say that they hope that Erikka's story will inspire action to combat this epidemic of overdose and addiction.

Rampant opioid overdose and abuse and misuse in our country has reached epidemic proportions, and it shows no signs of slowing. In Connecticut, I have seen these stories firsthand. This public health hurricane has swept our State and our Nation, crashing down on the lives of families and innocent people, much as a natural disaster would destroy homes or landscapes, leaving a path of pain, heartbreak, and addiction in its wake.

The numbers in Connecticut are as shocking as they are tragic. Last year in my State, a record number of people—nearly 700—died from opioid overdoses. Sadly, this number is abstract, but it reflects a disheartening trend that has led to a 75-percent increase in prescription drug overdoses in Connecticut since 2012. I have heard stories, seen faces, and heard voices firsthand in roundtables that I conducted around the State of Connecticut—nine in all—involving public health experts, doctors, specialists, public officials, law enforcement, and—maybe most movingly and profoundly—recovering addicts and their families.

I heard from parents who have buried children far too young. I heard from first responders whose quick action saved lives using Narcan. I heard from doctors who understand that change is needed to prevent this disease from spreading further and from families and professionals from Torrington and Rocky Hill, Willimantic and Wethersfield, Bridgeport and New London, New Britain and New Haven—across our State—people who came forward to break the silence and defeat the denial that is one of our greatest enemies in this fight against opioid addiction and abuse.

This problem knows no boundaries and no distinctions in income, race, religion, ZIP Code. It afflicts and affects everyone everywhere, and that is the beginning truth to solve the problem.

I heard heartbreaking stories from a woman who lost both of her sons to addiction. The sobering conversations I had with her family and others, while not always easy, were absolutely crucial to my understanding how widespread and pervasive this problem is. What I heard from them and what I believe is necessary is a call to action. It is more than an effort to honor the legacy of Connecticut citizens who were lost last year—mothers, fathers, daughters, sons, sisters, and brothers—but to teach every one of us to reach those who are still fighting their own private battle against this disease.

Make no mistake. It is a disease. It is every bit a disease—as much as any we have discussed on this floor—requiring research and action and urgent and drastic steps that we can and must provide because it is demeaning and reducing our Nation's fabric. It goes to the core of America.

These conversations led me to do a report. I was inspired by the loved ones and families who have lost the most to do a call to action. It is called ''Opioid Addiction: A Call to Action,'' and it has 23 specific and definite recommendations. Some require funding, but others are without fiscal impact. I hope to discuss them at length in a series of speeches on the floor and not to leave this issue at one talk, one speech, one remark, but to talk about it continuously, as we all should be doing in our communities, because, again, denial and silence are the enemies here.

This report outlines 23 policy proposals focused on curing our Nation's addiction to opioids. The proposals are all grassroots, community-based solutions suggested by people who have firsthand knowledge. They are experts—maybe not in academic training, maybe without Ph.D.s and qualifications based on formal studies, but they know this pervasive problem. They have seen it firsthand, and they have observed the wreckage and destruction that opioid addiction causes. They cannot bring back the lives of their loved ones, but they are determined that others will be spared this hurricane's effects.

These proposals, which touch on prescribing practices, adequate treatment, emergency medical response, law enforcement, and help for our veterans, have the common goal of ending this crisis. They are a response to the most pressing issues I heard throughout our conversations. While none is a panacea, none is a single bullet, all of them together are the beginning of a long process that must be undertaken toward curbing this epidemic.

A place to start is with our prescribing practices, which is where misuse and abuse so often begin. Our Nation makes up 5 percent of the world's population; we use 80 percent of its opioid painkillers. In 2012, doctors wrote 259 million prescriptions for painkillers, enough for every American adult to have a bottle of these controlled substances for themselves.

Many of us have children. My wife Cynthia and I have four. Every one of them plays sports and every one of them has suffered sports injuries. Most of them could have availed themselves of these painkillers. We drew the line and said no. Other parents should be doing the same, but more importantly, the providers should be exercising greater discipline and self-restraint because every one of those bottles, even if prescribed for legitimate injuries such as broken bones, repaired LCLs, and other kinds of injuries, is potentially a risk.

Just last week a couple in Connecticut was arrested for selling painkillers out of their home. For 2 years they collected 1,400 powerful painkillers from their local pharmacy, abusing their own prescriptions in the process. In the pharmacy that got them arrested, the couple picked up 300 oxycodone and 140 oxymorphone tablets. This flagrant abuse of the system should not be possible in our State or any others.

There are legitimate reasons for painkillers to be prescribed, especially in chronic pain or end-of-life situations. There is no need to deprive people of those painkillers when they need them for those inevitable reasons, but my call to action outlines steps to confront this issue where it can be addressed so as to minimize the risk of abuse or misuse or overuse, especially when young people such as our children are involved.

It would mandate training for medical professionals to reduce opioid overprescribing. It would call for drug enforcement agency guidelines for partial fills of these prescription opioids, meaning fewer of these prescription drugs would make it onto our streets.

Of course, reducing prescriptions can't be the only answer, particularly when so many who need care go without it. My report also seeks to improve treatment options, calling for meaningful mental health parity, implementation of the law requiring it, and much more vigorous and effective enforcement to ensure that people who need help actually receive it. This step includes access to medication-assisted therapy that can prove essential to the recovery process.

We can do more to guarantee that Naloxone, a powerful antidote to heroin overdose, remains both affordable and successful. This means holding manufacturers accountable when they begin raising prices to astronomic levels. The prices have been skyrocketing. Local police and firefighters are often unable to afford it in their current budgets. It means also pushing for elimination of copays when it is prescribed at pharmacies. Insurance ought to cover it. It also means that the Federal Government must do its part and increase funding for Narcan so that cash-strapped first responders can actually afford it to save lives.

Our law enforcement officials require both the training and resources needed to keep our streets safe and our communities healthy and drug-free. That means funding to establish prescription drug monitoring programs—effective programs to facilitate training so that police officers can recognize when suspected criminals are actually people struggling with addiction and to assist drug take-back programs throughout our States and Nation that allow the return of unused prescription drugs.

Finally, in my role as ranking member on the Senate Veterans Affairs Committee, I have encouraged the establishment of more consistent and safe VA prescribing practices and the creation of an integrated service model for mental health and pain management.

I am pleased that the Senate raised this issue and addressed it and passed

the Comprehensive Addiction and Recovery Act earlier this year, but that measure is a downpayment. It is only the beginning. I hope policy levels at all levels of government will draw on the strategies delineated in this legislation and in my report and elsewhere to combat the devastating epidemic of addiction and abuse.

Passing new laws is not the only answer. Enforcement and implementation of existing ones is necessary too. The prime example is mental health care, where still, years after President Bush signed that measure in 2008, its implementation is inconsistent and inadequate, and enforcement of mental health parity remains an aspiration, not an action. Part of what we need to do is make sure that existing laws are implemented effectively and fairly and that the investment is made in commonsense, practical measures like the 23 recommendations I have outlined in this report—by no means an exclusive way to deal with this problem.

I have no pride of authorship in these 23 recommendations. I would yield to wiser and better suggestions, but the point is that action is necessary. It is necessary now because every day we lose lives. Despite the best efforts of our first responders and our medical community, we continue to lose lives and futures, and our families continue the grief and heartbreak that I saw in my roundtables and that families in Connecticut feel today.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

PUERTO RICO

Mr. RUBIO. Mr. President, I want to speak today about the fiscal crisis that faces Puerto Rico. In addition to some thoughts on what the island's own leaders need to do, I would like to commend the House leadership for their efforts to solve this problem with the recent bill they proposed. We need to take a close look at their proposed solutions, but they are right to tackle this problem head-on, and I look forward to offering more ideas as the debate reaches the Senate.

Whenever I speak about Puerto Rico, I like to start by reminding people of a very basic fact: The people of Puerto Rico are American citizens and right now they are living in dire economic conditions. More than 3.5 million of our fellow Americans on the island are facing tremendous economic hardship, in large part because of irresponsible leadership from the government in San Juan.

As we all know, Puerto Rico has a debt crisis of enormous proportions, and it has thrown off the stability of its economy from top to bottom. While some have suggested that Washington can deliver a silver-bullet solution to help Puerto Rico out of its debt, the reality is that nothing Washington does will be effective unless Puerto Rico's leaders turn away from decades of failed policies.

The debt crisis goes hand in hand with a deeper problem: Puerto Rico's economy is not growing, and if the economy in Puerto Rico does not start growing, they will never generate the revenue necessary to pay their debt or the billions of dollars in unfunded liabilities they currently have on their books; in other words, the promised payments they have made to future generations that are completely unrealistic.

Why is their economy not growing? The primary reason is decades of left-leaning policies that have made it too expensive to do business. Tax revenue is too high. Government regulations are stifling. The island is unattractive to investors. Their leadership has simply been irresponsible. This year alone, even with all the fiscal problems they are having, they barely reduced their budget from last year. In that sense, the problem in Puerto Rico is not unlike the problem we have here in Washington, DC. Puerto Rico's government is spending more than it takes in, and any time you spend more than you take in, you are going to have debt. No restructuring is going to solve that unless you restructure the way you spend money. Bankruptcy protection alone is not going to solve it either. Without reforms, if we grant bankruptcy protection by itself, Puerto Rico will simply be bankrupt again not far down the road.

As a result of all of these problems, there is a massive exodus of professionals and others from Puerto Rico. They are leaving and heading to Florida and other places in the mainland United States. If we don't solve the problem on the island, we are going to continue seeing thousands of Puerto Ricans leave, which is going to further cripple the island's economy and reduce its revenue.

The leadership in San Juan has to show its willingness to get their fiscal house in order. They need to accept that their decades of liberal policies have not succeeded and must now be traded in for pro-growth policies. If they keep refusing to do this, our options in Washington will be more limited and we won't have support.

To help Puerto Rico, first and foremost, we need to do the same things that are necessary to help the rest of the United States. We need pro-growth and pro-family tax reform at the Federal level. We also need to repeal and replace ObamaCare so we can end the disproportionate damage the Obama administration has inflicted on the island by raiding its Medicare Advantage funding and reducing reimbursement payments for Medicare, which have left patients with fewer health options and higher costs.

Puerto Rican consumers need to be treated the same as other American consumers on the mainland.

It may be that the best path forward for Puerto Rico would be at some point to include a limited opportunity to restructure its debt, but that will require a serious discussion first to ensure that the solution is responsible and fair to creditors as well. Any mechanism for debt restructuring must be a last resort. It must come after Puerto Rican leaders have shown seriousness, initiative, and courage in tackling the problem, and it cannot be seen as the silver bullet that leaves the creation of conditions for economic growth by the wayside. Otherwise, protection will only amount to a cosmetic solution that does nothing to deal with the underlying disease.

In closing, the problem must be addressed for the sake of the people of Puerto Rico. While there is a significant amount of responsibility on the shoulders of the government on the island, we cannot ignore that crisis here either. We, too, have a responsibility to our follow Americans who live on the island of Puerto Rico to tackle this issue with the same urgency and the same attention we would if this fiscal crisis were confronting one of our 50 States.

I hope we will take up this calling and act. I again congratulate the leadership in the House for trying to do something. We hope they will continue that work to arrive at something that can pass there. But I think it is important for us to take up the cause here as well.

For over a century, Puerto Ricans have contributed to our economy, enriched our culture, and nobly sacrificed in our wars. Puerto Ricans are Americans. They deserve better than indifferent leadership in Washington and atrocious Big Government mismanagement in San Juan. Puerto Rico's leaders must answer the challenge, but by taking some of the steps outlined here, leaders in Washington can and must do their part as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY READINESS

Mr. MCCAIN. Mr. President, last week a story appeared on FOX News that captured a glimpse of the real damage being done to our military by years of senseless budget cuts known to many of us here as sequestration. I don't think there are 100 Americans who know what the word ''sequestration'' means. What it means is senseless budget cuts that have emasculated our military and dramatically harmed our ability to defend this Nation. This poses a risk to the lives of the men and women who are serving our Nation in uniform.

In a story entitled ''Budget cuts leaving Marine Corps aircraft grounded,'' senior marine officers warn FOX News that the ''[Marine] Corps' aviation service is being stretched to the breaking point.''

I quote from the story:

Today, the vast majority of Marine Corps aircraft can't fly. . . . Out of 276 F/A–18 Hornet strike fighters in the Marine Corps inventory, only about 30 percent are ready to fly. Similarly only 42 of 147 heavy-lift CH–53E Super Stallion helicopters are airworthy.

In short, Marine Corps aviation is in a crisis and being left grounded. What is the cause of this crisis? According to dozens of marines interviewed by FOX News:

The reason behind the grounding of these aircraft includes the toll of the long wars in Afghanistan and Iraq, the fight against ISIS, and budget cuts—

For example, sequestration—

precluding the purchase of the parts needed to fix an aging fleet.

The report goes on to say:

U.S. military spending declined from $691 billion to $560 billion in 2015.

So, as the world has become more dangerous, as conflict has spread throughout the world, the cuts have taken place in an unscheduled, unplanned, and unorchestrated operation.

The cuts came just as the planes are returning from 15 years of war, suffering from overuse and extreme wear and tear. . . . Lack of funds has forced the Marines to go outside the normal supply chain to procure desperately needed parts. Cannibalization, or taking parts from one multi-million dollar aircraft to get other multi-million dollar aircraft airborne, has become the norm.

One marine likened the difficult job of maintaining this aircraft to ''taking a 1995 Cadillac and trying to make it a Ferrari.''

This job is only more difficult because 30,000 marines have been cut from the force as a result of sequestration and its misguided budget cuts. As Maj. Michael Malone put it:

We don't have enough Marines to do the added work efficiently. We're making it a lot harder on the young Marines who are fixing our aircraft.

Lt. Col. Matthew Brown added that this burden ''is coming on the backs of our young Marines. . . . They are the ones who are working 20 to 21 hours a day to get them ready to go on deployment.''

The Commandant of the Marine Corps, Gen. Robert Neller said, ''we don't have enough airplanes that we could call 'ready basic aircraft,' '' and that aviation readiness is his No. 1 concern. It is no wonder, because this readiness crisis is literally putting the lives of our marines at risk.

Lt. Col. Harry Thomas commands a squadron of Marine Corps F/A–18s. He told FOX News that last year he deployed to the Pacific with 10 jets, but only 7 made it. His own jet caught on fire in Guam. Lieutenant Colonel Thomas was able to land the aircraft safely, but the incident nearly cost taxpayers $29 million and Lieutenant Colonel Thomas his life. Now his squadron is getting ready to deploy in 3 months, but only 2 of his 14 Hornets can fly.

The aircraft shortage also means training is suffering and our pilots could be losing their edge. As the FOX News report details:

Ten years ago, Marine pilots averaged between 25 and 30 hours in the air each month. Today, in Lieutenant Colonel Thomas's squadron, the average flight time per pilot over the last month was just over 4 hours.''

I assure my colleagues, you cannot maintain readiness and capability in a modern-day fighter aircraft flying 4 hours a month. It can't be done.

Super Stallion helicopters have flown thousands of marines into combat over the past three decades, but these aging aircraft, filled with a tangled web of hundreds of wires and fuel lines, present a daunting challenge for young marines assigned to inspect each and every one. As the FOX News report explained, ''One failure can be catastrophic, as happened in 2014 when [a Navy version of the aircraft] crashed off the coast of Virginia after a fire engulfed the aircraft due to faulty fuel lines.''

The bottom line is this: Years of budget cuts have left us with a Marine Corps that is too small and has too few aircraft. The aircraft it does have are too old and can barely fly and only by cannibalizing parts from other aircraft. Young marines are being asked to muddle through this crisis with shrinking resources, knowing that if they fail, their comrades flying and riding in those aircraft could pay a fatal price.

The crisis in Marine Corps aviation would be shocking if it were not such a tragically common story throughout each of our military services. Arbitrary budget cuts and sequestration have shrunk the Army by nearly 100,000 soldiers since 2012, bringing the Army to a size that Army Chief of Staff GEN Mark Milley testified has put the Army at ''high military risk.''

These budget-driven reductions were decided before Russia's invasion of Ukraine and the rise of ISIL. As the force has shrunk, readiness has suffered. Just one-third of Army brigade combat teams are ready to deploy and operate decisively. Indeed, just 2—just 2—of the Army's 60 brigade combat teams are at the highest level of combat readiness.

To buy readiness today, as lackluster as it is, the Army is being forced to mortgage its future readiness and capability by reducing end strength and delaying modernization needed to meet future threats.

The result of budget cuts, forced reductions, and declining readiness is clear: In an unforeseen contingency, General Milley testified this month before the Armed Services Committee that the Army ''risks not having ready forces available to provide flexible options to our national leadership . . . and most importantly, [risks] incurring significantly increased U.S. casualties.

I repeat: ''significantly increased U.S. casualties.''

Likewise, by any measure, the Navy's fleet of 272 ships is too small to address critical security challenges. Even with recent shipbuilding increases, the Navy will not achieve its requirement of 308 ships until 2021. There is no plan to meet the bipartisan National Defense Panel's unanimous recommendation for a fleet of 325 to 346 ships.

A shrinking fleet operating at high tempo has forced difficult tradeoffs. For example, the last five carrier strike group deployments have exceeded 8 months. Keeping sailors at sea for 8 months is damaging to morale and will sooner or later affect retention. It takes a toll on sailors, ships, and aircraft.

Unable to continue years of deferred maintenance, the Navy is no longer able to provide constant carrier presence in the Middle East or the Western Pacific.

The Air Force is the oldest and the smallest in its history. The combination of decades of relentless operational tempo and misguided reductions in defense spending in recent years has depleted readiness. Today, less than 50 percent of the Air Force's combat squadrons are ready for full-spectrum operations—well below the Air Force's stated requirement of 80 percent. The Air Force does not anticipate a return to full-spectrum readiness for another decade. In other words, after flying in uncontested skies over the Middle East for more than a quarter of a century, our Air Force is not ready for a high-end fight against a near-peer adversary.

The truth is this: The ongoing war in Afghanistan, the rise of ISIL, Russia's aggression in Europe, and China's assertiveness in the Pacific have all increased the demands imposed upon our servicemembers and their families. But at the same time, the requirements of our military have continued to grow.

For 5 years—5 years now—the Budget Control Act of 2011 has imposed caps on defense spending. Despite periodic relief from those caps, including the Bipartisan Budget Act passed last year, every one of our military services—the Army, the Navy, the Air Force, and, yes, the Marine Corps—remains undersized, unready, and underfunded to meet current and future threats.

Unfortunately, the President's defense budget request for the coming year does little to nothing to address this problem. Instead, it continues down the dangerous path of budgeting based not on what our military needs but on what arbitrary defense spending constraints allow. In order to strictly adhere to the defense spending floor in last year's Bipartisan Budget Act, the Department of Defense cut $17 billion from what it said it needed last year.

Does anybody believe the situation in the world has improved to the point where you can reduce by $17 billion from what we paid last year, what we spent last year? Those are billions of dollars of cuts for things our military needs right now: Army helicopters, Air Force fighters, Navy ships, Marine Corps fighting vehicles, and critical training and maintenance across the services.

The former Chairman of the Joint Chiefs of Staff, GEN Martin Dempsey, described last year's budget as ''the lower ragged edge of manageable risk in our ability to execute the defense strategy.''

One year later, the President of the United States has sent us a budget request that is less in real dollars than last year and $17 billion less than what our military needed and planned for. The military service's unfunded requirements totaled nearly $23 billion for the coming fiscal year alone. Meanwhile, sequestration threatens to return in 2018, taking away another $100 billion from our military through 2021.

I don't know what lies beneath ''the lower ragged edge of manageable risk,'' but this is what I fear it means; that our military is becoming less and less able to deter conflict. If, God forbid, deterrence does fail somewhere and we end up in conflict, our Nation will deploy young Americans into battle without sufficient training or equipment to fight a war that will take longer, be larger, cost more, and ultimately claim more young American lives than it would otherwise would have.

If that comes to pass, who will be responsible, who is responsible for the military's readiness crisis? Who is to blame for the increasing risk to the lives of the men and women who volunteer to serve and defend our Nation? The answer is clear: We are—the White House, Congress, Democrats, and Republicans, every politician who designed, agreed to or went along with the Budget Control Act and the mindless mechanism of sequestration, and every politician who in the past 5 years has failed to realize our mistake or, perhaps having realized it, failed to do anything and everything possible to fix it.

What is worse is the two-faced hypocrisy of it all: Democrats who will say they favor more funding for our military but only if they get dollar-for-dollar increases for their pet domestic programs first and Republicans who say they favor a strong defense, but when it comes time to do the hard work of funding it, are nowhere to be found.

For 5 years, we have been playing politics with funding that our military servicemembers need and deserve. For 5 years, we have been playing a rigged game, where the politicians win and our military loses.

This must all end before it is too late. We cannot continue to avert our eyes and ignore the grave impact budget cuts are having on our military. The warning signs are clear: a marine aircraft that can't fly, pilots who can't train, and young marines trying to hold it all together by stealing parts from one aging airplane to give to another.

The potential consequences are clear. Our Nation could soon find itself in a position where it must either abandon an important national interest or send young Americans into a conflict for which they are not prepared.

This is the reality our soldiers, sailors, airmen, and marines are facing. It is our urgent and solemn task to confront it. This Congress can begin to chart a better course, one that is worthy of the service and sacrifice of those who volunteer to put themselves in harm's way on our behalf.

I am committed to doing everything I can as chairman of the Armed Services Committee to accomplish this task, and I will work with any of my colleagues to find a solution. Despite the odds, I am ever hopeful we can live up to our highest constitutional duty and moral responsibility to provide for the common defense.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I rise to thank the Senator from Arizona for his comments.

One of the advantages of having a full appropriations process is it puts the spotlight on the money we spend. I am asking to put this chart where the Senator from Arizona can see it.

We will be debating 12 appropriations bills hopefully in the next few weeks. This is the first one. It is $37.5 billion. A little more than half of it is defense spending—our weapons, plutonium enrichment, and necessary things for our country—but all of the spending we are talking about in these 12 bills adds up to $1 trillion.

The Federal spending for this year is $4 trillion. The money the distinguished Senator from Arizona, Mr. MCCAIN, was talking about is our defense money. It is down here on this blue line. It is in the trillion dollars. It is nearly half of that. As we look back since 2008, this blue line has stayed level. Over the next 10 years it is projected to rise at about the level of the rate of inflation.

At the same time, this line, which is the $3 trillion line—mandatory spending, entitlements, all that—is going up. After about 10 years, the end result will be that this will go from about 32 percent of our total spending to about 22 percent. What is that going to do to our defense spending?

We have strong speeches made sometimes about let's get the spending under control, but on both sides of the aisle there is not a lot of courage shown when it comes to this red line because this is Medicare, Medicaid, Social Security, entitlements, and other benefits. It is squeezing out not only our national defense but our cancer research and the other things we need to do as a country.

It is important over these next few weeks that we use this as an occasion on both sides of the aisle to recognize what we are doing with money. No one can say this is part of the budget problem. In fact, we have just heard an eloquent speech from the Senator from Arizona, who said we have not spent enough to defend ourselves in an unsafe world. Nobody is doing anything about this.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. ALEXANDER. Of course.

Mr. MCCAIN. Is the interest on the national debt included in that red line?

Mr. ALEXANDER. The answer to the Senator from Arizona is, no, it is not. In fact, if it were, this line would be higher. So it is this line plus the interest on the debt.

Mr. MCCAIN. Obviously, it makes it much more compelling. Obviously, that all would be moved one way or another. Obviously, it is going to go up, but a return to inflation would dramatically increase that red line, would it not?

Mr. ALEXANDER. Yes, it would.

Mr. MCCAIN. I thank the Senator.

Mr. ALEXANDER. I thank the Senator from Arizona.

I have heard there might be an effort to commit our bill back to the committee in order to reduce spending to a lower level. If we do that, someone needs to say which division needs to lose troops, which country do we not want to defend, which airplane do we not want to fly, and which pilot do we not want to train.

We are talking about real decisions, and we are talking about not setting priorities. I don't think most of the American people know that when we talk about the Federal debt, it is not national defense that is driving up the Federal debt. It is in the blue line. It is our unwillingness on both sides of the aisle to confront this.

One statistic that I was reminded of by my colleague the Senator from Tennessee is an American family today—think of an average age couple, 50 years of age, would pay about $140,000 into Medicare. They will get back about $430,000 in Medicare. We can understand how people who pay into Medicare would want to get their Medicare back, but we can also understand how that is not a sustainable program, and I think all of us as Americans can see that.

One of the things I hope we do over the next several weeks is talk honestly about that problem. We are not solving that problem in this debate. We are talking about this $1 trillion. What are we going to do about the other $3 trillion that adds to our $19 trillion debt? Thank you.

I yield the floor.

Mr. 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.

Mrs. ERNST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. ERNST. Mr. President, my amendment is pretty straightforward.

It eliminates duplicative and wasteful spending. It eliminates $200 million from the Appalachian Regional Commission, the Delta Regional Authority, the Denali Commission, and the Northern Border Regional Commission.

These entities have a mission to provide ''strategic investments'' for economic development, broadband deployment, infrastructure improvements, and housing. You name it; there is funding for it. That is laudable, but there are already several Federal, State, and local programs that fund these types of projects.

What is worse is that a quick look at some of the grants awarded from these entities show questionable choices: Should $100,000 be awarded to the Lake Placid Ski Club to build ski jumps? Should $125,000 be awarded for a Chinese medicine herb growers consortium? Should $250,000 be awarded to a tribe in Maine to build a maple processing facility—after it was awarded about $100,000 from USDA to launch maple syrup ventures? This is through the Federal Government. I don't believe so.

I ask us to support my amendment and stop such duplicative and wasteful spending.

Mr. 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. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I understand that it is likely that we will shortly be considering Ernst amendment No. 3803, eliminating funding for the Appalachian Regional Commission, the Delta Regional Authority, the Denali Commission, and the Northern Border Regional Commission. I want to talk about the Appalachian Regional Commission. I know a little bit about this.

The western part of my State, known as Mountain Maryland, is a beautiful part of Maryland. I visit there frequently. There are not a lot of people, and it is certainly a hearty life. It is not easy. It is not easy to attract business to the western rural part of Maryland. These people work hard, and they are preserving a way of life in an economy that is critically important to the State of Maryland.

The Appalachian Regional Commission is absolutely essential for the economic growth of western Maryland. The Appalachian region is a region of a proud history, and we have given them a future. The Ernst amendment would take away one of the most important tools towards their future.

Let me just mention a few things about the Appalachian Regional Commission and the projects they fund on an annual basis.

Mr. ALEXANDER. Mr. President, will the Senator yield for a unanimous consent request so we can call the amendments up?

Mr. CARDIN. I am glad to yield to the Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from Maryland.

AMENDMENTS NOS. 3802 AND 3803 TO AMENDMENT NO. 3801

Mr. ALEXANDER. Mr. President, I ask unanimous consent, on behalf of Senator FEINSTEIN and myself, that the following amendments be called up and reported by number: 3802, Schatz; and 3803, Ernst; further, that at 4:55 p.m. on Wednesday, April 20—today—the Senate vote in relation to the amendments in the order listed and that no second degree amendments be in order to either of the amendments prior to the votes, and that there be 2 minutes, equally divided, prior to each vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for others, proposes amendments numbered 3802 and 3803 to amendment No. 3801.

The amendments are as follows:

AMENDMENT NO. 3802

(Purpose: To modify funding for certain projects of the Department of Energy)

On page 28, line 16, strike ''$292,669,000'' and insert ''$325,000,000''.

On page 46, between lines 14 and 15, insert the following:

(4) ''Energy Program—Title 17 Innovative Technology Loan Guarantee Program'', $9,500,000.

(5) ''Energy Program—Energy Efficiency and Renewable Energy'', $20,600,000.

(6) ''Energy Program—Nuclear Energy'', $231,000.

(7) ''Energy Program—Strategic Petroleum Reserve'', $150,000.

(8) ''Energy Program—Naval Petroleum and Oil Shale Reserves'', $150,000.

(9) ''Energy Program—Science'', $1,700,000.

AMENDMENT NO. 3803

(Purpose: To eliminate funding for the Appalachian Regional Commission, the Delta Regional Authority, the Denali Commission, and the Northern Border Regional Commission)

On page 53, strike lines 3 through 12.

Beginning on page 53, strike line 20 and all that follows through page 55, line 8.

Mr. ALEXANDER. Mr. President, I thank the Senator from Maryland for allowing me to interrupt his comments.

Mr. CARDIN. Mr. President, I am glad to see we have the ability to vote on a couple of amendments. I am glad I was able to accommodate and yield the floor. If I might, let me continue.

AMENDMENT NO. 3803

Now that the Ernst amendment is going to be voted on in a few moments, I urge my colleagues to reject that amendment. The Appalachian Regional Commission approves funding for more than 400 projects annually throughout this 13–State region.

As I was saying, the western part of our State—in order for them to be able to have a viable economy, to have a valuable future, they need help on economic opportunities. They need help in improving health care.

The Appalachian Regional Commission has helped the communities of Western Maryland improve health care. The ARC funding was used for the Garrett County Hospital telehealth initiative to enhance community health care.

Just by happenstance, the CEO of Garrett County Hospital was in my office yesterday. That is a hospital located in Oakland, MD. For those who are not familiar with where Oakland, MD, is, it is on the border with West Virginia. It is not too far from Pennsylvania in the western part of Maryland.

People who use the Garrett County Hospital come from West Virginia and they come from Maryland. It provides hospital service in a rural area that otherwise would not be there. But for the type of help they get through the Appalachian Regional Commission, it is difficult to see how they could perform the quality access to affordable health care that is absolutely essential for the economic growth of Mountain Maryland, for the Appalachian region.

Appalachian Regional Commission funding was used for phase III of the last-mile wireless broadband network so that they could have high-speed broadband access in the western part of Maryland. I know the Presiding Officer and my colleagues know that if you don't have broadband, it is difficult to see how you can attract industry. The Appalachian Regional Commission has been critically important in making sure we can effectively provide high-speed access to the western part of our State.

ARC grants have also been used to assess the impacts of energy production and consumption on our economy and the environment. ARC funding was used for the ''Garrett County Marcellus Shale Impact Study,'' which assessed the impact of hydraulic fracturing on the economy and environment of Western Maryland.

ARC has been essential for the development in the Appalachian region. It has worked, and it is continuing to work. I urge my colleagues to make sure this tool continues for the benefit of the people in the Appalachian region—a commitment that we made.

Lastly, let me remind my colleagues of what my friends who are actively engaged in the Appalachian Regional Commission in all of the 13 States tell me. Since 1978, this program—every dollar that has been invested by the Appalachian Regional Commission has leveraged an average of $6.40 from the private sector. It leverages private sector investment in the Appalachian region, which is critically important to the economic growth of the Appalachian region. Otherwise, this is a tough area.

If we are committed to economic growth in this country, I would urge

my colleagues to reject the Ernst amendment.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise to support the comments of the distinguished Senator from the State of Maryland. I must say that when I first came to the Senate, I looked at these perhaps with not as full an understanding of them as I have now. But I think the committee supports it, the bill supports it, and the Appropriations Committee supports it. I certainly agree with the Senator and support him.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I rise to speak on the amendment for 3 minutes, if I might.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. Mr. President, I appreciate that.

First of all, I don't think the Senate is going to adopt the Ernst amendment because we authorized—reauthorized this important ARC program just last year on a bipartisan basis in both the House and the Senate.

I want to make this point: This is discretionary spending that is largely under control. This is discretionary spending. It is 2008 projected out to 2026. As you can see, it hardly keeps up with inflation. We have a spending problem in this country, but it is mandatory programs—the red line—not this discretionary line from which comes the Appalachian Regional Commission. I want to make that point. This amendment is targeted at the wrong type of spending.

What do we get out of ARC? My friend from Maryland is exactly right. We leverage private dollars for investments to create jobs. We build infrastructure that creates jobs and supports jobs. We have revolving loan programs that have created 50,000 jobs since 1977 and retained 51,000 jobs.

Let's attack spending. Let's get together and talk about Bowles-Simpson and do what we need to do about the problem that has given us this $19 trillion debt. But for heaven's sake, we have a program that was reauthorized almost unanimously last year that helps people get a job and persuades private industry to contribute to that effort at a 6- or 7-to-1 ratio. We want to keep that type of investment to create jobs for our families.

I will be voting against the Ernst amendment and urge my colleagues to do so.

I yield back.

The PRESIDING OFFICER. The Senator from Hawaii.

AMENDMENT NO. 3802

Mr. SCHATZ. Mr. President, I wish to call up my amendment No. 3802.

The PRESIDING OFFICER. The amendment is pending.

Mr. SCHATZ. I wish to thank the chair and the vice chair of the Energy and Water Appropriations Subcommittee for their great work, and especially their staff, who were instrumental in finding offsets to increase funding for a great, successful, bipartisan program, ARPA-E, which funds research at the cutting edge of clean energy.

This amendment takes unspent money from prior years' appropriations for expired programs. This is an important point. CBO has confirmed that this amendment does not score. This amendment does not score. This amendment uses unspent balances to increase funding for ARPA-E.

I again thank the chair and the vice chair for helping us to find some resources for this very successful program and for cosponsoring this amendment. I ask all of my colleagues for their support.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I congratulate Senator SCHATZ. I support and cosponsored the Schatz amendment. He has identified a priority that Senator FEINSTEIN and I already made a priority. It is one of the two parts of the Department of Energy that got any increase in the nondefense area—the Office of Science and this one.

He has worked with us in committee. He has worked with us on the floor. He found an offset so that it is paid for. We are reducing other spending to increase this spending. This is called setting priorities in discretionary spending, which is under control. It is not the part of the budget that creates Federal debt.

We should do more of this energy research, but we should do it by reducing other spending. I would suggest that reducing subsidies to wind power, oil, and gas would be a good way to start.

I ask for a ''yes'' vote on the Schatz amendment.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I heard what our chairman said. I thoroughly support him.

I commend the Senator from Hawaii for seeing this and proposing this amendment. We recommend that it be adopted.

Can we call the vote?

We yield back any time.

Mr. ALEXANDER. We yield back any time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is on agreeing to amendment No. 3802.

Mr. SCHATZ. 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 senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. CARPER), the Senator from Pennsylvania (Mr. CASEY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. LEE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 26, as follows:

[Rollcall Vote No. 55 Leg.]

YEAS—70

Alexander	Gardner	Murray
Ayotte	Gillibrand	Nelson
Baldwin	Graham	Perdue
Bennet	Hatch	Peters
Blumenthal	Heinrich	Portman
Blunt	Heitkamp	Reed
Booker	Hirono	Reid
Boozman	Hoeven	Rounds
Boxer	Inhofe	Schatz
Brown	Isakson	Schumer
Cantwell	Johnson	Shaheen
Capito	Kaine	Stabenow
Cardin	King	Sullivan
Cassidy	Kirk	Tester
Coats	Klobuchar	Toomey
Cochran	Leahy	Udall
Collins	Manchin	Vitter
Coons	Markey	Warner
Corker	McCaskill	Warren
Cornyn	Menendez	Whitehouse
Donnelly	Merkley	Wicker
Durbin	Mikulski	Wyden
Feinstein	Murkowski	
Franken	Murphy	

NAYS—26

Barrasso	Grassley	Roberts
Burr	Heller	Rubio
Cotton	Lankford	Sasse
Crapo	Lee	Scott
Daines	McCain	Sessions
Enzi	McConnell	Shelby
Ernst	Moran	Thune
Fischer	Paul	Tillis
Flake	Risch	

NOT VOTING—4

Carper	Cruz
Casey	Sanders

The amendment (No. 3802) was agreed to.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I wish to make an announcement on behalf of Senator FEINSTEIN and myself. This is important. This is scheduling.

Senator FEINSTEIN and I wish to thank all of the Senators on both sides—Senator MCCONNELL, Senator REID—for creating an environment in which we could get so much done. We have more than 80 Senators who have policy that is already a part of this bill. That has happened over the last few weeks. Several amendments have been adopted and accepted. We are voting on two this afternoon.

Tomorrow, we expect to have two votes in the morning and one vote after lunch.

We have a request of Senators. This doesn't always work, but we would like to get an agreement to have all of our amendments in by 1 o'clock tomorrow. If we can do that, we can finish the bill early next week. So if Members can ask their staff and legislative counsel to do that, we would like to do that by consensus as much as possible. That is the old-fashioned way of doing a bill. I would like to set a good example for the other 11 bills that are coming.

So that is the schedule as we look forward. Senator ERNST has the remaining amendment, and there will be no further votes after her vote.

AMENDMENT NO. 3803

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 3803, offered by the Senator from Iowa, Mrs. ERNST.

The Senator from Iowa.

Mrs. ERNST. Mr. President, my amendment is straightforward. I am asking for support on amendment No. 3803.

I ask unanimous consent to call up amendment No. 3803.

The PRESIDING OFFICER. The amendment is pending.

The Senator has 1 minute to debate the amendment.

Mrs. ERNST. Thank you, Mr. President.

The amendment is pretty straightforward. What we are doing is eliminating duplicative programs. Many programs exist out there already which will provide for housing needs, for infrastructure needs, many other needs. What we are doing is stating that we shouldn't be providing separate funds for very specific regions and duplicating processes that are found in the Federal Government.

Just a few examples: $100,000 awarded to Lake Placid Ski Club to build ski jumps, $125,000 awarded for Chinese Medicine Herb Growers Consortium, and $250,000 awarded to a tribe in Maine to build a maple-processing facility after it received $100,000 from the USDA to launch Maple Syrup Ventures.

I don't believe this is activity the Federal Government should be engaged in. Again, these are duplicative programs. There are many other programs available out there. So I am asking for the support of my colleagues on this amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I would certainly oppose this amendment. The regional commission is a joint Federal-State economic development effort that includes some of the most economically distressed counties of Maine, New Hampshire, Vermont, and northern New York. For decades, these people have faced tough economic circumstances. These programs have helped.

More importantly, every Federal dollar invested leverages, on average, 2.6 dollars in matching funds in return. New jobs are created. Thousands of jobs are retained. That is how we should be investing our Federal dollars.

We invest in other countries around the world, and we ought to be investing them in our own country and support programs like the Northern Border Regional Commission and not eliminate them.

I hope Senators will oppose this amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, as the manager of the bill, I was going to take that time. I ask unanimous consent for 2 minutes and to allow Senator ERNST 2 more minutes to make her point.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ALEXANDER. Thank you, Mr. President.

The issue is spending. This is discretionary spending. This is an opportunity, as we consider these 12 bills, to consider where the spending problem is. This is discretionary spending. It includes defense, it includes cancer research, it includes roads, it includes locks and dams, and it includes the Appalachian Regional Commission, the Denali Commission, and other commissions that would be defunded by this amendment.

This is not our spending problem. That is $1 trillion we are spending through these 12 bills. We are spending $3 trillion more through mandatory spending and interest on top of that.

We have not been very brave on the Republican side of the aisle or the Democratic side of the aisle on the real spending problem. We have done pretty well on this.

I have said to some of my colleagues that maybe the Senate should turn over to the Appropriations Committee the real spending problem and see if we can make the red spending line like the blue spending line because that is what we have done.

So we have set a priority for projects like sewer improvement in Alabama and planning and development in Mississippi, automotive workforce in Georgia, rural dental in Kentucky. These are all priorities within spending that are under control.

This is not under control. We can't fix that in these 12 weeks, but I hope we pay attention to this difference and sooner or later have the courage to deal with it.

I urge a ''no'' vote on this amendment.

The PRESIDING OFFICER. The Senator from Iowa.

Mrs. ERNST. Mr. President, again, this is $200 million. I would beg to differ that this is not a lot of spending, and $200 million is a lot of money for folks back in Iowa.

Iowa does not have one of these funds. Many other States don't have these same types of funds. This is just an additional way for certain regions to tap into Federal dollars. So there are many programs. As I stated earlier. I have heard folks say this is about jobs. We have workforce investment programs that everyone across the Nation can dive into to provide opportunity for everyone. Everyone needs opportunity, so everyone should be able to tap into these Federal dollars.

Mr. President, $200 million is a lot of Federal spending.

Thank you, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

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 legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. CASPER), the Senator from Pennsylvania (Mr. CASEY), 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 25, nays 71, as follows:

[Rollcall Vote No. 56 Leg.]

YEAS—25

Barrasso	Gardner	Moran
Coats	Grassley	Risch
Cornyn	Heller	Rubio
Crapo	Hoeven	Sasse
Daines	Inhofe	Scott
Enzi	Johnson	Thune
Ernst	Lankford	Toomey
Fischer	Lee	
Flake	McCain	

NAYS—71

Alexander	Gillibrand	Perdue
Ayotte	Graham	Peters
Baldwin	Hatch	Portman
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Blunt	Hirono	Roberts
Booker	Isakson	Rounds
Boozman	Kaine	Schatz
Boxer	King	Schumer
Brown	Kirk	Sessions
Burr	Klobuchar	Shaheen
Cantwell	Leahy	Shelby
Capito	Manchin	Stabenow
Cardin	Markey	Sullivan
Cassidy	McCaskill	Tester
Cochran	McConnell	Tillis
Collins	Menendez	Udall
Coons	Merkley	Vitter
Corker	Mikulski	Warner
Cotton	Murkowski	Warren
Donnelly	Murphy	Whitehouse
Durbin	Murray	Wicker
Feinstein	Nelson	Wyden
Franken	Paul	

NOT VOTING—4

Carper	Cruz
Casey	Sanders

The amendment (No. 3803) was rejected.

The PRESIDING OFFICER. The Senator from Tennessee.

AMENDMENT NO. 3811 TO AMENDMENT NO. 3801

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the following amendment be called up and reported by number: Hoeven No. 3811; further, that at 11:45 a.m. on Thursday, April 21, the Senate vote on that amendment and that it be subject to a 60-affirmative-vote threshold for adoption; and further, that no second-degree amendments be in order prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for Mr. HOEVEN, proposes an amendment numbered 3811 to amendment No. 3801.

The amendment is as follows:

(Purpose: To prohibit the use of funds relating to a certain definition)

At the appropriate place in title V, insert the following:

SEC. 5_____. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce any change to the regulations and guidance in effect on October 1, 2012, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including the provisions of the rules dated November 13, 1986, and August 25, 1993, relating to such jurisdiction, and the guidance documents dated January 15, 2003, and December 2, 2008, relating to such jurisdiction.

Mr. ALEXANDER. Mr. President, I thank Senators for their cooperation today. As I indicated earlier, Senator FEINSTEIN and I have been in touch with every Senate office over the last few weeks, asking for advice, policy, and amendments. Senators have been terrific in getting that to us. For example, there is Senator SCHATZ' amendment. He offered and withdrew it in committee. We worked with him and were able to adopt it once it came to the floor. That is typical of what has happened.

I would judge that about 83 or 84 Senators have contributed policy to this bill. There are really not many more amendments that will be offered. But we will have this one amendment, at least, tomorrow morning at 11:45. Then, the last vote will be at about 2:00 p.m., tomorrow after lunch. There may be other votes before that.

I would ask, as I did earlier, that Senators and their staffs get any other amendments that we do not know about to us by 1 o'clock tomorrow. Then, perhaps we can come to an agreement about how to proceed from there to the end of the bill, maybe even without the necessity of cloture.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I wanted to reassure the Senate and thank Chairman ALEXANDER for making sure that this legislation has $285 million in it for advanced computing. It also includes the Kirk language to ensure that the United States is home to the No. 1 supercomputer in the world.

Today, China has the fastest computer in the world. It is called the Tianhe-2. It is clocked at 33.8 petaflops per second. Computers in the U.S. National Labs should soon topple China. It is a priority issue that I share with Chairman ALEXANDER.

The Titan computer, which is now at Oak Ridge National Laboratory in Tennessee, is ranked at No. 2 in the world. At Argonne National Laboratory in Illinois, we are working on a computer to be upgraded which will soon be No. 1 in the world. It will clock in at 180 petaflops per second. That is 18 times faster than the current computer that is at Argonne called Mira and three times faster than China's top computer today.

With that, supercomputing is essential for American competitiveness in the future. I think it is essential that we pass this legislation to make sure that we are all No. 1 in supercomputing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Illinois for his advocacy of keeping America No. 1 in the world in supercomputers and exascale computing. He has a special knowledge of that because of his intimate knowledge of Argonne National Laboratory in Illinois. I know something about it because of the work at the Oak Ridge National Laboratory in Tennessee.

The Obama administration has consistently funded exascale and supercomputing, and we have consistently supported that recommendation of funding. We have been able to do that for the last 4 or 5 years, Senator FEINSTEIN and I. There has been no more vigorous advocate to cause our country to be No. 1 in supercomputing than Senator KIRK of Illinois. I thank him for his leadership and his contributions to this bill.

MORNING BUSINESS

Mr. ALEXANDER. Mr. 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.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here for the 134th time to urge the Senate to wake up to the growing threat of global climate change. I am afraid my chart here is getting a little bit beat up after all of these speeches. I hope we can begin to make progress.

But we continue here in this body to be besieged by persistent and meretricious denial. Of course, the polluters want us to do nothing. They are so happy to offload to everybody else the costs of the harm from fossil fuels: the cost of heat waves, the cost of sea level rise, the cost of ocean acidification, the cost of dying forests, and the rest of it. They are running a very profitable ''we keep the profits, you bear the costs'' racket. They spend rivers of money on lobbying and on politics and on a complex PR machine that fills the airwaves with sound bites of cooked-up, paid-for doubt about climate change.

I believe the worst of them actually know better, but they do it any way. In this turbulence, the Wall Street Journal editorial page regularly sides with the rightwing climate denial operations. So, naturally, they have challenged my call for an appropriate inquiry into whether the fossil fuel industry's decades long and purposeful campaign of misinformation has run afoul of Federal civil racketeering laws.

Now, it is very hard for them to argue that the fossil fuel industry should be exempt from fraud laws. It is very hard for them to argue that the tobacco lawsuit years ago was ill funded, although certainly they tried right up until the government won the case. So they turn, instead, to invention. The Wall Street Journal repeatedly and falsely has accused me of seeking to punish anyone who rejects the scientific evidence of climate change. That is, of course, a crock. I never said anything close to that, but that does not stop them.

In fact, this line of counterattacks fits the Journal's playbook for defending polluting industries. The Wall Street Journal's editorial page has a record on acid rain, on the ozone layer, and now on climate change. There is a pattern. They deny the science, they question the motives of those who call for change, and they exaggerate the costs of taking action.

At all costs, they protect the polluting industry. When the Journal is wrong, as they have repeatedly been proven to be, they keep at it, over and over. In the 1970s, scientists first warned that chlorofluorocarbons could erode the ozone layer of the Earth's stratosphere, and that would increase human exposure to cancer-causing ultraviolet rays.

The Wall Street Journal editorial page doggedly fought back against the science, questioning it, and attacking any regulation of the CFCs.

In at least eight editorials between 1976 and 1992, the Wall Street Journal proclaimed that the connection between CFCs and ozone depletion ''is only a theory and will remain only that until further efforts are made to test its validity in the atmosphere itself.'' They called the scientific evidence ''scanty'' and ''premature,'' suggested that the ozone layer ''may even be increasing,'' insinuated that ''it is simply not clear to us that real science drives policy in this area,'' and warned of ''a dramatic increase in air-conditioning and refrigeration costs,'' with ''some $1.52 billion in foregone profits and product-change expenses'' as well as 8,700 jobs lost. Those are all actual quotes from the ed page.

Well, back then Americans listened to the science. Congress acted, the ozone layer and the public's health were protected, and the economy prospered. All those terrible costs that the Journal predicted, according to the EPA's 1999 progress report, ''Every dollar invested in ozone protection provide[d] $20 of societal health benefits in the United States''—$1 spent, $20 saved.

When scientists began reporting that acid rain was falling across our Northeastern States, out came the Wall Street Journal again saying the ''data are not conclusive and more studies are needed''; arguing that ''nature, not industry, is the primary source of acid rain''; claiming ''the scientific case for acid rain is dying''; and charging that ''politics, not nature, is the primary force driving the theory's biggest boosters.''

Again, those are all actual quotes, even as President Reagan's own scientific panel said that inaction would risk ''irreversible damage,'' which brings us to the Wall Street Journal on climate change.

In June 1993, they claimed ''growing evidence that global warming just isn't happening.''

September 1999, they reported that ''serious scientists'' call global warming ''one of the greatest hoaxes of all time.''

June 2005, they asserted that the link between fossil fuels and global warming had ''become even more doubtful.''

February 2010, they said: ''We think the science is still disputable.''

June 2011, they called global warming a ''fad-scare.''

December 2011, an editorial said that the global warming debate requires ''more definitive evidence.''

As recently as last January, the page called extreme weather ''business as usual,'' while still erroneously clinging to the ''hiatus'' argument.

Just this week they published an editorial that any link people have talked about between climate change and national security threats—something we hear from our armed services, from our intelligence services—that all is ''silliness,'' to use the word of the author they quoted.

The polluter playbook also produced the usual Journal warnings about costs, that ''a high CO_2 tax would reduce world GDP a staggering 12.9 percent in 2100—the equivalent of $40 trillion a year,'' making ''the world poorer than it otherwise would be''; about motivations, that this was all really motivated by what they called ''political actors'' seeking to gain economic control; and about the science, claiming that ''global service temperatures have remained essentially flat.''

This is my particular favorite. A December 2009 Wall Street Journal claimed that climate scientists were suspect because they ''have been on the receiving end of climate change-related funding,'' the Journal continues ''so all of them must believe in the reality (and catastrophic imminence) of global warming just as a priest must believe in the existence of God.''

Set aside their suggestion that funding is why priests believe in God. Look at what they are saying about scientific funding.

If the Wall Street Journal can make it a conflict of interest for scientists to be on the receiving end of scientific funding related to their field of inquiry, that covers virtually all science. That would make virtually all science not discovered by accident a conflict of interest. That is a great trick, because if science itself is a conflict of interest, that neatly moots the real conflict of interest of the masquerade talk-show science produced by the polluting industry's PR machinery. And there is such machinery, according to numerous investigative books, journalists' reporting, and academic studies.

Look at the academic work of Professor Robert Brulle of Drexel University, Professor Riley Dunlap of Oklahoma State University, and Justin Farrell of Yale University, among others.

Look at the investigative works of Naomi Oreskes and Erik Conway in their book ''Merchants of Doubt'' or David Michaels' book ''Doubt is their Product'' and Gerald Markowitz and David Rosner's book ''Deceit and Denial.'' Look at Jeff Nesbit's new book ''Poison Tea.''

Look at the journalistic work of Neela Banerjee, Lisa Song, David Hasemyer, and John Cushman, Jr., in InsideClimate News, which is evidently now shortlisted for a Pulitzer Prize looking at what ExxonMobil knew about climate change versus the things that it chose to tell the public. Look at the parallel probe by the Energy and Environment Fellowship Project at the Columbia Journalism School, published in the Los Angeles Times, which brings us to the Journal's question: ''Why even raise the possibility of RICO suits—and suggest it to the Justice Department—if Mr. WHITEHOUSE's goal isn't to punish those who disagree with him on climate?''

One reason is that a RICO suit was won by the U.S. Department of Justice under the Clinton and Bush administrations against the tobacco industry. So there is this little matter of this being the law. The Journal never seems to mention the fact that the government won the civil case against the tobacco industry.

Before the RICO lawsuit was won by the Department of Justice, the Wall Street Journal editorial page had worked it over pretty well, calling it ''abuse,'' ''hypocrisy,'' and ''a shakedown.'' So I understand that they don't like that fact, but it is now a fact that the Department won that case.

A second reason is that if there is indeed a core of deliberate fraud at the heart of the climate denial enterprise, no industry should be too big to dodge the legal consequences. Most of the writers I mentioned noted themselves similarities between the tobacco fraud scheme and the climate denial operation—as has Sharon Eubanks, the lawyer who won the tobacco lawsuit for the Department of Justice—and, so it seems, have now more than a dozen State attorneys general who are looking at Big Oil and coal for misleading statements, which leads me to my last point.

Note the breadth of the Wall Street Journal editorial page's language that I want to ''punish those who disagree with [me] on climate,'' but that is just false. As the RICO case itself shows—the tobacco RICO case that is the model we would like to have the Department look at—people who disagree with me on climate change would no more be the targets of such an investigation than smokers or people who disagreed with the Surgeon General about tobacco's dangers were targets of the tobacco case. Those folks may very well have been victims of the tobacco industry's fraud. They may be the dupes.

For the record, fraud investigations focus on those who lie, knowing that they are lying, intending to fool others and doing it for gain, for money. Even fossil fuel companies should not be too big to answer for that conduct if it were proven in court.

Why would the Wall Street Journal editorial page and other rightwing editorialists be trying to saddle me with an argument I am not making? Well, one obvious reason would be because they don't have a good response to the one I am making. Let's say, if they were operating as a shill for the industry here and emitting industry propaganda, they would be providing their industry clients a very valuable service of misdirection. Like squid ink released to create a helpful distraction, an imaginary argument to quarrel with gives them an advantage. As I said, it is going to be tough to convince people that the fossil industry should be too big to sue, no matter what they did or that it should deserve different rules under the law than the tobacco industry.

If you are going to lose those arguments, you have to make another one, and they invented that I want to jail people—including contrarian scientists and skeptics.

This is not rational argument. This is not the kind of rational, fact-based argument that a court would demand. It is defensive behavior on behalf of a creature that feels itself threatened and desperately wants to avoid that fair courtroom forum, a forum where the evidence matters, where the truth is required, and where the industry doesn't get to put in the fix.

Everybody should know I take climate change very seriously. Rhode Island is the Ocean State. Just this week we had major news stories in our statewide paper about drowning sea coast marshes, endangered historic buildings, and ocean fisheries in upheaval, all from climate change. This is the first one.

''Drowning marshes: Buying time against the tide, they pour sand in an uphill fight.''

As the climate warms, causing the ice caps to melt, currents to slow and ocean waters to expand, sea levels are rising at a rate that could eventually wipe out many of Rhode Island's salt marshes.

Just days later:

''Newport sees the firsthand threat of climate change.''

But the confluence of rising seas and more extreme storms caused by climate change could present an insurmountable challenge for those trying to protect this and thousands of other historical structures near the coast.

Then, finally:

''Is commercial fishing sustainable? An industry at crossroads.''

John Bullard, regional administrator with NOAA's Northeast Regional Office, said that he believes commercial fishing can be sustainable but a number of issues, including climate change, need attention for that to happen.

I represent a State whose fishing industry depends on doing something about climate change, whose historic buildings are at risk of being flooded and lost by the insurmountable problem of climate change, and whose salt marshes, which are very important to our State, are rising at a rate that could eventually wipe them out.

Am I supposed to ignore that? Am I supposed to ignore this? It is not going to happen.

I am proud to stand with our leading research institutions and scientists around the country, our national security experts, corporations such as Apple, Google, Mars, and National Grid. I am proud to stand with President Obama and Pope Francis, who both agree about the seriousness of climate change.

If the polluter machine wants to score more ink, so be it. I cannot stop them, but I am not going anywhere. My State is in the crosshairs. This is one of those fights worth having.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

ATVM LOAN PROGRAM AMENDMENT

Mrs. FISCHER. Mr. President, I am thankful the Senate is taking up the appropriations bills. The appropriations process is the only way citizens can truly hold their elected representatives accountable. It also allows the American people to see just what the priorities are for the Senate.

Through my votes upon appropriations bills, I have to decide which government programs to prioritize and which government programs need to be cut. These are tough choices, but Nebraskans sent me to Washington to make these hard decisions.

Again, I am hopeful that the Senate is taking up these bills and that we can make important spending decisions on behalf of the American people. That is why I am proud to join Senators COATS, TOOMEY, and FLAKE to submit an amendment that targets what I see is overspending in the Energy and Water appropriations bill.

This amendment would wind down the Department of Energy's troubled Advanced Technology Vehicles Manufacturing Loan Program. The ATVM Program was designed to provide loans for businesses that produce fuel-efficient, advanced-technology vehicles and components in the United States. The program was created in 2007. In 2009, Congress appropriated $7.5 billion in subsidies to cover $25 billion in loans authorized under that program.

Unfortunately, as Senator COATS and Senator TOOMEY have pointed out, this program has struggled for many years. The record speaks for itself. Take Fisker Automotive as an example. In April of 2010, Fisker received a loan through the ATVM program for the purpose of producing two lines of plug-in hybrid vehicles at its plant in Wilmington, DE. In 2011, because Fisker was not meeting its performance targets, the DOE suspended its original loan of $529 million.

Unfortunately, $192 million in taxpayer dollars had already been loaned to the company. Fisker halted operations, and they filed for bankruptcy in November of 2013. The company's ATVM loan was sold at auction for $25 million and the DOE was able to recoup $28 million from an escrow account. However, this loan still resulted in a $139-million loss for taxpayers.

In February of 2014, Fisker's assets were auctioned to a Chinese manufacturer, Wanxiang, through the resulting bankruptcy proceedings. This was one of the many failures resulting from the ATVM Program.

In 2013, a Government Accountability Office report found few auto manufacturers and program applicants willing to participate in the program due to high costs and the limited benefits. As a result, the Secretary of Energy announced a number of changes to the ATVM Program in April of 2014. Not a single new loan has been approved since the announcement of these revisions.

This program is a clear example of waste. It reveals the dangers of allowing our government to pick winners and losers in the private sector. That is why I am here today to join Senators COATS and TOOMEY and FLAKE in offering an amendment that would prohibit new loan applications from being reviewed if they are not submitted by the date of this bill's enactment. Furthermore, our amendment would prohibit any loan credit subsidies after the end of fiscal year 2020. Through these provisions, we can responsibly wind down a very ineffective program.

Our national debt continues to grow, and it now exceeds $19 trillion. According to the March 2016 report of the Congressional Budget Office, annual deficits will exceed $1 trillion in 2022 and every year thereafter. This makes the need for commonsense provisions like ours all the more urgent. We simply cannot afford to continue spending money on programs that are not effective.

I urge my colleagues to vote for this sensible amendment when it is brought up for a vote.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGET COMMITTEE COST ESTIMATE—S. 2804

Mr. ENZI. Mr. President, I offer for the RECORD the Budget Committee's cost estimate of S. 2804, the Energy and Water Development Appropriations Act for fiscal year 2017.

The reported measure provides $37.5 billion in discretionary budget authority for fiscal year 2017, which will result in new outlays of $21.9 billion. When outlays from prior-year budget authority are taken into account, nonemergency discretionary outlays for the bill will total $37.6 billion.

The reported bill matches its section 302(b) allocation for budget authority for both the security and nonsecurity categories and is below the 302(b) allocation for outlays by $1 million.

The bill is not subject to any budget points of order.

Mr. President, I ask unanimous consent to have printed in the RECORD the table displaying the Budget Committee scoring of the bill.

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

S. 2804, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 2017: SPENDING COMPARISONS—SENATE-REPORTED BILL

[Fiscal year 2017, $ millions]

	Budget authority		Outlays	
	Security	Nonsecurity	Total	Total
Senate-reported bill	20,023	17,514	37,537	37,560
Senate 302(b) allocation	20,023	17,514	37,537	37,561
2016 Enacted	18,860	18,325	37,185	37,216
President's request	19,343	17,933	37,276	36,340
SENATE-REPORTED BILL COMPARED TO:				
Senate 302(b) allocation	0	0	0	−1
2016 Enacted	1,163	−811	352	344

S. 2804, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 2017: SPENDING COMPARISONS—SENATE-REPORTED BILL—Continued

[Fiscal year 2017, $ millions]

	Budget authority		Outlays	
	Security	Nonsecurity	Total	Total
President's request	680	−419	261	1,220

Note: Details may not add to totals due to rounding.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:35 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3714. An act to amend the Small Business Act to allow the Small Business Administration to establish size standards for small agricultural enterprises using the same process for establishing size standards for small business concerns, and for other purposes.

H.R. 4284. An act to require the Administrator of the Small Business Administration to issue regulations providing examples of a failure to comply in good faith with the requirements of prime contractors with respect to subcontracting plans.

H.R. 4325. An act to amend the Small Business Act to modify the anticipated value of certain contracts reserved exclusively for small business concerns.

H.R. 4326. An act to amend the Small Business Act to expand the duties of the Office of Small and Disadvantaged Business Utilization, and for other purposes.

H.R. 4332. An act to amend the Small Business Act to clarify the duties of procurement center representatives with respect to reviewing solicitations for a contract or task order contract.

H.R. 4903. An act to prohibit the use of funds by the Internal Revenue Service to target citizens of the United States for exercising any right guaranteed under the First Amendment to the Constitution of the United States.

ENROLLED BILLS SIGNED

At 12:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 719. An act to rename the Armed Forces Reserve Center in Great Falls, Montana, the Captain John E. Moran and Captain William Wylie Galt Armed Forces Reserve Center.

S. 1638. An act to direct the Secretary of Homeland Security to submit to, Congress information on the Department of Homeland Security headquarters consolidation project in the National Capital Region, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

ENROLLED BILL SIGNED

At 2:26 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2722. An act to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3714. An act to amend the Small Business Act to allow the Small Business Administration to establish size standards for small agricultural enterprises using the same process for establishing size standards for small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 4284. An act to require the Administrator of the Small Business Administration to issue regulations providing examples of a failure to comply in good faith with the requirements of prime contractors with respect to subcontracting plans; to the Committee on Small Business and Entrepreneurship.

H.R. 4325. An act to amend the Small Business Act to modify the anticipated value of certain contracts reserved exclusively for small business concerns; to the Committee on Small Business and Entrepreneurship.

H.R. 4326. An act to amend the Small Business Act to expand the duties of the Office of Small and Disadvantaged Business Utilization, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 4332. An act to amend the Small Business Act to clarify the duties of procurement center representatives with respect to reviewing solicitations for a contract or task order contract; to the Committee on Small Business and Entrepreneurship.

H.R. 4903. An act to prohibit the use of funds by the Internal Revenue Service to target citizens of the United States for exercising any right guaranteed under the First Amendment to the Constitution of the United States; to the Committee on Finance.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 2666. An act to prohibit the Federal Communications Commission from regulating the rates charged for broadband Internet access service.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, April 20, 2016, she presented to the President of the United States the following enrolled bills:

S. 719. An act to rename the Armed Forces Reserve Center in Great Falls, Montana, the Captain John E. Moran and Captain William Wylie Galt Armed Forces Reserve Center.

S. 1638. An act to direct the Secretary of Homeland Security to submit to Congress information on the Department of Homeland Security headquarters consolidation project in the National Capital Region, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5158. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Finalizing Medicare Rules under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) for Calendar Year (CY) 2015'' ; to the Committee on Finance.

EC–5159. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Performance Report for fiscal year 2015 for the Generic Drug User Fee Amendments; to the Committee on Health, Education, Labor, and Pensions.

EC–5160. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Medical Device User Fee Amendments of 2012 for fiscal year 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–5161. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report relative to imported foods for fiscal year 2015; to the Committees on Health, Education, Labor, and Pensions; and Appropriations.

EC–5162. A communication from the Director, Office of Diversity Management and Equal Opportunity, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a compilation of fiscal year 2015 reports from the Department of Defense Components relative to the implementation of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5163. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cyprodinil; Pesticide Tolerances'' (FRL No. 9943–85) received during adjournment of the Senate in the Office of the President of the Senate on April 15, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5164. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of seventeen (17) officers authorized to wear the insignia of the grade of major general or brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–5165. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''National Flood Insurance Program: Update To Address Information for Claims Appeals'' ((RIN1660–AA88) (Docket No. FEMA–2016–0009)) received in the Office of the President of the Senate on April 14, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5166. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (Docket No. FEMA–2016–0002) received in the Office of the President of the Senate on April 14, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5167. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the Central African Republic that was declared in Executive Order 13667 of May 12, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–5168. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Hizballah Financial Sanctions Regulations'' (31 CFR Part 566) received in the Office of the President of the Senate on April 14, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5169. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plan Revisions; Infrastructure Requirements for the 2008 Lead, 2008 Ozone, 2010 NO2, 2010 SO2, and 2012 PM2.5 National Ambient Air Quality Standards; Montana'' (FRL No. 9945–14–Region 8) received during adjournment of the Senate in the Office of the President of the Senate on April 15, 2016; to the Committee on Environment and Public Works.

EC–5170. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Louisiana; Revisions to the State Implementation Plan; Fee Regulations'' (FRL No. 9945–09–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on April 15, 2016; to the Committee on Environment and Public Works.

EC–5171. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Amendments Related to: Tier 3 Motor Vehicle Emission and Fuel Standards and 40 CFR Part 80'' (FRL No. 9941–85–OAR) received during adjournment of the Senate in the Office of the President of the Senate on April 15, 2016; to the Committee on Environment and Public Works.

EC–5172. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Vermont; Stage I Vapor Recovery Requirements'' (FRL No. 9945–12–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on April 15, 2016; to the Committee on Environment and Public Works.

EC–5173. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Rhode Island; Infrastructure State Implementation Plan Requirements for Particle Matter, Ozone, Lead, Nitrogen Dioxide and Sulfur Dioxide'' (FRL No. 9945–13–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on April 15, 2016; to the Committee on Environment and Public Works.

EC–5174. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Corrective Actions Programs for Fuel Cycle Facilities'' (Regulatory Guide 3.75, Revision 0) received in the Office of the President of the Senate on April 14, 2016; to the Committee on Environment and Public Works.

EC–5175. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Standard Format and Content for a License Application for an Independent Spent Fuel Storage Installation or a Monitored Retrievable Storage Facility'' (Regulatory Guide 3.50, Revision 2) received in the Office of the President of the Senate on April 14, 2016; to the Committee on Environment and Public Works.

EC–5176. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''General Site Suitability for Nuclear Power Stations'' (Regulatory Guide 4.7, Revision 3) received in the Office of the President of the Senate on April 14, 2016; to the Committee on Environment and Public Works.

EC–5177. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''U.S. Assistance for Palestinian Security Forces and Benchmarks for Palestinian Security Assistance Funds'' ; to the Committee on Foreign Relations.

EC–5178. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Demonstrating Improvement in the Maternal, Infant, and Early Childhood Home Visiting Program: A Report to Congress'' ; to the Committee on Health, Education, Labor, and Pensions.

EC–5179. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Animal Generic Drug User Fee Act for fiscal year 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–5180. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Animal Generic Drug User Fee Act for fiscal year 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–5181. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on the Feasibility of Mechanisms to Assist Providers in Comparing and Selecting Certified EHR'' ; to the Committee on Health, Education, Labor, and Pensions.

EC–5182. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Debt Collection Recovery Activities of the Department of Justice for Civil Debts Referred for Collection Annual Report for Fiscal Year 2015'' ; to the Committee on the Judiciary.

EC–5183. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting proposed legislation entitled ''Coast Guard Authorization Act for Fiscal Year 2017'' ; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–156. A resolution adopted by the House of Representatives of the State of Michigan memorializing the United States Congress to enact the Retail Investor Act and also to enact legislation that prohibits the United States Department of Labor from amending fiduciary duty regulations to define retirement savings brokers and agents as fiduciaries, including those previously not deemed fiduciaries; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 223

Whereas, With over 10,000 people retiring every day, each year for the next 17 years, it is imperative that future retirees plan, save, and have choices about who they consult for retirement guidance. Financial professionals provide guidance to consumers about their investments, including investments in IRAs, 401(k) accounts, and other assets invested to produce retirement income; and

Whereas, Financial professionals are generally compensated through one of two business models. A majority of transactions fall into the broker-dealer model, in which compensation is paid by the product provider to the broker-dealer and registered representatives, and not by the consumer. In other transactions, the buyer is more financially sophisticated and has significant assets and may prefer to engage an advisor under a fee-based arrangement, paying the advisor directly; and

Whereas, For many, especially those with small- to medium-size accounts, consulting with a trusted professional using the broker-dealer model is more cost efficient, more accessible, and preferable to a fee-based arrangement; and

Whereas, The U.S. Department of Labor has proposed regulations that would define certain professionals operating under the broker-dealer model to be fiduciaries. And if receiving third-party compensation is a violation of the fiduciary standard, the effect will be to force retirement account savers to use a fee-based model or not receive advice; and

Whereas, The Retail Investor Protection Act (H.R. 1090) would prohibit the U.S. Department of Labor from prescribing any regulation pursuant to the Employee Retirement Income Security Act of 1974 that defines the circumstances under which an individual is considered a fiduciary until 60 days after the Securities and Exchange Commission issues a final rule governing standards of conduct for brokers and dealers under specified law. Similar legislation passed the U.S. House on a bipartisan vote in the previous Congress; Now; therefore, be it

Resolved, By the House of Representatives, That we oppose efforts by the United States Department of Labor to place onerous regulatory rules on the broker-dealer community

that will adversely affect low- and middle-income investors' ability to have access to affordable, reliable, retirement advice; and be it further

Resolved, That we memorialize the Congress of the United States to enact the Retail Investor Protection Act and also to enact legislation that prohibits the United States Department of Labor from amending fiduciary duty regulations to define retirement savings brokers and agents as fiduciaries, including those previously not deemed fiduciaries; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the United States Secretary of Labor.

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. MARKEY:

S. 2820. A bill to amend the Safe Drinking Water Act to update and modernize the reporting requirements for contaminants, including lead, in drinking water; to the Committee on Environment and Public Works.

By Mr. CARDIN (for himself, Mrs. BOXER, Ms. MIKULSKI, Mr. MARKEY, Ms. STABENOW, Mr. REED, Mr. CASEY, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. PETERS, Mr. MERKLEY, Mr. SANDERS, Mr. MURPHY, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. FRANKEN, Mr. DURBIN, Mr. MENENDEZ, Mr. SCHUMER, Mr. BOOKER, Mrs. MURRAY, Mr. WYDEN, Ms. HIRONO, Ms. WARREN, Mr. BLUMENTHAL, Ms. CANTWELL, Mr. HEINRICH, Mrs. FEINSTEIN, Mr. LEAHY, and Mr. REID):

S. 2821. A bill to improve drinking water quality and reduce lead exposure in homes, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN (for himself and Mr. BENNET):

S. 2822. A bill to continue the use of a 3-month quarter EHR reporting period for health care providers to demonstrate meaningful use for 2016 under the Medicare and Medicaid EHR incentive payment programs, and for other purposes; to the Committee on Finance.

By Mrs. CAPITO:

S. 2823. A bill to amend the Internal Revenue Code of 1986 to extend and modify the section 45 credit for refined coal from steel industry fuel, and for other purposes; to the Committee on Finance.

By Mr. INHOFE (for himself and Mrs. BOXER):

S. 2824. A bill to designate the Federal building housing the Bureau of Alcohol, Tobacco, Firearms and Explosives Headquarters located at 99 New York Avenue N.E., Washington, D.C., as the ''Ariel Rios Federal Building''; to the Committee on Environment and Public Works.

By Ms. COLLINS (for herself, Mr. KING, Ms. KLOBUCHAR, and Mrs. SHAHEEN):

S. 2825. A bill to amend title 37, United States Code, to require compliance with domestic source requirements for footwear furnished to enlisted members of the Armed Forces upon their initial entry into the Armed Forces; to the Committee on Armed Services.

By Mr. WARNER (for himself and Mr. ROUNDS):

S. 2826. A bill to ensure the effective and appropriate use of the Lowest Price Technically Acceptable source selection process; to the Committee on Armed Services.

By Mr. FLAKE:

S. 2827. A bill to amend the Immigration and Nationality Act to provide for an H–2C nonimmigrant classification, and for other purposes; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 2828. A bill to designate the community-based outpatient clinic of the Department of Veterans Affairs located in The Dalles, Oregon, as the ''Loren R. Kaufman Memorial Veterans' Clinic''; to the Committee on Veterans' Affairs.

By Mrs. FISCHER (for herself and Mr. BOOKER):

S. 2829. A bill to amend and enhance certain maritime programs of the Department of Transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER (for himself and Mr. BOOKER):

S. 2830. A bill to amend the Safe Drinking Water Act to provide for a school and child care lead testing grant program; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CARDIN (for himself, Ms. CANTWELL, Mrs. MURRAY, Mr. MARKEY, Mr. COONS, Mr. MENENDEZ, Mr. LEAHY, Mr. FRANKEN, Mr. DURBIN, Ms. KLOBUCHAR, Mr. RUBIO, and Mr. BROWN):

S. Res. 432. A resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia; to the Committee on Foreign Relations.

By Mr. TILLIS:

S. Res. 433. A resolution recognizing linemen, the profession of linemen, and the contributions of these brave men and women who protect public safety, and expressing support for the designation of April 18, 2016, as ''National Lineman Appreciation Day''; considered and agreed to.

By Ms. STABENOW (for herself and Mr. ISAKSON):

S. Res. 434. A resolution supporting the designation of April 2016 as ''Parkinson's Awareness Month''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 298

At the request of Mr. GRASSLEY, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 298, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

At the request of Mr. BENNET, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 298, supra.

S. 453

At the request of Mr. CASSIDY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 453, a bill to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians.

S. 624

At the request of Mr. BROWN, the name of the Senator from Wisconsin (Ms. BALDWIN) 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. 757

At the request of Mr. NELSON, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 757, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 1252

At the request of Mr. CASEY, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor 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. 1383

At the request of Mr. PERDUE, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1383, a bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

S. 1500

At the request of Mr. CRAPO, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1500, a bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1567

At the request of Mr. PETERS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1567, a bill to amend title 10, United States Code, to provide for a review of the characterization or terms of discharge from the Armed Forces of individuals with mental health disorders alleged to affect terms of discharge.

S. 1659

At the request of Mr. LEAHY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1659, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 2030

At the request of Mr. BENNET, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2030, a bill to allow the sponsor of an application for the approval of a targeted drug to rely upon data and information with respect to such sponsor's previously approved targeted drugs.

S. 2217

At the request of Mr. BLUNT, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2217, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A.

S. 2311

At the request of Mr. HELLER, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2311, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to make grants to States for screening and treatment for maternal depression.

S. 2487

At the request of Mrs. BOXER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2487, a bill to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary, and for other purposes.

S. 2497

At the request of Mr. BLUNT, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2497, a bill to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes.

S. 2502

At the request of Mr. ISAKSON, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2502, a bill to amend the Employee Retirement Income Security Act of 1974 to ensure that retirement investors receive advice in their best interests, and for other purposes.

S. 2505

At the request of Mr. KIRK, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2505, a bill to amend the Internal Revenue Code of 1986 to ensure that retirement investors receive advice in their best interests, and for other purposes.

S. 2540

At the request of Mr. REID, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2540, a bill to provide access to counsel for unaccompanied children and other vulnerable populations.

S. 2551

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2551, a bill to help prevent acts of genocide and mass atrocities, which threaten national and international security, by enhancing United States civilian capacities to prevent and mitigate such crises.

S. 2566

At the request of Mrs. SHAHEEN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2566, a bill to amend title 18, United States Code, to provide sexual assault survivors with certain rights, and for other purposes.

S. 2595

At the request of Mr. CRAPO, the names of the Senator from Delaware (Mr. COONS) and the Senator from New Hampshire (Ms. AYOTTE) 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. 2604

At the request of Mr. WARNER, the names of the Senator from Arizona (Mr. FLAKE), the Senator from New Mexico (Mr. HEINRICH), the Senator from Ohio (Mr. PORTMAN) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 2604, a bill to establish in the legislative branch the National Commission on Security and Technology Challenges.

S. 2639

At the request of Mr. LEAHY, the names of the Senator from Kansas (Mr. MORAN), the Senator from Texas (Mr. CORNYN), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 2639, a bill to direct the Director of the Government Publishing Office to provide members of the public with Internet access to Congressional Research Service reports, and for other purposes.

S. 2659

At the request of Mr. BURR, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 2659, a bill to reaffirm that the Environmental Protection Agency cannot regulate vehicles used solely for competition, and for other purposes.

S. 2697

At the request of Mrs. MURRAY, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 2697, a bill to amend the Fair Labor Standards Act of 1938 and the Portal-to-Portal Act of 1947 to prevent wage theft and assist in the recovery of stolen wages, to authorize the Secretary of Labor to administer grants to prevent wage and hour violations, and for other purposes.

S. 2707

At the request of Mr. SCOTT, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2707, a bill to require the Secretary of Labor to nullify the proposed rule regarding defining and delimiting the exemptions for executive, administrative, professional, outside sales, and computer employees, to require the Secretary of Labor to conduct a full and complete economic analysis with improved economic data on small businesses, nonprofit employers, Medicare or Medicaid dependent health care providers, and small governmental jurisdictions, and all other employers, and minimize the impact on such employers, before promulgating any substantially similar rule, and to provide a rule of construction regarding the salary threshold exemption under the Fair Labor Standards Act of 1938, and for other purposes.

S. 2736

At the request of Ms. HEITKAMP, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2736, a bill to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes.

S. 2763

At the request of Mr. CORNYN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2763, a bill to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis.

S. 2794

At the request of Mr. HATCH, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2794, a bill to establish a process for the submission and consideration of petitions for temporary duty suspensions and reductions, and for other purposes.

S. 2799

At the request of Mr. MENENDEZ, the name of the Senator from Maine (Ms.

COLLINS) was added as a cosponsor of S. 2799, a bill to require the Secretary of Health and Human Services to develop a voluntary patient registry to collect data on cancer incidence among firefighters.

S. 2800

At the request of Mr. COONS, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2800, a bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled.

S. 2817

At the request of Mr. PETERS, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 2817, a bill to improve understanding and forecasting of space weather events, and for other purposes.

S.J. RES. 33

At the request of Mr. ISAKSON, the names of the Senator from Texas (Mr. CRUZ) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S.J. Res. 33, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to the definition of the term ''fiduciary'' and the conflict of interest rule with respect to retirement investment advice.

S. CON. RES. 35

At the request of Mr. RUBIO, the names of the Senator from South Dakota (Mr. ROUNDS), the Senator from Illinois (Mr. KIRK) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. Con. Res. 35, a concurrent resolution expressing the sense of Congress that the United States should continue to exercise its veto in the United Nations Security Council on resolutions regarding the Israeli-Palestinian peace process.

S. RES. 368

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor 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.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 432—SUPPORTING RESPECT FOR HUMAN RIGHTS AND ENCOURAGING INCLUSIVE GOVERNANCE IN ETHIOPIA

Mr. CARDIN (for himself, Ms. CANTWELL, Mrs. MURRAY, Mr. MARKEY, Mr. COONS, Mr. MENENDEZ, Mr. LEAHY, Mr. FRANKEN, Mr. DURBIN, Ms. KLOBUCHAR, Mr. RUBIO, and Mr. BROWN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 432

Whereas the first pillar of the 2012 United States Strategy Toward Sub-Saharan Africa is to strengthen democratic institutions, and the United States Agency for International Development Democracy, Human Rights, and Governance Strategy states that strong democratic institutions, respect for human rights, and participatory, accountable governance are crucial elements for improving people's lives in a sustainable way;

Whereas the third pillar of the 2012 United States Strategy Toward Sub-Saharan Africa is to advance peace and security, including supporting security sector reform;

Whereas democratic space in Ethiopia has steadily diminished since the general elections of 2005;

Whereas elections were held in 2015 in which the ruling Ethiopian People's Revolutionary Democratic Front claimed 100 percent of parliamentary seats;

Whereas the 2014 Department of State Human Rights Report on Ethiopia cited serious human rights violations, including arbitrary arrests, killings, and torture committed by security forces as well as restrictions on freedom of expression and freedom of association, politically motivated trials, harassment, and intimidation of opposition members and journalists;

Whereas the Government of Ethiopia has repeatedly abused laws such as the 2009 Anti-Terrorism Proclamation to limit press freedom, silence independent journalists, and persecute members of the political opposition;

Whereas laws such as the 2009 Charities and Societies Proclamation have been used to restrict the operation of civil society and nongovernmental organizations in Ethiopia across a range of purposes, particularly those investigating alleged violations of human rights by governmental authorities;

Whereas the case of the ''Zone 9 Bloggers'', whose arrest, detention, and trials on terrorism charges brought international attention to the restrictions on press freedom in Ethiopia, is indicative of the coercive environment in which journalists operate;

Whereas the Ethiopian Human Rights Council reports at least 102 protestor deaths, and according to Human Rights Watch, Ethiopian security forces have killed at least 200 peaceful protestors in the Oromia region, and that number is likely higher;

Whereas state sponsored violence against those exercising their rights to peaceful assembly in Oromia and elsewhere in the country, and the abuse of laws to stifle journalistic freedoms, stand in direct contrast to democratic principles and in violation of Ethiopia's constitution; and

Whereas, during President Barack Obama's historic visit to Addis Ababa in July 2015, Prime Minister Hailemariam Desalegn expressed his government's commitment to deepen the democratic process and work towards the respect of human rights and improving governance, and noted the need to step up efforts to strengthen institutions: Now, therefore be it

Resolved, That the Senate—

(1) condemns—

(A) killings of peaceful protesters and excessive use of force by Ethiopian security forces;

(B) arrest and detention of journalists, students, activists and political leaders who exercise their constitutional rights to freedom of assembly and expression through peaceful protests; and

(C) abuse of the Anti-Terrorism Proclamation to stifle political and civil dissent and journalistic freedoms;

(2) urges protesters in Ethiopia to refrain from violence;

(3) calls on the Government of Ethiopia—

(A) to halt the use of excessive force by security forces;

(B) to conduct a full, credible, and transparent investigation into the killings and instances of excessive use of force that took place as a result of protests in the Oromia region and hold security forces accountable for wrongdoing through public proceedings;

(C) to release dissidents, activists, and journalists who have been jailed, including those arrested for reporting about the protests, for exercising constitutional rights;

(D) to respect the right to freedom of peaceful assembly and guarantee freedom of the press and mass media in keeping with Articles 30 and 29 of the Ethiopian constitution;

(E) to engage in open and transparent consultations relative to its development strategy, especially those strategies that could result in people's displacement from land; and

(F) to repeal proclamations that—

(i) can be used as a political tool to harass or prohibit funding for civil society organizations that investigate human rights violations, engage in peaceful political dissent, or advocate for greater political freedoms; or

(ii) prohibit or otherwise limit those displaced from their land from seeking remedy or redress in courts, or that do not provide a transparent, accessible means to access justice for those displaced;

(4) calls on the Secretary of State to conduct a review of security assistance to Ethiopia in light of recent developments and to improve transparency with respect to the purposes of such assistance to the people of Ethiopia;

(5) calls on the Administrator of the United States Agency for International Development to immediately lead efforts to develop a comprehensive strategy to support improved democracy and governance in Ethiopia;

(6) calls on the Secretary of State, in conjunction with the Administrator of the United States Agency for International Development, to improve oversight and accountability of United States assistance to Ethiopia pursuant to expectations established in the President's 2012 Strategy Toward Sub-Saharan Africa; and

(7) stands by the people of Ethiopia, and supports their peaceful efforts to increase democratic space and to exercise the rights guaranteed by the Ethiopian constitution.

SENATE RESOLUTION 433—RECOGNIZING LINEMEN, THE PROFESSION OF LINEMEN, AND THE CONTRIBUTIONS OF THESE BRAVE MEN AND WOMEN WHO PROTECT PUBLIC SAFETY, AND EXPRESSING SUPPORT FOR THE DESIGNATION OF APRIL 18, 2016, AS ''NATIONAL LINEMAN APPRECIATION DAY''

Mr. TILLIS submitted the following resolution; which was considered and agreed to:

S. RES. 433

Whereas the profession of linemen is steeped in personal, family, and professional tradition;

Whereas linemen are often first responders during storms and other catastrophic events, working to make the scene safe for other public safety heroes;

Whereas linemen must work high atop power lines 24 hours a day, 365 days a year, to keep electricity flowing;

Whereas linemen play a vital role in the economy of the United States by maintaining and growing the energy infrastructure of the United States;

Whereas linemen must often work under dangerous conditions while separated from their families to keep schools and businesses open;

Whereas linemen put their lives on the line every day with little recognition from the community regarding the danger of their work; and

Whereas April 18, 2016 would be an appropriate date to designate as ''National Lineman Appreciation Day'': Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the efforts of linemen in keeping the power on and protecting public safety; and

(2) supports the designation of ''National Lineman Appreciation Day''.

SENATE RESOLUTION 434—SUPPORTING THE DESIGNATION OF APRIL 2016 AS ''PARKINSON'S AWARENESS MONTH''

Ms. STABENOW (for herself and Mr. ISAKSON) submitted the following resolution; which was considered and agreed to:

S. RES. 434

Whereas Parkinson's disease is a chronic, progressive neurological disease and is the second most common neurodegenerative disease in the United States;

Whereas there is inadequate data on the incidence and prevalence of Parkinson's disease, but the disease affects an estimated 500,000 to 1,500,000 individuals in the United States;

Whereas according to the Centers for Disease Control and Prevention, Parkinson's disease is the 14th leading cause of death in the United States;

Whereas every day Parkinson's disease greatly impacts millions of individuals in the United States who are caregivers, family members, and friends of individuals with Parkinson's disease;

Whereas the economic burden of Parkinson's disease is an estimated $14,400,000,000 each year, including indirect costs to patients and family members of $6,300,000,000 each year;

Whereas although research suggests that the cause of Parkinson's disease is a combination of genetic and environmental factors, the exact cause and progression of the disease remains unknown;

Whereas an objective test or biomarker for diagnosing Parkinson's disease does not exist;

Whereas a cure or drug to slow or halt the progression of Parkinson's disease does not exist;

Whereas the symptoms of Parkinson's disease vary from person to person and include tremors, slowness of movement, rigidity, difficulty with balance, swallowing, chewing, and speaking, cognitive impairment, dementia, mood disorders, and a variety of other nonmotor symptoms;

Whereas volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life for individuals with Parkinson's disease and the families of those individuals; and

Whereas developing more effective treatments for Parkinson's disease and providing access to quality care to individuals with Parkinson's disease requires increased research, education, and community support services: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2016 as ''Parkinson's Awareness Month'';

(2) supports the goals and ideals of Parkinson's Awareness Month;

(3) continues to support research to develop more effective treatments for Parkinson's disease and to ultimately find a cure for the disease;

(4) recognizes the individuals with Parkinson's disease who participate in vital clinical trials to advance the knowledge of the disease; and

(5) commends the dedication of organizations, volunteers, researchers, and millions of individuals in the United States working to improve the quality of life for individuals with Parkinson's disease and the families of those individuals.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3801. Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SA 3802. Mr. SCHATZ (for himself, Mr. ALEXANDER, Mrs. FEINSTEIN, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra.

SA 3803. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra.

SA 3804. Mr. ALEXANDER proposed an amendment to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra.

SA 3805. Mr. REID (for himself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3806. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3807. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3808. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3809. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3810. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3811. Mr. HOEVEN (for himself, Mrs. ERNST, Mr. RUBIO, Mr. BARRASSO, Mr. MANCHIN, and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra.

SA 3812. Mr. MERKLEY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3813. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3814. Mr. COATS (for himself, Mrs. FISCHER, Mr. FLAKE, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3815. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3816. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3817. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3818. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3819. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3820. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3821. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3822. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3823. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3824. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3825. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3826. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3827. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself

and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3828. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3829. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3830. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3831. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3832. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3833. Mr. FRANKEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3834. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3835. Mr. THUNE (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. ROUNDS, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R . 2028, supra; which was ordered to lie on the table.

SA 3836. Mr. DAINES (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3837. Mrs. FISCHER (for Mr. CASEY) proposed an amendment to the bill 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, and for other purposes.

TEXT OF AMENDMENTS

SA 3801. Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, namely:

TITLE I

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, design work, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects, and related efforts; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, $126,522,000, to remain available until expended.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related projects authorized by law; for conducting detailed studies, design work, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); $1,813,649,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $368,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, and aquatic ecosystem restoration projects, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, $3,173,829,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Army Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas managed by the Army Corps of Engineers at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: *Provided*, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $200,000,000, to remain available until September 30, 2018.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, $103,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, $30,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the Army Corps of Engineers headquarters and the division offices; and for costs allocable to the civil works program of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center, $180,000,000, to remain available until September 30, 2018, of which not more than $5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*, That no part of any other appropriation provided in this title shall be available to fund such activities in the Army Corps of Engineers headquarters and division offices: *Provided further*, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), $5,000,000, to remain available until September 30, 2018.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2017, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the House and Senate Committees on Appropriations;

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the House and Senate Committees on Appropriations;

(5) augments or reduces existing programs, projects, or activities in excess of the amounts contained in paragraphs (6) through (10), unless prior approval is received from the House and Senate Committees on Appropriations;

(6) INVESTIGATIONS.—For a base level over $100,000, reprogramming of 25 percent of the base amount up to a limit of $150,000 per project, study or activity is allowed: *Provided*, That for a base level less than $100,000, the reprogramming limit is $25,000: *Provided further*, That up to $25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(7) CONSTRUCTION.—For a base level over $2,000,000, reprogramming of 15 percent of the base amount up to a limit of $3,000,000 per project, study or activity is allowed: *Provided*, That for a base level less than $2,000,000, the reprogramming limit is $300,000: *Provided further*, That up to $3,000,000 may be reprogrammed for settled contractor claims, changed conditions, or real estate deficiency judgments: *Provided further*, That up to $300,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(8) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted for the Corps to be able to respond to emergencies: *Provided*, That the Chief of Engineers shall notify the House and Senate Committees on Appropriations of these emergency actions as soon thereafter as practicable: *Provided further*, That for a base level over $1,000,000, reprogramming of 15 percent of the base amount up to a limit of $5,000,000 per project, study, or activity is allowed: *Provided further*, That for a base level less than $1,000,000, the reprogramming limit is $150,000: *Provided further*, That $150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—The reprogramming guidelines in paragraphs (6), (7), and (8) shall apply to the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account, respectively; and

(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) DE MINIMUS REPROGRAMMINGS.—In no case should a reprogramming for less than $50,000 be submitted to the House and Senate Committees on Appropriations.

(c) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

(d) Not later than 60 days after the date of enactment of this Act, the Secretary shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year which shall include:

(1) A table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if applicable, and the fiscal year enacted level; and

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

(3) An identification of items of special congressional interest.

(e) The Secretary shall allocate funds made available in this Act solely in accordance with the provisions of this Act and the report of the Committee on Appropriations accompanying this Act, including the determination and designation of new starts.

(f) None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 102. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to $5,400,000 of funds provided in this title under the heading ''Operation and Maintenance'' to mitigate for fisheries lost due to Corps of Engineers civil works projects.

SEC. 103. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers during the fiscal year ending September 30, 2017, to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms ''fill material'' or ''discharge of fill material'' for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 104. None of the funds provided in this act may be used for open lake disposal of dredged sediment in Lake Erie unless such disposal meets water and environmental standards agreed to by the administrator of a State's water permitting agency and is consistent with a State's Coastal Zone Management Plan. If this standard is not met, the Corps of Engineers will maintain its long-standing funding obligations for upland placement of dredged material with cost sharing as specified in section 101 of the Water Resources Development Act of 1986, Public Law 99–662, as amended by section 201 of the Water Resources Development Act of 1196, Public Law 104–303 (33 U.S.C. 2211) and section 217(d) of the Water Resources Development Act of 1996, Public Law 104–303, as amended by section 2005 of the Water Resources Development Act of 2007, Public Law 110–300 (33 U.S.C. 2326a(d)).

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $10,000,000, to remain available until expended, of which $1,300,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided*, That of the amount provided under this heading, $1,350,000 shall be available until September 30, 2018, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year 2017, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed $1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $1,114,394,000, to remain available until expended, of which $158,841,000 shall be available for additional funding for work and are authorized to be used consistent with activities described in the Commissioner's transmittal to Congress dated February 8, 2016; $22,000 shall be available for transfer to the Upper Colorado River Basin Fund and $5,551,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $55,606,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: *Provided further*, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, $36,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: *Provided*, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: *Provided further*, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For expenses necessary for policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2018, $59,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in title II of this Act for Water and Related Resources, or provided by previous or subsequent appropriations Acts to the agencies or entities funded in title II of this Act for Water and Related Resources that remain available for obligation or expenditure in fiscal year 2017, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) initiates or creates a new program, project, or activity;

(2) eliminates a program, project, or activity unless the program, project or activity has received no appropriated funding for at least five fiscal years;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(5) transfers funds in excess of the following limits, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate:

(A) 15 percent for any program, project or activity for which $2,000,000 or more is available at the beginning of the fiscal year; or

(B) $400,000 for any program, project or activity for which less than $2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than $5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term transfer means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. Title I of Public Law 108–361 (the Calfed Bay-Delta Authorization Act) (118 Stat. 1681), as amended by section 210 of Public Law 111–85, is amended by striking ''2017'' each place it appears and inserting ''2019''.

SEC. 204. Section 9504(e) of the Secure Water Act of 2009 (42 U.S.C. 10364(e)) is amended by striking ''$350,000,000'' and inserting ''$400,000,000''.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $2,073,000,000, to remain available until expended: *Provided*, That of such amount, $153,500,000 shall be available until September 30, 2018, for program direction.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $206,000,000, to remain available until expended: *Provided*, That of such amount, $28,500,000 shall be available until September 30, 2018, for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of no more than three emergency service vehicles for replacement only, $1,057,903,000, to remain available until expended: *Provided*, That of such amount, the Secretary of Energy may obligate up to $10,000,000 under existing authorities, for contracting for the management of used nuclear fuel to which the Secretary holds the title or has a contract to accept title: *Provided further*, That of such amount, $80,000,000 shall be available until September 30, 2018, for program direction.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For Department of Energy expenses necessary in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $632,000,000, to remain available until expended: *Provided*, That of the amount made available under this heading in this Act, $60,000,000 shall be available until September 30, 2018, for program direction.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, $14,950,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $200,000,000, to remain available until expended. *Provided*, That as authorized by section 404 of the Bipartisan Budget Act of 2015 (Public Law 114–74), the Secretary of the Department of Energy shall drawdown and sell not to exceed $375,400,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2017: *Provided further*, That the proceeds from such drawdown and sale shall be

deposited into the Energy Security and Infrastructure Modernization Fund during fiscal year 2017 and shall remain available until expended for necessary expenses in carrying out construction, operations, maintenance, repair, and replacement activities of the Strategic Petroleum Reserve.

NORTHEAST HOME HEATING OIL RESERVE

For Department of Energy expenses necessary for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $6,500,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, $122,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $255,000,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, $717,741,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which $30,000,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 17 passenger motor vehicles for replacement only, including one ambulance and one bus, $5,400,000,000, to remain available until expended: *Provided*, That of such amount, $191,500,000 shall be available until September 30, 2018, for program direction.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For Department of Energy expenses necessary in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110–69), $292,669,000, to remain available until expended: *Provided*, That of such amount, $29,250,000 shall be available until September 30, 2018, for program direction.

OFFICE OF INDIAN ENERGY

For necessary expenses for Indian Energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $20,000,000, to remain available until expended: *Provided*, That, of the amount appropriated under this heading, $4,800,000 shall be available until September 30, 2018, for program direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided*, That for necessary administrative expenses to carry out this Loan Guarantee program, $37,000,000 is appropriated from fees collected in prior years pursuant to section 1702(h) of the Energy Policy Act of 2005 which are not otherwise appropriated, to remain available until September 30, 2018: *Provided further*, That if the amount in the previous proviso is not available from such fees, an amount for such purposes is also appropriated from the general fund so as to result in a total amount appropriated for such purpose of no more than $37,000,000: *Provided further*, That fees collected pursuant to such section 1702(h) for fiscal year 2017 shall be credited as offsetting collections under this heading and shall not be available until appropriated: *Provided further*, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $5,000,000, to remain available until September 30, 2018.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $232,142,000, to remain available until September 30, 2018, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total $103,000,000 in fiscal year 2017 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than $129,142,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, $44,424,000, to remain available until September 30, 2018.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $9,285,147,000, to remain available until expended: *Provided*, That of such amount, $106,600,000 shall be available until September 30, 2018, for program direction.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,821,916,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $1,351,520,000, to remain available until expended: *Provided*, That of such amount, $47,100,000 shall be available until September 30, 2018, for program direction.

FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, $408,603,000, to remain available until September 30, 2018, including official reception and representation expenses not to exceed $12,000.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one fire apparatus pumper truck, one aerial lift truck, one refuse truck, and one semi-truck for replacement only, $5,379,018,000, to remain available until expended: *Provided*, That of such amount $290,050,000 shall be available until September 30, 2018, for program direction.

DEFENSE URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for atomic energy defense environmental cleanup activities for Department of Energy contributions for uranium enrichment decontamination and decommissioning activities, $717,741,000, to be deposited into the Defense Environmental Cleanup account which shall be transferred to the ''Uranium Enrichment Decontamination and Decommissioning Fund''.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility

acquisition, construction, or expansion, $791,552,000, to remain available until expended: *Provided*, That of such amount, $258,061,000 shall be available until September 30, 2018, for program direction.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $5,000: *Provided*, That during fiscal year 2017, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $1,000,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $1,000,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation estimated at not more than $0: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $60,760,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $45,643,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to $34,586,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation estimated at not more than $11,057,000: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $73,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, $307,144,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended, of which $299,742,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $211,563,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation estimated at not more than $95,581,000, of which $88,179,000 is derived from the Reclamation Fund: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $367,009,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $4,070,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $3,838,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation estimated at not more than $232,000: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: *Provided further*, That for fiscal year 2017, the Administrator of the Western Area Power Administration may accept up to $323,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: *Provided further*, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed $3,000, and the hire of passenger motor vehicles, $346,800,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $346,800,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2017 shall be retained and used for expenses necessary in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2017 so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of both Houses of Congress at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling $1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling $1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing

each grant allocation or discretionary grant award totaling less than $1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading ''Department of Energy—Energy Programs'', enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of both Houses of Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the ''Final Bill'' column in the ''Department of Energy'' table included under the heading ''Title III—Department of Energy'' in the report of the Committee on Appropriations accompanying this Act.

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than $5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

(h) The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 302. (a) Unobligated balances available from appropriations are hereby permanently rescinded from the following accounts of the Department of Energy in the specified amounts:

(1) ''Atomic Energy Defense Activities—National Nuclear Security Administration—Weapons Activities'', $50,400,000.

(2) ''Atomic Energy Defense Activities—National Nuclear Security Administration—Defense Nuclear Nonproliferation'', $14,000,000.

(3) ''Energy Program—Fossil Energy Research and Development'', $240,000,000.

(b) No amounts may be rescinded by this section from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 303. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2017 until the enactment of the Intelligence Authorization Act for fiscal year 2017.

SEC. 304. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 305. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds $100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 306. (a) DEFINITIONS.—In this section:

(1) AFFECTED INDIAN TRIBE.—The term ''affected Indian tribe'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(2) HIGH-LEVEL RADIOACTIVE WASTE.—The term ''high-level radioactive waste'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(3) NUCLEAR WASTE FUND.—The term ''Nuclear Waste Fund'' means the Nuclear Waste Fund established under section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(5) SPENT NUCLEAR FUEL.—The term ''spent nuclear fuel'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(b) PILOT PROGRAM.—Notwithstanding any provision of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.), the Secretary is authorized, in the current fiscal year and subsequent fiscal years, to conduct a pilot program, through 1 or more private sector partners, to license, construct, and operate 1 or more government or privately owned consolidated storage facilities to provide interim storage as needed for spent nuclear fuel and high-level radioactive waste, with priority for storage given to spent nuclear fuel located on sites without an operating nuclear reactor.

(c) REQUESTS FOR PROPOSALS.—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue a request for proposals for cooperative agreements—

(1) to obtain any license necessary from the Nuclear Regulatory Commission for the construction of 1 or more consolidated storage facilities;

(2) to demonstrate the safe transportation of spent nuclear fuel and high-level radioactive waste, as applicable; and

(3) to demonstrate the safe storage of spent nuclear fuel and high-level radioactive waste, as applicable, at the 1 or more consolidated storage facilities pending the construction and operation of deep geologic disposal capacity for the permanent disposal of the spent nuclear fuel.

(d) CONSENT-BASED APPROVAL.—Prior to siting a consolidated storage facility pursuant to this section, the Secretary shall enter into an agreement to host the facility with—

(1) the Governor of the State;

(2) each unit of local government within the jurisdiction of which the facility is proposed to be located; and

(3) each affected Indian tribe.

(e) APPLICABILITY.—In executing this section, the Secretary shall comply with—

(1) all licensing requirements and regulations of the Nuclear Regulatory Commission; and

(2) all other applicable laws (including regulations).

(f) PILOT PROGRAM PLAN.—Not later than 120 days after the date on which the Secretary issues the request for proposals under subsection (c), the Secretary shall submit to Congress a plan to carry out this section that includes—

(1) an estimate of the cost of licensing, constructing, and operating a consolidated storage facility, including the transportation costs, on an annual basis, over the expected lifetime of the facility;

(2) a schedule for—

(A) obtaining any license necessary to construct and operate a consolidated storage facility from the Nuclear Regulatory Commission;

(B) constructing the facility;

(C) transporting spent fuel to the facility; and

(D) removing the spent fuel and decommissioning the facility; and

(3) an estimate of the cost of any financial assistance, compensation, or incentives proposed to be paid to the host State, Indian tribe, or local government;

(4) an estimate of any future reductions in the damages expected to be paid by the United States for the delay of the Department of Energy in accepting spent fuel expected to result from the pilot program;

(5) recommendations for any additional legislation needed to authorize and implement the pilot program; and

(6) recommendations for a mechanism to ensure that any spent nuclear fuel or high-level radioactive waste stored at a consolidated storage facility pursuant to this section shall move to deep geologic disposal capacity, following a consent-based approval process for that deep geologic disposal capacity consistent with subsection (d), within a reasonable time after the issuance of a license to construct and operate the consolidated storage facility.

(g) PUBLIC PARTICIPATION.—Prior to choosing a site for the construction of a consolidated storage facility under this section, the Secretary shall conduct 1 or more public hearings in the vicinity of each potential site and in at least 1 other location within the State in which the site is located to solicit public comments and recommendations.

(h) USE OF NUCLEAR WASTE FUND.—The Secretary may make expenditures from the Nuclear Waste Fund to carry out this section, subject to appropriations.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $151,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $31,000,000, to remain available until September 30, 2018.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, $25,000,000, to remain available until expended.

DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $15,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: *Provided*, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities: *Provided further*, That, notwithstanding any other provision of law regarding payment of a non-Federal share in connection with a grant-in-aid program, amounts under this heading shall be available for the payment of such a non-Federal share for programs undertaken to carry out the purposes of the Commission.

NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $10,000,000, to remain available until expended: *Provided*, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, $939,000,000, including official representation expenses not to exceed $25,000, to remain available until expended: *Provided*, That of the amount appropriated herein, not more than $7,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2018, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $822,240,000 in fiscal year 2017 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That of the amounts appropriated under this heading, not less than $5,000,000 shall be for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, and $5,000,000 of that amount shall not be available from fee revenues, notwithstanding 42 U.S.C. 2214: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2017 so as to result in a final fiscal year 2017 appropriation estimated at not more than $116,760,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $12,129,000, to remain available until September 30, 2018: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at $10,044,000 in fiscal year 2017 shall be retained and be available until September 30, 2018, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2017 so as to result in a final fiscal year 2017 appropriation estimated at not more than $2,085,000: *Provided further*, That of the amounts appropriated under this heading, $969,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,600,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2018.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project, or activity, and the Commission shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program funding level to increase or decrease by more than $500,000 or 10 percent, whichever is less, during the time period covered by this Act.

(b)(1) The Nuclear Regulatory Commission may waive the notification requirement in (a) if compliance with such requirement would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Nuclear Regulatory Commission shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver and shall provide a detailed report to the Committees of such waiver and changes to funding levels to programs, projects, or activities.

(c) Except as provided in subsections (a), (b), and (d), the amounts made available by this title for ''Nuclear Regulatory Commission—Salaries and Expenses'' shall be expended as directed in the report accompanying this Act.

(d) None of the funds provided for the Nuclear Regulatory Commission shall be available for obligation or expenditure through a reprogramming of funds that increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act.

(e) The Commission shall provide a monthly report to the Committees on Appropriations of both Houses of Congress, which includes the following for each program, project, or activity, including any prior year appropriations—

(1) total budget authority;

(2) total unobligated balances; and

(3) total unliquidated obligations.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of both Houses of Congress a semiannual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

This Act may be cited as the ''Energy and Water Development and Related Agencies Appropriations Act, 2017''.

SA 3802. Mr. SCHATZ (for himself, Mr. ALEXANDER, Mrs. FEINSTEIN, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 28, line 16, strike ''$292,669,000'' and insert ''$325,000,000''.

On page 46, between lines 14 and 15, insert the following:

(4) ''Energy Program—Title 17 Innovative Technology Loan Guarantee Program'', $9,500,000.

(5) ''Energy Program—Energy Efficiency and Renewable Energy'', $20,600,000.

(6) ''Energy Program—Nuclear Energy'', $231,000.

(7) ''Energy Program—Strategic Petroleum Reserve'', $150,000.

(8) ''Energy Program—Naval Petroleum and Oil Shale Reserves'', $150,000.

(9) ''Energy Program—Science'', $1,700,000.

SA 3803. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 53, strike lines 3 through 12.

Beginning on page 53, strike line 20 and all that follows through page 55, line 8.

SA 3804. Mr. ALEXANDER proposed an amendment to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

Beginning on page 55, line 23, strike ''*Provided*'' and all that follows through page 56, line 13, and insert the following: ''*Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $823,114,000 in fiscal year 2017 shall be retained and used for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code, and shall remain available until expended: *Provided further*, That of the amounts appropriated under this heading, not less than $5,000,000 shall be available for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, and $5,000,000 of that amount shall not be available for fee revenues, notwithstanding section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214): *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2017 so as to result in a final fiscal year 2017 appropriation estimated at not more than $115,886,000.''.

SA 3805. Mr. REID (for himself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In section 204, strike ''and inserting '$400,000,000' '' and insert ''and inserting '$450,000,000, on the condition that of that amount, $50,000,000 is used to carry out section 206 of the Energy and Water Development and Related Agencies Appropriations Act, 2015 (43 U.S.C. 620 note; Public Law 113–235)' ''.

SA 3806. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the general provisions of title I, add the following:

SEC. _____. None of the funds made available by this Act may be used by the Corps of Engineers to implement the Dredged Material Management Plan for Long Island Sound.

SA 3807. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4____. None of the amounts made available by this title for the Nuclear Regulatory Commission may be used to issue any draft or final rule that would provide to any nuclear power plant carrying out decommissioning activities an automatic or permanent exemption from any requirement relating to emergency preparedness.

SA 3808. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1____. Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)(3), by inserting ''in which the project is located or of a community that is located in the region that is served by the project and that will rely on the project'' after ''community''; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''or of a community that is located in the region to be served by the project and that will rely on the project'' after ''community'';

(B) in paragraph (4), by striking ''local population'' and inserting ''regional population to be served by the project''; and

(C) in paragraph (5), by striking ''community'' and inserting ''local community or to a community that is located in the region to be served by the project and that will rely on the project''.

SA 3809. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5____. Section 10(h) of Public Law 86–787 (74 Stat. 1026; 120 Stat. 1474) is amended by striking ''10 years'' and inserting ''20 years''.

SA 3810. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NO BUDGET, NO PAY.

(a) SHORT TITLE.—This section may be cited as the ''No Budget, No Pay Act''.

(b) DEFINITION.—In this section, the term ''Member of Congress''—

(1) has the meaning given under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

(c) TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.—If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

(d) NO PAY WITHOUT CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, no funds may be appropriated or otherwise be made available from the United States Treasury for the pay of any Member of Congress during any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under subsection (e).

(2) NO RETROACTIVE PAY.—A Member of Congress may not receive pay for any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under subsection (e), at any time after the end of that period.

(e) DETERMINATIONS.—

(1) SENATE.—

(A) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Secretary of the Senate shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate for certification of determinations made under clause (i) and (ii) of subparagraph (B).

(B) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate shall—

(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (c) and whether Senators may not be paid under that subsection;

(ii) determine the period of days following each October 1 that Senators may not be paid under subsection (c); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Secretary of the Senate.

(2) HOUSE OF REPRESENTATIVES.—

(A) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives for certification of determinations made under clauses (i) and (ii) of subparagraph (B).

(B) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives shall—

(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (c) and whether Members of the House of Representatives may not be paid under that subsection;

(ii) determine the period of days following each October 1 that Members of the House of Representatives may not be paid under subsection (c); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Chief Administrative Officer of the House of Representatives.

(f) EFFECTIVE DATE.—This section shall take effect on February 1, 2017.

SA 3811. Mr. HOEVEN (for himself, Mrs. ERNST, Mr. RUBIO, Mr. BARRASSO, Mr. MANCHIN, and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in title V, insert the following:

SEC. 5_____. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce any change to the regulations and guidance in effect on October 1, 2012, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including the provisions of the rules dated November 13, 1986, and August 25, 1993, relating to such jurisdiction, and the guidance documents dated January 15, 2003, and December 2, 2008, relating to such jurisdiction.

SA 3812. Mr. MERKLEY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, line 15, strike the period at the end and insert the following: ''*: Provided further*, That of such amount, $95,400,000 shall be available for wind energy.''.

SA 3813. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1____. None of the funds made available by this title may be used for any acquisition that is not consistent with section 225.7007 of title 48, Code of Federal Regulations.

SA 3814. Mr. COATS (for himself, Mrs. FISCHER, Mr. FLAKE, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 30, line 9, strike the period at the end and insert the following: ''*: Provided*, That none of the funds made available under this heading shall be used to administer, review, or approve any loan or loan application that was not submitted as of the date of enactment of this Act: *Provided further*, that none of the funds available to the Secretary of Energy to provide any credit subsidy under subsection (d) of section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) as of the date of enactment of this Act shall be obligated for new loan commitments under that subsection on or after October 1, 2020.''.

SA 3815. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In section 204, strike ''and inserting '$400,000,000' '' and insert ''and inserting '$400,000,000, on the condition that of that amount, $50,000,000 is used to carry out section 206 of the Energy and Water Development and Related Agencies Appropriations Act, 2015 (43 U.S.C. 620 note; Public Law 113–235), except that none of that $50,000,000 shall be used to carry out any project that creates Colorado River System water that could be released or delivered in the same calendar year during which the project is carried out' ''.

SA 3816. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 16, line 11, strike the period at the end and insert the following: ''*: Provided further*, That of the amounts provided herein, the Commissioner of the Bureau of Reclamation shall use such amounts as are necessary to conduct a study on the feasibility of the Bureau of Reclamation or a water user group taking over management of 1 or more irrigation projects managed by the Bureau of Indian Affairs on the date of enactment of this Act.''.

SA 3817. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 53, line 11, strike ''$151,000,000'' and insert ''$120,000,000''.

On page 54, line 1, strike ''$25,000,000'' and insert ''$15,936,000''.

On page 55, line 4, strike ''$10,000,000'' and insert ''$5,000,000''.

SA 3818. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1____. No funding shall be made available under this Act for any river or harbor, flood or storm damage reduction, shore protection, aquatic ecosystem restoration, or other similar project, as determined by the Chief of Engineers—

(1) with respect to which each non-Federal sponsor and each affected Member of Congress states there exists no interest or support for continuing the project; or

(2) that has been suspended for an indefinite period (including any project for which a non-Federal sponsor fails to provide the non-Federal cost-share or for which the applicable tax base is insufficient), subject to the condition that such a project may be reclassified as an active project at a later date.

SA 3819. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, line 10, strike ''$1,114,394,000'' and insert ''$1,070,553,000''.

SA 3820. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, line 11, strike ''$1,813,649,000'' and insert ''$1,744,699,000''.

SA 3821. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 13, after line 5, add the following:

SEC. 105. Notwithstanding any other provision of this title, the amount made available under the heading ''CONSTRUCTION'' under the heading ''CORPS OF ENGINEERS–CIVIL'' under the heading ''CORPS OF ENGINEERS–CIVIL DEPARTMENT OF THE ARMY'' in this title shall be $1,803,649,000.

SEC. 106. None of the funds made available by this title may be used for beach nourishment or beach renourishment.

SA 3822. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of this Act, none of the funds made available by this Act may be used to facilitate the development or management of training and workforce development programs (other than the joint Solar Ready Vets program of the Department of Energy and the Department of Defense) that assist and support workers in trades and activities required for the continued growth of the United States energy efficiency and clean energy sectors.

SA 3823. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 54, line 7, strike ''$15,000,000'' and insert ''$0''.

SA 3824. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 5, line 22, strike the period at the end and insert the following: '': *Provided further*, That of the funds provided herein, the Secretary of the Army shall use $12,000,000 to fund all or a portion of the costs to review or revise operational documents, including water control plans, water control manuals, water control diagrams, release schedules, rule curves, operational agreements with non-Federal entities, and any associated environmental documentation for any Corps of Engineers project, non-Federal project regulated for flood control by the Secretary of the Army, or Bureau of Reclamation facilities regulated for flood control by the Secretary of the Army.''.

SA 3825. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 28, strike lines 12 through 18.

SA 3826. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 24, strike line 21 and all that follows through page 25, line 11.

SA 3827. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 23, strike line 16 and all that follows through page 24, line 2.

SA 3828. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, strike lines 4 through 15.

SA 3829. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2____. None of the funds made available by this title or any other Act may be used by the Director of the National Park Service or the Director of the Bureau of Indian Affairs to purchase or lease additional vehicles for the National Park Service or the Bureau of Indian Affairs, respectively, until the date on which the Director of the National Park Service or the Director of the Bureau of Indian Affairs, as applicable, certifies that the applicable agency has taken corrective action to address each leased vehicle of the applicable agency that has not—

(1) met the utilization criteria of the applicable agency; or

(2) passed the justification process of the applicable agency.

SA 3830. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROTECTION OF FISH AND WILDLIFE.

(a) IN GENERAL.—None of the funds made available by this Act shall be available for activities relating to section 906(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(d)) if the Secretary of the Army does not ensure evaluation of and mitigation for impacts to fish and wildlife resources consistent with recommendations developed by the Director of the United States Fish and Wildlife Service, the Secretary of the Interior, and the States pursuant to section 2 of the Fish and Wildlife Coordination Act (16 U.S.C. 662), including recommendations to properly evaluate impacts and avoid adverse impacts to fish and wildlife resources.

(b) REQUIREMENTS.—

(1) IN GENERAL.—In carrying out subsection (a), the Secretary of the Army shall not select a recommended alternative for a water resources project if the Director of the United States Fish and Wildlife Service concludes that the impacts of that alternative cannot be successfully mitigated.

(2) MITIGATION.—The mitigation requirements under this section shall be in addition to any other mitigation measures required under section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) and any other applicable Federal or State law (including regulations).

SA 3831. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LOW-IMPACT, COST-EFFECTIVE PLANNING.

(a) DEFINITION OF NONSTRUCTURAL MEASURE.—In this section:

(1) IN GENERAL.—The term ''nonstructural measure'' means an action that, without using a structural measure—

(A) uses, enhances, facilitates, protects, or restores naturally occurring hydrologic, geomorphic, and ecological functions and processes; and

(B) protects or restores the physical, chemical, or biological characteristics of a stream, river, floodplain, wetland, or coast.

(2) INCLUSIONS.—The term ''nonstructural measure'' includes—

(A) acquisition of land or an easement;

(B) relocation, demolition, or elevation of a flood-prone property;

(C) removal of a structure such as a dam, levee, or culvert, or modification of the structures to restore a natural hydrology, form, function, or process of a river, stream, floodplain, wetland, or coast;

(D) reestablishment of a natural hydrology, form, function, or process of a river, stream, floodplain, wetland, or coast;

(E) a living shoreline;

(F) a measure to increase water conservation, increase water efficiency, or improve water management;

(G) a building or construction requirement or standard;

(H) a land use restriction or limitation; and

(I) removal of a nonnative species or reintroduction of a native species.

(b) PLANNING REQUIREMENTS.—

(1) IN GENERAL.—Subject to paragraph (2), none of the funds made available by this Act shall be available for a water resources

project for which, in formulating and evaluating a water resources project in a feasibility study, environmental review, or pursuant to section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), the Secretary of the Army did not select and recommend nonstructural measures to address all or a portion of a water resources project wherever those nonstructural measures are practicable.

(2) EXCEPTION.—Paragraph (1) shall not apply to a water resources project if the Secretary of the Army issues a written finding stating that it is not in the Federal interest to use nonstructural measures for the project.

(c) PRESUMPTION.—A nonstructural measure shall be presumed to be available and practicable unless clearly demonstrated otherwise.

(d) REQUIREMENT.—A nonstructural measure recommended under this section shall be cost-effective, as determined pursuant to section 904(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2281(b)).

SA 3832. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds made available by this Act may be used for an emergency project under section 5(a) of the Act of August 18, 1941 (33 U.S.C. 701n(a)), if the Secretary of the Army does not consider nonstructural alternatives (including natural or nature-based solutions) for the project where available and practicable and in consultation with a non-Federal sponsor.

SA 3833. Mr. FRANKEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, between lines 2 and 3, insert the following:

TRIBAL ENERGY LOAN GUARANTEE PROGRAM

For the cost of loan guarantees provided under section 2602(c) of the Energy Policy Act of 1992 (25 U.S.C. 3502(c)), $8,500,000, to remain available until expended: *Provided*, That the cost of those loan guarantees (including the costs of modifying loans, as applicable) shall be determined in accordance with section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): *Provided further*, That, for necessary administrative expenses to carry out that program, $500,000 is appropriated, to remain available until expended: *Provided further*, That, of the subsidy amounts provided by section 1425 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10; 125 Stat. 126), for the cost of loan guarantees for renewable energy or efficient end-use energy technologies under section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513), $9,000,000 is permanently canceled.

SA 3834. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2____. (a) The Secretary of the Interior, in coordination with the Secretary of the Army and the Secretary of Agriculture, shall enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall conduct a comprehensive study, to be completed not later than 1 year after the date of enactment of this Act, on the effectiveness and environmental impact of salt cedar control efforts (including biological control) in increasing water supplies, restoring riparian habitat, and improving flood management.

(b) Not later than 1 year after the date of completion of the study under subsection (a), the Secretary of the Interior, in coordination with the Secretary of Agriculture, shall prepare a plan for the removal of salt cedar from all Federal land in the Lower Colorado River basin that includes—

(1) provisions for revegetating Federal land with native vegetation;

(2) provisions for adapting to the increasing presence of biological control in the Lower Colorado River basin;

(3) provisions for removing salt cedar from Federal land during post-wildfire recovery activities;

(4) strategies for developing partnerships with State, tribal, and local governmental entities in the eradication of salt cedar; and

(5) budget estimates and completion timelines for the implementation of plan elements.

SA 3835. Mr. THUNE (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. ROUNDS, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2____. None of the funds made available by this title may be used to carry out any prioritization criteria of the Bureau of Reclamation for use in developing budget requests and allocating funding for ongoing work for rural water projects that does not include the consideration of the non-Federal resources, including those above the non-Federal cost share, committed to the project.

SA 3836. Mr. DAINES (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

EXTENSION OF TIME FOR CERTAIN FEDERAL ENERGY REGULATORY COMMISSION PROJECTS

SEC. 3____. (a) GIBSON DAM.—(1) IN GENERAL.—Notwithstanding the requirements of section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12478–003, the Federal Energy Regulatory Commission (referred to in this section as the ''Commission'') may, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, extend the time period during which the licensee is required to commence construction of the project for a 6-year period that begins on the date described in paragraph (2).

(2) DATE DESCRIBED.—The date described in this paragraph is the date of the expiration of the extension of the period required for commencement of construction for the project described in paragraph (1) that was issued by the Commission prior to the date of enactment of this Act under section 13 of the Federal Power Act (16 U.S.C. 806).

(3) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in paragraph (2) has expired before the date of enactment of this Act—

(A) the Commission shall reinstate the license effective as of the date of the expiration of the license; and

(B) the first extension authorized under paragraph (1) shall take effect on that expiration date.

(b) CLARK CANYON DAM.—Notwithstanding the time period described in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Commission project numbered 12429, the Commission shall, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, reinstate the license and extend the time period during which the licensee is required to commence construction of project works for the 3-year period beginning on the date of enactment of this Act.

SA 3837. Mrs. FISCHER (for Mr. CASEY) proposed an amendment to the bill 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, and for other purposes; as follows:

On page 23, line 20, strike ''security''.

On page 24, beginning on line 23, strike ''align'' and all that follows through ''science'' on line 25 and insert ''demonstrably meet, align with and leverage broader United States strategies and investments in trade, economic growth, national security, science''.

On page 33, line 24, strike ''producers; and'' and insert ''producers;''.

On page 34, line 6, strike ''8(b)(4).'' and insert ''8(b)(4); and''.

On page 34, between lines 6 and 7, insert the following:

(17) demonstrably support the United States national security and economic interest in the countries where assistance is being provided.

Beginning on page 40, strike line 16 and all that follows through page 44, line 18, and insert the following:

SEC. 8. REPORTS.

(a) GLOBAL FOOD SECURITY STRATEGY IMPLEMENTATION REPORTS.—Not later than 1 year and 2 years after the date of the submission of the strategy required under section 5(c), the President shall submit to the appropriate congressional committees reports that describe the status of the implementation of the Global Food Security Strategy for 2017 and 2018, which shall—

(1) contain a summary of the Global Food Security Strategy as an appendix;

(2) identify any substantial changes made in the Global Food Security Strategy during the preceding calendar year;

(3) describe the progress made in implementing the Global Food Security Strategy;

(4) identify the indicators used to establish benchmarks and measure results over time, as well as the mechanisms for reporting such results in an open and transparent manner;

(5) describe related strategies and benchmarks for graduating target countries and communities from assistance provided under the Global Food Security Strategy over time, including by building resilience, reducing risk, and enhancing the sustainability of outcomes from United States investments in agriculture and nutrition security;

(6) indicate how findings from monitoring and evaluation were incorporated into program design and budget decisions;

(7) contain a transparent, open, and detailed accounting of spending by relevant Federal departments and agencies to implement the Global Food Security Strategy, including, for each Federal department and agency, the statutory source of spending, amounts spent, implementing partners and targeted beneficiaries, and activities supported to the extent practicable and appropriate;

(8) describe how the Global Food Security Strategy leverages other United States food security and development assistance programs on the continuum from emergency food aid through sustainable, agriculture-led economic growth and eventual self-sufficiency;

(9) describe the contributions of the Global Food Security Strategy to, and assess the impact of, broader international food and nutrition security assistance programs, including progress in the promotion of land tenure rights, creating economic opportunities for women and small-scale producers, and stimulating agriculture-led economic growth in target countries and communities;

(10) assess efforts to coordinate United States international food security and nutrition programs, activities, and initiatives with key stakeholders;

(11) assess United States Government-facilitated private investment in related sectors and the impact of private sector investment in target countries and communities;

(12) identify any United States legal or regulatory impediments that could obstruct the effective implementation of the programming referred to in paragraphs (8) and (9);

(13) contain a clear gender analysis of programming, to inform project-level activities, that includes established disaggregated gender indicators to better analyze outcomes for food productivity, income growth, control of assets, equity in access to inputs, jobs and markets, and nutrition; and

(14) incorporate a plan for regularly reviewing and updating strategies, partnerships, and programs and sharing lessons learned with a wide range of stakeholders in an open, transparent manner.

(b) GLOBAL FOOD SECURITY CROSSCUT REPORT.—Not later than 120 days after the President submits the budget to Congress under section 1105(a) of title 31, United States Code, the Director of the Office of Management and Budget shall submit to the appropriate congressional committees a report including—

(1) an interagency budget crosscut report that—

(A) displays the budget proposed, including any planned interagency or intra-agency transfer, for each of the principal Federal agencies that carries out global food security activities in the upcoming fiscal year, separately reporting the amount of planned funding to be provided under existing laws pertaining to the global food security strategy to the extent available; and

(B) to the extent available, identifies all assistance and research expenditures at the account level in each of the five prior fiscal years by the Federal Government and United States multilateral commitments using Federal funds for global food security strategy activities;

(2) to the extent available, a detailed accounting of all assistance funding received and obligated by the principal Federal agencies identified in the report and United States multilateral commitments using Federal funds, for global food security activities during the current fiscal year; and

(3) a breakout of the proposed budget for the current and budget years by agency, categorizing expenditures by type of funding, including research, resiliency, and other food security activities to the extent that such information is available.

(c) PUBLIC AVAILABILITY OF INFORMATION.—The information referred to in subsections (a) and (b) shall be made available on the public website of the United States Agency for International Development in an open, machine readable format, in a timely manner.

SEC. 9. RULE OF CONSTRUCTION.

(a) EFFECT ON OTHER PROGRAMS.—Nothing in the Global Food Security Strategy or this Act or the amendments made by this Act shall be construed to supersede or otherwise affect the authority of the relevant Federal departments and agencies to carry out programs specified in subsection (b), in the manner provided, and subject to the terms and conditions, of those programs, including, but not limited to, the terms, conditions, and requirements relating to the procurement and transportation of food assistance furnished pursuant to such programs.

(b) PROGRAMS DESCRIBED.—The programs referred to in subsection (a) are the following:

(1) The Food for Peace Act (7 U.S.C. 1691 et seq.).

(2) The Food for Progress Act of 1985 (7 U.S.C. 1736o).

(3) Section 416(b) of the Agriculture Act of 1949 (7 U.S.C. 1431).

(4) McGovern-Dole Food for Education Program (7 U.S.C.1736o–1).

(5) Local and Regional Procurement Program (7 U.S.C. 1726c).

(6) Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1).

(7) Any other food and nutrition security and emergency and non-emergency food assistance program of the Department of Agriculture.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 20, 2016, at 10 a.m., in room SR–253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled ''The State of the U.S. Maritime Industry: Stakeholder Perspectives.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 20, 2016, at 10 a.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a Subcommittee hearing entitled ''New Approaches and Innovative Technologies to Improve Water Supply.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 20, 2016, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 20, 2016, at 5 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 20, 2016, at 10 a.m., to conduct a hearing entitled ''The Administrative State: An Examination of Federal Rulemaking.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on April 20, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on April 20, 2016, at 2:15 p.m. in room SR–301 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PERSONNEL

Mr. CORNYN. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized

to meet during the session of the Senate on April 20, 2016, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWER

Mr. CORNYN. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on April 20, 2016, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that Tim Dykstra, a detailee for the Energy and Water Development Subcommittee, have full floor privileges during the consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that my Corps of Engineers fellow, Jen Armstrong, and my Department of Energy fellow, John Rivard, be granted floor privileges through the remainder of the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar No. 495; that the nomination be confirmed and the motion to 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 nomination 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 nomination considered and confirmed is as follows:

ARMY

The following named officer for appointment as the Chief of Engineers/Commanding General, United States Army Corps of Engineers, and appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3036:

To be lieutenant general

Maj. Gen. Todd T. Semonite

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

GLOBAL FOOD SECURITY ACT OF 2015

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate now proceed to Calendar No. 393, S. 1252, and that the Casey amendment be agreed to; that the committee-reported substitute amendment, as amended, be agreed to; and that the bill, as amended, be read a third time and the Senate vote on passage of the bill with no intervening action or debate.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (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, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Global Food Security Act of 2016''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) According to the Food and Agriculture Organization of the United Nations (referred to in this section as the ''FAO''), 805,000,000 people worldwide suffer from chronic hunger. Hunger and malnutrition rob people of health and productive lives and stunt the mental and physical development of future generations.

(2) According to the January 2014 ''Worldwide Threat Assessment of the US Intelligence Community''—

(A) the ''[l]ack of adequate food will be a destabilizing factor in countries important to US national security that do not have the financial or technical abilities to solve their internal food security problems''; and

(B) ''[f]ood and nutrition insecurity in weakly governed countries might also provide opportunities for insurgent groups to capitalize on poor conditions, exploit international food aid, and discredit governments for their inability to address basic needs''.

(3) A comprehensive approach to sustainable food and nutrition security should not only respond to emergency food shortages, but should also address malnutrition, resilience to food and nutrition insecurity, building the capacity of poor, rural populations to improve their agricultural productivity and incomes, removing institutional impediments to agricultural development, value chain access and efficiency, including processing and storage, enhancing agribusiness development, access to markets and activities that address the specific needs and barriers facing women and small-scale producers, education, and collaborative research.

SEC. 3. STATEMENT OF POLICY OBJECTIVES; SENSE OF CONGRESS.

(a) STATEMENT OF POLICY OBJECTIVES.—It is in the national security interest of the United States to promote global food security, resilience, and nutrition, consistent with national food security investment plans, which is reinforced through programs, activities, and initiatives that—

(1) place food insecure countries on a path toward self-sufficiency and economic freedom through the coordination of United States foreign assistance programs;

(2) accelerate inclusive, agricultural-led economic growth that reduces global poverty, hunger, and malnutrition, particularly among women and children;

(3) increase the productivity, incomes, and livelihoods of small-scale producers, especially women, by working across agricultural value chains, enhancing local capacity to manage agricultural resources effectively and expanding producer access to local and international markets;

(4) build resilience to food shocks among vulnerable populations and households while reducing reliance upon emergency food assistance;

(5) create an enabling environment for agricultural growth and investment, including through the promotion of secure and transparent property rights;

(6) improve the nutritional status of women and children, with a focus on reducing child stunting, including through the promotion of highly nutritious foods, diet diversification, and nutritional behaviors that improve maternal and child health;

(7) align with and leverage broader United States strategies and investments in trade, economic growth, science and technology, agriculture research and extension, maternal and child health, nutrition, and water, sanitation, and hygiene;

(8) continue to strengthen partnerships between United States-based universities, including land-grant colleges, and universities and institutions in target countries and communities that build agricultural capacity; and

(9) ensure the effective use of United States taxpayer dollars to further these objectives.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the President, in providing assistance to implement the Global Food Security Strategy, should—

(1) coordinate, through a whole-of-government approach, the efforts of relevant Federal departments and agencies to implement the Global Food Security Strategy;

(2) seek to fully utilize the unique capabilities of each relevant Federal department and agency while collaborating with and leveraging the contributions of other key stakeholders; and

(3) utilize open and streamlined solicitations to allow for the participation of a wide range of implementing partners through the most appropriate procurement mechanisms, which may include grants, contracts, cooperative agreements, and other instruments as necessary and appropriate.

SEC. 4. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Agriculture of the House of Representatives; and

(F) the Committee on Appropriations of the House of Representatives.

(2) FEED THE FUTURE INNOVATION LABS.—The term ''Feed the Future Innovation Labs'' means research partnerships led by United States universities that advance solutions to reduce global hunger, poverty, and malnutrition.

(3) FOOD AND NUTRITION SECURITY.—The term ''food and nutrition security'' means access to, and availability, utilization, and stability of, sufficient food to meet caloric and nutritional needs for an active and healthy life.

(4) GLOBAL FOOD SECURITY STRATEGY.—The term ''Global Food Security Strategy'' means the strategy developed and implemented pursuant to section 5(a).

(5) KEY STAKEHOLDERS.—The term ''key stakeholders'' means actors engaged in efforts to advance global food security programs and objectives, including—

(A) relevant Federal departments and agencies;

(B) national and local governments in target countries;

(C) other bilateral donors;

(D) international and regional organizations;

(E) international, regional, and local financial institutions;

(F) international, regional, and local private voluntary, nongovernmental, faith-based, and civil society organizations;

(G) the private sector, including agribusinesses and relevant commodities groups;

(H) agricultural producers, including farmer organizations, cooperatives, small-scale producers, and women; and

(I) agricultural research and academic institutions, including land-grant universities and extension services.

(6) MALNUTRITION.—The term ''malnutrition'' means poor nutritional status caused by nutritional deficiency or excess.

(7) RELEVANT FEDERAL DEPARTMENTS AND AGENCIES.—The term ''relevant Federal departments and agencies'' means the United States Agency for International Development, the Department of Agriculture, the Department of Commerce, the Department of State, the Department of the Treasury, the Millennium Challenge Corporation, the Overseas Private Investment Corporation, the Peace Corps, the Office of the United States Trade Representative, the United States African Development Foundation, the United States Geological Survey, and any other department or agency specified by the President for purposes of this section.

(8) RESILIENCE.—The term ''resilience'' means the ability of people, households, communities, countries, and systems to mitigate, adapt to, and recover from shocks and stresses to food security in a manner that reduces chronic vulnerability and facilitates inclusive growth.

(9) SMALL-SCALE PRODUCER.—The term ''small-scale producer'' means farmers, pastoralists, foresters, and fishers that have a low asset base and limited resources, including land, capital, skills and labor, and, in the case of farmers, typically farm on fewer than 5 hectares of land.

(10) STUNTING.—The term ''stunting'' refers to a condition that—

(A) is measured by a height-to-age ratio that is more than 2 standard deviations below the median for the population;

(B) manifests in children who are younger than 2 years of age;

(C) is a process that can continue in children after they reach 2 years of age, resulting in an individual being ''stunted'';

(D) is a sign of chronic malnutrition; and

(E) can lead to long-term poor health, delayed motor development, impaired cognitive function, and decreased immunity.

(11) SUSTAINABLE.—The term ''sustainable'' means the ability of a target country, community, implementing partner, or intended beneficiary to maintain, over time, the programs authorized and outcomes achieved pursuant to this Act.

(12) TARGET COUNTRY.—The term ''target country'' means a developing country that is selected to participate in agriculture and nutrition security programs under the Global Food Security Strategy pursuant to the selection criteria described in section 5(a)(2), including criteria such as the potential for agriculture-led economic growth, government commitment to agricultural investment and policy reform, opportunities for partnerships and regional synergies, the level of need, and resource availability.

SEC. 5. COMPREHENSIVE GLOBAL FOOD SECURITY STRATEGY.

(a) STRATEGY.—The President shall coordinate the development and implementation of a United States whole-of-government strategy to accomplish the policy objectives set forth in section 3(a), which shall—

(1) set specific and measurable goals, benchmarks, timetables, performance metrics, and monitoring and evaluation plans that reflect international best practices relating to transparency, accountability, food and nutrition security, and agriculture-led economic growth, consistent with the policy objectives described in section 3(a);

(2) establish clear and transparent selection criteria for target countries, communities, regions, and intended beneficiaries of assistance;

(3) describe the methodology and criteria for the selection of target countries;

(4) support and be aligned with country-owned agriculture, nutrition, and food security policy and investment plans developed with input from key stakeholders, as appropriate;

(5) support inclusive agricultural value chain development, with small-scale producers, especially women, gaining greater access to the inputs, skills, resource management capacity, networking, bargaining power, financing, and market linkages needed to sustain their long-term economic prosperity;

(6) support improvement of the nutritional status of women and children, particularly during the critical first 1,000-day window until a child reaches 2 years of age and with a focus on reducing child stunting, through nutrition-specific and nutrition-sensitive programs, including related water, sanitation, and hygiene programs;

(7) facilitate communication and collaboration, as appropriate, among local stakeholders in support of a multi-sectoral approach to food and nutrition security, to include analysis of the multiple underlying causes of malnutrition, including lack of access to safe drinking water, sanitation, and hygiene;

(8) support the long-term success of programs by building the capacity of local organizations and institutions in target countries and communities;

(9) integrate resilience and nutrition strategies into food security programs, such that chronically vulnerable populations are better able to build safety nets, secure livelihoods, access markets, and access opportunities for longer-term economic growth;

(10) develop community and producer resilience to natural disasters, emergencies, and natural occurrences that adversely impact agricultural yield;

(11) harness science, technology, and innovation, including the research and extension activities supported by relevant Federal Departments and agencies and Feed the Future Innovation Labs, or any successor entities;

(12) integrate agricultural development activities among food insecure populations living in proximity to designated national parks or wildlife areas into wildlife conservation efforts, as necessary and appropriate;

(13) leverage resources and expertise through partnerships with the private sector, farm organizations, cooperatives, civil society, faith-based organizations, and agricultural research and academic institutions;

(14) strengthen and expand collaboration between United States universities, including public, private, and land-grant universities, with higher education institutions in target countries to increase their effectiveness and relevance to promote agricultural development and innovation through the creation of human capital, innovation, and cutting edge science in the agricultural sector;

(15) seek to ensure that target countries and communities respect and promote land tenure rights of local communities, particularly those of women and small-scale producers; and

(16) include criteria and methodologies for graduating target countries and communities from assistance provided to implement the Global Food Security Strategy as such countries and communities meet the progress benchmarks identified pursuant to section 8(b)(4).

(b) COORDINATION.—The President shall coordinate, through a whole-of-government approach, the efforts of relevant Federal departments and agencies in the implementation of the Global Food Security Strategy by—

(1) establishing monitoring and evaluation systems, coherence, and coordination across relevant Federal departments and agencies;

(2) establishing linkages with other initiatives and strategies of relevant Federal departments and agencies; and

(3) establishing platforms for regular consultation and collaboration with key stakeholders and the appropriate congressional committees.

(c) STRATEGY SUBMISSION.—

(1) IN GENERAL.—Not later than October 1, 2016, the President, in consultation with the head of each relevant Federal department and agency, shall submit to the appropriate congressional committees the Global Food Security Strategy required under this section, including a detailed description of how the United States intends to advance the objectives set forth in section 3(a) and the agency-specific plans described in paragraph (2).

(2) AGENCY-SPECIFIC PLANS.—The Global Food Security Strategy shall include specific implementation plans from each relevant Federal department and agency that describes—

(A) the anticipated contributions of the department or agency, including technical, financial, and in-kind contributions, to implement the Global Food Security Strategy; and

(B) the efforts of the department or agency to ensure that the activities and programs carried out pursuant to the strategy are designed to achieve maximum impact and long-term sustainability.

SEC. 6. ASSISTANCE TO IMPLEMENT THE GLOBAL FOOD SECURITY STRATEGY.

(a) FOOD SHORTAGES.—The President is authorized to carry out activities pursuant to section 103, section 103A, title XII of chapter 2 of part I, and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151a, 2151a–1, 2220a et seq., and 2346 et seq.) to prevent or address food shortages notwithstanding any other provision of law.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State and the Administrator of the United States Agency for International Development $1,000,600,000 for each of fiscal years 2017 and 2018 to carry out those portions of the Global Food Security Strategy that relate to the Department of State and the United States Agency for International Development, respectively.

(c) MONITORING AND EVALUATION.—The President shall seek to ensure that assistance to implement the Global Food Security Strategy is provided under established parameters for a rigorous accountability system to monitor and evaluate progress and impact of the strategy, including by reporting to the appropriate congressional committees and the public on an annual basis.

SEC. 7. EMERGENCY FOOD SECURITY PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the crisis in Syria, which is characterized by acts of terrorism and atrocities directed against civilians, including mass murder, forced displacement, aerial bombardment, ethnic and religious persecution, torture, kidnapping, rape and sexual enslavement, has triggered one of the most profound humanitarian crises of this century and poses a direct threat to regional security and the national security interests of the United States;

(2) it is in the national security interests of the United States to respond to the needs of displaced Syrian persons and the communities hosting such persons, including with food assistance; and

(3) after four years of conflict in Syria and the onset of other major humanitarian emergencies where, like Syria, the provision of certain United States humanitarian assistance has been particularly challenging, including the

2013 super-typhoon in the Philippines, the 2014 outbreak of Ebola in west Africa, the 2015 earthquake in Nepal, ongoing humanitarian disasters in Yemen and South Sudan, and the threat of a major El Nino event in 2016, United States international disaster assistance has become severely stressed.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States, in coordination with other donors, regional governments, international organizations, and international financial institutions, to fully leverage, enhance, and expand the impact and reach of available United States humanitarian resources, including for food assistance, to mitigate the effects of manmade and natural disasters by utilizing innovative new approaches to delivering aid that support affected persons and the communities hosting them, build resilience and early recovery, and reduce opportunities for waste, fraud, and abuse.

(c) AMENDMENTS TO THE FOREIGN ASSISTANCE ACT OF 1961.—

(1) Section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292) is amended—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following new subsection:

''(c) EMERGENCY FOOD SECURITY PROGRAM.—

''(1) IN GENERAL.—Subject to the limitations in section 492, and notwithstanding any other provision of this or any other Act, the President is authorized to make available emergency food assistance, including in the form of funds, transfers, vouchers, and agricultural commodities (including products derived from agricultural commodities) acquired through local or regional procurement, to meet emergency food needs arising from manmade and natural disasters.

''(2) DESIGNATION.—Funds made available under this subsection shall be known as the 'International Disaster Assistance – Emergency Food Security Program'.''.

(2) Section 492 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292a) is amended—

(A) in subsection (a), by striking ''$25,000,000 for the fiscal year 1986 and $25,000,000 for the fiscal year 1987.'' and inserting ''$2,794,184,000 for each of fiscal years 2017 and 2018, of which up to $1,257,382,000 should be made available to carry out section 491(c).''; and

(B) by inserting after subsection (b) the following new subsections:

''(c) AMOUNTS IN ADDITION TO OTHER AMOUNTS.—Amounts authorized to be appropriated pursuant to the authorizations of appropriations under section 491(c) are in addition to funds otherwise available for such purposes.

''(d) FLEXIBILITY.—

''(1) UNITED STATES POLICY.—It is the policy of the United States that the funds made available to carry out section 491 are intended to provide the President with the greatest possible flexibility to address disaster-related needs as they arise and to prepare for and reduce the impact of natural and man-made disasters.

''(2) SENSE OF CONGRESS.—It is the sense of Congress that any amendments to applicable legal provisions contained in this Act are not intended to limit such authorities.

''(e) REPORT.—Not later than March 1 of each fiscal year, the President shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a report that describes the activities undertaken by the President over the course of the prior fiscal year pursuant to section 491(c), including the amounts of assistance provided, intended beneficiaries, monitoring and evaluation strategies, anticipated outcomes, and, as practicable, actual outcomes.''.

SEC. 8. REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of the submission of the strategy required under section 5(c), the President shall submit to the appropriate congressional committees a report that describes the status of the implementation of the Global Food Security Strategy.

(b) CONTENT.—The report required under subsection (a) shall—

(1) contain a summary of the Global Food Security Strategy as an appendix;

(2) identify any substantial changes made in the Global Food Security Strategy during the preceding calendar year;

(3) describe the progress made in implementing the Global Food Security Strategy;

(4) identify the indicators used to establish benchmarks and measure results over time, as well as the mechanisms for reporting such results in an open and transparent manner;

(5) describe related strategies and benchmarks for graduating target countries and communities from assistance provided under the Global Food Security Strategy over time, including by building resilience, reducing risk, and enhancing the sustainability of outcomes from United States investments in agriculture and nutrition security;

(6) indicate how findings from monitoring and evaluation were incorporated into program design and budget decisions;

(7) contain a transparent, open, and detailed accounting of spending by relevant Federal departments and agencies to implement the Global Food Security Strategy, including, for each Federal department and agency, the statutory source of spending, amounts spent, implementing partners and targeted beneficiaries, and activities supported to the extent practicable and appropriate;

(8) describe how the Global Food Security Strategy leverages other United States food security and development assistance programs on the continuum from emergency food aid through sustainable, agriculture-led economic growth and eventual self-sufficiency;

(9) describe the contributions of the Global Food Security Strategy to, and assess the impact of, broader international food and nutrition security assistance programs, including progress in the promotion of land tenure rights, creating economic opportunities for women and smallscale producers, and stimulating agriculture-led economic growth in target countries and communities;

(10) assess efforts to coordinate United States international food security and nutrition programs, activities, and initiatives with key stakeholders;

(11) assess United States Government-facilitated private investment in related sectors and the impact of private sector investment in target countries and communities;

(12) identify any United States legal or regulatory impediments that could obstruct the effective implementation of the programming referred to in paragraphs (8) and (9);

(13) contain a clear gender analysis of programming, to inform project-level activities, that includes established disaggregated gender indicators to better analyze outcomes for food productivity, income growth, control of assets, equity in access to inputs, jobs and markets, and nutrition; and

(14) incorporate a plan for regularly reviewing and updating strategies, partnerships, and programs and sharing lessons learned with a wide range of stakeholders in an open, transparent manner.

(c) PUBLIC AVAILABILITY OF INFORMATION.—The information referred to in subsection (b) shall be made available on the public website of the United States Agency for International Development in an open, machine readable format, in a timely manner.

SEC. 9. RULE OF CONSTRUCTION.

(a) EFFECT ON FOOD AND NUTRITION SECURITY AND EMERGENCY AND NONEMERGENCY FOOD ASSISTANCE PROGRAMS.—Nothing in the Global Food Security Strategy or this Act or the amendments made by this Act shall be construed to supersede or otherwise affect the authority of the relevant Federal departments and agencies to carry out food and nutrition security and emergency and nonemergency food assistance programs specified in subparagraph (b), in the manner provided, and subject to the terms and conditions, of those programs.

(b) PROGRAMS DESCRIBED.—The food and nutrition security and emergency and nonemergency food assistance programs referred to in subsection (a) are the following:

(1) The Food for Peace Act (7 U.S.C. 1691 et seq.).

(2) The Food for Progress Act of 1985 (7 U.S.C. 1736o).

(3) Section 416(b) of the Agriculture Act of 1949 (7 U.S.C. 1431).

(4) McGovern-Dole Food for Education Program (7 U.S.C.1736o–1).

(5) Local and Regional Procurement Program (7 U.S.C. 1726c).

(6) Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1) .

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3837) was agreed to, as follows:

(Purpose: To improve the bill)

On page 23, line 20, strike ''security''.

On page 24, beginning on line 23, strike ''align'' and all that follows through ''science'' on line 25 and insert ''demonstrably meet, align with and leverage broader United States strategies and investments in trade, economic growth, national security, science''.

On page 33, line 24, strike ''producers; and'' and insert ''producers;''.

On page 34, line 6, strike ''8(b)(4).'' and insert ''8(b)(4); and''.

On page 34, between lines 6 and 7, insert the following:

(17) demonstrably support the United States national security and economic interest in the countries where assistance is being provided.

Beginning on page 40, strike line 16 and all that follows through page 44, line 18, and insert the following:

SEC. 8. REPORTS.

(a) GLOBAL FOOD SECURITY STRATEGY IMPLEMENTATION REPORTS.—Not later than 1 year and 2 years after the date of the submission of the strategy required under section 5(c), the President shall submit to the appropriate congressional committees reports that describe the status of the implementation of the Global Food Security Strategy for 2017 and 2018, which shall—

(1) contain a summary of the Global Food Security Strategy as an appendix;

(2) identify any substantial changes made in the Global Food Security Strategy during the preceding calendar year;

(3) describe the progress made in implementing the Global Food Security Strategy;

(4) identify the indicators used to establish benchmarks and measure results over time, as well as the mechanisms for reporting such results in an open and transparent manner;

(5) describe related strategies and benchmarks for graduating target countries and communities from assistance provided under the Global Food Security Strategy over time, including by building resilience, reducing risk, and enhancing the sustainability of outcomes from United States investments in agriculture and nutrition security;

(6) indicate how findings from monitoring and evaluation were incorporated into program design and budget decisions;

(7) contain a transparent, open, and detailed accounting of spending by relevant Federal departments and agencies to implement the Global Food Security Strategy, including, for each Federal department and

agency, the statutory source of spending, amounts spent, implementing partners and targeted beneficiaries, and activities supported to the extent practicable and appropriate;

(8) describe how the Global Food Security Strategy leverages other United States food security and development assistance programs on the continuum from emergency food aid through sustainable, agriculture-led economic growth and eventual self-sufficiency;

(9) describe the contributions of the Global Food Security Strategy to, and assess the impact of, broader international food and nutrition security assistance programs, including progress in the promotion of land tenure rights, creating economic opportunities for women and small-scale producers, and stimulating agriculture-led economic growth in target countries and communities;

(10) assess efforts to coordinate United States international food security and nutrition programs, activities, and initiatives with key stakeholders;

(11) assess United States Government-facilitated private investment in related sectors and the impact of private sector investment in target countries and communities;

(12) identify any United States legal or regulatory impediments that could obstruct the effective implementation of the programming referred to in paragraphs (8) and (9);

(13) contain a clear gender analysis of programming, to inform project-level activities, that includes established disaggregated gender indicators to better analyze outcomes for food productivity, income growth, control of assets, equity in access to inputs, jobs and markets, and nutrition; and

(14) incorporate a plan for regularly reviewing and updating strategies, partnerships, and programs and sharing lessons learned with a wide range of stakeholders in an open, transparent manner.

(b) GLOBAL FOOD SECURITY CROSSCUT REPORT.—Not later than 120 days after the President submits the budget to Congress under section 1105(a) of title 31, United States Code, the Director of the Office of Management and Budget shall submit to the appropriate congressional committees a report including—

(1) an interagency budget crosscut report that—

(A) displays the budget proposed, including any planned interagency or intra-agency transfer, for each of the principal Federal agencies that carries out global food security activities in the upcoming fiscal year, separately reporting the amount of planned funding to be provided under existing laws pertaining to the global food security strategy to the extent available; and

(B) to the extent available, identifies all assistance and research expenditures at the account level in each of the five prior fiscal years by the Federal Government and United States multilateral commitments using Federal funds for global food security strategy activities;

(2) to the extent available, a detailed accounting of all assistance funding received and obligated by the principal Federal agencies identified in the report and United States multilateral commitments using Federal funds, for global food security activities during the current fiscal year; and

(3) a breakout of the proposed budget for the current and budget years by agency, categorizing expenditures by type of funding, including research, resiliency, and other food security activities to the extent that such information is available.

(c) PUBLIC AVAILABILITY OF INFORMATION.—The information referred to in subsections (a) and (b) shall be made available on the public website of the United States Agency for International Development in an open, machine readable format, in a timely manner.

SEC. 9. RULE OF CONSTRUCTION.

(a) EFFECT ON OTHER PROGRAMS.—Nothing in the Global Food Security Strategy or this Act or the amendments made by this Act shall be construed to supersede or otherwise affect the authority of the relevant Federal departments and agencies to carry out programs specified in subsection (b), in the manner provided, and subject to the terms and conditions, of those programs, including, but not limited to, the terms, conditions, and requirements relating to the procurement and transportation of food assistance furnished pursuant to such programs.

(b) PROGRAMS DESCRIBED.—The programs referred to in subsection (a) are the following:

(1) The Food for Peace Act (7 U.S.C. 1691 et seq.).

(2) The Food for Progress Act of 1985 (7 U.S.C. 1736o).

(3) Section 416(b) of the Agriculture Act of 1949 (7 U.S.C. 1431).

(4) McGovern-Dole Food for Education Program (7 U.S.C.1736o–1).

(5) Local and Regional Procurement Program (7 U.S.C. 1726c).

(6) Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1).

(7) Any other food and nutrition security and emergency and non-emergency food assistance program of the Department of Agriculture.

The committee-reported amendment in the nature of a substitute, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall it pass?

The bill (S. 1252), as amended, was passed, as follows:

S. 1252

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 ''Global Food Security Act of 2016''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) According to the Food and Agriculture Organization of the United Nations (referred to in this section as the ''FAO''), 805,000,000 people worldwide suffer from chronic hunger. Hunger and malnutrition rob people of health and productive lives and stunt the mental and physical development of future generations.

(2) According to the January 2014 ''Worldwide Threat Assessment of the US Intelligence Community''—

(A) the ''[l]ack of adequate food will be a destabilizing factor in countries important to US national security that do not have the financial or technical abilities to solve their internal food security problems''; and

(B) ''[f]ood and nutrition insecurity in weakly governed countries might also provide opportunities for insurgent groups to capitalize on poor conditions, exploit international food aid, and discredit governments for their inability to address basic needs''.

(3) A comprehensive approach to sustainable food and nutrition security should not only respond to emergency food shortages, but should also address malnutrition, resilience to food and nutrition insecurity, building the capacity of poor, rural populations to improve their agricultural productivity and incomes, removing institutional impediments to agricultural development, value chain access and efficiency, including processing and storage, enhancing agribusiness development, access to markets and activities that address the specific needs and barriers facing women and small-scale producers, education, and collaborative research.

SEC. 3. STATEMENT OF POLICY OBJECTIVES; SENSE OF CONGRESS.

(a) STATEMENT OF POLICY OBJECTIVES.—It is in the national interest of the United States to promote global food security, resilience, and nutrition, consistent with national food security investment plans, which is reinforced through programs, activities, and initiatives that—

(1) place food insecure countries on a path toward self-sufficiency and economic freedom through the coordination of United States foreign assistance programs;

(2) accelerate inclusive, agricultural-led economic growth that reduces global poverty, hunger, and malnutrition, particularly among women and children;

(3) increase the productivity, incomes, and livelihoods of small-scale producers, especially women, by working across agricultural value chains, enhancing local capacity to manage agricultural resources effectively and expanding producer access to local and international markets;

(4) build resilience to food shocks among vulnerable populations and households while reducing reliance upon emergency food assistance;

(5) create an enabling environment for agricultural growth and investment, including through the promotion of secure and transparent property rights;

(6) improve the nutritional status of women and children, with a focus on reducing child stunting, including through the promotion of highly nutritious foods, diet diversification, and nutritional behaviors that improve maternal and child health;

(7) demonstrably meet, align with and leverage broader United States strategies and investments in trade, economic growth, national security, science and technology, agriculture research and extension, maternal and child health, nutrition, and water, sanitation, and hygiene;

(8) continue to strengthen partnerships between United States-based universities, including land-grant colleges, and universities and institutions in target countries and communities that build agricultural capacity; and

(9) ensure the effective use of United States taxpayer dollars to further these objectives.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the President, in providing assistance to implement the Global Food Security Strategy, should—

(1) coordinate, through a whole-of-government approach, the efforts of relevant Federal departments and agencies to implement the Global Food Security Strategy;

(2) seek to fully utilize the unique capabilities of each relevant Federal department and agency while collaborating with and leveraging the contributions of other key stakeholders; and

(3) utilize open and streamlined solicitations to allow for the participation of a wide range of implementing partners through the most appropriate procurement mechanisms, which may include grants, contracts, cooperative agreements, and other instruments as necessary and appropriate.

SEC. 4. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Agriculture of the House of Representatives; and

(F) the Committee on Appropriations of the House of Representatives.

(2) FEED THE FUTURE INNOVATION LABS.—The term ''Feed the Future Innovation Labs'' means research partnerships led by United States universities that advance solutions to reduce global hunger, poverty, and malnutrition.

(3) FOOD AND NUTRITION SECURITY.—The term ''food and nutrition security'' means access to, and availability, utilization, and stability of, sufficient food to meet caloric and nutritional needs for an active and healthy life.

(4) GLOBAL FOOD SECURITY STRATEGY.—The term ''Global Food Security Strategy'' means the strategy developed and implemented pursuant to section 5(a).

(5) KEY STAKEHOLDERS.—The term ''key stakeholders'' means actors engaged in efforts to advance global food security programs and objectives, including—

(A) relevant Federal departments and agencies;

(B) national and local governments in target countries;

(C) other bilateral donors;

(D) international and regional organizations;

(E) international, regional, and local financial institutions;

(F) international, regional, and local private voluntary, nongovernmental, faith-based, and civil society organizations;

(G) the private sector, including agribusinesses and relevant commodities groups;

(H) agricultural producers, including farmer organizations, cooperatives, small-scale producers, and women; and

(I) agricultural research and academic institutions, including land-grant universities and extension services.

(6) MALNUTRITION.—The term ''malnutrition'' means poor nutritional status caused by nutritional deficiency or excess.

(7) RELEVANT FEDERAL DEPARTMENTS AND AGENCIES.—The term ''relevant Federal departments and agencies'' means the United States Agency for International Development, the Department of Agriculture, the Department of Commerce, the Department of State, the Department of the Treasury, the Millennium Challenge Corporation, the Overseas Private Investment Corporation, the Peace Corps, the Office of the United States Trade Representative, the United States African Development Foundation, the United States Geological Survey, and any other department or agency specified by the President for purposes of this section.

(8) RESILIENCE.—The term ''resilience'' means the ability of people, households, communities, countries, and systems to mitigate, adapt to, and recover from shocks and stresses to food security in a manner that reduces chronic vulnerability and facilitates inclusive growth.

(9) SMALL-SCALE PRODUCER.—The term ''small-scale producer'' means farmers, pastoralists, foresters, and fishers that have a low asset base and limited resources, including land, capital, skills and labor, and, in the case of farmers, typically farm on fewer than 5 hectares of land.

(10) STUNTING.—The term ''stunting'' refers to a condition that—

(A) is measured by a height-to-age ratio that is more than 2 standard deviations below the median for the population;

(B) manifests in children who are younger than 2 years of age;

(C) is a process that can continue in children after they reach 2 years of age, resulting in an individual being ''stunted'';

(D) is a sign of chronic malnutrition; and

(E) can lead to long-term poor health, delayed motor development, impaired cognitive function, and decreased immunity.

(11) SUSTAINABLE.—The term ''sustainable'' means the ability of a target country, community, implementing partner, or intended beneficiary to maintain, over time, the programs authorized and outcomes achieved pursuant to this Act.

(12) TARGET COUNTRY.—The term ''target country'' means a developing country that is selected to participate in agriculture and nutrition security programs under the Global Food Security Strategy pursuant to the selection criteria described in section 5(a)(2), including criteria such as the potential for agriculture-led economic growth, government commitment to agricultural investment and policy reform, opportunities for partnerships and regional synergies, the level of need, and resource availability.

SEC. 5. COMPREHENSIVE GLOBAL FOOD SECURITY STRATEGY.

(a) STRATEGY.—The President shall coordinate the development and implementation of a United States whole-of-government strategy to accomplish the policy objectives set forth in section 3(a), which shall—

(1) set specific and measurable goals, benchmarks, timetables, performance metrics, and monitoring and evaluation plans that reflect international best practices relating to transparency, accountability, food and nutrition security, and agriculture-led economic growth, consistent with the policy objectives described in section 3(a);

(2) establish clear and transparent selection criteria for target countries, communities, regions, and intended beneficiaries of assistance;

(3) describe the methodology and criteria for the selection of target countries;

(4) support and be aligned with country-owned agriculture, nutrition, and food security policy and investment plans developed with input from key stakeholders, as appropriate;

(5) support inclusive agricultural value chain development, with small-scale producers, especially women, gaining greater access to the inputs, skills, resource management capacity, networking, bargaining power, financing, and market linkages needed to sustain their long-term economic prosperity;

(6) support improvement of the nutritional status of women and children, particularly during the critical first 1,000-day window until a child reaches 2 years of age and with a focus on reducing child stunting, through nutrition-specific and nutrition-sensitive programs, including related water, sanitation, and hygiene programs;

(7) facilitate communication and collaboration, as appropriate, among local stakeholders in support of a multi-sectoral approach to food and nutrition security, to include analysis of the multiple underlying causes of malnutrition, including lack of access to safe drinking water, sanitation, and hygiene;

(8) support the long-term success of programs by building the capacity of local organizations and institutions in target countries and communities;

(9) integrate resilience and nutrition strategies into food security programs, such that chronically vulnerable populations are better able to build safety nets, secure livelihoods, access markets, and access opportunities for longer-term economic growth;

(10) develop community and producer resilience to natural disasters, emergencies, and natural occurrences that adversely impact agricultural yield;

(11) harness science, technology, and innovation, including the research and extension activities supported by relevant Federal Departments and agencies and Feed the Future Innovation Labs, or any successor entities;

(12) integrate agricultural development activities among food insecure populations living in proximity to designated national parks or wildlife areas into wildlife conservation efforts, as necessary and appropriate;

(13) leverage resources and expertise through partnerships with the private sector, farm organizations, cooperatives, civil society, faith-based organizations, and agricultural research and academic institutions;

(14) strengthen and expand collaboration between United States universities, including public, private, and land-grant universities, with higher education institutions in target countries to increase their effectiveness and relevance to promote agricultural development and innovation through the creation of human capital, innovation, and cutting edge science in the agricultural sector;

(15) seek to ensure that target countries and communities respect and promote land tenure rights of local communities, particularly those of women and small-scale producers;

(16) include criteria and methodologies for graduating target countries and communities from assistance provided to implement the Global Food Security Strategy as such countries and communities meet the progress benchmarks identified pursuant to section 8(b)(4); and

(17) demonstrably support the United States national security and economic interest in the countries where assistance is being provided.

(b) COORDINATION.—The President shall coordinate, through a whole-of-government approach, the efforts of relevant Federal departments and agencies in the implementation of the Global Food Security Strategy by—

(1) establishing monitoring and evaluation systems, coherence, and coordination across relevant Federal departments and agencies;

(2) establishing linkages with other initiatives and strategies of relevant Federal departments and agencies; and

(3) establishing platforms for regular consultation and collaboration with key stakeholders and the appropriate congressional committees.

(c) STRATEGY SUBMISSION.—

(1) IN GENERAL.—Not later than October 1, 2016, the President, in consultation with the head of each relevant Federal department and agency, shall submit to the appropriate congressional committees the Global Food Security Strategy required under this section, including a detailed description of how the United States intends to advance the objectives set forth in section 3(a) and the agency-specific plans described in paragraph (2).

(2) AGENCY-SPECIFIC PLANS.—The Global Food Security Strategy shall include specific implementation plans from each relevant Federal department and agency that describes—

(A) the anticipated contributions of the department or agency, including technical, financial, and in-kind contributions, to implement the Global Food Security Strategy; and

(B) the efforts of the department or agency to ensure that the activities and programs carried out pursuant to the strategy are designed to achieve maximum impact and long-term sustainability.

SEC. 6. ASSISTANCE TO IMPLEMENT THE GLOBAL FOOD SECURITY STRATEGY.

(a) FOOD SHORTAGES.—The President is authorized to carry out activities pursuant to section 103, section 103A, title XII of chapter 2 of part I, and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151a, 2151a–1, 2220a et seq., and 2346 et seq.) to prevent or address food shortages notwithstanding any other provision of law.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State and the Administrator of the United States Agency for International Development $1,000,600,000 for each of fiscal years 2017 and 2018 to carry out those portions of the Global Food Security Strategy that relate to the Department of State and the United States Agency for International Development, respectively.

(c) MONITORING AND EVALUATION.—The President shall seek to ensure that assistance to implement the Global Food Security Strategy is provided under established parameters for a rigorous accountability system to monitor and evaluate progress and impact of the strategy, including by reporting to the appropriate congressional committees and the public on an annual basis.

SEC. 7. EMERGENCY FOOD SECURITY PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the crisis in Syria, which is characterized by acts of terrorism and atrocities directed against civilians, including mass murder, forced displacement, aerial bombardment, ethnic and religious persecution, torture, kidnapping, rape and sexual enslavement, has triggered one of the most profound humanitarian crises of this century and poses a direct threat to regional security and the national security interests of the United States;

(2) it is in the national security interests of the United States to respond to the needs of displaced Syrian persons and the communities hosting such persons, including with food assistance; and

(3) after four years of conflict in Syria and the onset of other major humanitarian emergencies where, like Syria, the provision of certain United States humanitarian assistance has been particularly challenging, including the 2013 super-typhoon in the Philippines, the 2014 outbreak of Ebola in west Africa, the 2015 earthquake in Nepal, ongoing humanitarian disasters in Yemen and South Sudan, and the threat of a major El Nino event in 2016, United States international disaster assistance has become severely stressed.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States, in coordination with other donors, regional governments, international organizations, and international financial institutions, to fully leverage, enhance, and expand the impact and reach of available United States humanitarian resources, including for food assistance, to mitigate the effects of manmade and natural disasters by utilizing innovative new approaches to delivering aid that support affected persons and the communities hosting them, build resilience and early recovery, and reduce opportunities for waste, fraud, and abuse.

(c) AMENDMENTS TO THE FOREIGN ASSISTANCE ACT OF 1961.—

(1) Section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292) is amended—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following new subsection:

''(c) EMERGENCY FOOD SECURITY PROGRAM.—

''(1) IN GENERAL.—Subject to the limitations in section 492, and notwithstanding any other provision of this or any other Act, the President is authorized to make available emergency food assistance, including in the form of funds, transfers, vouchers, and agricultural commodities (including products derived from agricultural commodities) acquired through local or regional procurement, to meet emergency food needs arising from manmade and natural disasters.

''(2) DESIGNATION.—Funds made available under this subsection shall be known as the 'International Disaster Assistance – Emergency Food Security Program'.''.

(2) Section 492 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292a) is amended—

(A) in subsection (a), by striking ''$25,000,000 for the fiscal year 1986 and $25,000,000 for the fiscal year 1987.'' and inserting ''$2,794,184,000 for each of fiscal years 2017 and 2018, of which up to $1,257,382,000 should be made available to carry out section 491(c).''; and

(B) by inserting after subsection (b) the following new subsections:

''(c) AMOUNTS IN ADDITION TO OTHER AMOUNTS.—Amounts authorized to be appropriated pursuant to the authorizations of appropriations under section 491(c) are in addition to funds otherwise available for such purposes.

''(d) FLEXIBILITY.—

''(1) UNITED STATES POLICY.—It is the policy of the United States that the funds made available to carry out section 491 are intended to provide the President with the greatest possible flexibility to address disaster-related needs as they arise and to prepare for and reduce the impact of natural and man-made disasters.

''(2) SENSE OF CONGRESS.—It is the sense of Congress that any amendments to applicable legal provisions contained in this Act are not intended to limit such authorities.

''(e) REPORT.—Not later than March 1 of each fiscal year, the President shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a report that describes the activities undertaken by the President over the course of the prior fiscal year pursuant to section 491(c), including the amounts of assistance provided, intended beneficiaries, monitoring and evaluation strategies, anticipated outcomes, and, as practicable, actual outcomes.''.

SEC. 8. REPORTS.

(a) GLOBAL FOOD SECURITY STRATEGY IMPLEMENTATION REPORTS.—Not later than 1 year and 2 years after the date of the submission of the strategy required under section 5(c), the President shall submit to the appropriate congressional committees reports that describe the status of the implementation of the Global Food Security Strategy for 2017 and 2018, which shall—

(1) contain a summary of the Global Food Security Strategy as an appendix;

(2) identify any substantial changes made in the Global Food Security Strategy during the preceding calendar year;

(3) describe the progress made in implementing the Global Food Security Strategy;

(4) identify the indicators used to establish benchmarks and measure results over time, as well as the mechanisms for reporting such results in an open and transparent manner;

(5) describe related strategies and benchmarks for graduating target countries and communities from assistance provided under the Global Food Security Strategy over time, including by building resilience, reducing risk, and enhancing the sustainability of outcomes from United States investments in agriculture and nutrition security;

(6) indicate how findings from monitoring and evaluation were incorporated into program design and budget decisions;

(7) contain a transparent, open, and detailed accounting of spending by relevant Federal departments and agencies to implement the Global Food Security Strategy, including, for each Federal department and agency, the statutory source of spending, amounts spent, implementing partners and targeted beneficiaries, and activities supported to the extent practicable and appropriate;

(8) describe how the Global Food Security Strategy leverages other United States food security and development assistance programs on the continuum from emergency food aid through sustainable, agriculture-led economic growth and eventual self-sufficiency;

(9) describe the contributions of the Global Food Security Strategy to, and assess the impact of, broader international food and nutrition security assistance programs, including progress in the promotion of land tenure rights, creating economic opportunities for women and small-scale producers, and stimulating agriculture-led economic growth in target countries and communities;

(10) assess efforts to coordinate United States international food security and nutrition programs, activities, and initiatives with key stakeholders;

(11) assess United States Government-facilitated private investment in related sectors and the impact of private sector investment in target countries and communities;

(12) identify any United States legal or regulatory impediments that could obstruct the effective implementation of the programming referred to in paragraphs (8) and (9);

(13) contain a clear gender analysis of programming, to inform project-level activities, that includes established disaggregated gender indicators to better analyze outcomes for food productivity, income growth, control of assets, equity in access to inputs, jobs and markets, and nutrition; and

(14) incorporate a plan for regularly reviewing and updating strategies, partnerships, and programs and sharing lessons learned with a wide range of stakeholders in an open, transparent manner.

(b) GLOBAL FOOD SECURITY CROSSCUT REPORT.—Not later than 120 days after the President submits the budget to Congress under section 1105(a) of title 31, United States Code, the Director of the Office of Management and Budget shall submit to the appropriate congressional committees a report including—

(1) an interagency budget crosscut report that—

(A) displays the budget proposed, including any planned interagency or intra-agency transfer, for each of the principal Federal agencies that carries out global food security activities in the upcoming fiscal year, separately reporting the amount of planned funding to be provided under existing laws pertaining to the global food security strategy to the extent available; and

(B) to the extent available, identifies all assistance and research expenditures at the account level in each of the five prior fiscal years by the Federal Government and United States multilateral commitments using Federal funds for global food security strategy activities;

(2) to the extent available, a detailed accounting of all assistance funding received and obligated by the principal Federal agencies identified in the report and United States multilateral commitments using Federal funds, for global food security activities during the current fiscal year; and

(3) a breakout of the proposed budget for the current and budget years by agency, categorizing expenditures by type of funding, including research, resiliency, and other food security activities to the extent that such information is available.

(c) PUBLIC AVAILABILITY OF INFORMATION.—The information referred to in subsections (a) and (b) shall be made available on the public website of the United States Agency for International Development in an open, machine readable format, in a timely manner.

SEC. 9. RULE OF CONSTRUCTION.

(a) EFFECT ON OTHER PROGRAMS.—Nothing in the Global Food Security Strategy or this Act or the amendments made by this Act shall be construed to supersede or otherwise affect the authority of the relevant Federal departments and agencies to carry out programs specified in subsection (b), in the manner provided, and subject to the terms and conditions, of those programs, including, but not limited to, the terms, conditions, and requirements relating to the procurement and transportation of food assistance furnished pursuant to such programs.

(b) PROGRAMS DESCRIBED.—The programs referred to in subsection (a) are the following:

(1) The Food for Peace Act (7 U.S.C. 1691 et seq.).

(2) The Food for Progress Act of 1985 (7 U.S.C. 1736o).

(3) Section 416(b) of the Agriculture Act of 1949 (7 U.S.C. 1431).

(4) McGovern-Dole Food for Education Program (7 U.S.C.1736o–1).

(5) Local and Regional Procurement Program (7 U.S.C. 1726c).

(6) Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1).

(7) Any other food and nutrition security and emergency and non-emergency food assistance program of the Department of Agriculture.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the motion to reconsider be made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPRESSING SUPPORT FOR THE DESIGNATION OF APRIL 18, 2016 AS ''NATIONAL LINEMAN APPRECIATION DAY''

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 433, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 433) recognizing linemen, the profession of linemen, and the contributions of these brave men and women who protect public safety, and expressing support for the designation of April 18, 2016 as ''National Lineman Appreciation Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 433) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

SUPPORTING THE DESIGNATION OF APRIL 2016 AS ''PARKINSON'S AWARENESS MONTH''

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 434, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 434) supporting the designation of April 2016 as ''Parkinson's Awareness Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FISCHER. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 434) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURES READ THE FIRST TIME—H.R. 2666

Mrs. FISCHER. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2666) to prohibit the Federal Communications Commission from regulating the rates charged for broadband Internet access service.

Mrs. FISCHER. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDER FOR THURSDAY, APRIL 21, 2016

Mrs. FISCHER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, April 21; 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 11 a.m., with Senators permitted to speak therein for up to 10 minutes each; finally, that following morning business, the Senate then resume consideration of H.R. 2028.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mrs. FISCHER. 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 6:40 p.m., adjourned until Thursday, April 21, 2016, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

STATE JUSTICE INSTITUTE

DAVID V. BREWER, OF OREGON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2016. (REAPPOINTMENT)

GAYLE A. NACHTIGAL, OF OREGON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2018. (REAPPOINTMENT)

DEPARTMENT OF STATE

GEETA PASI, OF NEW YORK, 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 CHAD.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY 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. MARSHALL B. LYTLE III

CONFIRMATION

Executive nomination confirmed by the Senate April 20, 2016:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF ENGINEERS/COMMANDING GENERAL, UNITED STATES ARMY CORPS OF ENGINEERS, AND APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3036:

To be lieutenant general

MAJ. GEN. TODD T. SEMONITE

EXTENSIONS OF REMARKS

FORCED ARBITRATION

SPEECH OF

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2016

Mr. ELLISON. Mr. Speaker, I stand with Representatives JOHNSON, SÁNCHEZ, and my other colleagues to discuss a well-known scourge on the rights of everyday Americans: forced arbitration clauses.

People talk about how the rules are rigged. They say the deck is stacked in favor of powerful interests. Forced arbitration clauses are a perfect example of an unfair system. Powerful corporations rig the rules to make it more difficult for people to hold companies accountable for wrong doing.

Nearly all companies add non-negotiable clauses in contracts that people are required to sign when we open a bank account, get a credit card or a cell phone or choose a financial advisor. Virtually any product and service that requires we sign a contract that includes fine-print will limit our ability to seek damages in open court.

If consumers have a complaint, we are limited to secret arbitration forums. These arbitration forums are controlled by the corporation. The corporations decide the venue and the arbitrator. Even if the arbitrator makes a terrible ruling or makes egregious errors, the ruling likely cannot be appealed or reversed. In fact, arbitrators' decisions in prior cases are not publicly available.

How did we get to this point? How is it possible that nearly all consumer and investment contracts include forced arbitration clauses? Why are consumers forced to resolve disputes after they arise in secret courts, not in the public courts?

We should look across the street. No entity has done more to expand forced arbitration clauses than the Supreme Court. Numerous anti-consumer rulings have restricted people's freedom to take a company to court.

Last year the Supreme Court ruled that DirecTV California customers could not band together to fight an early termination fee assessed by DirecTV. Instead, each customer had to file individually and use arbitration. They could not seek a class action lawsuit.

In 2013, American Express v. Italian Colors preserved the monopoly powers of American Express so it could continue to charge retailers high fees. Retailers who had sought a class action lawsuit were restricted by arbitration clauses in their contracts.

In 2011, AT&T Mobility v Concepcion had the same outcome; people who were offered a "free cell phone" realized they were actually charged $30. Consumers sought damages as a class but the Supreme Court ruled that the customers had to pursue their claims individually through arbitration.

As you would expect, these anti-consumer rulings were decided on ideological lines. In fact, the late Justice Antonin Scalia wrote many of these decisions which were unfair or onerous to consumers.

But we are not giving up. We are pushing back hard against these mandatory arbitration contracts.

Congress barred forced arbitration clauses in residential mortgage terms.

Military members now have the right to go to court for disputes involving many types of loans.

Small-business auto dealers can choose to go to court when locked in disputes with the big auto manufacturers. Unfortunately, most auto dealers have deprived their own customers of this benefit.

The Consumer Financial Protection Bureau is working on a rule that could curb mandatory arbitration in consumer contracts. The CFPB could restore our ability to join our claims together to hold financial companies accountable when they break the law.

But there is still more work to do. The Securities and Exchange Commission has the authority to eliminate forced arbitration clauses that brokerage firms and financial advisors require their customers sign. But the SEC hasn't acted.

Therefore, I have sponsored legislation, the Investor Choice Act, (HR. 1098). My bill restores the rights of investors who are simply trying to save for retirement and other life goals. The bill says investors must have access to court to seek justice if advisors and brokers, who typically have the incentive to charge outsized commissions and fees, do not act in their customers' best interests. The bill has 21 cosponsors.

I am also a proud cosponsor of the Arbitration Fairness Act, Mr. JOHNSON'S bill eliminates forced arbitration for all consumer and worker disputes;

I am also a cosponsor of the Court Legal Access & Student Support (CLASS) Act. This bill bans forced arbitration and class action prohibitions from college enrollment contracts.

Minnesota's own attorney general Lori Swanson has been a leader in trying to level the playing field for all Minnesotans. She worked to stop a corrupt arbitration provider from operating its business against consumers across the country; and she has urged federal regulators to eliminate arbitration clauses from nursing home contracts.

In closing, let me say, my colleagues and I are not seeking to do away with arbitration as a way for parties to work out their problems. We just think arbitration should be voluntary not mandatory.

I simply ask "If arbitration is so fair, why force it? Why not present it as an alleged "fair" option when a dispute has arisen—where both parties can consider all alternatives and agree on an appropriate forum?"

We know why: Because companies like forced arbitration clauses because they are a perfect tool to avoid liability for their actions.

If you want a fair system, if you want people to be able to accumulate wealth, then we need to stop these forced mandatory arbitration clauses in consumer and investor contracts.

HONORING MR. ROY DEDA UPON HIS RETIREMENT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. VISCLOSKY. Mr. Speaker, today, I am pleased to applaud Mr. Roy Deda and wish him well upon his retirement. Roy has dedicated his life to public service through his career with the United States Army Corps of Engineers (USACE). He has served in numerous capacities throughout his illustrious career and is retiring from his position as the Deputy for Project Management for the Chicago District. I am grateful for his expertise and leadership, and I honor him for his many years of outstanding service to the community of Northwest Indiana and beyond.

In 1975, Roy earned his Bachelor of Science degree in civil engineering from the University of Notre Dame. He began an internship with the Chicago District that same year. Mr. Deda worked in various positions in the Construction-Operations Division for the Chicago District until 1983, when he became a civil engineer for the North Central Division's Construction and Operations Directorate. In 1993, Roy was named chief of the Construction-Operations Division for the North Central Division and then for the Great Lakes and Ohio River Division. In 1988, he returned to the Chicago District, where he took over as the chief of the Chicago District's Construction Operations Division. As the Deputy for Project Management for the Chicago District since 2002 Roy has excelled in his responsibilities and will be greatly missed upon his retirement. In addition to his remarkable work with the Army Corps, Mr. Deda is also a member of the Society of American Military Engineers, the American Society of Civil Engineers, and is involved with the National Ovarian Cancer Coalition.

During his tenure with the USACE—Chicago District, Roy Deda has been particularly instrumental in the development and implementation of projects within Indiana's First Congressional District, projects that have changed the landscape of this region. Under his leadership, the levees along the Little Calumet River were constructed, and to date, the obligation to pay substantial flood insurance premiums have been removed for more than 4,000 home and business owners. The dredging of the Indiana Harbor Ship Canal, a project many in the community believed would never occur in their lifetime, is underway and will increase the efficiencies of the canal users and significantly improve the quality of the water entering Lake Michigan. Federal, state, and local partners are working to restore the Grand Calumet River, one of our country's most polluted waterbodies, thanks to the research undertaken by the USACE under Mr. Deda's oversight.

Finally, residents of Northwest Indiana are able to recreate and enjoy the beauty of Lake

Michigan through the Portage Lakefront Park, which Roy Deda helped spearhead. The scope of the Portage Lakefront Park project has been further expanded to include the restoration of an additional sixty-nine acres recently acquired by the City of Portage. Thanks to Roy's direction, the Portage Lakefront Park embodies the essence of the Lake Michigan Waterfront Authority, the intent of which is to increase public access to the Lake Michigan shoreline in Indiana. The success of these transformational projects improve the quality of life in Northwest Indiana and increase opportunities for economic development in our region, and for that I am grateful for Mr. Deda's exceptional work and dedication to bring these initiatives to fruition.

Mr. Speaker, I ask that you and all our colleagues join me in commending Roy Deda for his exceptional career, and in wishing him well as he spends time with his friends and family in retirement, including his children Erin and Donald. Roy's work and life of dedicated public service will enrich generations to come, and for his many contributions, he is worthy of the highest praise.

ENCOURAGING NATO PARTICIPATION FROM MEMBER NATIONS

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. BYRNE. Mr. Speaker, I rise today to highlight a disturbing trend that deserves increased scrutiny in the wake of Russia's growing aggression in the Baltics, Ukraine, Eastern Europe, and the South Caucasus. Recently, NATO Secretary-General Jens Stoltenberg met with members of the Senate Armed Services and Foreign Relations Committees to discuss how to counter an assertive Russia, a phenomenon he describes as ''a chief threat.''

To be sure, recent events have led some to question the relevance of the NATO alliance. Indeed, that the U.S. accounted for more than 72 percent of NATO members' total defense expenditures, spending about $649.9 billion last year, exemplifies the need to reform the 28-member defense alliance to restore it to a body that collectively wields the power to deter aggression and secure peace.

Currently, only 5 members of the 28 nation alliance spend the NATO recommended 2 percent of their gross domestic product on defense. This statistic is troublesome and indicative of a vastly disproportionate burden sharing that has existed for far too long and has potentially compromised NATO's effectiveness.

Perhaps as a result, Putin has successfully increased pressure on NATO's perimeter in an attempt to solidify control of the ''Near Abroad.'' Moscow's invasion of Georgia in 2008 set in motion what has become an increasingly obvious pattern. Russia's annexation of Crimea in 2014, ongoing military campaign in the eastern part of Ukraine, and most recently, its confrontation with Azerbaijan through its proxy Armenia, epitomize Polish Minister of Foreign Affairs Witold Waszczykowski's characterization: Russia is ''an aggressive neighbor that is openly proclaiming the redrawing of the borders of Europe.''

As NATO members in Central, Eastern and Southern Europe continue to face antagonism from Russia, including a substantial military buildup in Armenia where it has deployed advanced fighter aircraft and attack helicopters to bases in Armenian territory just 25 miles from the Turkish border, the time to address the systemic issues that have plagued the NATO alliance is now.

European countries must step up to the plate to counter aggression and send a clear message to Russia that their actions will not be allowed to continue.

CELEBRATING THE 75TH ANNIVERSARY OF THE UNIVERSITY OF MARY WASHINGTON'S FEDERAL DEPOSITORY LIBRARY PROGRAM

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. WITTMAN. Mr. Speaker, I rise today in recognition of the University of Mary Washington celebrating their 75th anniversary as a Federal Depository Library on Thursday, March 10. The public has a right to information contained in Government documents, which have been published at public expense and the Government has an obligation to ensure the availability of, and access to, these documents at no cost. Federal Depository Libraries serve that goal by providing free, ready, and permanent public access to Federal Government information for present and future generations. UMW has shown true service to the community by highlighting the diversity and excellence of government information. I am thrilled to have the UMW Federal Depository Library Program as a part of the First District and want to again congratulate them on this amazing achievement.

RECOGNIZING THE CONTRIBUTIONS OF THE ALUMINUM INDUSTRY

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. RYAN of Ohio. Mr. Speaker, I rise today, two days prior to Earth Day, in my capacity as a member of the bipartisan Congressional Aluminum Caucus, to note the many ways in which the aluminum industry has contributed to the environmental goals we all share.

The list of contributions the aluminum industry has made to protect our nation's air and land is long, but allow me to mention just two ways in which aluminum deserves recognition on Earth Day.

Let's start with recycling. The aluminum industry's record as a contributor to driving up the nation's recycling rate is formidable. In the United States, 70 percent of all aluminum produced is recycled. And recycling that aluminum requires only 8 percent of the energy it took to make it the first time.

Because the metal is infinitely recyclable, as well as durable, a remarkable 75 percent of all aluminum ever made is still in use. Recycled aluminum is so valuable that it more than pays for itself in the consumer recovery stream.

We all benefit from clean air, and aluminum has a lot to be proud of here, too. As auto companies commit to increased fuel economy, many are realizing that using aluminum in the bodies of cars and trucks significantly increases performance because it's strong and light weight.

This, in turn, means that drivers go further on a tank of gas, saving vast amounts of money over the life of a vehicle. It means that a lighter weight vehicle will be responsible for reduced greenhouse gases and increased fuel efficiency, which benefits everyone. And aluminum is increasingly being used in modern building construction, which in turn makes buildings more energy efficient.

I am proud to have major aluminum plants in my district that generate $755.7 million in economic output. It creates great jobs, and is putting into commerce a material that is being used increasingly in all aspects of our lives from cars, planes and buildings and construction.

On this day, when we take note of the great strides we have made in protecting the planet, but also realize the work ahead of us, I wanted to take special note of the contributions made by my friends in the aluminum industry. I applaud their efforts.

JOHN ENGLANDER TESTIMONY TO HOUSE SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LOWENTHAL. Mr. Speaker, I submit the July 28, 2015 testimony of John Englander to the House Subcommittee on Energy and Mineral Resources.

Chairman Lamborn, Ranking Member Lowenthal, and members of the Committee: I am John Englander, an oceanographer, independent consultant, and author of the book, High Tide On Main Street: Rising Sea Level and the Coming Coastal Crisis. (2nd Ed, 2013, The Science Bookshelf)

Thank you for inviting me to comment on the implementation of the Coastal Zone Management Act. Your oversight of that important legislation is a good opportunity to consider the profound changes in the coastline that are just beginning to occur and will almost certainly accelerate in the decades ahead. I believe that looking forward to new perspectives about our coastal zone management is a truly important role for your subcommittee and the Natural Resources Committee and deserves a high priority.

Throughout human civilization we have recognized the highly dynamic aspects of the broad coastal zone, particularly the varying tides and storms, and shoreline erosion or accretion. Yet, it was generally assumed that the base sea level was rather stable. That was a commonsense belief as the fundamental height of the ocean had changed little in all of recorded human history, going back some five or six thousand years.

Understanding of the ice age cycles, however, gives a critical perspective that is key to recognizing the new era we are now entering. Thus I would like to briefly explain the ice ages and the implications for future sea level change, as that will directly impact how we define and manage the coastal zone.

Over long periods of time, centuries and millennia, the amount of ice and sea level vary inversely, in response to climate shifts, that is, long-term average temperature change.

With the natural cycles of glacial advance and retreat, sea level moves up and down roughly 300 to 400 feet, moving typical coastlines many miles inland or seaward. This phenomenon has been occurring in a regular pattern roughly every hundred thousand years (more precisely varying between 95 and 125 thousand years).

The most recent ice age extreme (Last Glacial Maximum) was some twenty thousand years ago. At that time ice sheets miles thick covered much of the northern hemisphere. Sea level was 390 feet lower than at present. As the ice melted, the sea rose for some fifteen thousand years when it stabilized at roughly the current height. That sea level change is shown in attached Exhibit A, illustrating how sea level rose since the last glacial maximum.

In Exhibit B, a chart of the last four hundred thousand years, that last glacial warming period is put in a larger perspective, looking at several full ice age cycles with the accompanying up and down of sea level. The red graph in the middle, shows global average temperature, and easily identifies four ice age cycles. The blue graph at the bottom shows the respective sea level. The green graph at the top, represents the carbon dioxide (CO2) concentration.

At the last warm point in the cycle, 120,000 years ago, average global temperature was approximately the same as present and base sea level reached a height approximately twenty-five feet above the present. It is almost inevitable that our future sea level will eventually exceed that height. The key question of course is how long it will take to occur. The consensus thinking among scientists is that it will take centuries, though the evidence of increased melting in key locations continues to accumulate in recent years.

Over the last twenty-five years, the Intergovernmental Panel on Climate Change (IPCC) has published projections for SLR, though even they have rather consistently been on the low side. In Exhibit C, the 1990 projections are shown in blue with various spreads of possibility. The 2002 projections are shown in green, a little higher than the previous projection. Actual sea level is shown in gold, with a smoothed out trend line in red. While there is considerable variation, it is clear that even for the last decade or two, that official projections for sea level, underestimate the rise, more often than not.

The fact is that there is large uncertainty as to just how quickly the glaciers and ice sheets on land will melt. That depends on how warm the planet becomes, which in turn largely depends on the levels of the 'greenhouse gases' (GHG) and the unknown tipping points and feedback loops for the collapse of the ice.

Again referring to the three-part chart in Exhibit B, there is a long-term close correlation of sea level, average global temperature and carbon dioxide levels, with CO2 being the GHG of greatest concern.

In that regard, I was very pleased to see the statement by your subcommittee featuring the support of alternative energy sources such as wind, solar, hydropower, biomass, and nuclear. They are most likely the key to reducing the growth of GHG and slowing the warming.

However, it needs to be noted that even if all GHG emissions were stopped today there is enough heat already stored in the ocean to guarantee sea level will rise for centuries. The rate of rise can be slowed but it can no longer be stopped in the foreseeable future.

We need to recognize that rise sea level rise is quite different than the temporary flooding from storms along the coast. The damaging wave action of storms is typically confined to the shoreline with storm surge affecting adjacent coastal waterways, all of which recedes in a very short time.

With rising sea level saltwater percolates through porous rock, getting into the fresh water table, flooding highly productive and ecologically sensitive marshlands, and extending up tidal rivers. Though not as dramatic as a severe storm, the affected area is far broader. As a result for each foot of vertical sea level rise the average shoreline is estimated to move inland roughly three hundred feet.

Given the importance of higher sea level to coastal facilities such as refineries, transfer terminals, wind farms, hydropower, ocean energy, and the infrastructure associated with traditional energy sources, I submit that this is a very important topic for consideration by your Committee.

There will be tremendous losses of assets, ''write offs'', as vast areas of land go underwater with increasing frequency during flood events, and eventually permanently. What is often overlooked is that there will also be tremendous opportunities for economic growth as we adapt to this new reality.

Now is the right time to see the future that is just over the horizon and will soon be at our shores—just like a tsunami racing invisibly across the sea at four hundred miles an hour, only becoming visible moments before impact. In this case I am using the tsunami as a metaphor for the relatively slow sea level rise.

But make no mistake the speed of the ice that is now melting on Greenland and Antarctica is happening at ''warp speed' in geologic time. The pace of warming is tens or even a hundred times faster than at any known period in the last five hundred million years of geologic history.

Since this is without precedent in recorded human history and is often misunderstood, it may be worth reviewing the factors that contribute to sea level rise. Primarily it is the melting of ice on land, the glaciers and ice sheets, which can enter the ocean as icebergs (glacier fragments) or melt water. Another factor is the slight expansion of seawater as it warms. Such thermal expansion has been a major factor in the last century causing nearly four inches of global sea level increase, but that will almost certainly be overwhelmed by the ice melt in the coming century. (There are also other nuanced factors that can affect sea level, such as changing ocean currents and global mass redistribution, though I suspect those are beyond the scope of the subcommittee's inquiry.)

Certain locations vary considerably from the global average sea level change and warrant special attention even sooner. Over the last century, global average sea level has been approximately eight inches as shown in Exhibit D. However during the same period of time the New Orleans region has had approximately forty six inches of SLR, Norfolk thirty inches, Miami twelve, but Los Angles only four. Most of Alaska has had lower SLR in the same period. The differences are mostly due to land subsidence or uplift, which increases or reduces the global average sea level change. The point is that historical and future sea level change will not be the same everywhere and in fact will vary greatly.

The effects of sea level rise are often confused with storm surge, coastal erosion and the regular extreme high tide events, ('king tides'). Except for erosion, those other types of flooding are temporary, making it possible to rebuild and recover. Sea level rise is different in that it is essentially permanent, and will not recede for at least a thousand years.

I trust you will see that this insight has strong relevance for critical assets and infrastructure including ports, power plants, and military bases that have long durability and are difficult to elevate or relocate. Of course there will be an even broader effect on homeowners, businesses, communities, local and regional economies in the vulnerable low elevation coastal areas, where a majority of the US population resides.

I encourage this Subcommittee, the Committee on Natural Resources, and the Congress to revise and reauthorize the CZMA taking this seminal change in the land ocean boundary—the coastline—into full consideration.

I would expect that your subcommittee is also interested in the changing Arctic given its potential role for energy exploration and shipping. Regardless of the associated concerns with those activities, it is worth noting that the melting of the polar ice cap has no effect on sea level, as it is floating sea ice. The disappearance of that perennial ice across the Arctic Ocean does however illustrate some key points. The fact that it will be essentially ice-free for increasing periods of time starting in some late September, almost certainly within the next decade or two, points to the profoundness of this new era. The sea around the North Pole has been frozen for roughly three million years.

I recall my first expedition in 1985 diving under the polar ice cap, when we had to drill through ten feet of ice. That multi-year ice is almost gone. Now we just have thin ice that builds up and then melts each year. That thin ice, or lack of ice, has very different energy characteristics, which has a huge impact on the planet's weather.

The changes to the Arctic are truly profound and raise new issues. As I am sure you have considered there is the opening of sea routes, the challenge of treacherous waters for our Navy and Coast Guard to operate, and new areas of shoreline rapidly eroding as the coastline is exposed by the disappearing ice and melting permafrost.

Your subcommittee has the opportunity to mark a place in our nation's history by recognizing and planning ahead for the dynamic changes in store for our coastal zone. Sea level will almost certainly reach the upper limit cited in the 2014 National Climate Assessment regardless of exactly when it occurs. That report explicitly said they had a 90 percent confidence that SLR this century would be between upper and lower bounds of 8 inches and 6.6 feet. It is difficult to quantify the collapse rate of the West Antarctic marine glaciers, due to the phenomenon of ''tipping points'', which defy accurate modeling until they can be observed in detail.

That challenge leads to an inadvertent conservative or low figure, not because of a lack of risk, but rather due to the inability to put a precise number on it. With other phenomena where we have had prior experience such as earthquakes, tornedos, and hurricanes we plan for low probability high-risk events. In the case of sea level rise, the worst-case scenarios for this century now exceed ten feet, yet hardly anyone is putting that scenario in their range of planning.

A key point in that National Climate Assessment that is often overlooked is that they acknowledge a one-in-ten chance that it will not be within those bounds. In risk terms, a ten percent chance is huge. In fact a risk assessment is exactly how we should be considering the effect of rising sea level on the coastline and our management thereof.

We are already seeing the destructive effects of sea level rise today. Just to cite a few examples: In Miami Beach, they recently installed $15 million of pumps to keep salt water off the streets that now occurs every 28 days with the full-moon high tide. It is just the first phase of a $400 million plan

that they admit has limitations as sea level continues to rise. In Hampton Roads, both military and private locations are seeing steadily worsening flooding, a combination of higher global sea level, a slowing of the Gulf Stream, and subsidence.

From the Carolina banks to Cape Cod, coastal changes are noticeable from year-to-year. Along San Francisco's seven-mile Embarcadero well inside the Bay, saltwater now comes over the seawall onto the street with increasing frequency. I could cite examples from Annapolis, Boston, Seattle, and the Gulf Coast or dozens of others. These are manifestations of rising sea level already increasing the problem of storm impacts and abnormal high tides. It will continue to get worse.

In the longer term, mid-century and beyond, rising sea level will dramatically change the coastal zone, probably beyond what most of us can imagine, within the lifetimes of our children and grandchildren. We can ignore reality and leave future Americans to suffer the consequences.

Or we can see the future in front of us and plan for intelligent adaptation. Recent evidence from Antarctica makes clear that the melting forces are well ahead of nearly all the models and projections, similar to the way that the melting of the polar ice cap is far ahead of the models. Those who understand the dynamics of glacial collapse and the uncertainty of specific projections, appreciate that the models will almost certainly continue to underestimate the rate of their collapse, and the sea level rise that will directly result.

To close my remarks, the sea does not care what we think or want, or what laws we pass. Throughout history the ocean has taught man humility. We ignore its power at our peril. Along with crisis, there is opportunity. There can be tremendous innovation and adaptation in the coming decades as we anticipate and change our coastal oriented society and economies. But getting a good return on investment requires that we see where things are headed.

I often cite the Dutch as an example of how it is possible to do bold engineering, but also to illustrate the potential trap of inadequate design. Many have seen pictures of the amazing gates at Rotterdam harbor, the Maeslantkering. Designed in the 1980's with construction finished in the early 90's, it is a key part of their innovative coastal defense system. The cost was almost a billion dollars. It was designed for a one-in-ten thousand-year storm, and the worst historical downstream flooding from the three rivers that merge there.

Plus they added an allowance for one foot of sea level rise, as that was the worst they considered possible when it was designed. Now they recognize that will soon be inadequate. If they had been able to foresee the possibility of five to ten feet of SLR back in the 1980's they admit they would have designed the barrier with greater height for longer effectiveness and a better ROI—return on investment.

Our coastline is largely unchanged since the founding of the United States, a nation founded in recognition of truth and science. Our founders specifically recognized that the world of man and nature was dynamic and would need to adapt accordingly.

Our changing coastline, a significant feature of the United States, is an appropriate place to implement that attitude, respecting the collaborative relationship between the Federal government and the States. From my perspective the CZMA seems like the right forum to have that discussion about public policy. The sea is rising and the shoreline is shifting. We have time to adapt, but no time to waste.

Thank you again for the opportunity to testify. I would be pleased to answer questions.

HONORING REAVELYN PRAY

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. FARENTHOLD. Mr. Speaker, Reavelyn Pray is among 60 students selected from across the country out of 300 highly competitive applications for Council on Undergraduate Research "Posters on the Hill" presentations in Washington, D.C. Pray's selection is the first time a Del Mar College student has been accepted for Council on Undergraduate Research's "Posters on the Hill," and she will present her research findings illustrated on her poster titled "Engineering Plants to Produce Petrochemical Alternatives in Vegetative Tissues." Research projects submitted for "Posters on the Hill" went through a rigorous review process and were selected as the best from around the country.

RECOGNIZING MASTER-AT-ARMS 1ST CLASS CARL S. RANDOLPH ON HIS RETIREMENT FROM THE U.S. NAVY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Master-at-Arms 1st Class Carl S. Randolph. He will be retiring from the Navy on May 1, 2016 after 22 years of dedicated service to our nation.

On July 10, 1995 Mr. Randolph joined the U.S. Navy and reported to Recruit Training Command in Great Lakes, Illinois. After graduating from recruit training he attended Ships Serviceman Class A School where upon graduation, MA1 Randolph was assigned to the USS *Russell* DDG 59 in Pearl Harbor, HI. In 1996 and 1998, Randolph was deployed to the Northern Arabian Gulf in support of Operation Northern Watch. During his time assigned to the USS *Russell*, Petty Officer Randolph received numerous awards which included: a Maritime Unit Commendation, a Navy Unit Commendation, and a Meritorious Service Medal.

On March 20, 2000, MA1 Randolph reported to NTTC Pensacola, FL for Aviation Machinist Mate Class A School. After graduation, MA1 Randolph received orders and was then assigned to VF–211 at NAS Oceana in Virginia Beach, VA. MA1 Randolph was assigned to the USS *Stennis* CVN 76 and was deployed to the Northern Arabian Gulf in support of Operation Northern Watch. In August 10, 2001, MA1 Randolph was honorably discharged from active service duty to attend college. On December 18, 2004, MA1 Randolph graduated with a Bachelor of Science degree, in Criminal Justice and a minor concentration in Sociology, from Southern Illinois University Edwardsville. MA1 Randolph began his employment as a Federal Police Officer for the Department of Veterans Affairs in St. Louis, Missouri, after graduation from college.

MA1 Randolph was voluntarily mobilized to Bagram Afghanistan for a Detainee Operation mission in support of Operation Enduring Freedom on October 15, 2007. During this deployment, MA1 Randolph earned his Aviation Warfare Specialist Pin from VAQ 134. MA1 Randolph had numerous responsibilities during his deployment including: cell guard, escort guard, segregation cell guard, and main floor NCO.

MA1 Randolph was assigned to COMNAVFORKOREA Det D on February 7, 2012. Then on November 6, 2014, MA1 Randolph was assigned to NSWDG in Virginia Beach, VA. From there he was deployed to support AFRICOM and returned back to COMNAVFORKOREA Det D in November of 2015. Additionally, MA1 Randolph has completed numerous Navy schools: Small Arms Marksmanship Instructor, Security Reaction Force Advanced, Non-Lethal Weapons Instructor, Anti-Terrorism Training Supervisor, Reserve Career Information, Beamhit Instructor, and Security Reaction Force Basic.

Since September of 2009, MA1 Randolph has been employed as an Inspector for the Department of Homeland Security's Federal Protective Service. With this employment, MA1 Randolph oversees the law enforcement of all federal buildings in the states of Missouri, Kansas, Nebraska, and Iowa. The primary assignment location for MA1 Randolph is the St. Louis, MO area.

There are numerous professional schools that MA1 Randolph has graduated from; including: Department of Veterans Affairs Police Academy, Federal Protective Service Advance Individual Training Program, Department of Homeland Security Active Shooter Threat Instructor Training Program, Federal Protective Service Contract Officer Technical Representative, and the Federal Protective Service Electronic Control Device Instructor training.

MA1 Randolph has received many personnel awards including: Letter of Commendation from Rear Admiral G. R. Jones Commander of Amphibious Forces U.S. Seventh Fleet, Global War on Terrorism Expeditionary Medal, Navy Meritorious Service Medal, Navy Unit Commendation Award Ribbon, Afghanistan Service Medal, Enlisted Aviation Warfare Specialist Pin, and the Joint Service Commendation Medal.

With this retirement, MA1 Randolph can now spend more time with his family which includes: his wife Terri, 11-year-old son William, and 5-year-old daughter Katherine.

I ask you to join me in recognizing MA1 Randolph on his retirement after 22 years of commitment to his country, community, and state.

IN SPECIAL RECOGNITION OF COLLIN KEIL ON HIS OFFER OF APPOINTMENT TO THE UNITED STATES MERCHANT MARINE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that

Collin Keil of Whitehouse, Ohio has been offered an appointment to the United States Merchant Marine Academy in Kings Point, New York.

Collin's offer of appointment poises him to attend the United States Merchant Marine Academy this fall with the incoming Class of 2020. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education while undertaking one of the most challenging and rewarding experiences of their lives.

Collin brings an enormous amount of leadership, service, and dedication to the incoming Class of 2020. While attending Anthony Wayne High School in Whitehouse, Ohio, Collin earned scholastic honors, served as a link leader, and was named an AAU All-American in wrestling.

Throughout high school, Collin was a member of his school's football, wrestling, and crew teams, earning multiple varsity letters. I am confident that Collin will carry the lessons of his student and athletic leadership to the Merchant Marine Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Collin Keil on the offer of his appointment to the United States Merchant Marine Academy. Our service academies offer the finest military training and education available. I am positive that Collin will excel during his career at the Merchant Marine Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to our Nation.

H.R. 4161 SCRA RIGHTS PROTECTION ACT

HON. TULSI GABBARD

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Ms. GABBARD. Mr. Speaker, as members of Congress, one of our most sacred responsibilities is to serve those who protect our nation. As far back as the Civil War, Congress has enacted laws to safeguard the rights of our military men and women, so they may devote their full attention to the defense of the United States.

These laws, like the Servicemembers Civil Relief Act (SCRA) and the Military Lending Act, provide protection from repossessions, foreclosures, predatory lending, and other civil actions that could occur while a servicemember is on active duty or deployed. Those protections allow the servicemember to remain solely focused on protecting the nation while on active duty or deployed. One of the protections the SCRA provides is to require banks and businesses to obtain a court order before repossessing a servicemembers' car or home. Requiring a court order ensures that any action to take away a servicemembers' property will be reviewed by a judge, where the judge can evaluate whether the servicemembers' military duties will inhibit him or her from responding to the action in a timely manner. Through the court system, the judge can also ensure the servicemember wasn't victim to predatory lending practices, or other actions protected under the SCRA.

Unfortunately, banks and businesses have found a way around those protections. Many mortgages, car loans and other financial agreements now include fine print that requires any dispute over the property to be resolved through a new process that avoids the courts: Forced arbitration. By including that clause in the fine print, banks can still threaten servicemembers' homes, cars and other property by requiring them to enter into a costly arbitration process while they are still in active duty service. This process has resulted in men and women finding out that a bank is taking away their family car, or home, while they are in Iraq or Afghanistan. For example, Army National Guard Sergeant Charles Beard was serving in Tikrit, Iraq when he found out that his family car had been illegally repossessed. His wife was threatened and told she would be imprisoned if she resisted. Sergeant and Mrs. Beard spent four years fighting the case, and ultimately did not get back their car or receive compensation. Sadly, they are not alone. In 2012, the Government Accountability Office found 300 cases of improper foreclosures on servicemen and women while they were still on active duty, along with 15,000 other violations of the SCRA. We must ensure that our brothers and sisters in combat don't have to worry about whether or not their families will not become homeless while they are gone. We must close this loophole.

I am proud to partner with Congressman JONES as the Democratic lead sponsor of H.R. 4161, the SCRA Rights Protection Act of 2015, to do just that. The SCRA Rights Protection Act restores the rights enshrined in the SCRA by not allowing forced arbitration for contracts governed by the SCRA unless the servicemember agrees to that process after a dispute has arisen.

Our military men and women sacrifice so much in the service of our nation. It is our duty to defend their rights here at home.

LANE JUDSON—EVA MURILLO UNSUNG HERO AWARD

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. POE of Texas. Mr. Speaker, the bi-partisan Congressional Victims' Rights Caucus (VRC) works as a advocate for crime victims. JIM COSTA (CA) and I founded the VRC 10 years ago when we were first elected to Congress. During its 10 year existence, the VRC has taken the lead in protecting programs that provide critical support for victim services throughout the nation, including the Victims of Crime Act (VOCA), Violence Against Women Act (VAWA), and the Trafficking Victims Protection Reauthorization Act (TVPRA). Each year the members of the caucus join together to honor outstanding individuals who have given their time and service to helping victims. This year marks the 10th anniversary of the Caucus.

On behalf of Congressman COSTA (CA) and myself, we are proud to honor Lane Judson with the Eva Murillo Unsung Hero Award. Mr. Judson was nominated for the Unsung Hero award by Congressman DAVID REICHERT of the 8th District of Washington. This award honors the memory of Eva Murillo, a prominent crime victim advocate in the state of California. Murillo, who passed away in 2005, was best known for her twelve years of distinguished service to the Kings County Victim Witness Assistance Program, where she pioneered efforts to help women in abusive relationships. The honoree is a crime victim or survivor, who has experienced a personal tragedy and triumphed over adversity. This award recognizes a person who has utilized his or her experiences as a crime victim or survivor to promote public education and awareness, public policy development, and/or greater awareness about crime victims' rights and needs. Through his or her efforts, the recipient has given hope to other crime victims and survivors.

Mr. Lane Judson has done just that—on April 26, 2003, Lane Judson's daughter, Crystal was fatally shot by her husband who also happened to be the Police Chief of the Tacoma, Washington Police Department. The shooting came one day after city officials publically announced that Crystal's claims of abuse and threats would not be investigated because it was a ''private matter.'' After losing his daughter, Mr. Judson dedicated his life to helping and supporting victims of domestic violence.

He was instrumental in the creation of the Crystal Judson Family Justice Center in Tacoma, WA, which was established in 2005 to serve the needs of the domestic violence victims and their children by providing comprehensive victim services in order to help families heal and bring them hope. Mr. Judson also led the fight to incorporate the Crystal Judson Domestic Violence Protocol Program into the 2006 Violence Against, which created a grant available to law enforcement agencies to use in training their officers in the area of domestic violence.

Mr. Judson has turned unimaginable tragedy into positive action to advocate on behalf of all domestic violence victims. Mr. Judson is an incredible person. We know his daughter's memory lives on in his fight to end domestic violence. We are proud to honor him with the Eva Murillo Unsung Hero Award.

And that is just the way it is.

IN SPECIAL RECOGNITION OF ADAM HUG ON HIS OFFER OF APPOINTMENT TO THE UNITED STATES MILITARY ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Adam Hug of Bryan, Ohio has been offered an appointment to the United States Military Academy in West Point, New York.

Adam's offer of appointment poises him to attend the United States Military Academy this fall with the incoming Class of 2020. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while undertaking one of the most challenging and rewarding experiences of their lives.

Adam brings an enormous amount of leadership, service, and dedication to the incoming Class of 2020. While attending Bryan High

School in Bryan, Ohio, Adam was named an Outstanding Scholar-Athlete Academy Award winner, earned academic booster club awards, served on student council, was a member of the National Honor Society, and was ranked first in his class.

Throughout high school, Adam was a member of his school's cross country, track and field, and swimming teams, earning varsity letters. Adam was also selected to attend Buckeye Boys State. I am confident that Adam will carry the lessons of his student and athletic leadership to the Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Adam Hug on the offer of his appointment to the United States Military Academy. Our service academies offer the finest military training and education available. I am positive that Adam will excel during his career at the Military Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to our Nation.

HONORING THE LATE RANDY NAYLOR, SR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a philanthropist, the late Randy Naylor, Sr. Mr. Naylor has shown what can be done through hard work, setting goals, and aiming high.

Randy Naylor, Sr. was born June 23, 1953, in Vicksburg, MS to George Washington and Lillian B. Naylor. He was a humble and caring man who was always in good spirit.

Randy was a graduate of Rosa A. Temple High School Class of 1973, where he served as a Drum Major. He also attended Hinds Community College where he studied Criminal Justice.

Randy was employed with Vicksburg Warren School System as a bus driver and ISD Teacher. He also worked nights at the Merchant Company as well as a security guard for the U.S. Army Corps of Engineers. He joined the Vicksburg Police Department in 1988. Randy was the recipient of the "Officer of the Year" award on numerous occasions. He had extensive training in all aspects of law enforcement, criminal and juvenile investigation. In 2008, Randy was elected Constable for Warren County where he served until his death. Naylor was also a Notary Public for the state of Mississippi.

Randy volunteered his time to the Salvation Army, Kings Head Start, which he later adopted and provided clothes and books to the kids at the center. He also volunteered at the River City Rescue Mission. Randy spoke to various youth groups at churches throughout the city.

Randy also worked diligently with the city summer program, "Street Ball" which is now called the Randy Naylor Summer Youth Program. He secured various partnerships throughout the city for supplies for the program. Mr. Naylor's work as a Resource officer in the Vicksburg/Warren School District allowed him to develop good relationships with the youth that made his impact on the "Street Ball" program extremely important in the realm of community policing. Students and young people would listen to him when no other officer could get them to cooperate. Parents trusted him with their kids and criminals knew better than to cross him all because of the relationships he built through his work in the community.

As a member of Calvary Baptist Church he served as an Usher and the President of the Layman's Ministry. He was married to Dorothy Naylor for 40 years.

Mr. Speaker, I ask my colleagues to join me in recognizing the late Mr. Randy Naylor, Sr. for his dedication to serving our great city in the Vicksburg/Warren community.

ANTON ZHOU IS A MASTER OF THE ARTS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Anton Zhou of Sugar Land, Texas for being named a Texas Young Master in visual arts for the spring of 2016. This is one of the most impressive awards given to a young artist in their state.

Anton currently attends Clements High School and previously attended the XinSheng Wang Art School. At 17 years of age, Anton has won multiple awards and recognition for his well-known impressionist and contemporary art style. Founded in 2002, the Texas Young Master program was developed by the Texas Cultural Trust and the Texas Commission on the Arts. They recognize students from 8th through 11th grade who have proven incredible artistic talent in either visual, performing, or literary arts. Students recognized as a Texas Young Master are awarded $5,000 in scholarships each year for two years, to assist with continuing education in their selected art form.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Anton Zhou for being named a Texas Young Master. We can't wait to see what the future brings for him.

IN SPECIAL RECOGNITION OF ALEXANDER DOLAN ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Alexander Dolan of Bryan, Ohio has been offered an appointment to the United States Military Academy in West Point, New York. Alexander's offer of appointment poises him to attend the United States Military Academy this fall with the incoming Class of 2020. Attending one of our Nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while undertaking one of the most challenging and rewarding experiences of their lives.

Alexander brings an enormous amount of leadership, service, and dedication to the incoming Class of 2020. While attending Bryan High School in Bryan, Ohio, Alexander was named an Outstanding Scholar-Athlete Academy Award winner, earned academic booster club awards, served as class president, was a member of the National Honor Society, and was ranked first in his class.

Throughout high school, Alexander was a member of his school's soccer and track and field teams, serving as the teams' captain and earning varsity letters. Alexander was also active and exceled in orchestra and was selected to attend Buckeye Boys State. I am confident that Alexander will carry the lessons of his student and athletic leadership to the Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Alexander Dolan on the offer of his appointment to the United States Military Academy. Our service academies offer the finest military training and education available. I am positive that Alexander will excel during his career at the Military Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to our Nation.

RECOGNIZING THE COLUMBIA MUSEUM OF ART

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. WILSON of South Carolina. Mr. Speaker, yesterday, the Columbia Museum of Art received the 2016 National Medal for Museum and Library Service, the nation's highest honor given to museums for service to their community.

For decades the Columbia Museum of Art has been revitalizing the city center of Columbia. Today, it is the center of a vibrant and culturally diverse Main Street community. The museum engages students in creative and new ways that showcase the importance of the arts in our school system. As the 2016 Co-Chair of the Congressional Art Competition, I am grateful for their role in encouraging and developing the talents of young artists.

This award highlights the Columbia Museum of Art's long-standing commitment to outreach efforts in at-risk, rural, and underserved communities. I am grateful for the tireless work of Executive Director, Karen Brosius, President of the Board, Claude M. Walker, Jr., museum staff, and all of their dedicated volunteers for their commitment to promoting art in our community. Congratulations to the Columbia Museum of Art on this well-deserved honor; I am grateful to serve you in Congress.

In conclusion, God Bless Our Troops and may the President by his actions never forget September 11th in the Global War on Terrorism.

BETH HASSETT, EXECUTIVE DIRECTOR, WEAVE—ED STOUT MEMORIAL AWARD FOR OUTSTANDING VICTIM ADVOCACY

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. POE of Texas. Mr. Speaker, the bi-partisan Congressional Victims' Rights Caucus (VRC) advocates for the silent voices of crime victims. During its 10 year existence, the VRC has taken the lead in protecting programs that provide critical support for victim services throughout the nation, including the Victims of Crime Act (VOCA), Violence Against Women Act (VAWA), and the Trafficking Victims Protection Reauthorization Act (TVPRA). Each year the members of the caucus join together to honor outstanding individuals who have given their time and service to helping victims. This year marks the 10th anniversary of the Caucus.

On behalf of Congressman COSTA (CA) and myself, we are honored to present Sacramento resident Beth Hassett with the Ed Stout Memorial Award. Nominated by Congresswoman DORIS MATSUI of the 6th Congressional District of California, Beth is incredibly deserving of this award. The award honors the memory of Ed Stout, the Director of Aid for Victims of Crime of St. Louis, MO, one of the nation's three oldest victim assistance organizations—who died in 2005 following a 30 plus year career of inspiring crime victims and those who serve them. The honoree is a professional or volunteer whose efforts directly benefit victims and survivors of crime.

Beth has been an outspoken and effective champion for women and children in Sacramento through her leadership as the Executive Director at WEAVE. Beth leads a team of advocates who share a common goal of creating a community that does not tolerate domestic violence and sexual assault and offers victims the support they need to be safe and thrive. Established in 1978, WEAVE is Sacramento's oldest and most comprehensive domestic violence agency and sole Rape Crisis Center. The agency provides in-person and telephone support to more than 12,000 survivors each year.

For 23 years, Beth has worked tirelessly to improve the quality of life in the Sacramento Region. Beth has been an active volunteer in our community, received several community leadership awards, and served as the Governor's appointee to the statewide Domestic Violence Advisory Committee from 2010 through 2015. She has made it her mission to educate our community and spread the word about violence prevention and intervention. Her leadership on behalf of survivors has made such a difference in Sacramento. She could not be more deserving of the Ed Stout Memorial Award for Outstanding Victim Advocacy.

And that is just the way it is.

HONORING THE THOMPSON-CLEMONS POST NUMBER 200

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor The Thompson-Clemons Post Number 200 of Greenwood, Mississippi.

The Thompson-Clemons Post Number 200 of Greenwood, Mississippi was the first African American Post established in the State of Mississippi and came about due to the perseverance of eighteen determined Black Veterans of World War I and World War II in the Mississippi Delta.

These veterans attempted to join Keeler-Hamrick-Gillespie Post Number 29 which refused them membership. Given that this was the 1940s and Mississippi being a segregationist state, Post Number 29 could not get a majority vote of its members to allow black veterans to join their post.

The eighteen black veterans filed a petition to start a new post and presented it to the Mississippi Department of the American Legion. Mr. Solomon N. Dickerson, a black veteran, postal worker and co-worker of Mr. Author H. Ritchter, the Adjutant of Post Number 29, worked to get the petition through the District. It was due to their vigorous and persistent correspondence to the District and the Mississippi Department of the American Legion that they were allowed to form a separate post if they could find a sponsor.

Keesler-Hamrick-Gillespie Post Number 29 agreed to serve as a sponsor to assist Thompson-Clemons Post Number 200 in getting the temporary charter, paving the way for other charters to be granted to other black veteran's groups throughout the state of Mississippi.

Originally, the post was called the Mississippi Delta Post Number 200. Mr. L.H. Threadgill, principal of Stone Street High School, a veteran of World War II, proposed that the post be named after two former students of Stone Street High School, that were killed in action during WWII. The motion carried and the name was adopted. Thompson-Clemons Post Number 200 was granted a permanent charter on July 28, 1949, becoming the first Black post in the State of Mississippi. The first Post Commander was Mr. Solomon N. Dickerson.

Mr. L.H. Threadgill and others in the community were instrumental in purchasing the property, obtaining a deed, and getting a building to establish a post headquarters where it is still located today.

The Thompson-Clemons Post Number 200 of Greenwood, Mississippi has a distinct track record of encouragement to veterans with issues, be they be from serving abroad; in combat situations or statewide service. Issues range from transportation to Regional Office and VA Hospital for medical disability claims, educational and skill training, housing and other activities including establishing collaborative partnerships with community organizations to provide emergency services such as utilities, homes for the homeless, counseling and assistance in understanding the myriad of services provided by the VA.

The VA community activities include sponsorship of little league baseball teams, voter education classes, veterans day celebration, adopt a school program, donations to needy families, Boys State Program and the National American Legion Oratorical Contest, where candidates sponsored by Post Number 200, have won the Mississippi State Championship four times, and three out of the past four years.

Leadership activities include a weekly live call in radio talk program aired on WGNL 104.3 FM in Greenwood, Mississippi where veterans can actually dial up and talk about issues that affect them and their community. Partnering with organizations such as the National Association of the Advancement of Colored People (NAACP), Greenwood Voters League, Mississippi Valley State University and other community based groups that advocate for social justice.

Thompson-Clemons Post Number 200 is well integrated into the fabric and culture of the Mississippi Delta and should be recognized as a Post that has the interest of our service men, their families and community at heart.

The American Legion Post Number 200 is moving forward to continue the legacy of those early veterans who honorably served their country and had the vision that through the American Legion and its core principles, they could continue to protect and build an America and Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing a remarkable organization, The Thompson-Clemons Post Number 200, for its dedication to serving our veterans and giving back to the African American community.

IN SPECIAL RECOGNITION OF THOMAS KOIZUMI ON HIS OFFER OF APPOINTMENT TO THE UNITED STATES MILITARY ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Thomas Koizumi of Findlay, Ohio has been offered an appointment to the United States Military Academy in West Point, New York.

Thomas' offer of appointment poises him to attend the United States Military Academy this fall with the incoming Class of 2020. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while undertaking one of the most challenging and rewarding experiences of their lives.

Thomas brings an enormous amount of leadership, service, and dedication to the incoming Class of 2020. While attending Liberty-Benton High School in Findlay, Ohio, Thomas earned top student of class awards, was a member of the National Honor Society, and was ranked first in his class.

Throughout high school, Thomas was a member of his school's cross country team, serving as its captain and earning his varsity letter. Thomas was also active and exceled in gymnastics and Kendo. I am confident that Thomas will carry the lessons of his student

and athletic leadership to the Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Thomas Koizumi on the offer of his appointment to the United States Military Academy. Our service academies offer the finest military training and education available. I am positive that Thomas will excel during his career at the Military Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to our Nation.

TRIBUTE TO ALEX THOMSEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Alex Thomsen of Underwood High School for winning the Class 1A, 126-pound bracket at the Iowa High School Athletic Association State Wrestling tournament on February 20, 2016.

Iowa has a long and proud history of strong wrestling programs, producing college and Olympic champions for years. Winning two state championships back to back is the culmination of years of hard work and commitment, not only on the part of Mr. Thomsen, but also his parents, his family and coaches.

Mr. Speaker, the example set by Alex demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent him and his family in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in congratulating Alex on competing in this rigorous competition and wishing him continued success in his education and high school wrestling career.

CRIMINAL JUSTICE AND PRE-LAW PROGRAMS AT CARL WUNSCHE SR. HIGH SCHOOL

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. POE of Texas. Mr. Speaker, on February 22, 2016, the Criminal Justice and Pre-Law Programs at Carl Wunsche Sr. High School, a Career Academy operating within my district, were selected for Advance Career Technical Education's (CTE) 2016 Excellence in Action Award in the Law Career Cluster. The following day, Harris County Sheriff Ron Hickman visited the campus Law Enforcement Explorers meeting to evaluate the programs and congratulate and encourage the students. Exemplary programs such as these cannot go unnoticed; Advance CTE understands this, which is why they honor and award programs who meet their high standards.

Advance CTE's Excellence in Action Award recognizes programs who ''show a true progression from secondary to postsecondary education, provide meaningful work-based learning opportunities, and have a substantial and evidence-based impact on student achievement and success.'' Each program chosen for recognition is honored in an award ceremony, in an active blog series, in a monthly Congressional newsletter, and in the 2015 Celebrating Innovations in Career Technical Education ceremony at the White House. Carl Wunsche Sr. High School's Criminal Justice and Pre-Law programs are deserving of all of these honors, but the programs wouldn't be where they are without the instructors who cultivated them.

Great programs reflect the experience and leadership of the instructors who run them. This could not be truer for Curtis Doss who heads up the Criminal Justice program and Mary Scherzer who directs the Pre-Law program. Mr. Doss has over 25 years of law enforcement experience serving in a myriad of roles. His career stretches as a U.S. Marshall, 8 years as a member of SWAT, as a member of the honor guard, as OIC of the national fugitive recovery unit, and as an undercover agent.

Instructors and programs like this develop our young men and women into competent, experienced graduates ready for their careers. Our criminal justice system is well served to have graduates of Carl Wunsche Sr. High operating within its ranks. It makes me proud to represent students and instructors who conduct themselves with such distinction.

And that is just the way it is.

IN SPECIAL RECOGNITION OF JAMES RENEAU, JR. ON HIS OFFER OF APPOINTMENT TO THE UNITED STATES NAVAL ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that James Reneau, Jr. of Findlay, Ohio has been offered an appointment to the United States Naval Academy in Annapolis, Maryland.

James' offer of appointment poises him to attend the United States Naval Academy this fall with the incoming Class of 2020. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while undertaking one of the most challenging and rewarding experiences of their lives.

James brings an enormous amount of leadership, service, and dedication to the incoming Class of 2020. While attending Findlay High School in Findlay, Ohio, James was a member of the National Honor Society, the Distinguished Honor Roll and a Scholar Athlete.

Throughout high school, James was a member of his school's football and track teams, serving as his teams' captain. He also volunteered with community youth sports teams and Special Olympics. I am confident that James will carry the lessons of his student and athletic leadership to the Naval Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating James Reneau, Jr. on the offer of his appointment to the United States Naval Academy. Our service academies offer the finest military training and education available. I am positive that James will excel during his career at the Naval Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to our Nation.

THE VIRGINIA WOMEN'S INSTITUTE FOR LEADERSHIP (VWIL) AT MARY BALDWIN COLLEGE

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. GOODLATTE. Mr. Speaker, the Sixth Congressional District of Virginia is home to a number of first-rate educational institutions. The Virginia Women's Institute for Leadership (VWIL) at Mary Baldwin College in Staunton, Va., is no exception. In addition to rigorous academic standards and leadership training, VWIL is the only all-female corps of cadets in the nation.

VWIL has been developing women leaders for 20 years through its elite program. Opened in 1995, VWIL is a public-private partnership with the Commonwealth of Virginia and Mary Baldwin College. This four-year program integrates academics, fitness, leadership development, ethics, and military training. Following graduation, VWIL cadets have the opportunity to receive a commission into any branch of the United States military.

The mission of VWIL over the past 20 years has been to prepare and develop women to become active and engaged leaders in the military, public service, and private sector. This is a mission they have lived up to today. VWIL demands that cadets achieve their highest level of performance, and that is seen clearly in the caliber of graduates produced by the program. To date, 382 women have graduated from the VWIL program. This community of alumnae has gone on to seek higher education as well as careers in a variety of fields, including government and management. Additionally, 130 graduates have been commissioned into military service. A VWIL alumna also made the ultimate sacrifice for our country. USAF 1Lt Sarah K. Small, a member of VWIL's Class of 2002, was killed in the line of duty in 2005 and is interred at Arlington National Cemetery.

On Friday, April 22, VWIL will hold a 20th Anniversary Parade and Awards Ceremony to commemorate the history and achievements of the Institute, honor the program's alumnae, and celebrate the future. I congratulate Brigadier General Teresa Djuric (USAF, Ret.), Commandant of Cadets, as well as faculty and staff, current cadets, and alumnae on this milestone. I wish VWIL many more years of success in developing future leaders.

IN RECOGNITION OF PATRICK J. SOLANO, RECIPIENT OF THE PENNSYLVANIA SOCIETY DISTINGUISHED CITIZEN OF THE COMMONWEALTH AWARD

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Patrick J. Solano, who will receive the Distinguished Citizen of the Commonwealth Award on April 22, 2016 during the

118th annual meeting of the Pennsylvania Society. Since 1976, the Distinguished Citizen of the Commonwealth Award has been bestowed upon an individual whose actions have stood out in benefiting the Commonwealth. Mr. Solano is renowned across Pennsylvania for dedicating a lifetime of service to his country, state, and community.

A veteran of World War II, Mr. Solano was with the Eighth U.S. Air Force Heavy Bombardment Group from 1943 to 1946. Mr. Solano completed twenty-three combat missions aboard a B–17 named ''Hangover.'' His valor earned him the Group Presidential Citation, the Air Force Medal with two Oak Leaf Clusters, and the European Combat Theatre Medal with two Bronze Stars.

Following his military service, Mr. Solano advised nine governors of Pennsylvania. He offered counsel to William Scranton, Raymond P. Shafer, Milton Shapp, Dick Thornburg, Robert P. Casey, Tom Ridge, Mark Schweiker, Ed Rendell, and Tom Corbett, as well as Pennsylvania State Senate Majority Leader Dominick Pilleggi. Mr. Solano earned a reputation for working behind the scenes to find bipartisan solutions and funding for projects. In addition to advising Pennsylvania's chief executives, Mr. Solano served as Deputy Secretary for Parks and Forests at the Department of Environmental Resources and as the Acting Secretary of the then newly created Department of Conservation and Natural Resources.

After forty years of service to the Commonwealth of Pennsylvania, Mr. Solano retired in 2002. Today, he resides in Hughestown with his wife Marie. They are the parents of six daughters and have eleven grandchildren.

It is an honor to recognize Patrick J. Solano for receiving the Distinguished Citizen of the Commonwealth Award. I am deeply grateful for his outstanding service to Pennsylvania.

TRINITY SETS THE PACE AT QUICK DRAW ART CONTEST

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Trinity Pace for winning first place in the 2016 Houston Livestock Show and Rodeo Quick Draw Art Contest.

Trinity is in eighth grade at St. Laurence Catholic School in Sugar Land, Texas. This talented student won both first place in the Quick Draw Art Contest and was also titled ''Junior High Champion,'' where she earned a cash reward, scholarship to the Glassell Junior Art School, and finally a Junior High Gold Ribbon of Excellence. Out of 600 students who applied for the contest, only 26 were selected to move forward. The Houston Rodeo Art Programs have produced 50 years of talented students and phenomenal art. We are so proud of Trinity, and look forward to seeing the fantastic art she will create in her bright future.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Trinity for her success at the Quick Draw Art Contest at the Houston Rodeo. We can't wait to see what she does next.

IN SPECIAL RECOGNITION OF ANDREW HAMMOND ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES AIR FORCE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Andrew Hammond of Van Wert, Ohio has been offered an appointment to the United States Air Force Academy in Colorado Springs, Colorado.

Andrew's offer of appointment poises him to attend the United States Air Force Academy this fall with the incoming Class of 2020. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while undertaking one of the most challenging and rewarding experiences of their lives.

Andrew brings an enormous amount of leadership, service, and dedication to the incoming Class of 2020. While attending Van Wert High School in Van Wert, Ohio, Andrew was a member of the National Honor Society, a Renaissance Program—Gold Card Recipient, a member of the Spanish Club, and a choir district participant.

Throughout high school, Andrew was a member of his school's wrestling and football teams, earning various awards. He was also active with Fellowship of Christian Athletes. I am confident that Andrew will carry the lessons of his student and athletic leadership to the Air Force Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Andrew Hammond on the offer of his appointment to the United States Air Force Academy. Our service academies offer the finest military training and education available. I am positive that Andrew will excel during his career at the Air Force Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to our Nation.

CONGRATULATING MEGAN HUDDLE ON RECEIVING THE BRIGHTON ASSEMBLY OF GOD'S GOLD MEDAL

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LONG. Mr. Speaker, I rise today to congratulate Megan Huddle, who was recently honored with the Brighton Assembly of God's Gold Medal Award, the highest achievement in the Assemblies of God Girls Ministries program.

To be honored with the Brighton Assembly of God's Gold Medal is the culmination of a 13-year journey of devotion to God that begins in kindergarten and finishes at the end of high school. The Girls Ministries program strives to instill Christian values and virtues in the young women who will be the future of our nation.

To be honored with a gold medal, girls must go above and beyond the requirements for completing the five levels of clubs offered by the ministries. Medal awardees must also have read the Bible twice, the New Testament three times, memorized portions of scripture and have met weekly with a sponsor who helps to guide them spiritually.

Mr. Speaker, Megan Huddle has not only displayed an uncommon level of spiritual devotion during her time in the Girls Ministries program, but also a measure of determination and commitment that will undoubtedly serve her well through her life. On behalf of Missouri's Seventh Congressional District, I urge my colleagues in congratulating her on this well-earned achievement.

TRIBUTE TO SOUTHERN IOWA REGIONAL HOUSING AUTHORITY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate Southern Iowa Regional Housing Authority (SIRHA), Creston, Iowa on their 40-year anniversary. This is an important milestone in their history of service to southern Iowa and the Third Congressional District.

SIRHA provides rent assistance and rent subsidy to low income citizens, elderly and disabled persons of the Third Congressional District in Iowa. They also rent apartment units to citizens in communities that are scattered throughout a six-county area. SIRHA programs have helped to create a positive environment to promote self-sufficiency.

Mr. Speaker, throughout its many years of service, Southern Iowa Regional Housing Authority has successfully provided necessary services to the communities of Iowa's Third Congressional District. I congratulate SIRHA on this historic anniversary. It is an honor to represent its employees in the United States Congress. I wish SIRHA nothing but continued success for another 40 years and beyond.

IN SPECIAL RECOGNITION OF TREY SMITH ON HIS OFFER OF APPOINTMENT TO THE UNITED STATES AIR FORCE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Trey Smith of Delphos, Ohio has been offered an appointment to the United States Air Force Academy in Colorado Springs, Colorado.

Trey's offer of appointment poises him to attend the United States Air Force Academy this fall with the incoming Class of 2020. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while undertaking one of the most challenging and rewarding experiences of their lives.

Trey brings an enormous amount of leadership, service, and dedication to the incoming

Class of 2020. While attending Delphos Jefferson High School in Delphos, Ohio, Trey was a member of the National Honor Society, an Honor Roll selection every quarter, earned the Best in Class Award for three consecutive years, and was ranked first in his class. He also served as a class officer.

Throughout high school, Trey was a member of his school's basketball team, earning various awards and becoming Delphos Jefferson High School's all-time leading scorer. I am confident that Trey will carry the lessons of his student and athletic leadership to the Air Force Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Trey Smith on the offer of his appointment to the United States Air Force Academy. Our service academies offer the finest military training and education available. I am positive that Trey will excel during his career at the Air Force Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to our Nation.

RECOGNIZING MICHAEL D. ANTONOVICH'S SERVICE TO THE STATE OF CALIFORNIA

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. MCCARTHY. Mr. Speaker, I rise today to honor Supervisor Michael D. Antonovich, who has served the people of the County of Los Angeles and the State of California for over four decades.

Since 1980, Supervisor Antonovich has effectively represented the two million residents of Los Angeles County's 5th Supervisorial District, which includes all or part of the San Gabriel, San Fernando, Crescenta, Santa Clarita and Antelope Valleys.

As a government and history teacher for the Los Angeles Unified School District in 1966, Mike credits his fifth grade teacher for the inspiration to enter public life. He entered the teaching profession as a government and history teacher for the Los Angeles Unified School District in 1966, and subsequently, he was elected to the Los Angeles Community College Board of Trustees in 1969. In 1972, he was elected to the California State Assembly, where he served three terms and rose to the rank of Republican Whip, before serving the County of Los Angeles.

His 36 years as a County Supervisor has been characterized by his dedication to public safety and support for foster children, seniors, veterans and the mentally ill. He has been a strong advocate for the environment, successfully preserving thousands of acres of open space and enhancing parks, trails and recreational programs and facilities. The Supervisor also serves on the Board of the Los Angeles County Metropolitan Transportation Authority, Metrolink (Southern California Regional Rail Authority), Southern California Association of Governments, San Fernando Valley and San Gabriel Valley Council of Governments, and the South Coast Air Quality Management District.

His experience and accomplishments have been recognized nationally. Presidents Ronald Reagan and George H.W. Bush appointed Antonovich to numerous presidential committees and commissions, including the Fulbright Foreign Scholarship Board, the U.S.-Japan Advisory Committee, the Commission on Privatization, and the U.S. Delegation to the United Nations International Conference on Indo-Chinese Refugees.

His many significant accomplishments over the years include:

The High Intensity-Criminal Alien Apprehension and Prosecution Program, involving federal, state and local law enforcement collaborative efforts targeting repeat criminal illegal alien offenders which served as a prototype for future federal law enforcement programs;

The DISARM program which has seized over 10,000 weapons and $700 million in illegal drugs and money from convicted felons on probation;

The construction of a state-of-the-art courthouse expanding access to justice for the residents of the Antelope Valley;

The Child Abduction Regional Emergency (CARE) Alert program, a model for the nationwide Amber Alert system;

State legislation extending foster care services for emancipated foster youth between the age of 18 and 21 and the Youth Self-Sufficiency Initiative providing housing, education and job training for emancipating foster youth;

The co-founding of the award-winning L.A. County High School for the Arts;

The Veterans Internship Program and the annual "Salute to Veterans" event providing programs and services to veterans and their families;

Laura's Law which provides treatment for the chronically homeless mentally ill;

The Quality and Productivity Commission to streamline government services and programs saving taxpayers more than $4 billion;

The rebuilding of the Olive-View/UCLA Medical Center which had been destroyed by the 1971 Sylmar earthquake;

The development of the Gold Line rail system serving the San Gabriel Valley;

The expansion of the county's parks and trail system including the preservation of over 2,300 acres of open space;

The Pet Adoption program rescuing over 1,000 dogs, cats and other pets;

The restaurant and nursing home grading system protecting public health;

Successful economic development and job creation efforts including attracting international companies to the region.

Over the years, I have had the distinct honor of being able to work with Supervisor Antonovich to help our community and constituents in the Antelope Valley. His advice and counsel have been invaluable—whether offered in Washington or Los Angeles or from the back of a horse in chaps and cowboy hat during one of the famous Antonovich Trail Dusters Rides.

On behalf of the State of California, the County of Los Angeles, and our constituents, I want to extend my heartfelt gratitude for Supervisor Antonovich's commitment to public service and inestimable contributions as a member of the Board of Supervisors. As he completes his final Board term this year, I look forward to Mike's continuing contributions to our communities, and wish him, his wife Christine, and his children Michael and Mary, all the best in this next chapter of his life.

IN SUPPORT OF APRIL AS NATIONAL FINANCIAL CAPABILITY MONTH

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. SHERMAN. Mr. Speaker, I would like to join President Obama in recognizing April as National Financial Capability Month, and highlight the vital role that the American Institute of Certified Public Accountants or AICPA, state CPA societies, and CPAs across the country play in educating all Americans about their personal finances.

National Financial Capability Month is a yearly reminder of how important it is to improve Americans' understanding of their personal finances. The Great Recession showed the need to support informed financial decision-making and help ensure economic security for all. Financial education is an essential component to making smart financial choices and protecting hard-earned income.

In May 2004, the CPA profession launched a unified financial literacy initiative: 360 Degrees of Financial Literacy. The effort brings together the AICPA, state CPA societies and individual CPAs to address a growing public issue: financial illiteracy. The program combines grassroots financial literacy efforts with free resources for the public and tools that CPAs can use at a local level to volunteer to educate Americans of all ages on financial topics. CPAs are deeply concerned about Americans' high financial illiteracy levels and are working to ensure they have tools and knowledge to make educated financial decisions. The initiative sends the message that financial education should be a lifelong endeavor—from encouraging children to save their allowance to helping adults plan for a secure retirement.

The AICPA National CPA Financial Literacy Commission is leading the CPA profession in a national effort to advance the financial literacy of Americans. Toward this end, this group works to increase awareness of the importance of financial literacy education, builds liaisons within the financial literacy community, and serves as media spokespeople.

Educating young adults about their finances is a difficult task. To help solve this problem, the AICPA recently launched a new financial literacy version of the Bank On It game for high school students. Bank On It is a free, online game. The financial literacy version covers topics students need to master to be money-savvy in the real world, such as balancing a checkbook, understanding credit scores and student loans, and even investing in a cool startup company. Game questions were reviewed by CPAs across the country, giving students have an opportunity to learn financial management skills in an engaging and positive way.

This year is the 10th anniversary of Feed The Pig, the AICPA's public service campaign with the Ad Council that provides Americans ages 25–34 with free tools and resources to make smart saving decisions. Over the past 10 years, millions of young adults have benefited from AICPA's free resources by creating and keeping personal financial goals. And the profession's leadership in this area is working. According to a new survey from the AICPA

and the Ad Council, one in three millennials (34 percent) ranked saving as their number one goal for the year—ahead of living a healthy lifestyle (20 percent), paying off debt (19 percent), and losing weight (14 percent). But while saving was a top priority, a majority of millennials attributed their lack of saving to impulse buying (65 percent).

Additionally, according to recent data from the Federal Reserve Bank of New York, young people now have less debt overall than they did in 2003, even in the face of significant increases in college tuition since that time. But there is still much work to be done. The same Federal Reserve survey shows that debt held by borrowers between the ages of 50 and 80 increased almost 60 percent over the same time period.

We must ensure that everyone, from elementary school to older Americans, has the knowledge to make educated decisions about their finances. It is essential to restoring the faith in our financial system and keeping the American dream alive.

A.R. WILFLEY & SONS, INC.

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud A.R. Wilfley & Sons, Inc. for receiving the 2016 Commerce City Business on the Move Award.

The Business on the Move Award recognizes businesses bringing new employment, growth in sales or new capital investment to the city in the last year. This fifth-generation manufacturer of heavy duty centrifugal pumps for chemical and mineral processing has been in business for almost 100 years. In 2014, the company acquired a site in Commerce City with two buildings totaling 121,000 sq. ft. Extensive capital investments were made at the site and helped create 90 new manufacturing jobs. A.R. Wilfley & Sons also takes part in extensive community service work with the Boys and Girls Club and the George M. Wilfley Club, and looks forward to further developing their relationship with the Commerce City location.

I extend my deepest congratulations to the A.R. Wilfley & Sons, Inc. for this well-deserved recognition by Commerce City.

WOMEN OF HISTORY—MARGARET UTINSKY

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. POE of Texas. Mr. Speaker, there are some truly remarkable women in history. History helps us learn who we are, and where we came from. Margaret Utinsky is one such woman.

In the heat of an August summer of 1900 Margaret Utinsky was born in St. Louis, Missouri. 40 years later, World War Two broke out. When the Japanese invaded the Philippines on January 2nd, 1940 Margaret was serving as a volunteer nurse with the Red Cross. As all strong women seem to do, she worked not only as a nurse, but also became the manager of the servicemen's canteen.

My mother, Dorrace Poe, served as a volunteer nurse with the Red Cross during World War Two in Temple, Texas. Nurses like my mother and Margaret were called upon by Congress in the 1905 congressional charter to "furnish volunteer aid to the sick and wounded of armies in time of war" and to "act in matters of voluntary relief and in accord with the military and naval authorities as a medium of communication between the people of the United States of America and their Army and Navy."

As the U.S.S. *Washington* sailed off into the murky ocean waters, Utinsky stood resolved. She did not leave with the Army wives, ferried off to safety. Her husband returned to serve in Batann as a civil engineer, safe from harm. Utinsky is best known for her work with the Filipino resistance movement to provide medicine, food, and other items to aid Allied prisoners of war in the Philippines during World War II.

As the Japanese took the capital city of Manila, Margaret rushed off, hid in an abandoned apartment complex, and stocked it with food and medicine that she stole from the Army and Navy commissaries. For 10 weeks she hid out, desperate to save herself from the internment camps, teaching herself to type and listening to the radio.

Undiscovered after ten weeks in hiding, Utinsky ventured out and sought help from the priests at Malate Convent. Through her various contacts, she obtained false papers, creating the identity of Rena Utinsky, a Lithuanian nurse. (Lithuania was a nonbelligerent country under armed occupation by Nazi Germany.)

With her new identity she finally was able to find work in a Red Cross unit that was headed to Bantaan. Upon her arrival she was able to help American Soldiers who were captured by the Japanese. While treating the soldiers, she found and concealed an American flag and documents describing spy activity. After witnessing the Bataan Death March, she resolved to do all that was in her power to aid those in need. She helped build a clandestine resistance network that provided food, medicine and money to those in the POW camps at Camp O'Donnell and then later at Cabanatuan prison camp. After learning of her husband's death in a prison camp she redoubled her efforts, determined to avenge her husband's death.

Suspected of aiding and saving prisoners, the Japanese arrested her. She was subjected to 32 days of torture at Fort Santiago prison. She survived daily beatings, was hung with her arms tied behind her back and was sexually assaulted. Cold bloodily, five Filipinos were beheaded directly in front of her cell. On another night, an American soldier was tied to her cell gate and beaten to death, his body disintegrating as they beat him. She then was confined to a dungeon cell, starved and malnourished for four days. Not once did she reveal her true identity.

She was finally released after signing a statement attesting to her good treatment. Utinsky spent six weeks in a hospital recovering from a multitude of injuries. The doctors wanted to amputate her gangrenous leg, but she refused, terrified that she would reveal secrets while under anesthesia. The hospital was full of Japanese spies. She directed the surgeons to remove the gangrenous flesh without any type of anesthesia. Despite not having fully recovered, she left the hospital and escaped to the Bataan Peninsula. She continued to serve as a nurse with the Philippine Commonwealth troops, moving from camp to camp until liberation in February 1945.

When the Allies arrived, Utinsky was taken through the Japanese lines to the Americans. She had lost 45 pounds and an inch in height. Her hair had turned solid white and she appeared to have aged 25 years. Within a few days she wrote for the Americans a list from memory, of soldiers she knew had been tortured, the names of the torturers and the names of collaborators and spies.

In 1946, Utinsky was awarded the Medal of Freedom for her heroic actions, defending the lives of Americans abroad. Strong women like Utinsky are the backbone of America. They fought valiantly against those who seek to kill, destroy, and harm our men. They are unsung heroes of the Second World War.

And that is just the way it is.

TRIBUTE TO ELIZABETH LAIRD

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. CARTER of Texas. Mr. Speaker, I rise today to celebrate the life of Elizabeth Laird, fondly known as Fort Hood's beloved "Hug Lady." While she became an angel late last year, the impact she had on our soldiers will live on.

It all began in 2003, when Elizabeth volunteered with the Salvation Army to shake the hands of deploying soldiers. One day, instead of a handshake, Elizabeth received a hug from a soldier. From that moment on, her handshakes became hugs, and the "Fort Hood Hug Lady" was born. Over the next thirteen years, she would go on to hug over 500,000 servicemen and women as they deployed from and returned to Fort Hood.

Without fail, Elizabeth would be there upon the soldiers' deployments and later for their homecomings, often waiting at the airport in the middle of the night for their arrival. Elizabeth became a beloved figure to these American soldiers as they shipped out for deployment. Her simple gesture of a hug provided them with comfort and a powerful reminder of what they are fighting for.

She described hugging as something the Lord guided her to do. Along with her hugs, Elizabeth handed out cards etched with the stirring words from Psalm 91: "Whoever dwells in the shelter of the Most High will rest in the shadow of the Almighty . . . you will not fear the terror of night, nor the arrow that flies by day." How reassuring these sentiments must have been to our brave warriors venturing forth to defend freedom. All who've been blessed by Elizabeth's presence know that these words weren't a meaningless expression but a deep and lasting creed that was the guiding force of her life.

When she became bedridden due to breast cancer, many of the soldiers came to visit her in the hospital to return the gesture and show their appreciation. Sadly, Elizabeth Laird passed away on Christmas Eve of last year,

leaving behind both a loving family and a legion of admirers.

Some people go through life wondering if they made a difference. Elizabeth Laird, the Fort Hood Hug Lady, didn't have that problem. Her kindness and commitment to being of service to others touched thousands and reminds us how the simplest of gestures can have the largest of impacts.

STRYKER BY DESIGN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Stryker by Design for receiving the 2016 Commerce City Entrepreneurial Spirit Award.

The Entrepreneurial Spirit Award recognizes a company or entrepreneur that demonstrates a pioneer spirit toward new product development, a business start-up, or growth into new markets. Stryker by Design is a woman-owned, contract manufacturing company that has been in business since 2000.

Stryker by Design specializes in ''soft-sewn'' products, made by highly-trained and talented operators including refugees from war-torn countries in Africa and the Middle East. Stryker manufactures backpacks, military and tactical gear, fashion bags and more at their facility located on Monaco Street in Commerce City. The company uses an innovative approach to contract manufacturing. The owners not only make their clients' products, but they also offer office, design and warehouse space to some of their clients and even allow the companies access to their production floor. Their success has enabled them to double their employee count, invest in new machinery, and fully utilize their 10,000 square foot space.

I extend my deepest congratulations to the Stryker by Design for this well-deserved recognition by Commerce City.

THIS ''HOLY COW'' WINS ''BEST IN SHOW''

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Emily Fiedler for her artwork earning the title of ''Best in Show'' at the Houston Livestock Show and Rodeo's Junior High Contest.

Emily is in eighth grade at St. Laurence Catholic School in Sugar Land, Texas. This talented student earned the Junior High title of ''Best in Show'' for her artwork, ''Holy Cow.'' In addition to this elite award, Emily received a scholarship to the Glassell School of Art. The Houston Rodeo Art Programs have produced 50 years of talented students and phenomenal art. We are so proud of Emily, and look forward to seeing the fantastic art she will create in her bright future.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Emily for her success at the Houston Livestock and Rodeo Junior High Art Contests. We can't wait to see what she does next.

HONORING THE LIFE OF RABBI HERBERT BAUMGARD

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in remembrance of Rabbi Herbert Baumgard, who passed away this past Friday, at the age of 95.

Rabbi Baumgard founded Temple Beth Am, which is an important institution in my congressional district that has brought the South Florida Jewish community together for over 60 years.

A native of Norfolk, Virginia, Rabbi Baumgard served as an assistant to a Chaplain in World War II.

He credited that experience with his motivation for becoming a Rabbi.

One of Rabbi Baumgard's strongest ideals was the continuing friendship and alliance with the State of Israel.

The Rabbi was committed to not only strengthening our ties with our great ally, but to seeing that the United States continues to support and defend the Jewish State, which is an idea that I shared with him.

I am so honored and privileged to have had the opportunity to represent Temple Beth Am and to experience all that Rabbi Baumgard has done to improve South Florida.

May his memory be a blessing.

TRIBUTE TO SYLVIA AND MERLIN MCALLISTER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Sylvia and Merlin McAllister of Shenandoah, Iowa, on the very special occasion of their 70th wedding anniversary. They were married on April 7, 1946.

Merlin and Sylvia have enjoyed many adventures together throughout their 70 years. Mr. McAllister said, ''We've been here, there, and everywhere, and just have a good time and enjoy life. We work together and we make a good team.'' They have visited all 50 states and traveled throughout Europe. Merlin and Sylvia are active members of the Farragut United Methodist Church in Farragut, Iowa.

Mr. Speaker, Merlin and Sylvia's lifelong commitment to each other and their two children, three grandchildren, five great-grandchildren, and three great-great-grandchildren truly embodies Iowa values. I commend this great couple on their 70th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

OLD DOMINION FREIGHT LINE, INC.

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Old Dominion Freight Line, Inc. for receiving the 2016 Commerce City Business on the Move Award.

The Business on the Move Award recognizes businesses bringing new employment, growth in sales or new capital investment to the city in the last year. Old Dominion Freight Line is a motor carrier providing regional, inter-regional and national less-than-truckload (LTL) and value-added logistics services. The company has been in Commerce City for 20 years. In 2015, the company expanded its footprint to a 65,000 square foot facility which enabled them to add 70 jobs and 125 trucks departures a day, delivering 275,000 packages annually.

I extend my deepest congratulations to the Old Dominion Freight Line, Inc. for this well-deserved recognition by Commerce City.

HONORING SANDRIDGE FOOD CORPORATION ON RECEIVING THE 2016 SMART BUSINESS EVOLUTION OF MANUFACTURING AWARD

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. RENACCI. Mr. Speaker, I rise today to commend Sandridge Food Corporation on receiving the 2016 Smart Business Evolution of Manufacturing Award. Sandridge Food Co. is a family-owned refrigerated foods manufacturer located in Medina, Ohio.

For more than 50 years, Sandridge Food Co. has produced fresh deli salads, soups, entrees, desserts, sauces, and dips for the food service and retail sectors. A leader in the refrigerated foods industry in North America, Sandridge has built its rich heritage with an unparalleled commitment to food safety, culinary excellence, and innovation.

Small businesses across the country work hard every day to produce the goods and services needed to drive our nation's economy.

I offer my sincerest congratulations to this valued business and community partner.

HONORING NORTH PANOLA HIGH SCHOOL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable school, North Panola High School of Sardis, Mississippi and the great leadership it is under.

North Panola High School is a rural high school situated on the eastern edge of the Mississippi delta. For many years the high

school has been a part of a school district that had been plagued by low test scores, violence and a negative school culture. The school district had been taken over by the state several times due to year after year of low test scores.

In July of 2011, Robert King, Conservator of the North Panola School District, hired Jamone Edwards as the principal of North Panola High School. Jamone Edwards, a graduate of Mississippi State University and The University of Mississippi, was the youngest principal the school had ever witnessed. He brought innovative ideas and worked tirelessly to increase teacher morale and create a positive school culture. Under his leadership and the staff's support, the school has made significant gains in the accountability model in which schools are rated. Prior to the new leadership, for many years the school was considered low performing and on academic watch. During his tenure, the school rose to Successful, which is equivalent to a C school. In the 2013–14 school year, Mr. Edwards led the school to its first ever High Performing Status, which is equivalent to a B school. This is a remarkable achievement as the school had never experienced such success and recognition.

Additionally, since 2010, the school has many successes to celebrate. The school's graduation rate was at an all-time low of 49 percent in 2010. Since that time, the graduation rate has risen to 73 percent for the 2013–14 academic school year. Currently, the high school is projected to have a graduation rate of 85 percent for the 2014–15 accountability rating. In addition, Algebra I and U.S. History subject area test scores have surpassed the state's average, and English II and Biology I state test scores are slightly trailing the state's average.

North Panola High School has also made significant improvement in preparing students for college and acquiring scholarships. In 2010, the mean ACT score was 14.8. Since that time, several students of North Panola High School has scored 20 or better on the ACT. In 2010, the high school graduating seniors had generated $150,000 in scholarship monies. In 2014, the high school graduating class of approximately 80 students received in excess more that $2 Million in scholarship monies creating more opportunities for our children to succeed in college and careers after high school.

In March 2015, North Panola High School received an award from the State Superintendent of Education, Dr. Carey M. Wright and the Mississippi Department of Education, for closing the achievement gap between black and white students in the area of English/Language Arts and Mathematics. North Panola was one of the only predominantly minority high schools to be recognized with the Distinguished School Award. As a result, North Panola High School received $23,750.05 to further enhance the students' overall educational experience.

Mr. Speaker, I ask my colleagues to join me in recognizing North Panola High School for its dedication to serving our great state of Mississippi and country.

UNITED PARCEL SERVICE (UPS)

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud United Parcel Service (UPS) for receiving the 2016 Commerce City Business of the Year Award.

The Business of the Year Award is given to a company showing leadership within its industry and the community. UPS has been in the Commerce City community for over 44 years and employs 2,700 people as the largest private-sector employer in the city. They recently added 90 full-time jobs and constructed a large high capacity Compressed Natural Gas fueling station for their local fleet of 300 UPS cars and tractors.

The employees at the UPS facility are an integral part of the transportation and logistics sector in Colorado and in the western U.S. but also an integral part of the local community. They give countless hours in volunteer services, donate to local charity programs and are stewards of the economy and the environment. They have assisted in many community projects including the relocation of the old Commerce City Civic Center to the new Historical Society Property, the renovation efforts in local schools, and the remodel of the Hope Center, which helps individuals with developmental disabilities and at-risk children and adults.

I extend my deepest congratulations to the United Parcel Service for this well-deserved recognition by Commerce City.

HONORING 41 PALM BEACH COUNTY HIGH SCHOOL STUDENTS ENLISTING IN THE U.S. ARMED FORCES

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. HASTINGS. Mr. Speaker, I rise today to honor 41 high school seniors from Palm Beach County, Florida for their admirable decision to enlist in the United States Armed Forces after graduating this year. Of these 41 enlistees, nineteen are Army enlistees, three are Army Reserves enlistees, eleven are Marine Corps enlistees, four are National Guard enlistees, and four are Navy enlistees.

These young men and women have demonstrated a tremendous sense of bravery and patriotism in their commitment to our nation. I am proud of them, this institution is proud of them, and their families, friends, and communities are proud of them. Their dedication reminds us that in the face of a diverse set of challenges, the United States remains an example of freedom, justice, and perseverance throughout the world.

I want to personally thank these 41 local graduating seniors for their commitment to our nation and recognize their selflessness. They are: Dylan Smith, Cristian Machuca, Bradley Scaccia, Denzel Persaud, Christon Fitzpatick, Breana Williams, Jean Decime, Mark Brown, Shantel Johnson, Lashonda Darrisaw, Davarie McCarthy, Precious Montgomery, Emerson Charles, Lawrence Hamilton, Mayco Saincere, Jahnque Miller, Keisha Oreste, Reginald Mehu, Bailey Federer, Richard Rodriguez, Moses Louis-Charles, Joshua Brewer, Nicklaus Lawrence, Delinson Tomas Velasquez, Destinee Allen, Joshua Cruz Pozuelos, Joshua Wilkes, Oshane Wilson, Allen Gonzalez, Kristen Dodd, Luis Sepulveda, Wadson Dieujuste, Montus Desulma, Ian Little, Natalia Ruiz, Maikyria Lawson, Francis Fevrier, Cristy Guillen Beltre, Fritznick Thelusca, Carlos Gonzalez Vega, and Raja Pargan.

Mr. Speaker, our nation is blessed with the best trained and strongest fighting force in the world. We owe a debt of gratitude to each and every American serving in our armed forces, and to the many veterans who have served before them. Their spirit of service is something we can all be proud of. It is my distinct honor to recognize these young leaders here today, and to thank each of them for stepping forward on behalf of this great nation.

NATIONAL ASSOCIATION OF UNIVERSITY WOMEN

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. OLSON. Mr. Speaker, I rise today to recognize and congratulate the National Association of University Women of Houston, Texas for hosting their 57th South Central Conference in serving young women.

The National Association of University Women (NAUW) was established in 1910 in Washington, DC by Mary Terrell, Dr. Sara Brown, and Mary Cromwell. The internationally known, non-profit organization directs their efforts toward young women, inspiring them to strive for success regardless of their circumstance. The NAUW works to accomplish this by granting high school seniors with scholarships and advocating women's rights, educational issues, and inspiring young women of tomorrow to make a difference. The 57th South Central Sectional Conference will be held from June 16th to the 18th at the Hilton Westchase Hotel in Houston, Texas.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the National Association of University Women for hosting their 57th South Central Conference in Houston. We appreciate their public service.

IN RECOGNITION OF CAPTAIN GREG KEITHLY

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. VALADAO. Mr. Speaker, I rise today to congratulate Captain Greg Keithly on his retirement from the United States Navy after thirty five years of dedicated service.

Captain Keithly enlisted in the Navy in July of 1981 and began his long career of loyal service to our nation. After his completion of U.S. Hull Maintenance Technician School at Treasure Island, California and later Philadelphia, Pennsylvania, he would go on to serve

as a Hull Technician on the USS *McKee* and the USS *Fletcher* which was deployed to the Western Pacific.

Captain Keithly later attended the University of San Diego under the Naval Reserve Officers Training Corps program where he earned a Bachelor of Arts in International Relations. Upon his graduation in 1989, Captain Keithly continued his career with the United States Navy as a commissioned officer.

Captain Keithly subsequently began his first fleet tour, during which he served aboard the USS *Kitty Hawk* in support of Operation Restore Hope in Somalia, as well as Operation Southern Watch in Iraq. Additionally, he completed a second tour duty in the Western Pacific.

His faithful service continued in 1997 with his assignment as the squadron Training Officer and Operations Officer to the ''Black Knights'' of Atsugi, Japan. In December 2000, Captain Keithly moved on to serve as the Operations Officer for the Navy's first Super Hornet Fleet Replacement Squadron in Lemoore, California.

In July 2002, Captain Keithly furthered his education at the United States Naval War College located in Newport, Rhode Island where he received a master's degree. He simultaneously completed the Naval Operations Planners Course and was designated a Naval Operational Planner.

After his graduation from the Naval War College, Captain Keithly reported to the ''Black Aces'' where he diligently served as the Commanding Officer until July 2008. During his time with the ''Black Aces,'' he was deployed twice onboard the USS *Nimitz* where he lead his squadron during combat operations in support of Operation Iraqi Freedom and Operation Enduring Freedom.

Captain Keithly reported to the Third Fleet in August of 2008 and served in various roles including Chief of Plans, N5 Assistant Chief of Staff for Plans and Policy, and Deputy Assistant Chief of Staff for the N5/N7.

In 2012, Captain Keithly was promoted to Deputy-Commander of the Strike Fighter Wing, U.S. Pacific Fleet in Lemoore, California and he would soon thereafter assume full command of the largest type wing in the U.S. Navy. He would serve in this position until December 2014.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in recognizing Captain Greg Keithly for his years of dedicated and unwavering service to the United States Navy.

DENVER MACHINE SHOP

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Denver Machine Shop for receiving the 2016 Commerce City Business on the Move Award.

The Business on the Move Award recognizes businesses bringing new employment, growth in sales or new capital investment to the city in the last year. Denver Machine Shop is a fourth generation family business that was founded in 1916 and services the Rocky Mountain region in the mining, petroleum, and manufacturing industries with replacement parts and heavy machinery rebuild services. They repair industrial machinery including heavy mining equipment, rock crushers, steel making production lines, food industry equipment, and sand and gravel screening equipment. In 2013, they moved to a 30,000 square feet facility allowing for a full service machine shop, welding service trucks, field machining, and welding capabilities. Since their move, they have hired eight new employees.

I extend my deepest congratulations to the Denver Machine Shop for this well-deserved recognition by Commerce City.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $19,208,277,938,656.01. We've added $8,581,400,889,742.93 to our debt in 7 years. This is over $8.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO ELVERA AND WENDELL JOHNSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Elvera and Wendell Johnson of Red Oak, Iowa, on the very special occasion of their 55th wedding anniversary. They celebrated their wedding anniversary on March 17, 2016.

Wendell and Elvera's lifelong commitment to each other and their family truly embodies Iowa values. It is because of Iowans like them that I'm proud to represent our great state.

Mr. Speaker, I commend this great couple on their 55th year, weathering Iowa's many seasons in their lifelong journey. Much has changed since that spring day in 1961. It is with great pride that I wish them many more years together. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

RECOGNIZING HAZLETON LODGE NUMBER 200, BENEVOLENT AND PROTECTIVE ORDER OF THE ELKS, UPON THE OCCASION OF ITS 125TH ANNIVERSARY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. BARLETTA. Mr. Speaker, it is my honor to help commemorate the 125th Anniversary of the establishment of the Hazleton Lodge Number 200, Benevolent and Protective Order of the Elks. With its humble roots in Hazleton, Pennsylvania, the order was founded in 1891 and has continued to reflect the founding principles of charity, justice, and brotherhood. The Elks work to empower the communities around them through programs that help children grow up healthy and drug-free, institute projects that address local needs, and honor the service and sacrifice of our nation's veterans. Having been formally inducted into the club during my time as the mayor of Hazleton, I can attest first hand to the humanitarian and philanthropic services provided by the Elks.

With help from members of Philadelphia Lodge Number 2, Hazleton Lodge Number 200 was formally instituted in 1891 with the initiation of 26 members. Occupying several locations over the course of its history, Hazleton Lodge Number 200 settled into its current home in 1956. With such a vast network spanning across diverse communities, the Elks have exemplified an unwavering commitment to Pennsylvania as they continue to expand their membership and community services.

Deeply rooted in principle and character, Hazleton Lodge Number 200 embodies the Benevolent and Protective Order of Elks of the U.S.A.'s motto, ''Elks care and Elks share.'' Through 125 years of service to the Hazleton community, the Elks have encountered over a century's worth of diverse issues and unmet needs. Whether it was through youth programs, educational scholarships, aid to disabled children, food for the less fortunate, or due acknowledgement for our veterans, the Elks have raised the standard of living for all Pennsylvanians. The veterans committee hosts VA picnics and donates Christmas gifts to the veterans in the local nursing homes through the Veterans Christmas Giving Tree. The Flag Day Program salutes the flag, Boy Scouts, and veterans, with the ultimate goal of recognizing those that have sacrificed so much in the past, and to inspire the next generation of valiant leaders.

Mr. Speaker, it is my pleasure to recognize Hazleton Lodge Number 200, Benevolent and Protective Order of the Elks as it celebrates its 125th anniversary. On behalf of a grateful community, I wish to thank the Elks Lodge and its members for their tireless service to the community and unwavering commitment to our nation's veterans.

COMMERCE CITY FAMILY DENTIST

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Commerce City Family Dentist for receiving the 2016 Commerce City Business on the Move Award.

The Business on the Move Award recognizes businesses bringing new employment, growth in sales or new capital investment to the city in the last year. Commerce City Family Dentist is a woman- and minority-owned business that provides orthodontics, cosmetic dentistry, and pediatric dentistry in the Derby area. It has made an impact in Commerce City since the August 2012 opening, growing to 22 employees. Because they believe in giving back, Commerce City Family Dentist offers

services to low-income residents and those who do not have health and dental insurance.

I extend my deepest congratulations to the Commerce City Family Dentist for this well-deserved recognition by Commerce City.

HONORING ETHEL C. MANGUM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mrs. Ethel C. Mangum who is a native of Madison County. Many of her formative years were spent in the Virden Addition Area. She attended school at Walton Elementary and Brinkley High School. At Jackson State University she earned a B.S. and Masters degree in Social Work and Guidance.

For twenty-eight years she has been an active member of Farish Street Baptist Church and its E. B. Topp Missionary Circle.

Mrs. Mangum has done extensive volunteer work which included: teaching and reading at Powell Middle School; serving as Co-Chairperson of Lake Hico Eubanks Creek Neighborhood Association; working as an HIV/AIDS educator for the American Red Cross; working with children to prevent teenage pregnancy; and motivating them toward moral and academic excellence.

Mrs. Mangum has been a ''first'' in opening opportunities for others by becoming the first African-American woman to hold a professional position at Baptist Children's Village; the first African-American woman to work for Michael Baker, Jr., Inc. Consulting Engineers; and for SCAN (Suspected Child Abuse and Neglect). She was one of two females who integrated the lunch room at St. Dominic's Hospital.

Mrs. Mangum currently strives for excellence in the community through her position as Administrative Assistant for Ward 3.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Ethel C. Mangum for her dedication to serving others.

CELEBRATING 100 YEARS OF PENN STATE EXTENSION IN ADAMS COUNTY

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. PERRY. Mr. Speaker, today I honor the 100th Anniversary of the Adams County Penn State Extension Program. From its beginnings at the Adams County Courthouse in 1916 until today, Adams County Extension has provided practical agriculture education to empower the citizens, businesses, and local communities in Adams County to solve problems, develop skills and build a better future.

The Adams County Penn State Extension program has been a community leader in supporting productive, profitable, and competitive businesses as well as a strong agriculture and food system. The Extension has helped to ensure the long-term vitality of our natural resources and strengthened families and communities throughout Adams County.

On behalf of Pennsylvania's Fourth Congressional District, I'm proud to have this program in our District and congratulate the staff, volunteers and supporters on the 100th Anniversary of the Adams County Penn State Extension program.

KIMBERLY HUNOLD EARNS NURSE OF THE QUARTER AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Kimberly Hunold, RN, for being the first recipient of the Pearland Medical Center Nurse of the Quarter Award on March 29, 2016.

Kimberly was selected for this special award by Emergency Room Director Rhonda Abbe. It was awarded to her by the Pearland Medical Center CEO Matt Dixon and Chief Nursing Officer Jody Noirot. Kimberly earned this distinguished award thanks to her daily efforts to serve her patients, and her commitment to Pearland Medical Center and its residents.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Kimberly Hunold for being awarded the Nurse of the Quarter Award. We appreciate her hard work and all that she does for the city of Pearland.

HONORING THE 150TH ANNIVERSARY FOR ST. MARK'S EPISCOPAL CHURCH

HON. ROBERT C. ''BOBBY'' SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to honor St. Mark's Episcopal Church in Richmond, Virginia on its 150th anniversary.

Founded in 1866, St. Mark's was originally a mission church of St. James and the congregation grew rapidly. After outgrowing three buildings in their first 50 years, church leaders moved the congregation to a new building in the West End of Richmond. The Georgian Revival style building opened in 1922, was consecrated in 1946, and is still in use today.

Under the leadership of Rev. Edward Meeks ''Pope'' Gregory, St. Mark's was the first Episcopal church in Richmond to integrate its parish in 1967. Rev. Gregory invited the members of the Osgood Memorial Episcopal Church, to join St. Mark's congregation after they were displaced by the building of the downtown expressway.

Over the last 150 years, St. Mark's has continued to be a leader in the Richmond community. In the 1980s, the church offered compassionate responses and funeral services to victims of HIV/AIDS, as well as starting the Richmond AIDS Ministry. More recently, St. Mark's has proudly performed wedding ceremonies for all couples.

Today, St. Mark's hosts fundraisers for the Fan Free Clinic, provides cooling centers in the summer months, serves as a food pantry twice a month, provides school supplies to a nearby school, and is continuously involved with the Richmond community. Additionally, this summer, in honor of their 150th anniversary, St. Mark's will re-launch a neighborhood summer reading program for elementary school students.

Mr. Speaker, as St. Mark's Episcopal Church celebrates this historic anniversary, the congregation can rejoice in 150 years of fellowship. I wish them many more years of dedicated service to the Richmond community.

FOOD FOR THOUGHT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Food for Thought for receiving the Arvada Chamber of Commerce's 2015 Image Award.

With support and initial funding from the Arvada Sunrise Rotary Foundation, Food for Thought today serves a tremendous need with free or reduced meals in public schools across the Denver metro area. The Food for Thought program has expanded into Denver and now delivers more than 1,600 weekly ''Powersacks'' and has delivered over 4,300 tons of food in total to children in need. The support from the Arvada Sunrise Rotary Foundation was instrumental in this program and the expansion of the program into Denver.

I extend my deepest congratulations to Food for Thought for this well-deserved recognition by the Arvada Chamber of Commerce.

HONORING MR. JAMES HALL AND MR. TIMOTHY LAVALLEE

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. KATKO. Mr. Speaker, I rise today to honor and recognize Mr. James Hall and Mr. Timothy Lavallee. Mr. James Hall is a World War II veteran who had the opportunity to participate in Honor Flight Syracuse's fifth mission in April, 2015. Mr. Timothy Lavallee is a VNA Homecare Physical Therapist who works with Mr. Hall and accompanied him as his Honor Flight Guardian.

Mr. Lavallee encouraged Mr. Hall to apply for the Honor Flight mission and together they embarked on an adventure that deepened the strong bond the two men share. At 90 years old, Mr. Hall embarked on a journey during which he and Mr. Lavallee spent a day in Washington, D.C., exploring our nation's monuments and spending time at the World War II memorial. Mr. Hall describes his experience as ''bittersweet.'' Mr. Hall states that the ''trip brought back a lot of memories, both happy and sad.''

Mr. Hall enlisted in the United States Navy in 1942, at just 17 years old. Mr. Hall was stationed on submarine chaser PC 1119 in the Pacific Theater and participated in five major battles during the invasion of the Philippines.

Mr. Lavallee is a veteran of the Air National Guard. Mr. Lavallee has made a profound difference in the lives of his patients, especially

that of Mr. Hall. He believes the success of caring for someone at home goes beyond clinical care, saying, ''It's about caring for the whole person, not just the patient.''

It is evident that Mr. Hall and Mr. Lavallee share a very special bond and I am pleased to honor both men today. I wish both men the best and I want to personally thank both Mr. Hall and Mr. Lavallee for their service to our country.

PERSONAL EXPLANATION

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Ms. SEWELL of Alabama. Mr. Speaker, during the votes held on April 20th, 2016, I was inescapably detained and away handling important matters related to my District and the State of Alabama. If I had been present, I would have voted YES on the Motion to Recommit to H.R. 1206, the No Hires for the Delinquent IRS Act, NO on Final Passage of H.R. 1206, and NO on Final Passage of H.R. 4885, the IRS Oversight While Eliminating Spending Act of 2016.

TRIBUTE TO SUE AND DAVID STROUGH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Sue and David Strough of Gravity, Iowa, on the very special occasion of their 55th wedding anniversary which they celebrated on March 17, 2016.

David and Sue's lifelong commitment to each other and their family truly embodies Iowa values. It is because of Iowans like them that I'm proud to represent our great state.

Mr. Speaker, I commend this great couple on their 55th year, weathering Iowa's many seasons in their lifelong journey. Much has changed since that spring day in 1961. It is with great pride I wish them many more years together. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

CONGRATULATING THE INDIANA WESLEYAN UNIVERSITY MEN'S BASKETBALL TEAM ON THEIR NATIONAL CHAMPIONSHIP

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to congratulate the Indiana Wesleyan University Men's Basketball team for winning the 2016 NAIA Division II Men's Basketball National Championship. Indiana Wesleyan University (IWU), a Christian university located in Marion, Indiana, has a long history of excellence in academics, spiritual guidance, and athletics. The IWU men's basketball team defeated the Saint Francis Cougars to claim their second national title in three years.

The Wildcats played in the spotlight of the NAIA throughout this astounding season, with an impressive final record of 33–5. In his eleventh season with the Wildcats, Head Coach Greg Tonagel was instrumental in leading the team to victory. Coach Tonagel joined the Wildcats as head coach in 2005 and has demonstrated exceptional leadership, mentorship, and commitment throughout his years as head basketball coach. His notable guidance both on and off the court was publicly recognized when he was honored as the 2009 Best NAIA Head Coach, as well as the NABC/NAIA Division II Coach of the Year in both 2014 and 2016, both years he led the team to national titles. As the daughter of a high school football coach, I understand the tireless dedication, time commitment, and personal sacrifices required to lead young athletes to victory, and I applaud Coach Tonagel's dedication to excellence.

In addition to the Wildcats' national title, individuals from the team were recognized for excellence. Senior Jonny Marlin was named 2016 Championship Most Outstanding Player, recipient of the Pete Maravich Award, NCCAA Player of the Year, and was the first player in the history of Indiana Wesleyan men's basketball program to be selected twice for the NAIA All-American First Team. Two additional Wildcats, Sophomores Lane Mahurin and Bob Peters, were selected for the 2016 NAIA Division II Men's Basketball All-Championship Team. An impressive three players on the team were recognized as 2016 NAIA Scholar-Athletes. Jonny Marlin added this to his long list of individual accomplishments along with Junior Josh Mawhorr and Freshman Aaron Murray. Being a student athlete is no easy feat, and I am proud of these young men for their commitment to their sport and their academics. These significant distinctions exemplify the incredible quality and character of IWU's athletes as well as their momentous athletic talent. The coaches and players of the IWU men's basketball team display a strong commitment to their faith and demonstrate the highest virtues of the community: teamwork, integrity, sportsmanship, and dedication.

On behalf of Indiana's 5th Congressional District, I'd like to extend huge congratulations to the Indiana Wesleyan Men's Basketball Team. I am proud to represent such a distinguished group and I look forward to cheering the team on through another spectacular season next year.

HONORING LANIER HIGH SCHOOL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Lanier High School. It takes its name from the late, distinguished, William Henry Lanier, a former President of Alcorn College and the first Supervisor of Jackson Colored Public Schools.

Lanier was born a slave in Huntsville, Alabama in 1851. He attended Tougaloo College, Oberlin College, and Fisk University and received his B.A. degree from Roger Williams University. He served as president of Alcorn A&M for six years. Lanier taught school in Forest, Winona, Black Hawk, Carrollton, Yazoo City, and Jackson. He was principal of the Robertson School from 1912–1929.

Lanier was first organized as a junior-senior high school in 1925, providing instruction for pupils from the seventh through the twelfth grades. A new chapter was added to our history when, on February 8, 1954, they transferred from the old Lanier at 136 East Ash Street and occupied the new Lanier Junior-Senior High School building at 833 West Maple Street. On January 27, 1972, the United States Fifth Circuit Court of Appeals ordered that Lanier School be designated as a center for the enrollment of 10th, 11th and 12th grade students. In 1991, 9th grade students were added to the enrollment.

Mr. Speaker, I ask my colleagues to join me in recognizing Lanier High School.

IN HONOR AND MEMORY OF DAVID O. FRAZIER

HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. POLIS. Mr. Speaker, I rise to honor the memory of legendary actor David O. Frazier whose extraordinary career in the theatre spanned a half century rousing and enchanting audiences around the world with an artistic repertoire which one critic described as bringing ''fire from the sky.''

David O. Frazier appeared in more than 150 theatrical productions, many at the Cleveland Playhouse through four decades. He co-wrote 30 original musicals with his life partner and husband, Joseph Garry. One revue, ''Jacques Brel Is Alive and Well and Living in Paris,'' received such rave notice that though booked for only a few weeks audience response kept it at Cleveland's State Theatre for two and a half years. Frazier's stellar performances in Jacques Brel helped spark a renewal of a performing arts complex at Playhouse Square which stands today as one of the largest in America.

Frazier's memorable role as playwright Brendan Behan in ''Conversations With an Irish Rascal,'' also directed by Joseph Garry, went from 90 performances at Playhouse Square to cheers at the Edinburgh Festival, to a rollicking reception off-Broadway and then to audiences worldwide. David Frazier infused his magic into every performance and added to his fame as a performer of great magnitude which ''grabbed the audience by the throat.''

The native of Kankekee, Illinois journeyed to the Cleveland area as a young man where he met the love of his life, Joseph Garry, who was directing ''Carnival.'' Joe took on a new capacity, directing David to audition at the Cleveland Play House which led to him starring in 50 theatrical productions and to nearly 50 years as a couple with Joe, in an eternal partnership of love which marked Joe and David as courageous, celebrated and beloved with great intensity by all who know them.

Mr. Speaker, my colleagues in the House of Representatives, please join me in honor and recognition of the life and the memory of actor David O. Frazier and to celebrate a man, a

couple and a career which has enriched the lives of people everywhere. I submit the following article.

LEGENDARY 'JACQUES BREL' ACTOR DAVID O. FRAZIER REMEMBERED AS A TITAN OF THE CLEVELAND STAGE (APPRECIATION)

(Andrea Simakis, The Plain Dealer)

CLEVELAND, OHIO.—There is a fine musical to be written about the life and times of David O. Frazier, who died Sunday at age 76.

It would be filled with music both sad and joyous, and feature lavish costumes and exotic locales to reflect his love of travel, a passion he indulged with Joseph Garry Jr., his collaborator in art and life for 49 years.

The two spanned the globe like characters plucked from a Jules Verne novel, Cleveland's version of Phileas Fogg and his resourceful French valet, Passepartout.

The tuner would be a resounding hit, one audiences would want to return to again and again, a show as warm, witty and wise as Frazier himself, as anyone lucky enough to spend even minutes in his orbit can attest.

During his tenure as one of Cleveland's most notable artists, Frazier appeared in more than 150 productions—many at the Cleveland Play House, where he acted for nearly four decades—and co-wrote 30 original musicals with Garry. Despite that resume, he is best known for his part in ''Jacques Brel is Alive and Well and Living in Paris,'' the revue directed by Garry and performed in the lobby of the dilapidated State Theatre in the pre-renovation 1970s.

A showcase for the songs of Belgian composer and enigmatic showman Jacques Brel, the cabaret opened in April of 1973.

Though booked for a few weeks, it proved so popular it ran for an astonishing two-and-a half-years, launching what critics called ''the Brel era,'' the beginning of a renaissance that not only saved Playhouse Square and its grand, crumbling houses from the wrecking ball but led to its becoming the second-largest performing-arts complex in America.

Gina Vernaci, architect of the KeyBank Broadway Series at Playhouse Square, offered her sympathies by celebrating that remarkable legacy.

''David and Joe Garry have been beloved fixtures at Playhouse Square since the days of 'Jacques Brel,' '' Vernaci wrote.

''With his cast mates Cliff Bemis, Terry Piteo and Prov Hollander, and under the direction of Joe and musical director David Gooding, David gave his all in 522 performances of the show that was the catalyst for the saving of our historic theaters. His passing leaves a hole in our hearts that will not be filled. Our condolences go out to Joe and to David's family, friends and all those who knew him.''

And so many did.

As news of his death spread, emails began arriving to Garry's inbox—from Nepal, Rio, Paris and London. There was even a note from the Princess of Kuwait, the result of Frazier and Garry's performing on cruise ships, a run that lasted 10 years, from 2000 to 2010.

Their residencies aboard the Queen Mary and other storied vessels took them from Tierra del Fuego to the North Pole, Frazier mostly doing cabaret, Garry onstage also as narrator and storyteller. Their shows weren't the usual ''Love Boat'' cliche.

''For example,'' remembered Garry, ''we would perform a musical piece on Gauguin and then take the audience to his gravesite [next to Brel] in the South Pacific.''

Though they stayed closer to home as Frazier's health declined, they were never far from the Cleveland theater scene they helped create, attending performances in and around Playhouse Square, Frazier balancing on a cane and then later, ferried along by Garry in a wheelchair.

''During David's long illness, Joe was the perfect caretaker,'' said longtime Cleveland critic Roy Berko, recalling how Garry carefully transferred Frazier to his seat in the orchestra.

Ever the performer, Frazier ''worked at an illusion of wellness,'' said Garry. ''Even in the wheelchair.''

Without Frazier, there might well have been no ''Brel era'' and, consequently, no gala unveiling of the world's largest outdoor chandelier, no home for touring Broadway, no downtown arts mecca. There would only be more parking lots.

''As a matter of fact I didn't like 'Jacques Brel' at all when I first saw it in London,'' Garry explained to The Plain Dealer's theater critic Peter Bellamy in 1977, ''and only after hearing David play the recording for five years did I consent to direct the musical. Then I grew to love it.''

First staged by Garry for the Berea Summer Theatre before taking up residence at the State, ''Jacques Brel's'' devotees flocked to it with the zeal of ''Rocky Horror'' groupies. Bill Rudman, founder and artistic director of the Musical Theater Project, was among them.

''My girlfriend and I saw it six times—it was Our Show!'' Rudman remembered in an email. ''And the same could be said for hundreds of other couples in town.

''David was just plain riveting. Whatever he was doing on stage—whatever he was saying—he was so present that you felt you were right there with him.''

''Just ask Clevelanders who were here when 'Brel' ran,'' wrote John David Sidley in The Plain Dealer's magazine on the occasion of a 10th anniversary revival in 1985. ''And if you can find some who never attended, you will discover them almost apologetic—as if they were bring forced to admit they voted for Nixon.''

In his rave, Bellamy explained the oddball allure of ''Jacques Brel.''

''The production has no plot, consisting of a little dialogue and many songs. They treat of angels and devils, of dreams and hope, of despair and the hell of war. They also deal with youth, old age, drunks, prostitutes, dogs, rainbows, cotton candy, carousels and calliopes.

''Brel is a poet and philosopher as well as a composer. He is concerned not only with man's atrocities, but his nobility. He comments, but does not preach. He mentions Vietnam and Hiroshima, but is not bitter. He has compassion for the human condition.

''. . . Frazier, remembered for his many fine roles at the [Cleveland] Play House, has a voice of great power and provides many moments of hilarity with his clowning and pantomime.''

Fans so identified Frazier with the project they often thought he was the Belgian songwriter himself, remembered friend Frank Dutton in a Facebook tribute to Frazier. Dutton was a self-described ''mangy teenager'' in the 1970s, working coat check during the initial run of ''Brel.''

''For some reason some people thought David was Brel!'' Dutton wrote. ''They would usually say things like 'I just love that Jacks Brel (sic), you tell Mr. Brel how much we enjoyed his show.' We always wondered why no one thought Cliff was Brel. In actuality, neither of them looked like Brel, but maybe David is what people thought Brel would look like.''

Frazier followed that success with his turn as playwright and personality Brendan Behan in ''Conversations With an Irish Rascal'' in 1975, a musical biography filled Irish songs and ballads that Frazier wrote with the late publicist Kathleen Kennedy.

Bellamy dubbed Frazier, who learned to play the harmonica for the role, ''magnificent.'' After clocking a healthy 90 performances at Playhouse Square, ''Rascal,'' also directed by Garry, went on to a celebrated stand at the Edinburgh Festival and an off-Broadway premiere at the Top of the Gate Theater, later known as the Village Gate, a famous Greenwich Village spot that once hosted jazz greats John Coltrane and Dizzy Gillespie, rockers Patti Smith and Jimi Hendrix, and Broadway darling Tommy Tune.

Frazier tore his pants the night of the opening, sending Garry running to find a costumer at a show that was playing downstairs. No luck, quipped Garry, as ''Let My People Come'' was an explicit musical about sex that featured a nude cast.

Though The New York Times' Clive Barnes dismissed ''Rascal,'' it won fans on tour.

''We performed 'Rascal' all over the world,'' Garry wrote in a guest column for The Plain Dealer in 1976, ''everywhere from the National Theatre of Scotland to a brothel in the Caribbean. We have performed it before 50 people and 1000 people and its ability to leave an imprint on your soul never dies. There is that kind of nakedness to it.''

Certainly, that had something to do with the man himself. Despite his celebrity, Frazier threw himself into parts with the eagerness of a novice, no matter the size of the stage.

As the star in a production of ''The King and I'' for Berea Summer Theatre in 1977, Frazier shaved his head, pierced his ear (''at a Miss Bojangles' establishment,'' Frazier reported), grew a ''Fu Manchu mustache'' and lost 40 pounds. (''I did not wish the show to be known as 'Anna and the Fat of Siam.' '')

He also nearly severed a middle toe colliding with a metal coat rack racing to the dressing room for a quick change on the second night of the show. He wrapped the injured digit in masking tape and made it through the polka in ''Shall We Dance.''

Inspired by pain, his death scene that night ''was the best . . . of my career.'' He was admitted to the hospital as ''King of Siam.''

The only member of Actors' Equity, the professional actors' union, in the production. Frazier, in order to defray costs, helped sew his own costumes and styled the hair of his 12 stage wives.

In an especially delicious anecdote, the Kankakee, Illinois, native dropped out of hairdressing school to join the resident company of the Cleveland Play House in 1966.

(He also picked cotton in Texas; worked as an Air Force supply clerk in Missouri; sold stationery in Kansas City, Missouri, where he once moonlighted as a female impersonator; and hawked men's sportswear at Higbee's in Cleveland, among other pursuits.)

The versatile song-and-dance man who could also rivet in straight plays became an elite member of the Tony Award-winning theater's Hall of Fame in July of 2001.

Frazier ''sings with zest and acts with gusto,'' Bellamy wrote in his review of the ''King and I,'' another Garry production, and those who knew and loved him best say he approached his days the same way.

''David Frazier had a raucous, ebullient love of life, on stage and off,'' said Cleveland Scene theater critic and performer Christine Howey.

''His performances in 'Jacques Brel' as well as many other productions were always fiery, intense and memorable. But more than that, he was a loving and compassionate friend. I can still hear his booming laughter that punctuated most conversations, and I trust I always will.''

But no one knew him better than Garry. In truth, there is no way to celebrate one without speaking of the other.

They met at Berea Summer Theatre, where Garry was helming ''Carnival.'' With a keen eye for talent, Garry advised him. ''to give up all this other nonsense,'' including those barbershop dreams, and audition for K. Elmo Lowe, then artistic director of the Play House.

Frazier did, appearing in some 50 productions, everything from Garry's rocked-out version of Aristophanes' ''The Birds'' to the Sam Shepard modern masterpiece ''Buried Child.'' He was known, said managing director Kevin Moore, for his immense talent to create a wide variety of characters and as ''a gregarious and loving gentleman.''

In a short, poignant video shot during the 100th anniversary celebrations at Cleveland Play House in October 2015, Frazier recollected his almost 40 years as an actor there, holding the theater's Tony.

''I had great moments here,'' he said, surrounded by Garry and artistic director Laura Kepley, ''too many to mention, so I just think this is the best moment of all,'' he said, spinning the little silver disc on the statuette.

After the first rehearsal of ''Carnival,'' he asked to store some of his things at Garry's place for a weekend during a move. The stuff—and Frazier—stayed. ''His timing,'' said Garry, ''was always perfect.''

Their sultanate of a condo in Bratenahl is legendary, a museum of artifacts from their voyages—elaborate masks and statuary and rainbows of wall hangings—and framed photos of the couple with friends they'd met: Patricia Neal, Rue McClanahan, Elaine Stritch, Tony Walton and Cliff Robertson. They threw Kitty Carlisle a birthday party when she turned 92 and swam laps with her in the pool. (''She won,'' Garry said.)

''He lived his life in Capital Letters . . .'' Garry wrote in an email addressed to ''Dear Family and Precious Friends'' the morning of Frazier's death.

''. . . as Peter Bellamy, the PD Drama Critic said 'He brought fire from the sky.' I witnessed his life for 49 glorious years and I cherish every golden moment. David had an intensity and energy that infused everything he ever did. When he performed 'Irish Rascal' at The National Theatre of Scotland a critic said 'his towering performance grabbed the audience by the throat.' He grabbed my heart in the same way.''

Though the pair married two years ago on March 18, they would have celebrated 50 years together on Aug. 1.

''David kept pushing to make plans but I knew we would never reach the date,'' Garry wrote.

''We lived our lives as one . . . we were singular. The first gift I gave David included a card which read 'You are the We of Me' and so he will remain.''

''Brel, above all, is concerned with the power of love,'' wrote Bellamy of their most famous collaboration. ''One of his lines is: 'Without having anything else but the strength of loving, you have in your hands the whole world.' ''

That they did.

''Celebrating A Rascal,'' a memorial to David O. Frazier, will be held in the State Theatre on Monday, April 25 at 5 p.m. The public is invited to attend.

ESSAY BY SMRITI AHUJA

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight from across the political spectrum that sheds a light on the concerns of our younger constituents. Giving voice to their priorities will hopefully instill a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share them with my House colleagues.

Smriti Ahuja attends Seven Lakes High School in Katy, Texas. In your opinion, what makes the political process in Congress so challenging?

From 5140 bills in Congress every year, less than five percent of them are passed and become laws. That is only 257 bills. The United States Congress has been known to be extremely slow in terms of passing laws, but what most people don't realize is that passing a law is harder than it sounds. There are many obstacles that result in the political process in Congress being so challenging.

First, the process to pass a law itself is extremely long winded. First, the bill is assigned to a committee for study. This study could take months in order to fully develop the bill completely. Then, if the committee releases the bill, it must be debated on, revised, and approved by a simple majority. After approval, it moves to the Senate where it is assigned to another committee, and another simple majority is needed for the bill to move to the joint committees of the Senate and the House to work out any tweaks that are necessary. Then, the resulting bill goes to the House and the Senate to be approved. Overall, this whole process could take months which is why the process is so challenging. Every single aspect of the process has to go smoothly in order for the process to flow well.

Second, Congress members must work together even with different opinions. Most Congress members are split between two political parties, Republican and Democrat. These two political parties tend to have opposing views which results in political polarization, and laws aren't able to be passed because of conflicting opinions. Even more than that, Congress members usually have their own opinions as well, that can also result in incompatible ideas between not just parties, but specific members. Also, Congress members are split between the House and the Senate, and these two parts of Congress have their own agenda. Since both houses must approve the bill, different agenda can lead to challenges and obstacles.

The political process in Congress is extremely challenging, with 535 individuals all debating and advocating for their own opinions. Hopefully, in the future, Congress can become less polarized and pass more laws for the benefit of the nation.

IN HONOR OF LEEANNE HASBROUCK

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. NORCROSS. Mr. Speaker, I rise today to honor and congratulate Leeanne Hasbrouck on her retirement from my Congressional Office and to thank her for nearly 26 years of dedicated service to the people of the First Congressional District of New Jersey.

Leeanne began her career working for the First District in December of 1990 for my predecessor, then newly elected Congressman Robert Andrews. She quickly rose through the ranks to become his Director of Casework, a capacity in which she still serves. Caseworkers are the heart and soul of Congressional offices. They advocate on behalf of constituents and help navigate the maze of agency bureaucracy to deliver life changing assistance. Over the years, Leeanne has helped thousands upon thousands of our friends and neighbors obtain social security benefits, get the care they earned at the VA, and access emergency aid programs in the wake of disasters like Super Storm Sandy. These are only a few of her many accomplishments. It takes a huge amount of love and patience to do casework. Fortunately for my office and the constituents we serve, Leeanne has an abundance of both.

For Leeanne, serving our community was not merely a day job, it was a calling. When she wasn't working, she was an active member of the Gloucester County Parks and Recreation Commission, where she acted as Chairwoman of Scotland Run Park; she served as the President of the Friends School Mullica Hill PTA, chairing the school's annual fundraising auction and annual Art and Craft Fair; and she was the Vice President of both the Greater Woodbury Area Junior Woman's Club and the Woodbury Old City Restoration Committee. Leeanne was even the President of the Woodbury Soccer Club and found time to coach her children's soccer teams.

Active in local politics, she also served as a member of the Gloucester County Democratic Committee and as Chairwoman of the Woodbury Democratic Committee, where she left a legacy of success and service.

Born in New Milford, Connecticut, Leeanne graduated from Champlain College in Burlington, Vermont, with an Associate's Degree in Science. Married to Bruce Hasbrouck for 37 years before his passing in 2015, they have three children, Ethan, Seth, and Heidi and three grandchildren, Tyler, Dylan, and Francis.

Mr. Speaker, Leeanne Hasbrouck exemplifies the sort of dedication and selfless service that makes America great. She will be sorely missed by not only my staff and I, but also the countless constituents whose lives she touched. I join my staff, our community, and all of South Jersey in thanking her for her outstanding service and wishing her well in her retirement.

96TH ANNIVERSARY OF TURKISH NATIONAL DAY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to call our attention to the 96th anniversary of Turkish National Day on April 23rd, 2016. On this day 96 years ago, the Grand National Assembly was established, which led to the founding of the modern Republic of Turkey and the election of the first President, Mustafa Kemal Ataturk. I am pleased to join my colleagues in recognizing

the unique contributions to America's culture from those of Turkish and Turkish-American decent.

As you may know, the Republic of Turkey has been paramount in its stride towards secular democracy since 1920. Turkey is the first secular democracy with a predominantly Muslim population in the world. As a key ally to U.S. for over 60 years, Turkey is a critical U.S. partner in countering terrorism, security and defense, trade, education, science, and innovation. Turkey has been invaluable in its role of hosting over 1.7 million Syrian refugees during the largest humanitarian crisis since World War II. Turkey also stands as a vital NATO ally in a region with escalated accounts of violence and tension and has been a partner in pushing back ISIL's control of certain territories.

Since 1927, Turkey has also designated April 23rd as Children's Day to signify the role of future generations in the modern Turkish statehood. Turkey commits every year by emphasizing the important role the younger generations have in succeeding their predecessors. As I and many of my colleagues acknowledge, children are the future of our nation. On this day, children from all across Turkey come together and take over the Grand National Assembly to voice their concerns.

Mr. Speaker, it is appropriate that the Congress has set aside this national day of celebration again in 2016. Turkish-Americans have left a unique imprint that has positively contributed to America's diverse cultural spectrum. Each year, it seems, we have a greater appreciation for the remarkable contribution of Turkey to our American values and democracy. We stand in deep appreciation and gratitude with our ally, Turkey on this Turkish National Day.

TRIBUTE TO DR. JANET HART HEINICKE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Dr. Janet Hart Heinicke of Indianola, Iowa, as a 2016 Artist Art Within Everything Award winner.

Dr. Heinicke has been an artist and educator all of her life with her artwork on worldwide display. She exhibits her work internationally and has been a visiting artist in Vietnam, China, Tanzania, Malaysia, Philippines, Russia and Africa. Simpson College students have benefitted directly as she developed their full potential as artists. Dr. Heinicke holds a Doctorate of Education and Master of Science in Art Education from the University of Wisconsin and a Master of Fine Arts from Northern Illinois University.

Mr. Speaker, Dr. Janet Hart Heinicke is an Iowan who has made its citizens very proud. She has dedicated her life to teaching, and creating art for the world. It is with great honor that I recognize her today. I ask that my colleagues in the U.S. House of Representatives join me in honoring Dr. Heinicke for her work, and wishing her continued success in all her future endeavors.

IN HONOR OF FRANCIS E. CIRILLO III

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Ms. ESTY. Mr Speaker, last weekend, the State of Connecticut lost a true champion, and I lost a friend, with the unexpected passing of Francis E. Cirillo III. A lifetime Waterbury resident, Frank passed away just days before his 56th birthday.

A graduate of Wilby High School, Frank proudly served our country in the U.S. Navy during the Cold War. He served aboard the USS *Ranger* from 1978 to 1982 and earned the rank of Boatswain's Mate 3rd Class. He was awarded the Naval Sea Service Deployment Ribbon, Navy Expeditionary Medal, Navy Good Conduct Medal, and National Defense Service Medal.

After his military service, Frank returned home to Waterbury where he began his civilian career at Connecticut Light and Power (now known as Northeast Utilities). Frank fell in love with Milena, his wife of 31 years, and together they raised a wonderful family, which he was immensely proud of—as anyone who spent time in Frank's office immediately learned through photos and mementos.

After 20 years at Northeast Utilities, Frank became a full-time union official in March 2004. He was famous and admired for his strong advocacy for the members of International Brotherhood of Electrical Workers (IBEW) Local 420 in Waterbury. Frank's outspokenness and passion served him well in his positions with the CT AFL–CIO, the Western CT Central Labor Council, the New England Utility Council, and the Local 420's COPE. His commitment to working families helped ensure that they received the services, benefits, and recognition they deserved. In 2013, he received the Paul A. Loughran Memorial Award for Outstanding Leadership.

Frank was frequently recognized for his hard work and community service. He was actively involved in civic and charitable organizations, serving as Waterbury's Good Jobs Liaison Commissioner, a member of the Waterbury Democratic Town Committee, and a member of Waterbury's American Italian Civic Club. He was honored in 2014 by the Waterbury Veterans Memorial Committee for his outstanding service to the city, state, and nation.

And I also note that Frank was frequently "recognized' as Al Pacino—his resemblance to the famous actor was so striking that Frank proudly hung a large Godfather poster behind his desk. Frank will be sorely missed by all those who were fortunate enough to know him. His contributions to the City of Waterbury and the State of Connecticut will not be forgotten. My heart and condolences go out to his family and friends as we remember the legacy and the glorious life of Frank Cirillo.

On a personal note, I will miss Frank's friendship, his directness, his guidance, and his love of life. He inspired and challenged me in all the best ways. And it simply will not be October without chilly Saturday morning door knocking with Frank. It's hard to imagine that Frank is not still with us—passionately advocating for working families, cracking jokes, and freely offering his assessment of anyone who he believed to be "full of it."

I have no doubt that Frank is stirring things up in heaven, letting St. Peter know exactly what he thinks.

HONORING LILLIE V. DAVIS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mrs. Lillie V. Thompson Davis.

Mrs. Lillie V. Thompson Davis, a life time resident of Quitman County, MS, has a strong belief in God; she is a friend to education, a retired school teacher of 42 years, and lives in Marks, MS. She has a teaching experience of more than forty-two years which include seventeen years as assistant principal, Adult Education teacher, teaching in the prison system, and in the state of Indiana. She is a graduate of Rust College Holly Springs, MS and earned a Master of Education from the University of MS Oxford, MS. She was one of the first of four teachers who taught in an integrated school system in an all white school in Marks, MS. Mrs. Davis is an advocate for education and has tutored students in reading and math without a fee, and made generous donations to an educational program. She is sustaining her teaching career as an advanced adult Sunday School teacher at her membership church in Marks, MS.

She initiated the idea to build a much needed gym for the Quitman County Middle School, by the passing of a bond issue. The first attempt to pass the bond issue failed by 23 votes November of 2013, but because of her fervent prayers, profound determination, and help of many dedicated hard working individuals, the bond issue of four million dollars was tried a second time and passed in November, 2014. She has been a member of the Quitman County School Board since 2006, and has worked untiringly trying to bring about positive changes for the boys and girls of the Quitman County School System. And also since she wanted to share her knowledge of some undocumented history of the early life of Blacks in the Delta, she wrote a book entitled "Drifting Into Falcon."

Mrs. Davis is the mother of three daughters: Pamela, Jamesetta and Wanda, who is deceased. She has five grandchildren: Larry, Brandon, Darnell, Steve and Ashley; and four great grandchildren: Debrisha, Marian, Lauren and Laila.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Lillie V. Davis because she is definitely the epitome of an unsung hero.

PERSONAL EXPLANATION

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. DESAULNIER. Mr. Speaker, I was unavoidably detained yesterday during the last series of votes. Had I been here, I would have voted in the following manner:

Roll Call Vote No. 155, I would have voted NAY.

IN RECOGNITION OF DR. RICK HOFFENBERG AND THE MARYWOOD CAMPUS CHOIR

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the Marywood Campus Choir under the direction of Dr. Rick Hoffenberg. The choir filled the rotunda on Marywood University's campus on May 2–3 2015 for a program entitled ''Almost A Cappella.'' The performance was unique in that it featured musical accompaniment for the first time in the four years that the University has been giving choral concerts inside the rotunda.

The concert opened with Richard Rodney Bennett's ''A Farewell to Arms'' with the Campus Choir singing to cello accompaniment, beginning with a cello solo elegy performed by Mrs. Christiane Appenheimer-Vaida. This memorable piece was followed by Henryk Gorecki's ''Lobgesang'' featuring the glockenspiel performed by Christopher Morrison.

Next on the program were two selections by Stephen Chatman, ''Alas, that Spring should vanish with the rose'' and ''Thou whose harmony is the Music of the Spheres.'' The former featured the florid accompaniment of a clarinet performed by Ms. Katie Morell who did ascending scales and trills as part of the flowery duet with the choir. The latter featured accompaniment by oboe performed by Mr. Thomas Heinze, and here the musical embellishment was melancholy and blended with the wistful sounds of the choir.

The Chatman selections were followed by Stephen Paulus' ''Meditations of Li Po.'' The piece concluded with a draining of the voices to the sound of hand bells performed by Ms. Mary Ann Rutkowski. The concert concluded with two selections of Giovanni Gabrieli, his ''O Quam Suavis'' and his ''Angelus Domini Descendit,'' to the accompaniment of oboe courtesy of Thomas Heinze, clarinet courtesy of Katie Morell, bassoon courtesy of Alyssa Speicher, and horn courtesy of Sarah Schouten. These selections were caught in the jaws of articulation between the Renaissance and Baroque periods of music and sounded a bit like music from both time periods.

It is an honor to recognize Dr. Rick Hoffenberg and the Marywood Campus Choir for their excellent performance. May they continue to contribute to the cultural value of Marywood University and its surrounding community in greater Scranton, Pennsylvania.

ESSAY BY SAKU GOPINATH

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight from across the political spectrum that sheds a light on the concerns of our younger constituents. Giving voice to their priorities will hopefully instill a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share them with my House colleagues.

Saku Gopinath attends Seven Lakes High School in Katy, Texas. In your opinion, what makes the political process in Congress so challenging?

Anyone can see that Congress as it operates today is largely ineffective, failing to represent its constituents, and the numbers support this opinion. As a Gallup poll stated, the approval rating for Congress was at an all time low during the 2013–2014 period at 14.5%, indicating the lack of faith the American people have developed in it. In my opinion, it is the attitude towards politics that makes the political process in Congress so challenging—an attitude that sacrifices democratic values to pursue victory above all else.

The political process of Congress is essentially the rules, procedures, and practices by which the majority organizes the institution to achieve its goals of policymaking and resource allocation; this process creates a power struggle, five different struggles to be exact, but each is necessary for Congress to function per its design. Of the struggles between the President and Congress, the House and the Senate, the political parties, the elected majority party leaders and majority party committee chairmen, and the individual members to get the most for their districts and states from the Federal government and thereby ensure their reelection, I will focus on that between the political parties. A clash of contrasting ideals is an old story in America, its origins dating back all the way to America's creation with the opposition between the Federalists and the Anti-Federalists with differing ideas of the scope and purpose of the new government. At that time, however, the parties chose to compromise, and incorporated principles from each belief to create stronger policies. The fact is that the rivalry between these two broad philosophies often proved highly productive, and this cooperation was able to take place because they shared a commitment to democracy.

The competition between opposing views has begun to degenerate into something toxic, however, creating an environment in which politics is treated as war, and compromise is seen as a weakness. While it is unclear what the exact cause of this problem is, its symptom is clear: ineffectiveness. Evidence of this is provided by the 234 bills passed by the 113th Congress, the lowest recorded total in congressional history. It is obvious that the fervor to win too often trumps everything else—including respect for opponents, the integrity of institutions, and even the health of the democracy itself. A clear example of the detrimental effect this attitude is having on the political process of Congress is the i6 days the government was shut down in October of 2013 due to Congress's inability to compromise. The time has come to remedy this problem, and for politicians to adopt a new attitude—or rather, return to an old state of mind.

The only way to simplify the political process of Congress is to create a renewed sense of commitment to democracy—above party interests and ideology, or economic interests. It is only in the context of such a shared commitment that differences in opinions and beliefs can be fruitful and benefit the American people.

CONGRATULATING NETHALINE HOPE NOTHNAGEL ON HER 90TH BIRTHDAY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LONG. Mr. Speaker, I rise today to congratulate Nethaline Hope Nothnagel, of Willard, Missouri, on her 90th birthday. Hope, as she's known by loved ones, has led a truly remarkable and full life over the course of her 90 years.

Starting in her home state of Minnesota, she has lived in states far and wide, ranging from Alaska to North Carolina due to the military career of her husband Ervin—to whom she has been married for more than 50 years. Hope has 6 children: Ervin, Monica, Nelda, Joe, Jim and Norm. She additionally has 7 grandchildren: Renee, Eric, Perrin, Adam, Matt, Sam and Katie. Finally, Hope has 9 great-grandchildren: Cassie, Cruize, Kelsey, Kylie, Brooks, Owen, Davis, Gavin and Everrett.

Even with a family this large, Hope was not content to merely serve as a matriarch. She worked various jobs during her life, ranging from executive secretary, to managing libraries and bookstores to serving as a professional seamstress for many years. Currently, Hope keeps occupied through her passion for reading and love of the outdoors. She often feeds and observes the wildlife on her 18 acre farm, and still shows off her green thumb with her love of gardening.

Mr. Speaker, Nethaline Hope Nothnagel has lived an accomplished life and raised a wonderful family. I urge my colleagues to join me in congratulating Hope for reaching this tremendous milestone and living her life as a role-model for the younger generations in her family.

CONGRATULATING TORI McCOY

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate Tori McCoy on being selected as a member of the 2016 McDonald's All American Basketball Team.

Since 1978, the McDonald's All American Basketball Games have helped raise more than $11 million for Ronald McDonald House Charities. Tori will join athletes like Magic Johnson, Michael Jordan, and Shaquille O'Neal in this distinguished honor.

She was selected from more than 750 nominees to represent some of the best high school basketball talent in the country. Born and raised in Champaign, Tori is a senior who currently plays as a forward for the St. Thomas More Sabers. She first earned the attention of many college recruiters two years ago when she helped the Sabers win a state title as a sophomore. Since then, she has been considered a top prospect for many basketball programs across the country, but will join the Ohio State Buckeyes after graduation.

The first Girls Game for the McDonald's All American Basketball Games was held in 2002,

and Tori is the first from my district to achieve such an honor. I am very proud of Tori's talent as a student athlete. I congratulate her on the outstanding accomplishment of being a member of the 2016 McDonald's All American Girls Game winning team, played at the United Center on March 30th.

NATIONAL ACADEMY OF FUTURE SCIENTISTS AND TECHNOLOGISTS—COY GARDNER

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Coy Gardner from Katy, TX for being accepted into the National Academy of Future Scientists and Technologists to represent the state of Texas at the Congress of Future Science and Technology leaders.

Coy attends Katy High School and is one of 13 high school honor students selected from the Twenty-Second Congressional District of Texas. These students were selected as Texas delegates at the Congress of Future Science and Technology Leaders. This program was designed for high school students to be recognized for their hard work in school, as well as to support their aspirations of working in a science or technology field. The National Academy was founded by Richard Rossi and Dr. Robert Darling; Mr. Rossi currently serves as president. The Congress is being held at the Tsongas Center at the University of Massachusetts, Lowell from June 29th through July 1st. Coy was selected by a group of educators to be a delegate for the Congress thanks to his dedication to his academic success and goals pursuing science or technology. We are proud of Coy and all of his hard work, and know he will make Katy proud.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Coy for being accepted into the National Academy of Future Scientists and Technologists. Keep up the great work.

HONORING SUNFLOWER COUNTY FREEDOM PROJECT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable organization, Sunflower County Freedom Project.

Founded in 1998, the Sunflower County Freedom Project was started by three Teach for America teachers who saw a need for an educational program in the Mississippi Delta that would challenge and engage young people in the area. Initially, the organization was a summer program at Mississippi Delta Community College that grew into a year-round program at the University of Mississippi. In 2002, the organization purchased the LEAD Center in Sunflower, which houses all of their programs. They target students in Sunflower County to complete a six-year fellowship with the organization beginning with the summer before they begin seventh grade. The overall goal is to have 100 percent of their ''fellows'', also known as students, go on to enroll in four year colleges and universities. To this date they have met that goal.

The Freedom Project is for students in 7th–12th grade who want to discipline themselves into becoming leaders in their homes, schools and communities. The middle school students partake in Freedom Summer, which is named for and rooted in the Civil Rights history of Freedom Summer '64. The high school students can participate in ACT Camp or summer opportunities around the country including Philips Exeter Summer Academy and Explo at Yale University.

They seek to provide students with opportunities and challenges that will allow them to grow and mature into leaders for the Mississippi Delta. The multi-faceted approach includes rigorous academic work, arts enrichment, fitness and wellness training, educational travel and character development for every student. They travel the country, live in college dorm rooms, and camp in the wilderness to develop our students and enrich their lives.

Mr. Speaker, I ask my colleagues to join me in recognizing Sunflower County Freedom Project for its dedication to serving others and giving back to the African American community.

CASA OF MERCED COUNTY—ALLIED PROFESSIONAL AWARD

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. POE of Texas. Mr. Speaker, the bi-partisan Congressional Victims' Rights Caucus (VRC) advocates for the silent voices of crime victims. JIM COSTA (D–CA) and I founded the VRC 10 years ago when we were first elected to Congress. During its 10 year existence, the VRC has taken the lead in protecting programs that provide critical support for victim services throughout the nation, including the Victims of Crime Act (VOCA), Violence Against Women Act (VAWA), and the Trafficking Victims Protection Reauthorization Act (TVPRA). Each year the members of the caucus join together to honor outstanding individuals who have given their time and service to helping victims. This year marks the 10th anniversary of the Caucus.

On behalf of Congressman COSTA (D–CA) and myself, we are proud to recognize an organization that makes a big difference in the San Joaquin Valley: Court Appointed Special Advocates also known as CASA of Merced Country. Nominated by Congressman COSTA, the CASA of Merced County is the recipient of the VRC Allied Professional Award.

With a mission to place every child in a safe, loving, and permanent home, CASA relies on the work of volunteer advocates for the interests of children overlooked by society. In order to ensure that every child is properly taken care in the eyes of both the law and the community, these volunteers provide judges with detailed information of a child's home life and legal situation to help judges better understand each and every child's unique story.

The Executive Director, Shar Herrera and her staff work diligently to support children who are victims of abuse and neglect. Sadly, children who are victims of neglect and are in the foster care system are too often in a situation where they do not have a single person in their life that they can trust and rely on. But Merced CASA has changed that horrible reality for hundreds of children throughout Merced County.

CASA volunteers are often there for the children beyond just the courtroom; they are friends, mentors, and confidants for the children they support. The volunteers who are trained by CASA for Merced County change children's lives for the better every single day. CASA and their advocates have done right by their community, and, most importantly, right by children in need. I am proud to recognize them as the recipient of the Allied Professional Award.

And that is just the way it is.

TRIBUTE TO RICHARD FORRISTALL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Richard Forristall of Council Bluffs, Iowa, on his recent retirement as a Deputy with the Pottawattamie County Sheriff's Department. For more than 33 years, Deputy Forristall has served Pottawattamie County citizens. He began his career in court security, later joining the road division where he became a K–9 handler.

Deputy Forristall said, ''When I started, I was one of the only K–9 handlers in the area. I helped other surrounding counties, the Iowa State Patrol, and the Department of Transportation.'' He said he enjoyed meeting and helping people. Pottawattamie County Sheriff Jeff Danker said, ''He's done a great job. He's done a lot of things for us. You hate to see him go, but I know he's done a great job for the citizens of Pottawattamie County.''

Mr. Speaker, Deputy Forristall made a difference by serving others. It is with great honor that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating him for his accomplishments. I thank him for his service to Pottawattamie County and wish him all the best in his future endeavors.

RECOGNIZING THE CONTRIBUTIONS OF GLEN AND POLLY BARTON

HON. DARIN LaHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LAHOOD. Mr. Speaker, I would like to honor Mr. and Mrs. Glen and Polly Barton for their tireless contributions to Peoria, Illinois and the surrounding communities. Glen and Polly Barton have dedicated their time, money, and most importantly their passion to making the community a better place to live. The Barton's are recognized as leaders and philanthropists where their generosity and guidance have touched the lives of so many.

Polly Barton's steadfast work and leadership within the Peoria Park District made the vision of Peoria Zoo a reality. Her fundraising expertise combined with her commitment to serving the community led the way for the beautiful entryway, Barton Pavilion, of the Peoria Zoo that opened in 2012. Her active involvement with the Junior League of Peoria made the Peoria PlayHouse a reality where children are given the opportunity to explore, imagine, and play.

WTVP, the PBS station for Peoria and surrounding areas, was also impacted by Glen and Polly's generosity and financial support. The campaign, assisted by Caterpillar during Glen's CEO tenure, raised enough money to move the station into the beautiful downtown studio on State Street, where it resides today.

The Barton's have contributed considerably to their community, but their focus has always been to improve education by providing the resources necessary for students to excel. Illinois Central College and Eureka College have been fortunate to receive patronage from the Barton's through scholarships, mentorships, and fellowships. Their strong support has awarded students an educational opportunity to engage in their field of study, volunteer within the community, and exceed in their schoolwork. Understanding the importance of education for all students, Glen and Polly played a leadership role with their time and financial support to create Quest Charter Academy in Peoria.

As former CEO of Caterpillar, Inc., Glen noticed that there were a shortage of technical skilled workers and realized that the school district was facing challenges in meeting the basic requirements in math and sciences. Glen expressed that, ''College education was a springboard to another world and set of opportunities,'' that children in his community were not receiving because of their limited education. Quest Charter Academy prepares students for secondary education by focusing on an innovative education rich in math, science, and technology. The school prides itself on their six core values: respect, responsibility, integrity, courage, curiosity, and effort, principles that have made the Barton's such successful and charitable people. Quest has given students, who otherwise would not have the opportunity, the resources available to be prepared for the competitive global world.

Our Peoria Area is lucky to have people like Glen and Polly who have tirelessly given back to our community. Central Illinois has benefitted immensely under the leadership, contributions, and generosity from the Barton's. Their efforts have made the community, just like Quest Charter Academy, a better place to grow, learn, and play.

BLANCA KLING, HISPANIC LIAISON, MEDIA SERVICES DIVISION MONTGOMERY COUNTY, MD DEPARTMENT OF POLICE—SUZANNE McDANIEL MEMORIAL AWARD FOR PUBLIC AWARENESS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. POE of Texas. Mr. Speaker, the bi-partisan Congressional Victims' Rights Caucus (VRC) is a proven and effective leader in advocating for crime victims. JIM COSTA and I founded the VRC 10 years ago when we were first elected to Congress. During its 10 year existence, the VRC has taken the lead in protecting programs that provide critical support for victim services throughout the nation, including the Victims of Crime Act (VOCA), Violence Against Women Act (VAWA), and the Trafficking Victims Protection Reauthorization Act (TVPRA). Each year the members of the caucus join together to honor outstanding individuals who have given their time and service to helping victims. This year marks the 10th anniversary of the Caucus.

On behalf of Congressman COSTA (D–CA) and myself, we are pleased to honor Ms. Blanca Kling as this year's Suzanne McDaniel Memorial Award recipient and recognize all of her hard work for the community. Nominated by Congressman CHRIS VAN HOLLEN of the 8th Congressional District of Maryland, Ms. Kling is deserving of this recognition for all of her hard work in her community. This award honors Suzanne McDaniel, one of the first prosecutor-based victim advocates in Texas and in the nation. McDaniel created Harris County's first community interagency council on sexual assault and family violence and the first rape exam protocol for Houston Hospital and Medical Associations. She also formed the Texas Crime Victim Clearinghouse, the first statewide resource in the nation, and helped draft and pass the Texas Crime Victim Bill of Rights, the Texas Crime Victims' Compensation Act, and the Texas Constitutional Amendment on Crime Victim Rights. McDaniel passed away in May 2012 after an eight-year battle with pancreatic cancer. This honoree is an individual or organization that has used her voice, throughout the media, to promote and to bring about change at the National level for crime victims.

Ms. Kling's role as the Hispanic Liaison for the Media Services Division of the Montgomery County Maryland Police Department qualifies her for this distinguished recognition. Since 2005, Ms. Kling has worked tirelessly to develop open and productive lines of communication between the police department and various communities, particularly to the Hispanic community. Previously, MCPD recognized that there was significant distrust between their department and the Hispanic community. This caused a detrimental impact on the effectiveness in responding to crime and community issues.

Ms. Kling conducts outreach to more than 170,000 Hispanics who live and work in Montgomery County, Maryland. She is instrumental in supporting the Hispanic community, particularly newly arrived immigrants who face challenges in assimilating to a new culture, language, and legal system. Thanks to her outstanding work, people are less fearful about reporting crimes that have been committed against them or that they have witnessed. These efforts have had a significant impact on individual and public safety in Montgomery County.

Ms. Kling has been extremely effective in disseminating information to Spanish-language media in order to provide support to victims and prevent crimes in the Hispanic community. She has also worked with local, national, and international leaders to ensure that they have the tools to ensure safety for their constituencies. Her work as a media spokesperson, community leader, and a victim rights advocate has helped thousands of victims and survivors of crime, and their families.

On behalf of the Congressional Victims' Rights Caucus, I would like to congratulate Ms. Blanca Kling and the Montgomery County Maryland Police Department for all that they do to keep our communities safe, each and every day.

And that is just the way it is.

HONORING MRS. FLORINE LEWIS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable Unsung Hero, Mrs. Florine Lewis.

For some retired educators, retirement means a time to relax and take it easy. Not for longtime Holmes County, Mississippi resident, Mrs. Florine Lewis. She served the Second Congressional as an outstanding educator for 37 years. Now retired for 15 years, she is still going like the ''Energizer Bunny.''

Mrs. Lewis continues to actively serve her community. She volunteers at the UMC Hospital of Holmes County; is active in the Holmes County Teachers Association, the Mississippi Valley State University Holmes County Alumni Chapter, and in her church, Asia Missionary Baptist Church of Lexington. She annually serves as a Spelling Bee judge for the Community Students Learning Center's Spelling Bee contest in which she has received several awards. ''I am just always willing to serve where I can and when I can,'' she said.

In addition to her busy community service, Mrs. Lewis is also the principal caregiver for her elderly mother, who lives miles away in Greenville, Miss.

The Itta Bena, Mississippi native began her teaching career at Montgomery Elementary School in Mount Bayou, Mississippi and later relocated to Holmes County where she has taught at the former Tchula Attendance Center (TAC) and the Holmes County Vocational Center. She is the widow of the late Robert Earl Lewis, who was also a principal and teacher in Holmes County. The two of them have six children who are adults in various professions such as teaching, librarian, business and engineering. During her own teaching career, Mrs. Lewis was recognized as a STAR teacher.

Former students and community members alike say that whenever they see Mrs. Lewis, she always greeted them as ''Florine Lewis.'' She just keeps on going and going and going . . . doing what she can to help others, never looking for anything in return. She is truly an unsung hero.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Florine Lewis for her dedication in serving the community.

RECOGNIZING DON KNABE'S SERVICE TO THE STATE OF CALIFORNIA

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. MCCARTHY. Mr. Speaker, I rise today to honor Supervisor Don Knabe, who has served the County of Los Angeles for the past two decades.

Supervisor Knabe was first elected to the Los Angeles County Board of Supervisors in November of 1996 and has represented the Fourth District, a uniquely diverse area that is home to over two million residents and includes two of the nation's largest economic hubs: the Ports of Los Angeles and Long Beach and the Los Angeles International Airport.

Supervisor Knabe has spent much of his political career working to protect innocent and vulnerable children in Los Angeles County. He established the Safe Surrender program in Los Angeles County, which allows for the surrender of an infant within 72 hours of birth at a County hospital or fire station. Since 2001, over 140 babies have been safely surrendered in Los Angeles County. In 2015, Supervisor Knabe launched a scholarship program to benefit children who have been safely surrendered.

Supervisor Knabe also is a national leader on combating child sex trafficking. He launched a County-wide awareness campaign to bring attention to the heinous practice of young children being sexually exploited in southern California. In 2013, he testified on the issue of child sex trafficking at a hearing before the House Foreign Affairs Committee in Washington, D.C.

In 2007, Supervisor Knabe was appointed by President George W. Bush to serve on the President's Homeland Security Advisory Council, which worked with the White House to establish national programs to prepare and protect communities across the nation from terrorist attacks.

Supervisor Knabe has a passion for the arts and attributes his own personal success to an early involvement with music. His enthusiasm for the arts has led to the creation of several innovative youth programs, such as the Pediatric Arts Program at Rancho Los Amigos National Rehabilitation Center and the Arts Education Partnership Program that provides grants to schools and community-based organizations to fund visual art, dance, music, and theatre programs for students.

In addition, Supervisor Knabe has led the County's efforts to improve overall water quality, including 19 projects within the Fourth District that will lower pollution and divert storm water from the ocean, including the Dominguez Gap Wetlands Project that was completed in 2008. This also enhanced recreation opportunities for residents and visitors through environmental cleanup efforts, creating an open space habitat for the community.

Supervisor Knabe is an avid golfer and hosts the Knabe Cup in cooperation with the California Interscholastic Federation, a golf tournament for high school boys and girls. He also supports junior golf clinics for kids to develop a love for golf at a young age.

While these are just some of Supervisor Knabe's significant accomplishments, on behalf of the County of Los Angeles and the State of California, I want to extend my gratitude for his valuable contributions throughout his illustrious career to helping our communities. With sincere best wishes, I congratulate Supervisor Knabe upon his retirement from the Los Angeles County Board of Supervisors, and wish him and his wife, Julie, well as they enter this new chapter of their lives.

CONGRATULATING KELSIE ELTRINGHAM ON RECEIVING THE BRIGHTON ASSEMBLY OF GOD'S GOLD MEDAL AWARD

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LONG. Mr. Speaker, I rise today to congratulate Kelsie Eltringham, who was recently honored with the Brighton Assembly of God's Gold Medal Award, the highest achievement in the Assemblies of God Girls Ministries program.

To be honored with the Brighton Assembly of God's Gold Medal is the culmination of a 13 year journey of devotion to God that begins in kindergarten and finishes at the end of high school. The Girls Ministries program strives to instill Christian values and virtues in the young women who will be the future of our nation.

To be honored with a gold medal, girls must go above and beyond the requirements for completing the five levels of clubs offered by the ministries. Medal awardees must also have read the Bible twice, the New Testament three times, memorized portions of scripture and have met weekly with a sponsor who helps to guide them spiritually.

Mr. Speaker, Kelsie Eltringham has not only displayed an uncommon level of spiritual devotion during her time in the Girls Ministries program, but also a measure of determination and commitment that will undoubtedly serve her well through her life. On behalf of Missouri's Seventh Congressional District, I urge my colleagues in congratulating her on this well-earned achievement.

COMMEMORATING THE 50TH ANNIVERSARY OF AVANTI'S RISTORANTE

HON. DARIN LaHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LAHOOD. Mr. Speaker, I would like to recognize Avanti's Ristorante of Peoria, Illinois for celebrating their 50th anniversary.

Avanti's Ristorante first opened their doors in 1966. Founder and CEO Albert Zeller, by embracing the American entrepreneurial spirit, successfully expanded his business and now employs nearly 500 people and currently operates five Avanti's Ristorantes in the Greater Peoria area.

Avanti's Ristorante is known throughout Central Illinois for their famous Italian cuisine, from their pastas to pizzas and, most notably, the beloved Gondola sandwich. Zeller's famously delicious creation, the Gondola, a submarine-like sandwich, features freshly baked sweet bread only found in his restaurants. No party in Peoria is complete without a platter of Gondolas.

The Greater Peoria area has benefitted from Avanti's corporate goodwill and generosity. I extend my sincere congratulations to Avanti's Ristorante, Albert Zeller, and staff and I hope Avanti's keeps fulfilling the appetites of Central Illinoisans for another fifty years.

TRIBUTE TO BRADY KYNER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Brady Kyner of Southeast Warren/Melcher Dallas High School for winning the Class IA, 120-pound bracket at the Iowa High School Athletic Association State Wrestling tournament on February 20, 2016.

Iowa has a long and proud history of strong wrestling programs, producing college and Olympic champions for years. Winning two state championships in a row is the culmination of years of hard work and commitment, not only on the part of Brady, but also his parents, his family and coaches.

Mr. Speaker, the example set by Brady demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent his family and him in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Brady on competing in this rigorous competition and wishing continued success in his education and high school wrestling career.

CONGRATULATING THADDEUS HUGHES

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate Thaddeus Hughes on winning the 4–H Youth in Action STEM Award.

The 4–H Youth in Action Award honors 4–H'ers who have excelled in one of four areas: agriculture and animal sciences, citizenship, healthy living, and STEM. I'm very proud that, out of six million 4–H youth nationwide, Thaddeus was chosen as the Youth in Action STEM winner for his work to advance education in science, technology, engineering, and mathematics.

In the past year, he spent over 300 hours volunteering and mentoring. He currently serves as a mentor for the FIRST Lego League and the Illinois State Robotics Competition. He also created the curriculum for Spinning Robots, a 14-week after school organization focused on engaging students who lack the resources for involvement in the STEM fields. Last year, Thaddeus was selected among twenty individuals to be named one of Illinois' High School Innovators of 2015.

Thaddeus is a wonderful example of the many talented students in my district. I look forward to celebrating many more of this bright young man's accomplishments in the future.

Congratulations, Thaddeus. I wish you the best of luck as you continue your education studying Mechanical Engineering.

YASMIN VAFA, EXECUTIVE DIRECTOR, RIGHTS4GIRLS—LOIS HAIGHT AWARD FOR EXCELLENCE AND INNOVATION

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. POE of Texas. Mr. Speaker, the bi-partisan Congressional Victims' Rights Caucus (VRC) is a proven and effective leader in advocating for crime victims. JIM COSTA (D–CA) and I founded the VRC 10 years ago when we were first elected to Congress. During its 10-year existence, the VRC has taken the lead in protecting programs that provide critical support for victim services throughout the nation, including the Victims of Crime Act (VOCA), Violence Against Women Act (VAWA), and the Trafficking Victims Protection Reauthorization Act (TVPRA). Each year the members of the caucus join together to honor outstanding individuals who have given their time and service to helping victims. This year marks the 10th anniversary of the Caucus.

The Lois Haight Award for Excellence and Innovation pays tribute to California Judge Lois Haight. She was the Chair of President Ronald Reagan's 1982 President's Task Force on Victims of Crime. Judge Haight led pioneering efforts on behalf of crime victims that resulted in significant public policy advances to promote crime victims' rights and services. The honoree who receives this award is a professional whose efforts have had a significant impact on local, state, national or international public policy development and implementation that promote dignity, respect, rights and services for victims of crime.

Yasmin Vafa embodies the vision, drive and accomplishment of Judge Haight. She is the co-founder and Executive Director of Rights4Girls, a human rights organization focused on gender-based violence against young women and girls in the U.S. As the award recipient that my office nominated I am proud to recognize her significant contributions in advocating for Victims' Rights. She is a fearless fighter against injustice, educating not only my office, but offices across the Capitol about the scourge of human trafficking—especially on the unique needs of domestic victims and the need to prosecute buyers.

The voice of survivors like "T" Ortiz Walker Pettigrew that Yasmin and Rights for Girls brings to the Hill changes the conversation on human trafficking. Yasmin knows and works with these survivors both in DC and around the country through advocacy, trainings, and survivor retreats, and won't stop until victims are treated as victims and we put all the bad guys where they belong.

Yasmin's principled passion, activism and persistence have been critical in the passage of a number of bills to fight human trafficking and protect vulnerable women and girls. One bill especially close to my heart, which would not have crossed the finish line without her help is the Justice for Victims of Trafficking Act. Yasmin helped conceive, advocate and fight for the bill through ups and downs until the right thing was done and the bill became law. In addition to the incredible accomplishments she's had for victims of crime on Capitol Hill, she has also designed and implemented a national judicial institute on child trafficking, co-authored a seminal report mapping girls' unique pathways into the juvenile justice system: The Sexual Abuse to Prison Pipeline: The Girls' Story.

She also currently serves as a faculty adjunct educator and consultant for the National Council of Juvenile and Family Court Judges, served on the Advisory Board for the Office of Juvenile Justice and Delinquency Prevention's National Girls Initiative, and was as a member of the Department of Justice's National Task Force on the Use of Restraints with Pregnant Women and Girls under Correctional Custody. Yasmin is so deserving of the Lois Haight Award for Excellence and Innovation Award, we are grateful for her persistence and passion.

And that is just the way it is.

NATIONAL ACADEMY OF FUTURE SCIENTISTS AND TECHNOLOGISTS—MARIA BENNETT

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Maria Bennett from Katy, TX for being accepted into the National Academy of Future Scientists and Technologists to represent the state of Texas at the Congress of Future Science and Technology leaders.

Maria attends Cinco Ranch High School and is one of 13 high school honor students selected from the Twenty-Second Congressional District of Texas. These students were selected as Texas delegates at the Congress of Future Science and Technology Leaders. This program was designed for high school students to be recognized for their hard work in school, as well as to support their aspirations of working in a science or technology field. The National Academy was founded by Richard Rossi and Dr. Robert Darling; Mr. Rossi currently serves as president. The Congress is being held at the Tsongas Center at the University of Massachusetts, Lowell from June 29th through July 1st. Maria was selected by a group of educators to be a delegate for the Congress thanks to her dedication to her academic success and goals of pursuing science or technology. We are proud of Maria and all of her hard work, and know she will make Katy proud.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Maria for being accepted into the National Academy of Future Scientists and Technologists. Keep up the great work.

HONORING MR. HAROLD WARD, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable Unsung Hero, Mr. Harold Ward, Jr. a resident of Winstonville, Mississippi.

Harold Ward, Jr. was born and raised in the small town of Mound Bayou, Mississippi, where he graduated from John F. Kennedy Memorial High School in 1999. After graduating from high school, Harold attended Coahoma Community College in Clarksdale, Mississippi, and Mississippi Valley State University in Itta Bena, Mississippi. Harold is a member of Mount Olive Missionary Baptist Church in Mound Bayou. He is the son of Judge Harold Ward Sr. and Patricia White-Ward; the youngest of four children: Ms. Chauncila M. Ward (deceased), Dr. Kendria Ward, and Attorney Yumekia Ward; the grandson of the late Napoleon White Sr. and Mrs. Earline J. Hill, Reverend Henry Ward and Mrs. Iola Ward.

Mr. Ward was born with sickle cell disease. At the age of 25, Harold's oldest sister, Chauncila, passed away from complications of sickle cell disease. Sickle Cell Disease is an inherited blood disorder that affects nearly 100,000 Americans. Sickle Cell Disease causes red blood cells to form into crescent shapes like sickles that cuts off the oxygen supply to the blood causing excruciating pain. Even though Mr. Ward suffers from this debilitating disease, he does not allow it to completely make him bedridden and on his good days he does volunteer work.

Always unselfish with his time and immensely involved with community service activities in the City of Mound Bayou and the town of Winstonville, Mississippi, Mr. Ward has been a constant inspiration to others.

In 2007, he began volunteering his services at Delta Health Center in Mound Bayou, Mississippi, where he assisted nurses with triage patients, filing documents, and read Christmas stories to patients' children. He also aided in the recruitment of patients to the facility by going door to door informing people of the services available at Delta Health Center. In 2014, Mr. Ward was lead sales representative with Humana and guided qualified individuals through the sign-up process for Obamacare.

Mr. Ward reorganized the town of Winstonville Volunteer Fire Department where he currently serves as Fire Chief. He encouraged people in the community between the ages of 21–35 to volunteer their services to the town by becoming a volunteer fire fighter.

On February 22, 2015, he received an award from Chi Mu Omega Chapter of Alpha Kappa Alpha Sorority, Incorporated, of Mound Bayou, Mississippi, in recognition for his outstanding contributions and dedicated services in the field of health.

Mr. Ward compassionately volunteers with the City of Mound Bayou serving as assistant to Mayor Darryl Johnson.

Mr. Speaker, I ask my colleagues to join me in recognizing this amazing Unsung Hero.

CONGRATULATING COURTNEY ELTRINGHAM ON RECEIVING THE BRIGHTON ASSEMBLY OF GOD'S GOLD MEDAL AWARD

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. LONG. Mr. Speaker, I rise today to congratulate Courtney Eltringham, who was recently honored with the Brighton Assembly of God's Gold Medal Award, the highest achievement in the Assemblies of God Girls Ministries program.

To be honored with the Brighton Assembly of God's Gold Medal is the culmination of a 13 year journey of devotion to God that begins in kindergarten and finishes at the end of high school. The Girls Ministries program strives to instill Christian values and virtues in the young women who will be the future of our nation.

To be honored with a gold medal, girls must go above and beyond the requirements for completing the five levels of clubs offered by the ministries. Medal awardees must also have read the Bible twice, the New Testament three times, memorized portions of scripture and have met weekly with a sponsor who helps to guide them spiritually.

Mr. Speaker, Courtney Eltringham has not only displayed an uncommon level of spiritual devotion during her time in the Girls Ministries program, but also a measure of determination and commitment that will undoubtedly serve her well through her life. On behalf of Missouri's Seventh Congressional District, I urge my colleagues in congratulating her on this well-earned achievement.

TRIBUTE TO WEST CENTRAL COMMUNITY ACTION

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize the West Central Community Action of Harlan, Iowa for 50 years of service to southwest Iowa. The 50th anniversary is a testament to the great work performed daily by the staff professionals at the West Central Community Action Agency.

Established 50 years ago, West Central Community Action provides program services to low-income families and individuals in ten southwest Iowa counties (Cass, Crawford, Fremont, Harrison, Mills, Monona, Montgomery, Page, Pottawattamie, and Shelby). The mission of West Central Community Action is ''empowering families and individuals to achieve their highest potential.'' During 2015, the agency received grant revenues of over $17 million to provide services to 7,203 families and 17,206 individuals. The agency has 200 employees which provides work experience and training opportunities to 70 senior aide participants. West Central focuses on assisting low-income families and individuals to acquire useful skills and while gaining access to new opportunities to have economic self-sufficiency.

I commend West Central Community Action of Southwest Iowa and its staff for providing dedicated, committed and crucial services to families and individuals. There is great work being accomplished every day at West Central Community Action. I urge my colleagues in the U.S. House of Representatives to join me in congratulating West Central Community Action for achieving 50 years of service. I wish them and all of the staff continued success in the future.

MAUREEN MAHONEY—EVA MURILLO UNSUNG HERO AWARD

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. POE of Texas. Mr. Speaker, the Congressional Victims' Rights Caucus (VRC) advocates for crime victims. JIM COSTA (CA) and I founded the VRC 10 years ago when we were first elected to Congress. During its 10 year existence, the VRC has taken the lead in protecting programs that provide critical support for victim services throughout the nation, including the Victims of Crime Act (VOCA), Violence Against Women Act (VAWA), and the Trafficking Victims Protection Reauthorization Act (TVPRA). Each year the members of the caucus join together to honor outstanding individuals who have given their time and service to helping victims. This year marks the 10th anniversary of the Caucus.

On behalf of Congressman COSTA and myself, we are proud to honor Maureen Mahoney with the Eva Murillo Unsung Hero Award. Nominated by Congressman SETH MOULTON, Maureen is recognized for her efforts in preventing domestic violence. This award is named for Eva Murillo—an individual who cared deeply about advocating for victims and survivors of violent crime. Each year, an award bearing Eva Murillo's name recognizes an individual—or pair of individuals—who utilized his or her experiences to triumph over personal tragedy and raise awareness for the needs of crime victims.

Maureen tragically lost her parents, Dr. Hugh and Ruth Mahoney, and her brother John to an incident of violent crime in December 1975. On the 40th anniversary of this tragedy, Maureen and her family organized a community event in Tewksbury, Massachusetts to celebrate and honor the lives of their parents and brother. This event tribute was dedicated to addressing domestic violence, as Maureen recognized that violent criminals are often impacted by domestic violence situations in their youth.

Maureen donated all of the money raised at the event to local organizations in the Tewksbury area, including the Center for Hope and Healing, The Michael B. Christensen Community and Family Support Center, The United Teen Equality Center, and the Tewksbury Police Department. Maureen's own experiences translate in her work as a life coach, where she works with survivors of tragedy like herself. I am proud to recognize her efforts today with the Eva Murillo Unsung Hero Award.

And that is just the way it is.

CLAIRE LEFEVERS EARNS GIRL SCOUTS GOLD AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Claire LeFevers for earning the prestigious Girl Scouts Gold Award, their highest honor.

Claire is a senior at St. Thomas Episcopal School in Sugar Land, Texas. Her extraordinary community service project that earned her the Girl Scouts Gold Award consisted of a group effort, led by Claire, to fix up the outer grounds of a Care Center, located in Schulenburg, Texas. There, the service group built outside furniture and brought decorative potted plants. In addition to this project, Claire also worked with outside organizations in the community, in efforts to provide the Care Center with necessary materials for their residents. Through her hard work, Claire's group directly helped 70 people. The Gold Award is administered to less than five percent of high school aged scouts who exemplify incredible leadership measures through practical, yet impactful projects. We are so proud of Claire, and we thank her for graciously serving her community.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Claire LeFevers for receiving the Girl Scouts Gold Award.

HONORING JERUSALEM OUTREACH CHILD & ADULT LEARNING CENTER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the Jerusalem Outreach Child and Adult Learning Center in Charleston, MS. It is locally referred to as JOCI (Jerusalem Outreach Center Incorporated).

JOCI was established as a nonprofit organization in the year 2000. JOCI was one of the partners in a county wide effort to provide service to citizens living in hard to reach and underserved communities in Tallahatchie County like Paynes and Glendora. JOCI's goal is to meet the educational and health and social welfare needs of both children and adults regardless of race. Their partner Glendora Economic and Community Development Corporation (GECDCo) focused on the development needs of the communities like housing, recreation, jobs, and more.

In order to achieve the above goals JOCI hosts health fairs and provides a long list of services. The services include, but are not limited to: personal counseling, referrals to outside resources, depending on the issue; social therapy for special needs clients; child care; after school care and services; educational classes; tutoring; and more. Since 2000, JOCI's record of achievement has attracted new partners to their effort: Mississippi State University Early Childhood Institute, Quality Stars, the Department of Human Services,

and the Tallahatchie Early Learning Alliance (TELA).

Mr. Speaker, I ask my colleagues to join me in recognizing the Jerusalem Outreach Child & Adult Learning Center in Charleston, MS for their work in those hard to reach communities in Tallahatchie County, MS.

TRIBUTE TO DR. BRUCE HUGHES

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Dr. Bruce Hughes, as the 2016 Art Within Everything Award winner.

Dr. Hughes received this award because of his contributions to art through leadership roles at the Des Moines Art Center and Des Moines Metro Opera. He is known for founding the Iowa Shakespeare Experience. For 20 years, Dr. Hughes has served as the Director of the Ruan Multiple Sclerosis Center at Mercy Medical Center in Des Moines. As a neurologist, he recognizes the positive effects that the arts can have on the brain and nurturing the human soul.

Mr. Speaker, Dr. Hughes is an Iowan who has made its citizens very proud. He has dedicated his life to medicine while ensuring that the arts are an important part of central Iowa's quality of life. It is with great honor that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating Dr. Hughes for his work and wish him continued success in all his future endeavors.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 21, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 26

10 a.m.

Committee on Armed Services

To hold hearings to examine the F–35 Joint Strike Fighter program in review of the Defense Authorization Request for fiscal year 2017 and the Future Years Defense Program.

SD–G50

Committee on Energy and Natural Resources

To hold an oversight hearing to examine challenges and opportunities for oil and gas development in different price environments.

SD–366

Committee on Finance

To hold hearings to examine navigating business tax reform.

SD–215

Committee on the Judiciary

To hold an oversight hearing to examine the Public Safety Officers' Benefits Program, focusing on the need for more timeliness and transparency.

SD–226

APRIL 27

10 a.m.

Committee on Commerce, Science, and Transportation

Business meeting to consider pending calendar business.

SR–253

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine government reform, focusing on ending duplication and holding Washington accountable.

SD–342

Committee on the Judiciary

To hold hearings to examine counterfeits and their impact on consumer health and safety.

SD–226

Committee on Small Business and Entrepreneurship

To hold hearings to examine the waters of the United States rule and the case for reforming the Renewable Fuels Association.

SR–428A

10:30 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

To hold hearings to examine proposed budget estimates and justification for fiscal year 2017 for the Department of Defense.

SD–192

Committee on the Budget

To hold hearings to examine better budgets and better results.

SD–608

Committee on Foreign Relations

To hold hearings to examine United States-China relations, focusing on strategic challenges and opportunities.

SD–419

2:15 p.m.

Committee on Indian Affairs

To hold an oversight hearing to examine the Government Accountability Office report on ''Telecommunications: Additional Coordination and Performance Measurement Needed for High-Speed Internet Access Programs on Tribal Lands.''

SD–628

3:30 p.m.

Special Committee on Aging

To hold hearings to examine Valeant Pharmaceuticals' business model, focusing on the repercussions for patients and the health care system.

SH–216

APRIL 28

2:30 p.m.

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold hearings to examine the impacts of invasive species on the productivity, value, and management of land and water resources; to conduct oversight on the National Invasive Species Council's new framework for early detection and rapid response; to examine improved cooperative tools for control and management, including S. 2240, to improve the control and management of invasive species that threaten and harm Federal land under the jurisdiction of the Secretary of Agriculture and the Secretary of the Interior.

SD–366

MAY 9

2:30 p.m.

Committee on Armed Services

Subcommittee on Airland

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2017.

SR–232A

MAY 10

9:30 a.m.

Committee on Armed Services

Subcommittee on SeaPower

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2017.

SR–232A

11 a.m.

Committee on Armed Services

Subcommittee on Personnel

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2017.

SD–G50

2 p.m.

Committee on Armed Services

Subcommittee on Readiness and Management Support

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2017.

SD–G50

3:30 p.m.

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2017.

SD–G50

5:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2017.

SR–232A

MAY 11

9:30 a.m.

Committee on Armed Services

Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2017.

SR–222

MAY 12

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2017.

SR–222

MAY 13

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2017.

SR–222

POSTPONEMENTS

APRIL 26

10 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine terror in Europe, focusing on implications of ISIS's Western external operations.

SD–342

Daily Digest

HIGHLIGHTS

Senate passed S. 2012, Energy Policy Modernization Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S2205–S2350

Measures Introduced: Eleven bills and three resolutions were introduced, as follows: S. 2820–2830, and S. Res. 432–434. **Page S2328**

Measures Passed:

Energy Policy Modernization Act: By 85 yeas to 12 nays (Vote No. 54), Senate passed S. 2012, to provide for the modernization of the energy policy of the United States. **Pages S2207–89**

Global Food Security Act: Senate passed 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, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S2344–50**

Fischer (for Casey) Amendment No. 3837, relating to global food security. **Pages S2346–47**

National Lineman Appreciation Day: Senate agreed to S. Res. 433, recognizing linemen, the profession of linemen, and the contributions of these brave men and women who protect public safety, and expressing support for the designation of April 18, 2016, as ''National Lineman Appreciation Day''. **Page S2350**

Parkinson's Awareness Month: Senate agreed to S. Res. 434, supporting the designation of April 2016 as ''Parkinson's Awareness Month''. **Page S2350**

Measures Considered:

Energy and Water Development and Related Agencies Appropriations Act—Agreement: Senate began consideration of H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, taking action on the following amendments proposed thereto: **Pages S2294–S2323**

Adopted:

By 70 yeas to 26 nays (Vote No. 55), Alexander (for Schatz) Amendment No. 3802 (to Amendment No. 3801), to modify funding for certain projects of the Department of Energy. **Pages S2320–21**

Rejected:

By 25 yeas to 71 nays (Vote No. 56), Alexander (for Ernst) Amendment No. 3803 (to Amendment No. 3801), to eliminate funding for the Appalachian Regional Commission, the Delta Regional Authority, the Denali Commission, and the Northern Border Regional Commission. **Pages S2320–22**

Pending:

Alexander/Feinstein Amendment No. 3801, in the nature of a substitute. **Page S2301**

Alexander Amendment No. 3804 (to Amendment No. 3801), to modify provisions relating to Nuclear Regulatory Commission fees. **Page S2301**

Alexander (for Hoeven) Amendment No. 3811 (to Amendment No. 3801), to prohibit the use of funds relating to a certain definition. **Pages S2322–23**

Pursuant to the unanimous-consent agreement of April 18, 2016, the motion to invoke cloture on the motion to proceed to consideration of the bill was withdrawn. **Page S2294**

A unanimous-consent agreement was reached providing that the committee-reported substitute to the bill be withdrawn and that Alexander/Feinstein Amendment No. 3801 (listed above) remain pending and be considered the committee-reported substitute. **Page S2314**

A unanimous-consent agreement was reached providing that at 11:45 a.m., on Thursday, April 21, 2016, Senate vote on or in relation to Alexander (for Hoeven) Amendment No. 3811 (listed above); that it be subject to a 60 affirmative vote threshold for adoption; and that no second-degree amendments be in order prior to the vote. **Page S2322**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 11 a.m., on Thursday, April 21, 2016. **Page S2350**

Nomination Confirmed: Senate confirmed the following nomination:

1 Army nomination in the rank of general. **Page S2350**

Nominations Received: Senate received the following nominations:

David V. Brewer, of Oregon, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2016.

Gayle A. Nachtigal, of Oregon, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2018.

Geeta Pasi, of New York, to be Ambassador to the Republic of Chad.

1 Coast Guard nomination in the rank of admiral. **Page S2350**

Messages from the House: **Page S2326**

Measures Referred: **Page S2326**

Measures Read the First Time: **Page S2326**

Enrolled Bills Presented: **Page S2326**

Executive Communications: **Pages S2326–27**

Petitions and Memorials: **Pages S2327–28**

Additional Cosponsors: **Pages S2328–30**

Statements on Introduced Bills/Resolutions: **Pages S2330–31**

Amendments Submitted: **Pages S2331–43**

Authorities for Committees to Meet: **Pages S2343–44**

Privileges of the Floor: **Page S2344**

Record Votes: Three record votes were taken today. (Total—56) **Pages S2208, S2321, S2322**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:40 p.m., until 10 a.m. on Thursday, April 21, 2016. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2350.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEFENSE INNOVATION AND RESEARCH

Committee on Appropriations: Subcommittee on Department of Defense concluded a hearing to examine proposed budget estimates and justification for fiscal year 2017 for Defense innovation and research, after receiving testimony from Frank Kendall, Under Secretary for Acquisition, Technology and Logistics, Stephen Welby, Assistant Secretary for Research and Engineering, and Arati Prabhakar, Director, Defense Advanced Research Projects Agency, all of the Department of Defense.

APPROPRIATIONS: EPA

Committee on Appropriations: Subcommittee on Department of the Interior, Environment, and Related Agencies concluded a hearing to examine proposed budget estimates and justification for fiscal year 2017 for the Environmental Protection Agency, after receiving testimony from Gina McCarthy, Administrator, Environmental Protection Agency.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on SeaPower concluded a hearing to examine Navy and Marine Corps aviation programs in review of the Defense Authorization Request for fiscal year 2017 and the Future Years Defense Program, after receiving testimony from Vice Admiral Paul A. Grosklags, USN, Commander, Naval Air Systems, and Rear Admiral Michael C. Manazir, USN, Director, Air Warfare (OPNAV N98), both of the Department of the Navy, and Lieutenant General Jon M. Davis, USMC, Deputy Commandant for Aviation, United States Marine Corps, all of the Department of Defense.

POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine the current state of research, diagnosis, and treatment for posttraumatic stress disorder and traumatic brain injury, after receiving testimony from Captain Walter M. Greenhalgh, MC, USN, Director for the National Intrepid Center of Excellence Directorate, Walter Reed National Military Medical Center, and Captain Michael J. Colston, MC, USN, Director, Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury, both of the Department of Defense; and Amy E. Street, Deputy Director, Women's Health Sciences Division, National Center for Posttraumatic Stress Disorder, Department of Veterans Affairs.

RESTORING STABILITY TO GOVERNMENT OPERATIONS

Committee on the Budget: Committee concluded a hearing to examine restoring stability to government operations, after receiving testimony from Kevin A. Hassett, and Norman J. Ornstein, both of American Enterprise Institute, Washington, D.C.; and Philip

G. Joyce, University of Maryland School of Public Policy, College Park.

U.S. MARITIME INDUSTRY

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security concluded a hearing to examine the state of the United States maritime industry, focusing on stakeholder perspectives, after receiving testimony from Perry M. Bourne, Tyson Foods, Inc., Dakota Dunes, South Dakota; Mark McAndrews, Port of Pascagoula, Pascagoula, Mississippi, on behalf of the American Association of Port Authorities; Michael G. Roberts, Crowley Maritime Corp., Jacksonville, Florida; and Klaus Luhta, International Organization of Masters, Mates and Pilots, Linthicum Heights, Maryland.

WATER SUPPLY IMPROVEMENT

Committee on Environment and Public Works: Committee concluded a hearing to examine new approaches and innovative technologies to improve water supply, after receiving testimony from James C. Dalton, Chief, Engineering and Construction, Army Corps of Engineers, Department of Defense; Denis Bilodeau, Orange County Water District, Fountain Valley, California; and M. Kevin Price, Middle East Desalination Research Center, Muscat, Oman.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following business items:

An original bill to prevent identity theft and tax refund fraud; and

An original bill entitled, ''Taxpayer Protection Act of 2016''.

ADMINISTRATION UPDATE ON THE MOSUL DAM

Committee on Foreign Relations: Committee received a closed briefing on an Administration update on the Mosul Dam from Joseph S. Pennington, Deputy Secretary of State for Iraq, Bureau of Near Eastern Affairs; Lieutenant Colonel Brian Randolph, Strategic Plans and Policy, Office of the Joint Chiefs of Staff, and Brigadier General Michael A. Fantini, Principal Director for Middle East Policy, Office of the Under Secretary for Policy, Office of the Secretary, both of the Department of Defense; and Mona Yacoubian, Deputy Assistant Administrator for the Middle East, and Jeremy Konyndyk, Director, Office of United States Foreign Disaster Assistance, both of the United States Agency for International Development.

THE ADMINISTRATIVE STATE

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the administrative state, focusing on an examination of Federal rulemaking, after receiving testimony from Jonathan Turley, The George Washington University Law School, Bradford P. Campbell, Drinker Biddle and Reath, LLP, William L. Kovacs, United States Chamber of Commerce, and Robert Weissman, Public Citizen, all of Washington, D.C.; and Randolph J. May, The Free State Foundation, Potomac, Maryland.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Inga S. Bernstein, to be United States District Judge for the District of Massachusetts, who was introduced by Senators Warren and Markey, Stephanie A. Gallagher, to be United States District Judge for the District of Maryland, who was introduced by Senators Mikulski and Cardin, Suzanne Mitchell, and Scott L. Palk, both to be a United States District Judge for the Western District of Oklahoma, who were introduced by Senator Lankford, and Ronald G. Russell, to be United States District Judge for the District of Utah, who was introduced by Senators Hatch and Lee, after the nominees testified and answered questions in their own behalf.

NOMINATION

Committee on Rules and Administration: Committee concluded a hearing to examine the nomination of Carla D. Hayden, of Maryland, to be Librarian of Congress, after the nominee, who was introduced by Senators Cardin and Mikulski, testified and answered questions in her own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 21 public bills, H.R. 4996–5016; and 4 resolutions, H.J. Res. 89–90; and H. Res. 694–695, were introduced. **Pages H1895–96**

Additional Cosponsors: **Pages H1897–98**

Reports Filed: Reports were filed today as follows:

H.R. 4293, to amend the Employee Retirement Income Security Act of 1974 to ensure that retirement investors receive advice in their best interests, and for other purposes, with an amendment (H. Rept. 114–511);

H.R. 4294, to amend the Internal Revenue Code of 1986 to ensure that retirement investors receive advice in their best interests and for other purposes, with an amendment (H. Rept. 114–512, Part 1); and

H.R. 4294, to amend the Internal Revenue Code of 1986 to ensure that retirement investors receive advice in their best interests, and for other purposes, with an amendment (H. Rept. 114–512, Part 2). **Page H1895**

Speaker: Read a letter from the Speaker wherein he appointed Representative Duncan (TN) to act as Speaker pro tempore for today. **Page H1855**

Recess: The House recessed at 10:47 a.m. and reconvened at 12 noon. **Page H1860**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Reverend John DeSocio, St. Mary's Catholic Church, Elmira, New York. **Page H1860**

IRS Oversight While Eliminating Spending Act of 2016: The House passed H.R. 4885, to require that user fees collected by the Internal Revenue Service be deposited into the general fund of the Treasury, by a yea-and-nay vote of 245 yeas to 179 nays, Roll No. 161. **Pages H1863–68, H1876–77**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–50 shall be considered as adopted, in lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill. **Page H1863**

H. Res. 687, the rule providing for consideration of the bills (H.R. 1206) and (H.R. 4885) was agreed to yesterday, April 19th.

Unanimous Consent Agreement: Agreed by unanimous consent that the question of adopting a motion to recommit on H.R. 1206 may be subject to postponement as though under clause 8 of rule 20. **Page H1868**

No Hires for the Delinquent IRS Act: The House passed H.R. 1206, to prohibit the hiring of additional Internal Revenue Service employees until the Secretary of the Treasury certifies that no employee of the Internal Revenue Service has a seriously delinquent tax debt, by a recorded vote of 254 ayes to 170 noes, Roll No. 160. **Pages H1868–76**

Rejected the Kildee motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with amendments, by a yea-and-nay vote of 177 yeas to 245 nays, Roll No. 159. **Pages H1873–75**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–47 shall be considered as adopted, in lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill. **Page H1868**

H. Res. 687, the rule providing for consideration of the bills (H.R. 1206) and (H.R. 4885) was agreed to yesterday, April 19th.

Recess: The House recessed at 2:18 p.m. and reconvened at 3:30 p.m. **Page H1874**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, April 21. **Page H1877**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on pages H1863.

Senate Referral: S. 2755 was held at the desk. **Page H1863**

Quorum Calls—Votes: Two yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H1875, H1875–76, and H1876–77. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:02 p.m.

Committee Meetings

MISCELLANEOUS MEASURE

Committee on Appropriations: Subcommittee on Legislative Branch held a markup on the Legislative Branch Appropriations Bill, FY 2017. The Legislative Branch Appropriations Bill, FY 2017, was forwarded to the full committee, without amendment.

MISCELLANEOUS MEASURE

Committee on Armed Services: Subcommittee on Military Personnel held a markup on H.R. 4909, the National Defense Authorization Act for Fiscal Year

2017. H.R. 4909 was forwarded to the full committee, without amendment.

MISCELLANEOUS MEASURE

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a markup on H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. H.R. 4909 was forwarded to the full committee, without amendment.

MISCELLANEOUS MEASURE

Committee on Armed Services: Subcommittee on Seapower and Projection Forces held a markup on H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. H.R. 4909 was forwarded to the full committee, as amended.

FISCAL YEAR 2017 NUCLEAR REGULATORY COMMISSION BUDGET

Committee on Energy and Commerce: Subcommittee on Energy and Power; and Subcommittee on Environment and the Economy, held a joint hearing entitled ''Fiscal Year 2017 Nuclear Regulatory Commission Budget''. Testimony was heard from the following Nuclear Regulatory Commission officials: Stephen Burns, Chairman; Jeff Baran, Commissioner; William Ostendorff, Commissioner; and Kristine Svinicki, Commissioner.

THE PRICING OF FETAL TISSUE

Committee on Energy and Commerce: Select Investigative Panel of the Committee on Energy and Commerce held a hearing entitled ''The Pricing of Fetal Tissue''. Testimony was heard from Senators Shaheen and Sasse; and public witnesses.

HOW SECURE ARE U.S. BIORESEARCH LABS? PREVENTING THE NEXT SAFETY LAPSE

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''How Secure Are U.S. Bioresearch Labs? Preventing the Next Safety Lapse''. Testimony was heard from Major General Brian C. Lein, Commanding General, Department of Defense; Steve Monroe, Associate Director for Laboratory Science and Safety, Centers for Disease Control and Prevention; John Neumann, Director, Government Accountability Office; Segaran Pillai, Director, Food and Drug Administration; and Lawrence A. Tabak, Principal Deputy Director, National Institutes of Health.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Health held a markup on H.R. 4978, the ''Nurturing and Supporting Healthy Babies Act''; H.R. 4641, to provide for the establishment of an interagency task force to review, modify, and update best practices for pain management and prescribing pain medication, and for other purposes; H.R. 3680, the ''Co-Prescribing to Reduce Overdoses Act of 2015''; H.R. 3691, the ''Improving Treatment for Pregnant and Postpartum Women Act''; H.R. 1818, the ''Veteran Emergency Medical Technician Support Act''; the ''Opioid Use Disorder Treatment Expansion and Modernization Act''; H.R. 3250, the ''DXM Abuse Prevention Act''; H.R. 4969, the ''John Thomas Decker Act of 2016''; H.R. 4586, ''Lali's Law''; H.R. 4599, the ''Reducing Unused Medications Act of 2016''; H.R. 4976, the ''Opioid Review Modernization Act''; and the ''Examining Opioid Treatment Infrastructure Act of 2016''. The following bills were forwarded to the full committee, as amended: H.R. 4641, H.R. 3680, H.R. 4969, H.R. 4586, H.R. 4599, and the ''Opioid Use Disorder Treatment Expansion and Modernization Act''. The following bills were forwarded to the full committee, without amendment: H.R. 4978, H.R. 3691, H.R. 1818, H.R. 3250, H.R. 4976, and the ''Examining Opioid Treatment Infrastructure Act of 2016''.

MISCELLANEOUS MEASURES

Committee on Foreign Affairs: Full Committee held a markup on H.R. 1150, the ''Frank R. Wolf International Religious Freedom Act of 2015''; H.R. 3694, the ''Strategy to Oppose Predatory Organ Trafficking Act''; H.R. 4939, the ''United States-Caribbean Strategic Engagement Act of 2016''; H. Con. Res. 88, reaffirming the Taiwan Relations Act and the Six Assurances as the cornerstone of United States-Taiwan relations; and S. 2143, to provide for the authority for the successors and assigns of the Starr-Camargo Bridge Company to maintain and operate a toll bridge across the Rio Grande near Rio Grande City, Texas, and for other purposes. The following legislation was ordered reported, as amended: H.R. 1150, H.R. 3694, and H. Con. Res. 88. The following legislation was ordered reported, without amendment: H.R. 4939 and S. 2143.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup on S. 1890, the ''Defend Trade Secrets Act of 2016''; S. 125, the ''Bulletproof Vest Partnership Grant Program Reauthorization Act of 2015''; H.R. 3380, the ''Transnational Drug Trafficking Act of 2015''; and H.R. 4985, to amend the Foreign Narcotics Kingpin Designation Act to protect classified information in Federal court challenges. The following bills were ordered reported, without amendment: S. 1890, S. 125, H.R. 3380, and H.R. 4985.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Water, Power and Oceans held a hearing on H.R. 1869, the ''Environmental Compliance Cost Transparency Act of 2015''; H.R. 2993, the ''Water Recycling Acceleration Act of 2015''; and H.R. 4582, the ''Save Our Salmon (SOS) Act''. Testimony was heard from Representatives Gosar and Matsui; Tom Iseman, Deputy Assistant Secretary of Water and Science, Department of the Interior; and public witnesses.

EXPLORING CURRENT NATURAL RESOURCE RESEARCH EFFORTS AND THE FUTURE OF AMERICA'S LAND-GRANT COLLEGES AND UNIVERSITIES

Committee on Natural Resources: Subcommittee on Federal Lands held a hearing entitled ''Exploring Current Natural Resource Research Efforts and the Future of America's Land-Grant Colleges and Universities''. Testimony was heard from public witnesses.

FEDERAL CYBERSECURITY DETECTION, RESPONSE, AND MITIGATION

Committee on Oversight and Government Reform: Subcommittee on Information Technology held a hearing entitled ''Federal Cybersecurity Detection, Response, and Mitigation''. Testimony was heard from Sanjeev Bhagowalia, Deputy Assistant Secretary for Information Systems and Chief Information Officer, Department of the Treasury; Steven C. Taylor, Chief Information Officer, Department of State; Andy Ozment, Assistant Secretary for Cybersecurity and Communications, Department of Homeland Security; and a public witness.

BARRIERS TO ENDANGERED SPECIES ACT DELISTING, PART I

Committee on Oversight and Government Reform: Subcommittee on the Interior held a hearing entitled ''Barriers to Endangered Species Act Delisting, Part I''. Testimony was heard from Joel Bousman, Chairman, Board of County Commissioners, Sublette County, Wyoming; and public witnesses.

AN OVERVIEW OF FUSION ENERGY SCIENCE

Committee on Science, Space, and Technology: Subcommittee on Energy held a hearing entitled ''An Overview of Fusion Energy Science''. Testimony was heard from public witnesses.

SMALL BUSINESS AND THE FEDERAL GOVERNMENT: HOW CYBER ATTACKS THREATEN BOTH

Committee on Small Business: Full Committee held a hearing entitled ''Small Business and the Federal Government: How Cyber-Attacks Threaten Both''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Full Committee held a markup on General Services Administration Capital Investment and Leasing Program Resolutions; H.R. 4957, to designate the Federal building located at 99 New York Avenue, N.E., in the District of Columbia as the ''Ariel Rios Federal Building''; H.R. 4937, the ''Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016''; and H.R. 4231, to direct the Librarian of Congress to obtain a stained glass panel depicting the seal of the District of Columbia and install the panel among the stained glass panels depicting the seals of States which overlook the Main Reading Room of the Library of Congress Thomas Jefferson Building. The following bills were ordered reported, as amended: H.R. 4937 and H.R. 4231. H.R. 4957 was ordered reported, without amendment. The General Services Administration Capital Investment and Leasing Program Resolutions were approved.

LEGISLATIVE MEASURES

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on H.R. 2460, to amend title 38, United States Code, to improve the provision of adult day health care services for veterans; H.R. 3956, the ''VA Health Center Management Stability and Improvement Act''; H.R. 3974, the ''Grow Our Own Directive: Physician Assistant Employment and Education Act of 2015''; H.R. 3989, the ''Support Our Military Caregivers Act''; draft legislation to ensure that each VA medical facility complies with requirements relating to scheduling veterans for health care appointments and to improve the uniform application of directives; and draft legislation to direct VA to establish a list of drugs that require an increased level of informed consent. Testimony was heard from Representatives Zeldin; Bost; Kuster; Stefanik; and Walorski; Maureen McCarthy, M.D., Assistant Deputy Under Secretary for Health for Patient Care Services, Veterans Health Administration, Department of Veterans Affairs; and public witnesses.

A REVIEW OF VETERANS PREFERENCE IN FEDERAL GOVERNMENT HIRING

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing entitled ''A Review of Veterans Preference in Federal Government Hiring''. Testimony was heard from Michael H. Michaud, Assistant Secretary, Veterans' Employment and Training Service, Department of Labor; Carin M. Otero, Associate Deputy Assistant Secretary for Human Resources Policy and Planning, Office of

Human Resources and Administration, Department of Veterans Affairs; Mark D. Reinhold, Associate Director for Employee Services, Office of Personnel Management; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Ways and Means: Full Committee held a markup on H.R. 4923, the ''American Manufacturing Competitiveness Act of 2016''. H.R. 4923 was ordered reported, as amended.

Joint Meetings

TAX CODE COMPLEXITY AND THE ECONOMY

Joint Economic Committee: Committee concluded a hearing to examine tax code complexity and the economy, after receiving testimony from Arthur B. Laffer, Laffer Associates, Nashville, Tennessee; Scott A. Hodge, Tax Foundation, and Jared Bernstein, Center on Budget and Policy Priorities, both of Washington, D.C.; and Joe Grossbauer, GGNET Technologies, Chesterton, Indiana, on behalf of the National Federation of Independent Business.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D355)*

S. 192, to reauthorize the Older Americans Act of 1965. Signed on April 19, 2016. (Public Law 114–144)

S. 483, to improve enforcement efforts related to prescription drug diversion and abuse. Signed on April 19, 2016. (Public Law 114–145)

S. 2512, to expand the tropical disease product priority review voucher program to encourage treatments for Zika virus. Signed on April 19, 2016. (Public Law 114–146)

COMMITTEE MEETINGS FOR THURSDAY, APRIL 21, 2016

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to markup proposed legislation making appropriations for fiscal year 2017 for commerce, justice, science, and related agencies, and proposed legislation making appropriations for fiscal year 2017 for transportation, housing and urban development, and related agencies, 10:30 a.m., SD–106.

Committee on Armed Services: to hold hearings to examine the nominations of General Curtis M. Scaparrotti, USA, for reappointment to the grade of general and to be Commander, United States European Command and Supreme Allied Commander, Europe, and General Lori J. Robinson, USAF, for reappointment to the grade of general and to be Commander, North American Aerospace Defense Command, 9:30 a.m., SH–216.

Committee on Energy and Natural Resources: Subcommittee on Public Lands, Forests, and Mining, to hold hearings to examine S. 1167, to modify the boundaries of the Pole Creek Wilderness, the Owyhee River Wilderness, and the North Fork Owyhee Wilderness and to authorize the continued use of motorized vehicles for livestock monitoring, herding, and grazing in certain wilderness areas in the State of Idaho, S. 1423, to designate certain Federal lands in California as wilderness, S. 1510, to designate and expand wilderness areas in Olympic National Forest in the State of Washington, and to designate certain rivers in Olympic National Forest and Olympic National Park as wild and scenic rivers, S. 1699, to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon, S. 1777, to amend the Wild and Scenic Rivers Act to authorize the Secretary of Agriculture to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, S. 2018, to convey, without consideration, the reversionary interests of the United States in and to certain non-Federal land in Glennallen, Alaska, S. 2223, to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, S. 2379, to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City, and S. 2383, to withdraw certain Bureau of Land Management land in the State of Utah from all forms of public appropriation, to provide for the shared management of the withdrawn land by the Secretary of the Interior and the Secretary of the Air Force to facilitate enhanced weapons testing and pilot training, enhance public safety, and provide for continued public access to the withdrawn land, to provide for the exchange of certain Federal land and State land, 2:30 p.m., SD–366.

Committee on Environment and Public Works: Subcommittee on Clean Air and Nuclear Safety, to hold hearings to examine enabling advanced reactors, including S. 2795, to modernize the regulation of nuclear energy, 9:45 a.m., SD–406.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nomination of Jeffrey A. Rosen, of Virginia, to be a Governor of the United States Postal Service, 9:15 a.m., SD–342.

House

Committee on Appropriations, Subcommittee on Defense, budget hearing on Intelligence Community, 10 a.m., H–405 Capitol. This hearing will be closed.

Committee on Armed Services, Subcommittee on Readiness, markup on H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017, 9:30 a.m., 2212 Rayburn.

Subcommittee on Emerging Threats and Capabilities, markup on H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017, 11 a.m., 2118 Rayburn.

Subcommittee on Strategic Forces, markup on H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017, 12 p.m., 2212 Rayburn.

Committee on Education and the Workforce, Full Committee, markup on H.J. Res. 88, disapproving the rule submitted by the Department of Labor relating to the definition of the term ''Fiduciary'', 9 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Environment and the Economy, hearing entitled ''EPA's Brownfields Program: Empowering Cleanup and Encouraging Economic Redevelopment'', 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing entitled ''Continued Oversight of the SEC's Offices and Divisions'', 9:15 a.m., 2128 Rayburn.

Committee on Oversight and Government Reform, Subcommittee on the Interior; and Subcommittee on Healthcare, Benefits and Administrative Rules, joint hearing entitled ''Barriers to Endangered Species Act Delisting, Part II'', 9 a.m., 2154 Rayburn.

Next Meeting of the SENATE

10 a.m., Thursday, April 21

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will continue consideration of H.R. 2028, Energy and Water Development and Related Agencies Appropriations Act, and vote on or in relation to Alexander (for Hoeven) Amendment No. 3811, at 11:45 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, April 21

House Chamber

Program for Thursday: Consideration of H.R. 3724—Ensuring Integrity in the IRS Workforce Act and H.R. 4890—To impose a ban on the payment of bonuses to employees of the Internal Revenue Service until the Secretary of the Treasury develops and implements a comprehensive customer service strategy.

Extensions of Remarks, as inserted in this issue

HOUSE

Barletta, Lou, Pa., E546
Brooks, Susan W., Ind., E548
Byrne, Bradley, Ala., E534
Carter, John R., Tex., E543
Cartwright, Matt, Pa., E540, E552
Coffman, Mike, Colo., E546
Davis, Rodney, Ill., E552, E555
DeSaulnier, Mark, Calif., E551
Ellison, Keith, Minn., E533
Esty, Elizabeth H., Conn., E551
Farenthold, Blake, Tex., E536
Gabbard, Tulsi, Hawaii, E537
Goodlatte, Bob, Va., E540
Hastings, Alcee L., Fla., E545
Johnson, Eddie Bernice, Tex., E550
Katko, John, N.Y., E547
LaHood, Darin, Ill., E553, E555
Latta, Robert E., Ohio, E536, E537, E538, E539, E540, E541, E541
Long, Billy, Mo., E541, E552, E555, E557
Lowenthal, Alan S., Calif., E534
Luetkemeyer, Blaine, Mo., E536
McCarthy, Kevin, Calif., E542, E555
Norcross, Donald, N.J., E550
Olson, Pete, Tex., E538, E541, E544, E545, E547, E550, E552, E553, E556, E557
Perlmutter, Ed, Colo., E543, E544, E544, E545, E546, E546, E547
Perry, Scott, Pa., E547
Poe, Ted, Tex., E537, E539, E540, E543, E553, E554, E556, E557
Polis, Jared, Colo., E548
Renacci, James B., Ohio, E544
Ros-Lehtinen, Ileana, Fla., E544
Ryan, Tim, Ohio, E534
Scott, Robert C. ''Bobby'', Va., E547
Sewell, Terri A., Ala., E548
Sherman, Brad, Calif., E542
Thompson, Bennie G., Miss., E538, E539, E544, E547, E548, E551, E553, E554, E556, E557
Valadao, David G., Calif., E545
Visclosky, Peter J., Ind., E533
Wilson, Joe, S.C., E538
Wittman, Robert J., Va., E534
Young, David, Iowa, E540, E541, E544, E546, E548, E551, E553, E555, E557, E558

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Publishing Office, at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Publishing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.