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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,
May 17, 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.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Neiman, one of his secretaries.

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.

BIG GOVERNMENT: TSA'S FAILURES

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

Mr. POE of Texas. Mr. Speaker, early in 2015, the Department of Homeland Security removed the TSA Director and Administrator after it was revealed that banned items made it through screening in different parts of our airports throughout the United States.

This didn't happen once or twice, but it happened 67 times out of 70 tries. That is a 90 percent failure rate. Any business would be out of business if it failed 90 percent of the time to do what it is supposed to do.

We are not talking about selling goods and services. We are talking about security—American security. But TSA is a government agency, so, to me, accountability doesn't seem to be a priority.

After this fiasco in 2015, the Administrator was replaced with a new Administrator. I don't know that security is better or not—maybe it is—but we do know that the lines are longer and TSA efficiency is questionable.

To find that out, just go to any of our airports and try to travel. Travelers are faced with wait times in excess of 3 hours just to get through security. Flights are missed and flights are delayed because of the security chokepoint. It is ironic that people wait in line longer than it takes them to fly from point A to point B. Security lines should not take longer than the flight itself, but that is happening in our airports.

The TSA Director blames the passengers for the delays. So it is not TSA's fault; it is the flying public's fault for the long lines and delays?

The cost to American taxpayers for TSA is $7 billion a year. Are we safer, better off, and more secure because of this massive government bureaucracy? Americans need to answer that question.

TSA must also work on its treatment of passengers. I constantly hear in my congressional office from people who travel about the way they are treated by government employees at TSA when they try to go through security.

Now, I know a lot of TSA employees. Some of those in Houston are wonderful people. Yet some TSA employees are rude, demeaning, and disrespectful to the travelers. That has got to stop. There is no excuse for it. Flying has become torturous for some travelers because of TSA.

Homeland Security must figure out a better way to protect and serve the people, the flying public, without causing people to miss their flights. Maybe TSA should use trained dogs before and after the security points to help check for explosives—I am not sure the answer—but change the current model because it is not working.

This issue must be fixed, and the issue is not to blame the fliers. The issue is TSA needs to respond to this issue. There are airports all over the world that screen passengers. Maybe TSA could learn something from some of these other airports about efficiency and security. This problem must be fixed, and the answer is not to blame the Americans who travel and blame them for waiting in line for 3 hours to catch a plane that flies only 1 hour.

Airports should strongly consider moving to private screeners. The law allows this to happen, Mr. Speaker, but the law requires that, if an airport wants to use private screening companies, they must get the Department of Homeland Security's approval to use that screening company over TSA. That is an issue in itself. But the answer is not to continue having the same issues and problems that we now face.

People who travel a lot and travel rarely, when they talk about their traveling experience, one thing they seem to always mention is the way they have to go through screening and the way they are treated by TSA. Remember, a 90 percent failure rate is not acceptable.

The security must be better, and people must be treated better, because that is just the way it is.

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SPECIAL IMMIGRANT VISA PROGRAM

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

Mr. BLUMENAUER. Mr. Speaker, for over the last decade, I have been working with a bipartisan group to deal with helping some of the foreign nationals in Afghanistan who helped Americans' mission be able to escape the tender mercies of the Taliban and others with long memories. These are men and women who helped us as guides, as translators, people who provided on-base security, construction workers, and truck drivers—a vast array of people who helped us with our vital mission. As we have scaled down and moved on, it has left these people vulnerable. We have example after example where the Taliban and al Qaeda have threatened them, have attacked their families, held them for ransom, tortured them, and, in some cases, killed them.

We have implemented a Special Immigrant Visa program that has enabled over 8,500 people to get to safety to protect themselves and their families. I have witnessed some of these tearful reunions where a guide returned, was able to escape to the United States, and united with the person, the soldier, whose life he saved. This happens time after time.

Unfortunately, the process is hopelessly tangled. It is slow, and it is bureaucratic. We have over 10,000 people still in the pipeline. Every year we struggle to be able to have sufficient visas authorized to be able to help thousands more who are at risk.

We have the National Defense Authorization Act that is coming forward that would pose another problem to help those who put their faith in us. This version would leave out all individuals who worked with the State Department and the USAID—critical parts of our mission in Afghanistan. It would leave off all the on-base staff who worked in direct support of the Department of Defense, people who did construction, firefighters, on-base security, maintenance, and administrative support, people whose services were vital and whose service to the United States is well known and who are at risk.

We are hopeful that as this bill comes to the floor that the House will be able to work with us to modify these unnecessary restrictions, to give more time to process and allow more people to come to safety.

We have a moral obligation to protect people who put their lives on the line to support Americans in these troubled areas. I would hope that we would, once again, be able to make necessary adjustments to be able to try and help more come to safety.

I have been working with my good friend ADAM KINZINGER, who represents some of the newer Members of the House who actually served in theater, who are committed to helping people whom they saw help us.

I would hope, as the process comes forward, we can consider amendments to be able to reduce some of these restrictions; and then I hope, as it works its way through the legislative process to the Senate that does not have anything in their version of the bill speaking to the Special Immigrant Visas, that we will be able to do our job to make sure that we are not having people at risk, their families threatened, and undermining the credibility of the United States.

Remember, around the world, foreign nationals help us with our missions; and if we send a message that we are not going to stick with them when the going gets tough, then they are going to be much less likely to help us wherever it is in these trouble spots. America will be more vulnerable as people who have already helped us are at risk. We can do better.

SUPPORTING OUR VETERANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ZELDIN) for 5 minutes.

Mr. ZELDIN. Mr. Speaker, as a nation, supporting our veterans must always be one of our highest priorities. These brave men and women who willingly and selflessly put their lives on the line while defending our country deserve the highest quality of life and care once they return home.

According to the Suffolk County Veterans Service Agency, there are 83,254 veterans who live in my home county of Suffolk. With the highest population of veterans by county in New York State and one of the highest populations in the country, there is a significant need for increased care options for our veterans in Suffolk.

There are so many options of quality care for veterans, but too often their choices are limited. Quality care can also come at great expense.

In an effort to expand access to care for our veterans, I recently introduced bipartisan legislation in Congress, H.R. 2460, which would ensure that 70 percent or more service-connected disabled veterans are able to receive adult day health care, a daily program for disabled veterans who need extra assistance and special attention in their day-to-day lives. It comes at no cost to the veterans and their families because the program is defined as a reimbursable treatment option through the Department of Veterans Affairs. This legislation has strong bipartisan support in Congress, with over 45 cosponsors, including the entire Long Island congressional delegation. My bill would greatly expand this great option of care for veterans on Long Island and across the country.

Just last month, on April 20, 2016, the House Veterans' Affairs Committee hosted a hearing of the Subcommittee on Health regarding my bill, and on April 29, 2016, the Health Subcommittee held a markup and favorably forwarded my bill to the full committee for final consideration before being sent to the House floor for a vote.

Working with my colleagues in the House and various veterans service organizations, I will continue pushing to get this bill passed out of committee in earnest to allow this bill to come to the House floor this year.

While serving in the New York State Senate, I secured the funding necessary to create the PFC Joseph P. Dwyer Program, a peer-to-peer support program for veterans suffering from posttraumatic stress disorder and traumatic brain injury. PFC Dwyer, from Mount Sinai, New York, received nationwide recognition for a photograph that went viral showing him cradling a wounded Iraqi boy while his unit was fighting its way up to the capital city of Baghdad. Sadly, after returning home and struggling with PTSD, PFC Dwyer died in 2008. Created in his honor, the Dwyer Program was initially launched in the counties of Suffolk, Jefferson, Saratoga, and Rensselaer. Since 2013, the program has expanded to over a dozen counties across New York.

Earlier this year, I introduced bipartisan legislation in Congress, H.R. 4513, that will expand the Dwyer Program on a national level so that every veteran in the U.S. eventually has access to a peer-to-peer support group. This bill has strong bipartisan support, including the entire Long Island congressional delegation. I will continue working together with them and others in the fight to expand the Dwyer Program.

Additionally, on the east end of Long Island, working closely with the Peconic Bay Medical Center and VA, I secured an east end healthcare facility for veterans and their families at Peconic Bay's Manorville campus.

After so bravely serving our country, this facility provides an important new option for veterans, increasing access to care for those who live on Long Island's east end, while still allowing them to continue receiving other services and ongoing treatment at the VA hospital in Northport.

□ 1015

There is so much more that Congress can do to improve the quality of life for our veterans. I will continue working to ensure that my bills that previously passed the House are signed into law, including H.R. 1569, to protect the benefits of deceased veterans, and H.R. 1187, which would eliminate the loan limit that the VA can guarantee for a veteran.

Congress also must continue to reform the VA wherever it underserves a veteran. A recent series of USA Today articles reported that VA supervisors in multiple States instructed employees to falsify wait times. They must be held accountable. This is a slap in the face to our vets.

Just last year the House took a step forward by passing the VA Accountability Act of 2015, H.R. 1994, legislation that I cosponsored that would make important reforms to the VA system, which will provide the necessary resources and the flexibility the VA needs to hold poor-performing employees accountable.

While I believe that the VA has 99 percent of employees generally caring about the work they do and want to help veterans, we must always ensure that the other 1 percent of those who are not acting in the best interest of veterans are held accountable. Our veterans deserve only the highest quality of care at our VA facilities.

Fighting for our veterans who fought for us always has been and will always be one of my top priorities. I will continue my work in Congress to improve our veterans' quality of care in any way that I can.

RECOGNIZING KEY WEST FIRE DEPARTMENT

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

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize the Key West Fire Department on their Class 1 Insurance Service Office rating, the highest achievable rating that a fire department can attain.

They are 1 out of fewer than 200 departments in the Nation to receive this score, which is based off of a multitude of factors, including training, response time, and how well they are equipped.

This rating also helps by providing residents with the lowest fire insurance rates possible, something I am sure that all Key West residents appreciate.

I commend Fire Chief David Fraga and the entire Key West Fire Department on their diligent work and their devotion to keeping everyone in Key West safe. We are very fortunate to have a strong team of firefighters protecting us.

RECOGNIZING FLORIDA KEYS MARATHON AIRPORT

Mr. CURBELO of Florida. Mr. Speaker, I rise to congratulate the Florida Keys Marathon Airport for officially becoming an international airport on April 20, 2016.

For 8 years the staff has worked to attain this clarification. It comes as no surprise to me that they were able to achieve this feat. I commend the Florida Keys Marathon Airport on receiving this well-deserved designation. This airport will provide additional travel options for the families living in our community and the millions of tourists who visit south Florida every year.

Congratulations to Mayor Senmartin, Vice Mayor Kelly, council members Zieg, Coldiron, and Bartus, and city manager Chuck Lindsey and, also, former Mayor Ramsey and former city manager Mike Puto, all who worked very hard to make this a reality.

RECOGNIZING OFFICER MARIO GUTIERREZ

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize Miami-Dade Police Department's own Officer Mario Gutierrez, who received the Medal of Valor, the highest decoration of honor given to public safety officers in the United States.

In 2013, Officer Gutierrez was on a routine call when he noticed an individual exhibiting strange behavior at a gas station near Miami International Airport. As Officer Gutierrez approached, the man attempted to light a gas pump on fire. In an attempt to disarm the assailant, who was holding a knife, Gutierrez received several stab wounds that nearly cost him his life.

Had the assailant been successful in causing a mass fire, many lives may have been lost on that day. Officer Gutierrez went above and beyond the call of duty to protect the members of our community. We thank him for his service, his selflessness, and his bravery in the face of danger.

Officer Gutierrez, thank you. You are a true hero.

RECOGNIZING MR. BRIAN REEDY

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize Mr. Brian Reedy, a seventh grade visual arts teacher from Zelda Glazer Middle School in my south Florida congressional district.

In 2014, Mr. Reedy became the visual arts instructor at Zelda Glazer and, in only 2 years, has propelled the program to national recognition. Mr. Reedy has received numerous accolades for his work at Zelda Glazer, with his fellow teachers referring to the work of his students as magnet quality. His classroom, however, does not require an application to enter like many art magnet programs in south Florida. Any student can register.

Students have had their art pieces showcased from local shows in Miami all the way to the New York Scholastic Art Awards. What is even more impressive is that Mr. Reedy works with a wide range of talents, including those just getting started to people who have been painting for many years.

As a former Miami-Dade County School Board member, I always appreciate and support teachers who encourage our youth to explore their passions in life, and Mr. Reedy does just that. It is an honor to recognize Mr. Reedy for his great work at Zelda Glazer. I look forward to both his and his students' future successes.

HONORING NATIONAL POLICE WEEK

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

Mr. STEWART. Mr. Speaker, along with many of my colleagues, I rise today to honor National Police Week.

One of the favorite things that I get to do as a Member of Congress is to ride with police officers as they go about their duties, and from St. George to Salt Lake City I have had the opportunity to do this.

Sadly, many in our society, particularly among the press, have become highly critical of law enforcement officers. Now, I recognize that not all law enforcement officers are perfect. People make mistakes. We all do. But we can't let the mistakes of a few tarnish the name of such a noble and a brave profession.

Such criticism of police efforts doesn't come without a cost. It forces the officers to pull back, to become overly cautious, and to view every encounter that they may have through the prism of a lens of a media event.

What is the result of this? We now know that crime rates have been rising across the country. Interestingly and sadly, they are rising in some of the poorest communities, the communities that most need the help of an effective police force.

Now more than ever we need brave men and women who are willing to serve and to protect. As I have said, I have had the chance to go on several ride-alongs with several police departments. Again and again I have been impressed with their hard work, their professionalism, and their willingness to put themselves at risk to protect other people.

There is a great example of this. I am reminded of the heroic actions of Officer Hone, a police officer who in the last year saved two young girls in Salt Lake City. A disturbed man who had recently been released from prison and was on drugs broke into the home of two sisters, both of them college students. He began to viciously attack them. He took a knife and attempted to take their lives.

Fortunately, Officer Hone was in the area, heard the screams of these young girls, and just seconds before the intruder expected to take the life of one of them, this heroic officer quickly diffused the situation, literally saving her life.

Bree, the sister who was saved, said of this officer, ''He was so professional and calm. Right when we made eye contact, I knew I was safe. It's a miracle that he had so much composure. He was our angel.''

This is just one example of the thousands of courageous police officers we have in America. I am proud to live in a country where professionals are ready to put their lives at risk in order to serve and to protect members of their community.

Let us honor these police officers, their courage, their selflessness, and their dedication. Let us honor them not just this week, but, frankly, all year round for the sacrifices they make for us.

HONORING SALLY CLARK

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor Sally Clark, who was part of the class of 1963 at East High School in Des Moines, Iowa. I never knew her as Sally Clark because I knew her as Sally Davis, my mother.

I am very appreciative that the class of 1963 allowed my mom to be part of a reunion in July of 1993 because my mom never graduated with that class. Sally Clark dropped out of high school in 1962 and eventually finished her degree much later by getting her general equivalency diploma with the help of my sister, who was the reason she dropped out of high school in 1962.

In looking at the program from that reunion in 1993, the fondest memories my mom had of East High School were the friends she left behind. In 1977, she left not only friends behind, but she left family behind and moved our family to Taylorville, Illinois, where I grew up and where she inspired so many.

My mom passed away 17 years ago today. The reason I am here is because of the inspiration she was to me and to so many. I want to tell her what I couldn't tell her on Mother's Day: Your family is doing great. Your granddaughter, who you knew as a 2-year-old, just finished her freshman year of college. The grandsons you never met are doing fine as freshmen in high school. Mom, your whole family is doing well. As a matter of fact, you have a great-granddaughter now that shares your middle name. I am here on the House floor to fight to make sure that we work in a bipartisan way to end the scourge of the cancer that killed you and that has killed so many, young and old. We will never forget this fight and I will never forget that fight because of what you meant to me and to so many. Mom, I love you and I miss you every day. You are the reason that I get this privilege to be a Member of this great institution.

HONORING DR. FRANCES BARTLETT KINNE, PH.D.

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

Mr. CRENSHAW. Mr. Speaker, I rise today to honor the life work of Dr. Frances Bartlett Kinne, Ph.D. We in Jacksonville, Florida, will be celebrating 99 years with our friend, Dr. Fran Kinne, on May 22 of this year.

Dr. Kinne is first in Florida in many ways. In 1979, she became the first woman president of a Florida college, Jacksonville University, JU. Prior, in 1961, she became the founding dean of JU's College of Fine Arts, the first woman in Florida to hold such a position. In fact, it was her idea to form the college where she had been a humanities professor for several years.

She was the first woman elected as president of the International Council of Fine Arts, and not only the first woman in Florida's first rotary club, the Rotary Club of Jacksonville, but she later became the first woman president of that club. She also became the first woman member of a club in Jacksonville called the River Club. Again, the first woman member.

As you can tell, Dr. Fran Kinne was first in many ways and a role model to not only women in Jacksonville, Florida, but all across this great country. To those of us who know her well, she is also first in our hearts. A tireless advocate for education and young people, Fran Kinne always reminded us that life is not about us, life is about others.

She would tell her graduates each year to go out into the world and make the world a better place. One of those graduates, Tim Cost, is now the president of Jacksonville University.

So many of her students have made a difference not only in Florida, but all across this great land. Last year, at the age of 98, she became the Nation's oldest commencement speaker at a major college or university.

The wife of an army colonel, Fran spent years overseas following World War II. She was in Germany, she was in Japan, and she was in China. While her husband worked, so did Fran. She created postwar education programs for children in Japan, and she went to class with young German students who accepted her as the caring American that she was.

□ 1030

She numbered among her friends Bob Hope, Winston Churchill, Charlton Heston, Billy Graham, and Steve Forbes. Fran Kinne brought Bob Hope and Jack Benny together for their only joint appearance, and that was at Jacksonville University. She is listed in over 25 ''Who's Who'' and similar publications, and six facilities in Iowa and Florida are named in her honor. Her autobiography is aptly named ''Iowa Girl: The President Wears a Skirt.''

Never intending to live in Florida, Fran came here with her husband, and, thankfully, for those of us in Jacksonville, she never left. She was born in Iowa. She was educated at Drake University and graduated with a bachelor's and a master's in music education. She remains a member of the Board of Trustees at Drake University and is on the board of the Mayo Clinic in Florida. Since 1994, she has been the chancellor emeritus at Jacksonville University.

Her infectious enthusiasm for life and positive thinking goes on and on. I visited her the other day, and she reminded me: If you laugh 100 times a day, that is the same thing as 20 minutes of physical exercise. She would say: If you keep a positive attitude and if you smile a lot, that will add 10 years to your life. Fran and I have always been good buddies, and she has been a mentor to me just as she has been to thousands of her former students.

Mr. Speaker, I ask you and Members of this House to join me in celebrating the outstanding 99 years and counting of one of Florida's most outstanding citizens: my good buddy, Dr. Frances Bartlett Kinne.

CONGRATULATING DONNA EISENMAN ON HER RETIREMENT

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

Ms. ROS-LEHTINEN. Mr. Speaker, I congratulate Donna Eisenman, who recently retired after 40 years in working for American Airlines' Washington desk.

Donna Eisenman began her career as a flight attendant with Trans World Airlines in 1969. A year later, she transitioned to American Airlines for a position as a reservations agent in Philadelphia. In a time before computers, Donna effortlessly sold airline tickets and helped customers with travel arrangements.

In 1972, Donna moved to Washington, D.C., to start the next phase of her career. Donna spent the next 10 years working at the City Ticket Office and at the ticket counter at Reagan National Airport. In 1982, she transitioned to the Schedule Airline Ticket Office, which served DOD customers in northern Virginia.

Donna's efforts were so successful that she was asked to open a different satellite office to assist Fort Belvoir travelers. Later, Donna was asked to reestablish a long-abandoned desk specifically designed to help government travelers. Donna accepted this challenge, and the American Airlines Washington desk was reborn.

For the next 28 years, Donna's unyielding commitment to customer service and her natural sales ability provided government and frequent travelers with the best experience in the industry. On March 25, Donna retired from American Airlines, and she is now spending time with her lovely family and is volunteering for the wildlife rescue causes that she champions.

I thank Donna for her service and dedication.

Congratulations, Donna. I wish you all the best in your much-deserved retirement.

HONORING LOURDES SOVEDIA

Ms. ROS-LEHTINEN. Mr. Speaker, it is with great pleasure that I recognize the outstanding career of Lourdes Sovedia. After 40 years of teaching, Lourdes will be retiring at the end of this school year.

Like me, Lourdes' family fled the oppressive Castro regime when she was just a young girl in order to seek freedom and refuge in this wonderful Nation, the United States. She worked hard at learning the language and the culture, and with inspiration from her mom, she dedicated her life to pursuing a career in education. After working her way through college, Lourdes made her American Dream a reality when she became a full-time teacher at Gesu

Catholic School in downtown Miami. Throughout the years, Lourdes has taught at multiple schools and has earned many awards and deserved recognition.

As a former Florida certified teacher, I recognize Lourdes' dedication, and I thank her for all that she has done for the students in south Florida throughout her impressive career.

Congratulations to Lourdes.

RECOGNIZING JOSHUA WILLIAMS AND JOSHUA'S HEART FOUNDATION'S DECADE OF SERVICE

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to recognize teen philanthropist Joshua Williams of south Florida and the foundation that wears his heart on its sleeve—Joshua's Heart Foundation.

In 10 years of service to underserved communities in south Florida, Jamaica, Africa, and India, Joshua's Heart Foundation has activated over 7,000 youths to collect and distribute food and personal items that have helped 600,000 families in need. With the help of his supportive mom, Claudia, Joshua began laying the foundation for Joshua's Heart's success when he was only 4½ years of age.

New JHF chapters are springing up all over the country, and I encourage everyone to check out the amazing work that Joshua's Heart Foundation is doing every day and to get involved in a charity or with a volunteer organization that represents your own vision for the world in which you would like to live.

Congratulations to Joshua's Heart Foundation for a decade of service.

CELEBRATING THE 75TH ANNIVERSARY OF AIR TRAFFIC CONTROL

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to commemorate the 75th anniversary of the air traffic control at Miami International Airport, which is an area that I am so proud to represent.

This upcoming Thursday, May 19, the Federal Aviation Administration and the Miami-Dade Aviation Department will celebrate this accomplishment and honor the men and women who keep our skies and our airports safe.

Working around the clock, the air traffic controllers direct aircraft and minimize potential troubles in the sky, like the ones that come from severe weather patterns. I am very proud to know so many of these diligent workers—individuals like Mitch Herrick, Jim Marinitti, Bill Kisseadoo, and many others—who, in their professionalism, keep order in the airspace and protect our public.

Mr. Speaker, rerouting aircraft to avoid congestion and minimize delays is not an easy task, especially at one of our Nation's busiest airports; but it is because of the controllers' dedication and commitment that we can feel safe in arriving at our destinations.

Congratulations to my friends—all of the air traffic controllers at Miami International Airport.

PORTER RANCH GAS LEAK

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

Mr. SHERMAN. Mr. Speaker, I rise to report to this Congress on the Porter Ranch gas leak, the largest methane leak in the history of our country.

It began last October 23, and it lasted for, roughly, 5 months. The amount of natural gas that escaped is measured in billions of cubic feet. Some 8,000 families were evacuated for months. Our family, because we live just about as close as anyone to the leaking well, chose not to evacuate but, rather, to rely on filtration systems and the fact that we spend much of our time in Washington.

So how should Congress respond?

We must say never again—not again in Porter Ranch, not again anywhere in this country—but it could happen again because this natural gas storage facility was the fifth largest in the country. That means there are four other areas that could have an even larger natural gas leak. There are no Federal regulations for the safe storage of natural gas, and State regulations are so minimal that they are incredibly minimal even in famously green California.

Currently, PHMSA, an agency of the Department of Transportation, acknowledges that it has the authority to write Federal regulations. They have decided to do so, and my hope is that they will have them this fall. This arises, in large part, because I had a chance to discuss this with the President of the United States back in January in front of about 80 or 100 of our colleagues, and he made a commitment that his administration would work to make sure this never happens again. Not only is PHMSA working on the regulations, but the OMB has assured me that they will act promptly on approving those regulations once they are finalized.

We in Congress are working on legislation that is designed to prod PHMSA into acting quickly, but it is important that we not pass legislation that actually narrows the existing statutory power or gives sentences in statutory provisions that could be used by the oil and gas industry to invalidate tough regulations.

That is why it is critical, for example, that any statute we pass, as the Transportation and Infrastructure Committee's product provides, states explicitly that we are not preempting higher, tougher State regulations and that the action taken in Congress will not make people less safe than their States would have them be.

Two issues confront SoCalGas, which is the utility that is responsible for this leak.

The first is that they are going to try to get consumers to pay for the cost of their negligence, using the phrase that they should pass through to consumers the ''reasonable cost'' of dealing with this disaster; so the consumers around Los Angeles should pay for the cost of providing relocation assistance to 8,000 families, many of whom have been out of their homes for 5 months and longer; the ''reasonable costs'' of plugging the leak should be passed through to consumers. The reasonable costs of repairing unreasonable negligence is never an ordinary and necessary expense to be passed through to consumers.

This leak resulted from SoCalGas' negligence. There was a subsurface safety valve on the well in question that was installed in the 1950s, that was removed by SoCalGas in the 1970s, and was never replaced. This well they used to inject and remove natural gas, not through the piping that was intended or the tubing that was intended for that purpose, but through the casing that was never intended for that purpose; and the pressure, which is the amount of gas crammed into the field, seems to be inconsistent with the age of the wells—some going back 60-years plus—that were being used to inject and withdraw the natural gas. The costs of this event must not be passed through to the consumers of Los Angeles.

Second, realizing they may have to bear the costs themselves, SoCalGas has decided to shortchange the residents who have evacuated. They have decided they don't want to pay for the required cleaning protocol that is necessary to make homes safe. That is in their release of just a couple of days ago. That is outrageous. The cleaning is necessary to make the homes safe. LA County Public Health says so, and SoCalGas should pay that cost, too.

CONGRESSIONAL ART COMPETITION

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, each spring, a nationwide high school visual arts competition is sponsored by the Congressional Institute and Members of the U.S. House of Representatives. Since the art competition was created in 1982, over 650,000 entries have been submitted.

The Congressional Art Competition is an opportunity to recognize and encourage the artistic talent of our Nation's bright and talented youth. The winner of this prestigious award in each congressional district will have his or her artwork hung on display for 1 year in the Cannon Tunnel of the U.S. Capitol.

I rise today to recognize the artistic ability of a young woman from the Second Congressional District in West Virginia—Kayla Barbazette from Capital High School in Charleston. Ms. Barbazette is the winner of the 2016 Second Congressional District of West Virginia's Congressional Art Competition.

Congratulations, Kayla.

Her entry, ''Human Water Basin,'' was chosen from dozens of outstanding entries this year.

□ 1045

The competition was open to all high school students in the Second Congressional District of West Virginia.

Kayla is pictured here receiving her first place prize with West Virginia Cabinet Secretary Kay Goodwin of the Department of Education and the Arts.

I thank all of the impressive artists for allowing us to celebrate their talents. I wish them all the best in their future endeavors.

INDIANAPOLIS MOTOR SPEEDWAY

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

Mr. CARSON of Indiana. Mr. Speaker, it is with great pride that I rise today to pay tribute to a very special event that will take place later this month in my hometown of Indianapolis.

On May 29, the world's finest automobile racing teams will compete for the very prestigious Borg-Warner Trophy at the 100th running of the Indy 500.

Mr. Speaker, every Memorial Day weekend since 1911, with the exception of a few years during World War I and World War II, the Indianapolis Motor Speedway has been the site of the greatest spectacle in racing. Over the last century, Mr. Speaker, the Indianapolis 500 has become the most attended single-day sporting event on the planet Earth, with estimated crowds of over 400,000 people. Now, these fans add nearly $500 million to the central Indiana economy each year.

The race is also incredibly popular around the world, Mr. Speaker. With millions of fans around the world, they have been listening to the race on the Motor Speedway Radio Network and watching it on television.

Now, what very few people realize is that the Indy 500 has been a very important influence in the development of passenger automobiles. Rearview mirrors, four-wheel hydraulic brakes, color warning lights, and the first mandatory use of helmets can be traced back to the great Hoosier State in the city of Indianapolis at the Indy 500. Now part of the excitement of watching the race every year, Mr. Speaker, is seeing how these high-tech automobiles have evolved and wondering which technology we will see on our roads in the near future.

I stand here today as a very proud Hoosier who is proud of our State's long racing heritage. I ask my colleagues, Mr. Speaker, to join me and to join the rest of the Indiana delegation in recognizing all of those involved with the race over the last century, from the staff to the pit crews, to the drivers, and especially the fans who come out to the track each and every year. So congratulations to all the folks involved.

Ladies and gentlemen, start your engines.

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 48 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

Rabbi Jay Weinstein, Young Israel of East Brunswick, East Brunswick, New Jersey, offered the following prayer:

Our God in heaven, please grant Your blessing upon our Nation's leaders, our President, Vice President, Members of Congress, and all our officers of government. Grant them courage and wisdom, sensitivity and compassion, as they respond to the needs of our diverse population. Allow them to bring to fruition the hopes and visions, dreams, and goals upon which this country was founded.

Merciful God, we express our deep gratitude for this magnificent country, a home built upon the values of peace, religious tolerance, and respect.

Protect our courageous military forces, who are spread throughout the world. Quickly return them to their family's warm embrace. Guard and shield the members of our country's police force, fire department, emergency personnel, and all those who risk their lives to protect us from harm.

Almighty God, who makes peace in Heaven, from this glorious House of Representatives, our seat of democracy, we ask that You bless our world with peace, safety, and prosperity, so we may fulfill our sacred responsibility of making the world a better place.

And let us respond 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 Colorado (Mr. LAMBORN) come forward and lead the House in the Pledge of Allegiance.

Mr. LAMBORN 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 RABBI JAY WEINSTEIN

The SPEAKER. Without objection, the gentlewoman from Florida (Ms. GRAHAM) is recognized for 1 minute.

There was no objection.

Ms. GRAHAM. Mr. Speaker, today, I rise to thank Rabbi Jay Weinstein for delivering this morning's invocation.

Rabbi Weinstein is a native of Miami Beach, Florida. He received his ordination from Yeshiva University. He is now rabbi at Young Israel of East Brunswick, New Jersey, which serves more than 220 families.

I also want to recognize Rabbi Weinstein's parents, Stanley and Lenore, his wife, Sharon, and his four wonderful children, one of whom, Ora, is here with me on the floor today.

Mr. Speaker, I am proud to live in a Nation where we open our doors and our hearts to invite leaders of all different faiths to offer a blessing. I am very thankful to Rabbi Weinstein for offering such an incredibly meaningful prayer this morning.

ANNOUNCEMENT BY THE SPEAKER

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

NATIONAL POLICE WEEK

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

Ms. STEFANIK. Mr. Speaker, in my district in the North Country of New York, brave law enforcement officers dedicate their careers and risk their lives each and every day to keep our communities safe.

We are grateful for the outstanding service from men and women like Sergeant Jay Cook of the New York State Police, whose courageous actions put an end to the manhunt for the killers who escaped Clinton Correctional Facility last year.

Sadly, far too many of these brave men and women have lost their lives in the line of duty. Each year communities across our Nation gather to honor in recognition of these heroes and tens of thousands of law enforcement officers descend on our Nation's capital to honor the fallen.

Mr. Speaker, in commemoration of National Police Week, I rise today to thank our law enforcement officers for their service and to honor the brave men and women who have paid the ultimate sacrifice.

NABISCO BAKERY

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

Mr. LIPINSKI. Mr. Speaker, I rise today on behalf of the hardworking men and women at the Nabisco Bakery

on the southwest side of Chicago, once touted as the world's largest bakery.

These workers have faced daunting challenges in the past year as their plant was downsized and hundreds lost their jobs. Now they are working without a contract and face the prospect of losing their current pension plan.

For more than half a century, workers at this bakery have proudly made Oreos, Chips Ahoy, Ritz crackers, and other iconic products. Generations of families have been employed here and contributed to the local economy.

What is happening now is even more disappointing because taxpayers have previously provided $90 million to Nabisco in return for a commitment to expand and hire locally. The continued lack of a negotiated agreement reflects the plight of middle class Americans across the country, with workers facing eroding wages and benefits along with job insecurity.

Mr. Speaker, I urge Mondelez to do right by its employees, use its profits to reinvest in its American workforce, and grow good-paying jobs in Chicago and across the Nation.

PRESIDENT NOT CORRECT

(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, over the weekend, Iran held another government-sponsored Holocaust cartoon contest in the capital of Tehran. Their denial of the mass slaughter endured by millions of men, women, and children during the Holocaust is yet another example of this theocratic regime's irrational and counterproductive conduct which hurts the citizens of Iran.

As he announced the dangerous Iran deal, the President claimed that it would help Iran become a more moderate regime, one that respects our allies. The President was not correct.

This is a nation that continually denies the genocide of the Holocaust, is a state sponsor of terrorism, tests missile development, and chants ''Death to America,'' ''Death to Israel.'' Sadly, the President continues to put faith in this dangerous regime.

I am grateful that, under the leadership of Chairman ED ROYCE on the House Committee on Foreign Affairs, we are putting forth legislation to deny Iran access to the U.S. dollar if they continue to promote terrorism to threaten American families with mass murder.

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

RECOGNIZING NAHLA KAYALI

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to recognize Nahla Kayali. She is the founder and the executive director of Access California Services.

Access, as we call it, is a nonprofit organization in my hometown of Anaheim, California, that serves the Arab American, refugee, and immigrant communities with culturally appropriate services, including English as a second language, health and human services, employment assistance, and citizenship resources.

In 1998, she opened a small office and had two clients the first month. She initially helped people sign up for the California Healthy Families program. With only a high school diploma, Nahla has now expanded Access California to serve over 11,000 Arab American, refugee, and other underserved community members in 16 different languages.

She works to foster a better understanding of the cultural needs of the Arab American community, and, quite honestly, she is a living example of what is the American Dream.

As we celebrated last month Arab American Heritage Month, I wanted to honor and recognize her accomplishments, the accomplishments of Nahla Kayali, and her continued work in supporting the Arab American communities and helping, in particular, refugees resettle and become contributing citizens and leaders in Orange County.

OFFICER DOUG BARNEY

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

Mrs. LOVE. Mr. Speaker, I rise to honor National Police Week. We owe a great deal of gratitude to the men and women who serve our communities by putting their lives on the line every day.

Utah has lost 139 police officers since 1853, most recently, Officer Doug Barney of Salt Lake County Unified Police Department. Officer Barney died in the line of duty on January 17.

Officer Barney was a dedicated 18-year veteran police officer, and loved every moment of his distinguished career. His kindness deeply touched the families and the community and sometimes even the people he arrested. He was known for his humor and compassion as well as his toughness.

Ten thousand people attended his funeral. The State of Utah is truly a kinder service-oriented place because of police officers like Doug Barney. I am honored to recognize all of them here in the House of Representatives.

NETWORKS IGNORE COURT BLOW TO OBAMACARE

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

Mr. SMITH of Texas. Mr. Speaker, recently a U.S. District Court judge ruled that the administration's subsidy funding scheme for ObamaCare was unconstitutional. This marked a major victory in citizens' efforts to stop the President's failed healthcare law. However, the ruling was ignored by all three major news networks, leaving many Americans in the dark on the latest development involving ObamaCare.

Last year it was revealed that ObamaCare created or hiked at least 13 different taxes. However, all three major networks also largely ignored this increased burden on taxpayers.

It is no wonder that only 6 percent of Americans trust the media to give them balanced news. Americans deserve all of the facts about the President's failed healthcare law. The liberal national media should not ignore important information just because it conflicts with their political agenda.

HONORING LAW ENFORCEMENT OFFICERS

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BROOKS of Indiana. Mr. Speaker, this week is National Police Week, a time to thank and remember those law enforcement officers who have paid the ultimate price, officers like Deputy Carl Koontz of the Howard County Sheriff's Department in Indiana.

Deputy Koontz was killed in March while serving a warrant well after his shift had ended. He, like so many members of our law enforcement community, showed dedication and commitment to his duties despite the risks.

As a former deputy mayor of Indianapolis and a former U.S. attorney, I have witnessed firsthand the challenges faced by our law enforcement officers and their remarkable families.

But, even more importantly, I saw again and again men and women in law enforcement display courage in the face of adversity, compassion in the face of hardship, and an unending commitment to serve the communities in which they live.

Today I salute the men and women in uniform who every day unfailingly honor the call to serve and protect. This week we must also renew our daily commitment to support our heroic men and women in blue. Our thanks and prayers are with them and their families this week and every week.

SOVEREIGNTY

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

Mr. LAMBORN. Mr. Speaker, national sovereignty is one of the most basic and fundamental principles of international law. Countries differ in their history, culture, aims, locations, and challenges. These factors work to shape the laws that govern that nation.

Without understanding and respecting these fundamental principles of sovereignty, nation-states would have their territorial integrity infringed upon, be subordinated to outside imposed actions, or come under threat from other hostile forces. That is why I cofounded the House Sovereignty Caucus here in Congress.

We must never forget that the supreme law of the land is the U.S. Constitution, Federal laws made pursuant to the Constitution and treaties made under the Constitution's authority. Upholding this supreme law is what makes America great.

Threats to U.S. sovereignty are being attempted every day. We must stay on guard against them, both from without and from within. We must uphold the supreme law of the land. If we divert from this law, we will lose our sovereignty and our freedom.

□ 1215

RECOGNIZING COACH JERRY CLAY

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

Mr. WESTERMAN. Mr. Speaker, I rise to recognize 43 years of service to young men in Garland County, Arkansas, by Coach Jerry Clay, whose 269 wins as head coach at Fountain Lake High School and Lake Hamilton High School are sixth all-time on the list of most wins in Arkansas high school football.

Good coaches have the ability to teach their players to win consistently on the field. Great coaches teach their players to be winners in life. Jerry Clay is a great coach. Not only has he coached 14 conference championships and had teams compete in six State championships—winning two—many young men he coached have gone on to excel in virtually all areas of society, from doctors, to businessmen, to true American heroes like SEAL Team 6 operator Adam Brown, whose life story was chronicled in the best-seller book, ''Fearless.''

I will forever be grateful for the investment Jerry Clay made in my life as my coach, and I wish him many happy years in retirement.

HONORING NATIONAL POLICE WEEK AND NATIONAL EMS WEEK

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

Mr. ZELDIN. Mr. Speaker, this is National Police Week and National EMS Week, which is when we pause to reflect and honor the service and sacrifice of the brave men and women who have lost their lives in the line of duty while serving to protect us. We also pay our respects to all who continue to serve us today. All lives matter. These men and women risk their lives for the safety and security of communities all throughout our country.

With the terrorist acts in Paris, Belgium, and around the world, we are constantly reminded of how dangerous this world can be. When these attacks occur, they are the ones who run head-on into the mayhem and chaos without fear to do everything in their power to save as many people as they can.

Unfortunately, today we are witnessing the shameful targeting of our first responders and police officers. Their authority is constantly being questioned, making an already difficult job even more dangerous. It seems we cannot go a day without hearing on the news that police officers have been shot or even killed in trying to do their jobs.

We must unite around our police officers and first responders and support them just as they support us each and every day.

TIME FOR COMPREHENSIVE IMMIGRATION REFORM

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

Mr. POLIS. Mr. Speaker, my friends, the time for immigration reform is now so as to increase our economic growth, creating good jobs for Americans; to reduce our budget deficit by over $200 billion; to improve our national security so we know who is here and what they are doing; to make sure that people who are here legally have the ability to get jobs and so that we have the ability to screen out people who are violating our laws; to restore the rule of law; to secure our border; to unite families so we don't tear American children from their immigrant parents.

For all of these reasons and more, it is time for this body to act. Only Congress can pass comprehensive immigration reform. Only Congress can enforce our laws. Only Congress can ensure that we grow our economy, meet the needs of our labor force, grow jobs for American families, and increase wages, all through comprehensive immigration reform.

I call upon my Republican and Democratic friends to stop waiting and to act and to take up comprehensive immigration reform now.

CENTRE COUNTY VOLUNTEER OF THE YEAR WINNER CHERYL JOHNSON

(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 in honor of Cheryl Johnson, a resident of Centre County in Pennsylvania's Fifth Congressional District, who was recently named Centre County Volunteer of the Year by the county's Chamber of Business and Industry.

For more than 20 years, Cheryl has been the executive director of the Private Industry Council of the Central Corridor, or PICCC, a nonprofit organization which focuses on improving workplace effectiveness and preparing people for either first-time employment, making career changes, or returning to the workforce. It is estimated that PICCC and its staff impact more than 15,000 people annually in Bedford, Blair, and Centre Counties.

During her time with PICCC, Cheryl has dealt with challenges, including the county's transition from being a manufacturing economy to being one that is more service driven. As evidence to PICCC's success and the good work of other organizations, the county regularly has the lowest unemployment rate in Pennsylvania.

Cheryl's good work in Centre County extends beyond PICCC, to volunteer efforts with the United Way, Leadership Centre County, and the Juniata Valley Council Boy Scouts of America. She is an essential part of our community, and I congratulate her on earning this recognition which came as a result of her hard work.

PROVIDING FOR CONSIDERATION OF H.R. 4909, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 732 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 732

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-51, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived.

SEC. 2. (a) No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the

Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(b) Each further amendment printed in part B of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against the further amendments printed in part B of the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. At the conclusion of consideration of the bill for amendment pursuant to this resolution, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

The SPEAKER pro tempore (Mr. RIBBLE). The gentleman from Alabama is recognized for 1 hour.

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 732 provides for the consideration of H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017.

Mr. Speaker, this is the most important thing this House will do this year as it has been the most important thing this House has done for 54 straight years—setting the policy for defending the American people.

The resolution provides for a structured rule and makes in order 61 amendments. This is the first of the two rules the House will consider on the NDAA. The Committee on Rules is continuing to work through the over 375 submitted amendments, and it will be making more amendments in order at this afternoon's meeting.

As a member of the House Committee on Armed Services, which is the jurisdictional committee for this bill, I, like many others, have spent substantial time in working through this year's NDAA. A lot of work has gone into the bill to get us to this point, and I want to recognize the work of Chairman MAC THORNBERRY, of Ranking Member ADAM SMITH, and of each of the subcommittee chairmen and ranking members. We should also recognize the very capable Committee on Armed Services staff who has devoted so much time to this legislation.

This process, as in years past, has been truly bipartisan. The bill passed out of the committee by a vote of 60–2. It is my sincere hope that this bipartisan nature will continue here on the House floor as we consider the most important thing we will do all year. Providing for the common defense is the most important function of the Federal Government, and it is one we all take very seriously.

There are many different threats and challenges around the globe, and we and the servicemen and -women who protect us need to be ready for each of those threats; so you will be hearing a lot about readiness over the next couple of days as we consider this bill because just having a soldier or an airman or a sailor is not enough—they have to be ready to do the job that we assign to them. Readiness means that they have been trained appropriately, that they have the equipment they need, and that they have the support they need to carry out their vital role.

Look around the world as we sit here today: North Korea is threatening us with nuclear weapons. They say they have miniaturized the nuclear weapon. They have the missile technology not only to shoot it from land, but to launch it from submarines.

China, every day, is pushing out further and further with these artificial islands in the South China Sea, claiming, virtually, the entire South China Sea as theirs that they can control and against the claims of other countries in the region—a part of the world where over $5 trillion in trade moves to and fro, which is something that has a direct impact on the well-being of the American people.

Look at what is happening in Europe. Russia has taken the Crimea. They are involved in actions in the eastern part of Ukraine today. They threaten NATO allies—countries with which we have an Article V obligation to defend if any country attacks them—and Russia is threatening those countries today.

Then in the Middle East, as many of us know, we have a resurgent Iran. After the deal that the President struck with Iran last year, Iran now has access to tens of billions of dollars. As the major state supporter of terrorism in the world, they are using that money to fund terrorist groups like Hezbollah and Hamas, which cause so much havoc and destruction and death. We have this terrible situation in Syria, a continually bad situation in Iraq, failed states in Yemen and Libya.

Our military—our defense forces—are called upon to address all of those—to protect us, to protect the American people. That is why getting this bill right is so important. That is why taking it seriously is so important. Whether it is fighting terrorism in Iraq or in Afghanistan, deterring Russian aggression in Europe, or projecting force in the Pacific, our military has their hands full, and this bill is critical to ensuring that they are ready for what is coming to them and to us. Let us make sure we understand. Experts far beyond my background have said that the United States has never faced this level—this complexity—of threat to our national security since the end of World War II.

This bill is also an important oversight tool for Congress as we work to ensure accountability, efficiency, and effectiveness from our Nation's military. The NDAA authorizes spending at a level of $574 billion for national defense base requirements and an additional $36 billion for overseas contingency operations. This matches the total funding level of $610 billion that was requested by President Obama. These spending levels are needed to make critical investments that will begin to restore our military readiness.

It seems like every day a new and alarming report comes out about the dire situation our military is in: planes can't fly due to deferred repairs; troops aren't adequately trained; there is a lack of naval vessels in critical theaters. These stories have begun the sad reality for our military in recent years, and we are putting the lives of our servicemembers at risk.

□ 1230

To be clear, none of these are the fault of our servicemembers who continue to rise to the challenge and do more with less. But we, as a Congress, have to fix this problem.

The NDAA will put us back on track by strengthening our commitment to our military men and women. It fully funds the 2.1 percent pay raise for our troops and restores funding for training and maintenance programs, while also helping rebuild crumbling facilities.

The bill is also reform oriented. You are going to hear a lot about reform over these next 2 days. It includes long-needed reforms to the acquisition process and the Uniform Code of Military Justice, as well as boosting healthcare programs to ensure high quality and access to care. All told, there are five components of reform in this bill.

I also want to briefly touch on a few issues up front that I know my colleagues will likely bring up. First, this rule self-executes an amendment by Chairman SESSIONS of the Rules Committee that would strike a provision of the bill relating to women and Selective Service.

This is an issue that the Armed Services Committee has not debated. No hearings have been held. It was added

to the NDAA by an amendment in the dead of night. This rule removes that provision and allows Congress to properly study the issue.

Wherever you stand on the issue of including women in the draft, the American people should have the benefit of a full hearing, a full consideration of that issue. Jamming this thing into this bill and considering it without going through that is not right for the American people, whichever side they stand on. Making that the way this bill stands today is the right thing to do before we make a substantial change.

I also know the President has some concerns about the way this year's NDAA funds our military. The bill funds the overseas contingency operation until April 2017, when a new President will have time to assess the security situation, and then they could submit a supplemental budget request based on their priorities.

This is common for the first year of a new administration. Indeed, in 2008, then-Senator Barack Obama, then-Senator John Kerry, and then-Senator JOE BIDEN all supported a similar strategy. So I find it very odd that they now oppose that same strategy.

The bottom line is that this bill adequately funds our military while meeting critical needs for military readiness and supporting overseas operations. Let's not let politics get in the way here. There is enough political theater taking place in the Presidential election.

On this issue, this critical issue of national security, let's come together as Democrats and Republicans and show the American people that we can work together on behalf of our military and our national defense.

I urge my colleague to support House Resolution 732 and the underlying bill.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, I rise today in opposition to the rule providing for general debate on H.R. 4909, the NDAA, or National Defense Authorization Act for Fiscal Year 2017.

For 54 straight years, the United States Congress has come together in a bipartisan fashion to craft policies and recommendations for the United States Armed Forces and to put these into law. As has been indicated, of course, this is one of the most consequential and substantial items that we have. It is one of our responsibilities here in the United States Congress.

Personally, I have found objections to some of the policies in the bill. Of course, I commend the work of the men and women on the Armed Services Committee on this legislation. I am going to highlight some of the problems that exist and why many of us on both sides of the aisle will likely be opposing the legislation.

Many of my colleagues on the Armed Services Committee currently serve or have served in the Armed Forces. They are dedicated public servants, and they have worked hard on this bill. Of course, the bill includes the rest of us as well.

Over 375 amendments have been offered to improve this bill. The Rules Committee will be meeting this afternoon to determine how many of those we make in order, and I hope that the Rules Committee makes in order a great number of these amendments. Of course, the first step under this rule is to make a few dozen amendments in order, and we will continue that work in the Rules Committee shortly.

Mr. Speaker, for all the hard work that the Armed Services Committee has done, what we have before us this week is, unfortunately, an argument that needs to be resolved in the Budget Committee.

What we have is effectively an accounting trick that drives us deeper into debt and increases the budget deficit to pay for 1 year of increased defense spending. To this point, I object to having this budget debate even in the context of a defense bill.

But by disregarding the proper use of what is called the overseas contingency operations account and by flouting the Budget Control Act agreed upon by Republicans and Democrats, unfortunately, this Armed Services bill has been overtaken by a debate on the Federal budget.

What we have before us is a bill that will increase the deficit and increase the debt above and beyond the spending levels the Democrats and Republicans agreed to. The free-spending Republican Party continues to throw taxpayer dollar after taxpayer dollar.

Do they just intend to drive up the debt or do they intend to increase your taxes? When we increase our deficit, it means increased taxes. Effectively, this Republican bill is a tax increase on future American families, like my kids.

So this week we see a debate about the inability of the Republicans to pass a budget or adhere to a budget when they do agree to one.

If the debate over our armed services was not such a serious topic, I would say that this was a very clever, elaborate budget scheme. And it is clever. It is far too clever, more so than the traditional budget gimmicks that we have been presented with.

I am going to explain to you exactly what this tax-and-spend Republican plan is. The bill authorizes $540 billion in discretionary base budget authority that includes $523 billion for the DOD and $19.5 billion for the Department of Energy's defense work.

But since the United States has been embroiled in conflict abroad since 2001, several administrations have requested and Congress has always granted another pot of money known as the overseas contingency fund.

This year the bill provides $59 billion for what we call overseas contingency. Now, together with the $543 billion base, plus the $59 million in overseas contingency, that equals the President's budget request.

Now, as a reminder, the Republicans haven't actually produced a budget this year; so, it is hard to make a comparison. All we can do is compare it to the President's budget because there is no House budget and there is no Republican budget. We haven't even seen one to be able to act on it or have a debate.

Traditionally, we bring before the body several budgets and whichever one gets the most votes is the budget of the House. There are usually several budgets from the Democratic side, several budgets from the Republican side.

In years past, there have even been bipartisan budgets which I have been honored to support. This year, however, Republicans are not even allowing the House of Representatives to consider, no less pass, a budget.

So what the NDAA does is it takes this overseas contingency account, which many consider to be a slush fund for Pentagon operations, and it takes $18 billion of that to pay for base operations.

Some of that $18 billion goes to fund the Pentagon's unfunded priorities or what we might call their wish list or items that they couldn't fit into the agreed-upon budget control number of $543 billion.

So this busts through the deficit, increases the debt. It is a Republican plan to tax and spend, tax and spend, tax and spend, like they always do through accounting tricks that they are doing right here in the defense budget.

So the Pentagon gets more of the big-ticket items they want. Taxpayers are left paying the bill to the detriment of our economy, to the detriment of job creation, so that our own kids have to pay future taxes, putting our Nation deeper and deeper in debt, which I should point out to my friends is a national security issue.

When we are economically beholden to other nations like China or Saudi Arabia, that is as great, if not greater, a national security threat than the one we combat with the tanks and Armed Forces that this bill seeks to authorize. So it is very important to take that into account.

If we look at what are the reasons that we defeated the Soviet Union during the cold war, they overinvested in their defense relative to their GDP, which effectively hurt their economy and made their economic model unsustainable because they were allocating too much to defense to try to keep up with where we were.

If we mortgage our future to the Chinese and Saudi Arabians, how are we increasing our security, Mr. Speaker? In fact, we are decreasing our security to fund current consumption for 1 year at the price of mortgaging our future to foreign adversaries.

By stealing $18 billion from the overseas contingency account, the NDAA guarantees that we run out of money

for overseas operations sometime in April 2017. And, of course, this Congress would never let money run out for operations against ISIS and Afghanistan and elsewhere.

So, of course, when it comes down to it, this bill will come before Congress in April and Congress will make sure that we have the money we need to fight ISIS because they looted from this bill the money that was designed to fight ISIS to pay for items on the Pentagon's wish list. So that is what is happening here.

Rather than appropriating money to combat ISIS and Afghanistan and other countries for the full year, they are just doing it for a few months. They are taking some of that money, putting it into the base, mortgaging our future, putting burdens on taxpayers, and making us economically at risk of being dominated by the countries that we continue to borrow from.

Look, that is why the Secretary of Defense and that is why the President of the United States, the Commander in Chief, are completely against this way of budgeting. It is fiscally irresponsible.

As the ranking member of the Armed Services Committee testified at the Rules Committee yesterday, this old gimmick probably violates the bipartisan Budget Control Act. When you do that, that is where the budget debate gets going. Congress has set limits on how much we can spend on defense versus nondefense.

So when we run out of money next year under this NDAA plan, we are going to be forced to spend more. I mean, who before us is not going to spend the money we need to combat ISIS?

Of course Congress will spend more. This is a plan to set up Congress to spend more. Of course, Congress will spend more regardless of who controls Congress.

That is why budgets matter. That is why this arcane and esoteric gimmick in this bill matters. It is why we should have these debates in the Budget Committee. It is why this Congress should pass a budget. It is why we should let the national defense bill be about defense rather than mortgaging our future.

Look, if it wasn't enough to have this budget smoke-and-mirrors debate in the defense bill, this year's NDAA also has a debate about whether we should let taxpayer dollars subsidize discrimination and whether we should encourage corporate misconduct.

Mr. Speaker, I am not going to dwell long on the subsidization of discrimination and encouraging corporate misconduct, but I can't fathom why there would be a place in this bill about national defense for provisions that allow Federal contractors to discriminate against LGBT employees. That is unacceptable, bizarre, and contrary to meeting the security needs of our Nation.

Also included in this bill is an exemption from the President's Fair Pay and Safe Workplace Executive Order. The place to debate that is in another committee I serve on, the Education and the Workforce Committee, not the national defense bill. Those need to be removed.

Of course, this bill also strikes the Selective Service registration for women. The committee mark included women in Selective Service. Personally, I cosponsor a bill with Representative MIKE COFFMAN to eliminate Selective Service that would save money. And, of course, in my entire lifetime, there has not been a draft.

If we are going to have a Selective Service system, of course, it needs to include women. Women serve in every single combat role. It needs to include everybody so we can mobilize manpower and womanpower most effectively. But, unfortunately, that has been stripped out of this bill.

I believe we should take a hard look at doing away with Selective Service entirely. Of course, at the very least, we should include both men and women at the age of 18.

To move forward without any real debate on this issue and to strike that section without meaningful floor debate is bad policy, bad procedure. It is an offense to the committee which put it into the bill and yet another reason I plan on opposing the bill.

There are other pieces of this bill which I and many Democrats and Republicans object to. There is a lot of time to go into those, which I will do depending on how many speakers we have.

I reserve the balance of my time.

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

I was listening very carefully to my colleague, and I heard him talk about what is being proposed in this bill as being accounting tricks and cover. I am going to repeat again that what this bill is doing is exactly what then-Senator Obama, then-Senator Kerry, then-Senator BIDEN voted for in 2008.

There is nothing new here. We are going into another President, and we are giving that President an opportunity to take a look at the situation and come back to us and tell us what they want.

He said that this will drive up the deficit. It only drives up the deficit if we are not willing to work together to cut in other places because national defense is more important than anything else we do.

If we don't want to drive up the deficit—and I sure don't want to drive up the deficit—let's talk about some serious cuts to other parts of the budget that aren't nearly as important as national defense.

He called the overseas contingency account a slush fund. It is a fund directly requested by President Obama. It was requested by the President before him. It is something we have done for a while. It is adequately accounted for. There is plenty of oversight over it. So it is not a slush fund at all.

The gentleman from Colorado said that we should be careful about overinvesting as the Russians did relative to GDP. If you look at what the defense spending is as a percentage of the American GDP, for the last several years it has gone down. It is so much lower than it was even just a few years ago. In fact, we now know it is dangerously low because of what our adversaries—Russia, China, et cetera—are doing.

□ 1245

He talked about that this bill somehow encourages corporate misconduct. This bill has more reforms in it than we have seen in years that are going to require more and more people to toe the line, as they should when we are spending the taxpayers' money.

He said that there is something in this bill that might have something to do with LGBT discrimination. No, sir. Mr. Speaker, what is in this bill, what is going to be proposed for this bill, is something that gets to people's religious freedom. We don't treat religious freedom seriously enough in this body. We act as if it is somehow now a secondary right. Well, it is a primary right. It has always been a primary right, and we should always stand up for it in this body.

Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, I thank my colleague from Alabama for his good work on this rule and on this bill.

I want to talk about the critical part of the bill and an amendment that was proposed and then withdrawn, and that has to do with Iran's heavy water production. The reason this amendment was withdrawn and won't be under consideration in the Committee on Rules for discussion later today is because it deserves to have stand-alone treatment. It is that important.

Heavy water is used to produce weapons-grade plutonium. Its distinctive properties make it a critical component in the production of nuclear weapons. Now, the nuclear deal that some of the Senators voted for—not by two-thirds by any means—forbids Iran from stockpiling more than 130 tons of heavy water during the initial years of the deal, and they will be allowed to produce 90 tons later. But they are required, under the deal, to redesign and rebuild their Arak facility to support its ''peaceful'' needs and research.

So Iran did agree to keep pace with international technological advancement trends and rely only on light water, not heavy water, for future nuclear power, yet they have been producing heavy water nevertheless.

The Wall Street Journal has exposed the proposed purchase of Iran's overproduced heavy water, stating that the administration is encouraging ''Tehran to stick to the nuclear agreement reached last year.''

So apparently the administration is seeking to entice others to purchase

Iran's overproduced heavy water by making the first purchase. U.S. Energy Secretary Ernest Moniz said: ''That will be a statement to the world: 'You want to buy heavy water from Iran, you can buy heavy water from Iran. It's been done. Even the United States did it.' '' So we are enabling Iran to violate the terms of the deal, and we are going out and buying this, using taxpayer dollars nevertheless.

Now, if the Iranians cannot or simply will not keep the deal, we have to come up with a better deal, not bail them out of aspects of the deal that they don't want to comply with. So this proposed purchase by the administration violates the intention of the deal and the will of the American people. We can't let this administration or the speech writer Ben Rhodes or their fabricated echo chamber deceive us any longer.

By the way, this speech writer, Ben Rhodes, admitted in a New York Times article published just the other day that they took things they knew not to be true and misled the American people on purpose to get the deal passed.

We must not authorize funds to purchase heavy water from Iran. Because this issue is so important, I will work with leadership to make sure that we consider this later as stand-alone legislation.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Mr. Speaker, I rise today to speak against this rule that repeals a provision that was added to the NDAA, the National Defense Authorization Act, after a bipartisan, recorded vote in committee which expands the Selective Service System to include women. That provision was in line with the Secretary of Defense's decision to eliminate the ban on women serving in direct ground combat positions and the recognition that women are much needed across all aspects of military capability.

This rule precludes Congress from having an open and transparent debate about this very important issue that impacts women's equality. If we want a full hearing, is there no better place than on the floor of this House? This rule would prevent that.

Gender equality is achieved when women and men enjoy the same rights, opportunities, and responsibilities across all sectors of society, including military service, and when the abilities, aspirations, and talents of women and men are equally valued. Including women in the draft is a step toward that equality.

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

Mr. POLIS. I yield an additional 30 seconds to the gentlewoman from Massachusetts.

Ms. TSONGAS. Mr. Speaker, this position is shared by both Army Chief of Staff Mark Milley and Marine Commandant Robert Neller.

I urge my colleagues to reject this rule that denies the current reality of military service, limits gender equality, ignores a bipartisan vote, and does not allow for an open and transparent debate on the floor of the House.

Mr. BYRNE. I yield myself such time as I may consume.

Mr. Speaker, I completely agree with my colleague who just spoke that, if we are going to do this, we should have a full debate on it. But we should also let the American people be heard.

Because of the way this happened in committee, there was no public hearing beforehand. There was no notice to the American people that this was going to be considered. So the most important people we need to hear from on this haven't been heard from, and they need to be heard from.

The way to do that is for us to announce that we are considering this; have full public hearings in committee; and then, after having full public hearings, the committee makes a decision and brings something to this floor for us to debate. But for us to bring up an issue of that magnitude without having gone through the process of letting the American people be truly heard here, that is not appropriate.

So while I understand exactly what my colleague just said—I was there for the committee meeting. I know that there was a vote on it. It was a vote after we had no debate in committee, no hearings, no opportunity for the American people to be heard—if we are going to take an issue like this and bring it to the floor of this House, we need to do all of that or we wouldn't be doing our job. So I respectfully disagree with her. I think the self-executing amendment by Chairman SESSIONS is appropriate, and I would urge my colleagues to support that.

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

Mr. POLIS. I yield myself such time as I may consume.

Mr. Speaker, I would say in response to my friend that the committee did a lot of work through the night and voted on a number of issues that Members raised, and many of the items that they voted on were not subject to their own hearings. What we are seeing here is a failure of Speaker RYAN to follow through on his pledge for regular order.

What is regular order? There is a committee markup of the bill for good or bad. Sometimes the chairman has things in that bill he or she doesn't want. Other times it is exactly like they want it. That gets reported out to the Committee on Rules, and other Members have a chance to change it. If any Member of this body wanted to remove women from the Selective Service, which was in the HASC markup, they would simply offer an amendment to do so. That is the normal process. There would be debate and there would be a vote.

Instead of that process, there is a mysterious self-executing amendment in the rule itself; so the rule, itself, controverts the actual bill that the HASC reported out. It actually changes the very bill that the committee worked on without a vote, without debate, and that is the opposite of regular order, the opposite of the process that allows Members to fully debate and vet these issues.

This rule actually stifles the debate on this very issue that the HASC weighed in on. It is my understanding it is in the Senate bill, to include women in Selective Service as well. I think it will likely be in any conference report that comes out. But for whatever reason, rather than having the debate and vote on the floor, it is being hidden behind a procedural trick in a self-executing rule.

I yield 2½ minutes to the gentleman from Massachusetts (Mr. MOULTON) to discuss the bill and the rule.

Mr. MOULTON. Mr. Speaker, I rise today to speak on important provisions contained within the National Defense Authorization Act.

I have said many times that too little attention has been given to a long-term political strategy in our fight against ISIL. That is why I worked with colleagues from both sides of the aisle to include an amendment now contained in the bill that requires the administration to develop an integrated political and military strategy to defeat ISIS. Without this strategy, we risk repeating mistakes of the past.

We largely defeated al Qaeda in Iraq militarily in 2009 but failed to follow through on the root causes and ensure the success of Iraqi politics going forward. It created a political vacuum that ISIS grew into. We cannot afford to make that mistake again.

Second, we should all be able to agree that our military personnel and veterans deserve the best health care in the world. That is why I am proud to report the bill also contains provisions I worked on with several Members to address the increased rates of suicide in our military. Since 2012, suicide has been the leading cause of death in our military. In the past 3 years alone, the suicide rate has been nearly 50 percent greater than in the civilian population.

The Department of Defense needs to take an aggressive approach in solving this crisis. My amendment included in the bill would identify trends and instances of suicides and require better proactive and reactive mental health care for active personnel.

Finally, I want to call attention to the urgent need to continue the Special Immigrant Visa program for Afghans who worked for U.S. forces. A bipartisan amendment before the Committee on Rules now would remove the unfortunate narrowing of eligibility requirements included in the mark, which would prevent hundreds of Afghans whose lives are at risk because of their work for our country from even being considered for resettlement in the United States.

The narrowing of eligibility intentionally excludes hundreds of Afghans who worked for the U.S. State Department, USAID, and U.S. security contractors in a number of capacities,

many of whom face well-documented death threats due to their work with our government, regardless of whether that was with frontline troops or on an American base. By narrowing eligibility, the program would erode the expectations of hundreds of Afghan staff whose lives remain in danger because of their work for the U.S. mission and also make it more difficult to hire and retain qualified Afghan staff who are essential to achieving our diplomatic and assistance goals. For that risk and sacrifice, the very least we can do is offer them a chance to stay alive, to keep living, rather than abandoning them to the same enemies they united with us to destroy.

Mr. BYRNE. I yield myself such time as I may consume.

Mr. Speaker, I appreciate my colleague from Massachusetts and all the points that he has made. Indeed, there were a number of bipartisan amendments that were added to the bill during that very long day and night that we spent considering it, which just points out the bipartisan nature of what we are doing here.

On the committee, we try to work together to find the right way forward for the defense of America. When colleagues on either side of the aisle offer something that is common sense and we think will work, we work together to make sure it gets in the bill, and that is what he just alluded to.

He also alluded to an amendment that he hopes will be added as a result of the Committee on Rules meeting this afternoon. We are going to be considering an awful lot of amendments this afternoon. There are over 60 amendments that we have made in order in this rule, bipartisan amendments, so this is a very strong effort on our part to make sure that this is a bipartisan bill; and as a bipartisan bill, it deserves bipartisan support.

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

Mr. POLIS. Mr. Speaker, it is particularly ironic that the gentleman is touting the bipartisan amendments. It is one of those bipartisan amendments that adds women in the Selective Service that is stripped out of the HASC bill, of the committee's bill right here in this rule, through a self-executing amendment.

So this rule, if it were to pass—and I hope it doesn't. I hope my colleagues on both sides of the aisle vote ''no.'' This rule undoes one of those very bipartisan amendments that the gentleman is touting.

I yield 2½ minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I thank the gentleman. I thank the Committee on Armed Services for the hard work they did to produce this bill. I am not going to support it.

The most important function that we have is to make certain that America is secure. Our defense authorization bill is a major component of that, but I believe this bill fails in some fundamental respects.

Number one, the budget is very large. We are approaching $700 billion. But throwing money at a problem does not solve a problem. What we are doing as we throw more money at a problem without making hard decisions is we generate and accept as inevitable an immense amount of inefficiency.

Number two, there is an overreliance on the OCO funding. First of all, OCO, off budget, should be debated, and it should be appropriated. It should be subject to all budget caps. But to then begin using it not just for overseas contingency operations but to actually invest in major weapons systems is a gross mistake that is just going to lead to a weaker budgeting system that is essential, in my view, to our national security.

□ 1115

Of that OCO funding, money would be used for weapon systems like the F/A–18E Super Hornet and the F–35. The $35 billion in the OCO authorization is for war requirements, including dollar amounts in the millions.

Now, the other issue with respect to OCO—and another failure in this bill—is we are once again continuing to have military operations—this country is at war—without having any debate on an Authorization for Use of Military Force. That should be part of it.

Third, we have significant issues in NATO. As the Speaker and my colleague, the chairman, know, NATO is absolutely essential to our defense. But the time for the United States to be bearing as big a burden for that defense has come to a conclusion.

We will bear the majority of the expense, but the commitment on our NATO allies is to reach 2 percent of their gross domestic product in defense spending. If our NATO allies are not doing that, we are asking the American taxpayer to do it. These are mature democracies. They have stable economies. It is about time that we asked for this to absolutely happen.

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

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

Mr. WELCH. The real fundamental question for us is whether or not in this defense budget we are going to ask what are the fundamental strategic necessities of the United States to be in a strong posture to defend itself.

The approach of just throwing more money and maintaining weapons systems that our military is not even asking for, of blinking on the question of personnel review—all of these things are just postponed for another day. They need to be faced today.

So, Mr. Speaker, I thank the committee for its work, but I will not be supporting this bill.

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

Mr. Speaker, I appreciate the gentleman from Vermont. He and I and a group of Members of this body met recently with members of the German Bundestag and the Russian Duma to talk about these very issues, and it was a most enlightening trip for all of us. By the way, all of us went as American citizens, as Members of the United States Congress, not as Democrats or Republicans.

One of the most troubling things that we learned from that trip is that the Russians continue to invest at a significantly higher level than we are in terms of their increases every year and their military activities. That is why they have been so successful in Ukraine, why they have been so successful recently in Syria. So this bill begins to turn back around so that we are investing properly.

If I thought that we were throwing money at the problem, if my colleagues on both sides of the aisle and the Armed Services Committee thought we were just throwing money at the problem, this bill would not have received a 60–2 vote in committee, I can tell you that.

The inefficiencies the gentleman talked about we are very concerned about. That is why there is so much reform in this bill. There are five different components that deal with reform. We can't expect American taxpayers to pay for any part of the government that is inefficient, including our military.

He brought up the Authorization for Use of Military Force. We had a big debate about this in committee, and I asked my staff: Why can't we consider an Authorization for Use of Military Force in our committee? I think we should.

I was told and we found out by reading the War Powers Act, a law passed by Congress in 1973, that, under that law, jurisdiction for the Authorization for Use of Military Force is vested in the Foreign Affairs Committee, not in the Armed Services Committee, so we could not consider that when it came before the committee.

And then, finally, as to his comments about NATO, I share a lot of his concerns. I think many of us do. There is nothing wrong and everything right with expecting our NATO allies to meet their 2 percent obligation. Most of them are not doing that.

I do believe the administration is working with them to get them to that point, but I don't think we should ever miss an opportunity to keep the heat on them to do that. Ultimately, the defense that we provide over in Europe through NATO is the defense of those countries.

So I think it is appropriate that the gentleman brought up that point. I hope the administration will continue to do that, and I hope that we will continue to back any effort that is taken by this administration or the next to do that.

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

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

Mr. Speaker, I want to take some time to highlight some of the terrible

environmental provisions that run counter to our national security imperative to create a more sustainable society that are in this bill or that have been submitted as amendments to this bill.

For instance, there has been an amendment that would block implementation of the collaborative Federal land use plans and prevent listing of the sage-grouse under the Endangered Species Act for the next decade.

We have had extensive hearings in another committee I serve on, the Natural Resources Committee. This has nothing to do with defense. In fact, we hold up the collaborative Federal land use plan as an example of how to avoid listing this species and, yet, make sure that we can maintain a viable habitat.

I think it was a great success. I think it is ridiculous that we are talking about amending a national defense bill to undo something that we have had extensive hearings on in the Natural Resources Committee and is held up by all parties involved as a huge success.

In addition, there is going to be an amendment offered to sell off over 800,000 acres of the Desert National Wildlife Refuge in Nevada. It would be transferred to the Air Force, which has not requested a transfer. The Air Force has not requested this land for any military use; yet, there is a bill to impose the management of these lands on the Air Force.

It would represent a harmful public land sell-off precedent. It is important habitat for desert bighorn sheep, mule deer, mountain lions, and other wildlife.

As we mentioned, the Air Force has not requested the stewardship of these lands. Of course, it would put a costly new burden on the Air Force to the detriment of our national security.

In addition, there are two provisions already in the NDAA that will remove or block Federal endangered species protections for the American burrowing beetle and the lesser prairie chicken.

Again, I am happy to have those debates. But what on Earth do they have to do with national defense, and why are they in the committee bill?

Section 2866 would block ESA protections for the lesser prairie chicken for 6 years and then impose arbitrary restrictions on whether the Secretary of the Interior can relist the lesser prairie chicken, regardless of its biological status, even if there is only a handful left or it is nearing extinction.

Section 2866 would also immediately and permanently remove the burrowing beetle for protection under the Endangered Species Act and prevent it from receiving any protections in the future.

Our biodiversity is a source of strength. To somehow have a backdoor attempt—if you can't get these things through the proper regular order of the Natural Resources Committee, to somehow say that the burrowing beetle has something to do with national defense is a great stretch of our rules of germaneness that we have here in the body of this House.

More perilously, more dangerously, there is language in the House NDAA bill that is a repeal of section 526 of the Energy Independence and Security Act of 2007. The purpose of this law is to reduce the Department of Defense's dependence on oil from hostile regimes of the world.

So it is a disparate element of advanced lower carbon fuels to promote energy security. Repealing this provision is something the Department of Defense does not want. It would be unwise for our clean energy future.

So this bill actually detracts from the current language in the repeal of section 526. It reduces our energy security as a Nation, renders us to be more reliant on foreign powers for our oil, just as the budgetary tricks in this bill will force us to borrow more from China and Saudi Arabia to spend this year.

Finally, there is some damaging language about aquatic invasive species, which, of course, cost billions of dollars annually when we deal with the zebra mussels in lakes in Colorado, damaging shipping, damage to industrial and government facilities. Invasive species cause great irreversible damage to coastal and inland waters, including some in my district.

Once a nonnative species invades a lake or river, it is basically impossible to eliminate, as we know. S. 373, the Vessel Incidental Discharge Act, or VIDA, would discard the Clean Waters Act goal of stopping further invasive species and replace it with a law that would instead put ineffective standards for removing invasive species from ships' ballast water discharges that bear no relation to protection of water quality.

So, again, this bill will strip out very important measures that would prevent the dissemination of invasive species. Even in the lakes in my district, including in Grand County, we have had a devastating impact of the zebra mussel invasive species both on local habitat as well as directly on recreational ships and boaters.

There is not a direct military aspect to where we are, but, again, this applies to both military and shipping and is a great cost to the American economy when these invasive species threaten us.

Again, these are issues people may differ on. I am happy to have that debate. In fact, it is a little bit of déjà vu. I feel like I have had that debate on the Natural Resources Committee. We have debated many of these same things.

But instead of bills being reported out of that committee and coming to the floor, apparently, the NDAA is seen by some as a catchall to attack our environmental safeguards. That is wrong. That actually detracts from our national security. It makes us more reliant on foreign oil. It is the wrong direction for the bill, the wrong direction for national defense.

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

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

Mr. Speaker, I wish we didn't have to deal with environmental issues on the Armed Services Committee, but, unfortunately, we have military bases all across the United States where they are being limited in what they want to do, what they could potentially do, by other Federal agencies that are using their powers to tell our defense folks that they can't do things that are important to carrying out their military mission.

So I heard my colleague, and I know of his service on the Natural Resources Committee and the good work of that committee. But when you have those agencies beginning to impinge on our ability to deliver on national defense, I think that is under the jurisdiction of our committee. We have gotten waivers to be able to take these issues up from those committees, including the Natural Resources Committee.

Look, I am not saying the sage-grouse or the beetle is not important, but they are not more important than the defense of the United States of America. We have dealt with these issues in a responsible way. I hope and pray that the time will come when we won't ever have to talk about that in the Armed Services Committee again.

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

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

I still remain hard pressed to see how the burrowing beetle or the lesser prairie chicken are somehow a security issue that needs to be addressed in the National Defense Authorization Act.

Look, there are a number of other flaws with the bill. It greatly overfunds our nuclear weapons activities, which will cost taxpayers hundreds of billions over the next 10 years. I have offered an amendment to reduce this.

This is for a stockpile of weapons that could be greatly reduced and still maintain the capability of destroying the world many times over, however useful that capability may be.

I think it should be good enough that we have enough capability to destroy the world three or four times instead of seven times. God forbid, we don't have enough capabilities to destroy the entire world and wipe out life.

This bill does not include, as had been mentioned, an Authorization for Use of Military Force for our ongoing operations in Iraq, Syria, and elsewhere. Despite repeated calls to write an updated authorization, despite the belief of many Members on both sides of the aisle, the current war is illegal.

This Congress has taken zero meaningful action to date. We should change that or at least debate changing that this week.

As I said before, when you have a national security bill that mortgages our future, makes us more reliant on foreign oil, you wonder at what point you

should stop calling it a national security bill and start calling it a national insecurity bill.

The vision that my constituents have, the vision that I have, for a safe and secure America is not one with bloated budget deficits and borrowing from China and Saudi Arabia. It is not one where we cut off our own renewable energies program so we can rely more on foreign oil. It is not one where we borrow more from our kids' future and mortgage them. That is not the secure America that we should seek as a United States Congress.

These are the kinds of questions that we should be debating in the defense bill. But instead of focusing on these real questions of how to improve our armed services and how to provide for the national defense, the general debate we will see under this rule will dedicate a large portion to debate on the budget and the looting of this overseas contingency fund, which Congress will have to come back and backfill in April, therefore mortgaging our future and increasing our national debt to fund.

Instead of actually passing a budget, this Congress is having a backdoor budget debate, debating it now. It is the wrong way to do things.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule that would shed light on the secret money in politics.

The DISCLOSE Act, authored by Mr. VAN HOLLEN, would require outside groups to disclose the source of the contributions they are using to fund their campaigns.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question. I urge my colleagues to vote ''no'' on the rule with the self-executing language which undoes the committee language, in violation of regular order. Vote ''no'' on the rule.

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

□ 1315

Mr. BYRNE. I yield myself such time as I may consume.

Mr. Speaker, I appreciate and respect the gentleman from Colorado and his earnestness and all of what he has said today; and I do agree with him that there are many things that we need to debate on this floor and that we will be debating on this floor over the next 2 days.

But let's make sure we don't lose sight of the central thing we are here to do, and that is to protect and defend the people of the United States.

Yes, there are going to be some extraneous issues, issues that we wish we didn't even have to talk about; but at the end of the day, we are going to come back to that central function, that most important function that we have, and that is defending the people of the United States.

Because of things that have happened before today, the readiness of our Armed Forces, the people we charge with the direct responsibility of defending us, the readiness has come down steadily. Planes can't fly. Armed vehicles can't drive. Weapons don't function. We don't have enough training for our troops.

So we have listened to all of the uniformed commanders that have come before our committee and heard the dire circumstances we face all across the national defense of this country, and this bill begins to turn that around.

It is not a big enough turnaround. We have got a lot of work to do to get back to where we need to be, but this begins that process of getting our Armed Forces ready in a way that is meaningful and responsible for them but also will create the actual effect of protecting the American people.

We have put into this bill very important reforms, reforms that we have been needing to look at for a long time, that will require our military to be more efficient, save taxpayer dollars, but also make them more effective in their jobs.

This bill does what we, as a House, are charged with doing, and that is setting responsible policy for defending the United States of America.

I hope that everyone, as we debate the amendments and the underlying bill over the next 2 days, will keep central in their mind that that is what this is all about and that we will strive to do this in a bipartisan fashion, as we have done on the Committee on Armed Services and as we have done on the Committee on Rules.

This needs to be a bipartisan bill. This needs to be a bipartisan vote. If we really care about this country, if we really care about those men and women in uniform, then it is important for us to understand that we have a bipartisan responsibility to make sure that we provide for them and provide for the defense of the American people.

Mr. Speaker, I urge my colleagues to support House Resolution 732 and the underlying bill.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 732 OFFERED BY MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 5. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 430) to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, and other entities, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the respective chairs and ranking minority members of the Committees on House Administration, the Judiciary, and Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 6. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 430.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BYRNE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. POLIS. 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 4957. An act to designate the Federal building located at 99 New York Avenue, N.E., in the District of Columbia as the ''Aries Rios Federal Building''.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO BURMA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114–135)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Burma that was declared on May 20, 1997, is to continue in effect beyond May 20, 2016.

The Government of Burma has made significant progress across a number of important areas since 2011, including the release of over 1,300 political prisoners, a peaceful and competitive election, the signing of a Nationwide Ceasefire Agreement with eight ethnic armed groups, the discharge of hundreds of child soldiers from the military, steps to improve labor standards, and expanding political space for civil society to have a greater voice in shaping issues critical to Burma's future. In addition, Burma has become a signatory of the International Atomic Energy Agency's Additional Protocol and ratified the Biological Weapons Convention, significant steps towards supporting global non-proliferation. Despite these strides, the situation in the country continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

Concerns persist regarding continued obstacles to full civilian control of the government, the ongoing conflict and human rights abuses in the country, particularly in ethnic minority areas, and military trade with North Korea. In addition, Burma's security forces, operating with little oversight from the civilian government, often act with impunity. We are further concerned that prisoners remain detained and that police continue to arrest critics of the government for peacefully expressing their views. For this reason, I have determined that it is necessary to continue the national emergency with respect to Burma.

Despite this action, the United States remains committed to working with both the new government and the people of Burma to ensure that the democratic transition is irreversible.

BARACK OBAMA.

THE WHITE HOUSE, *May 17, 2016*.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken later.

ZIKA VECTOR CONTROL ACT

Mr. GIBBS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 897) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 897

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 ''Zika Vector Control Act''.

SEC. 2. USE OF AUTHORIZED PESTICIDES.

Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

''(5) USE OF AUTHORIZED PESTICIDES.—

''(A) IN GENERAL.—Except as provided in section 402(s) of the Federal Water Pollution Control Act, the Administrator or a State may not require a permit under such Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under this Act, or the residue of such a pesticide, resulting from the application of such pesticide.

''(B) SUNSET.—This paragraph shall cease to be effective on September 30, 2018.''.

SEC. 3. DISCHARGES OF PESTICIDES.

Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) DISCHARGES OF PESTICIDES.—

''(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act, or the residue of such a pesticide, resulting from the application of such pesticide.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

''(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act that is relevant to protecting water quality, if—

''(i) the discharge would not have occurred but for the violation; or

''(ii) the amount of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

''(B) Stormwater discharges subject to regulation under subsection (p).

''(C) The following discharges subject to regulation under this section:

''(i) Manufacturing or industrial effluent.

''(ii) Treatment works effluent.

''(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.

''(3) SUNSET.—This subsection shall cease to be effective on September 30, 2018.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. GIBBS) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. GIBBS. 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. 897.

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

There was no objection.

Mr. GIBBS. Mr. Speaker, I rise in strong support of H.R. 897, the Zika Vector Control Act.

This summer, it is evident that the Nation will have to contend with the outbreak of the known Zika virus. Like West Nile virus, it is spread to people primarily through the bite of an infected mosquito.

It has been a year since the first alerts of the Zika virus spreading to Brazil were issued. Since then, the virus has been spreading north, and with warmer months approaching, communities in the United States should be given the tools necessary to stop Zika.

Many States, counties, and municipalities rely on mosquito-spraying programs to protect public health, especially with the threats like Zika, which is particularly harmful to pregnant women.

But protecting communities from Zika and other mosquito-borne diseases has become difficult thanks to a burdensome and duplicative Federal regulation that requires more time and money to be spent on compliance rather than protecting the health and safety of the American people.

Congress cannot let this bureaucratic nonsense stand in the way of potentially preventing a public health crisis like the spread of the Zika virus.

For 60 years, before the Clean Water Act was passed, the Federal Insecticide, Fungicide, and Rodenticide Act, known as FIFRA, regulated the use of pesticides in the United States. Even after the Clean Water Act was implemented, the Environmental Protection Agency believed that FIFRA was the appropriate regulatory authority for pesticides.

It was only after the decision by the Sixth Circuit Court of Appeals in the case, National Cotton Council v. EPA, were permits under the Clean Water Act required for pesticide use. This case vacated a 2006 EPA rule that codified their longstanding interpretation that the application of a pesticide for its intended purposes, and in compliance with the requirements of FIFRA, is not a discharge of a pollutant under the Clean Water Act and, therefore, an NPDES permit is not required.

To put this in simple terms, the court's ruling cast aside Congress' intent in pesticide permits, and added another layer of bureaucracy for entities that work to protect the public health.

In vacating the rule, the Sixth Circuit Court simply reversed sensible agency interpretation, and instituted a new Federal policy by judicial decision.

In the process, the court undermined the traditional understanding of how the Clean Water Act interacts with other environmental statutes, and expanded the scope of the Clean Water Act regulation further into areas and activities not originally envisioned or intended by Congress, and against longstanding EPA interpretation.

As a result of this court decision, EPA has been required to develop and impose a new and expanded NPDES permitting process under the Clean Water Act to cover pesticide use.

EPA has estimated that approximately 365,000 pesticide users, including State agencies, cities, counties, and mosquito control districts, water districts, pesticide applicators, farmers, ranchers, forest managers, scientists, and even everyday citizens that perform some of the 5.6 million pesticide applications annually, are affected by the court's ruling. This substantially increases the number of entities subject to NPDES permitting.

With this ill-advised court decision, Federal and State agencies are expending vital funds to initiate and maintain Clean Water Act permitting programs governing pesticide applications, and a wide range of public and private pesticide users are now facing increased financial and administrative burdens in order to comply with the new unnecessary permitting process.

Despite what the fear mongers suggest, all this expense comes with no additional environmental protection.

NPDES compliance costs and fears of potentially ruinous litigation associated with NPDES requirements are forcing States, counties, mosquito control districts, and other pest control programs to reduce their operations and redirect resources in order to comply with the regulatory requirements.

We know that routine mosquito prevention programs have been reduced due to the NPDES requirements. Two anecdotal examples: In Orchard City, Colorado, the city council decided to abandon their aerial mosquito spraying due to the new NPDES permits. The Colorado Aerial Applicator Association, which was certified, completely discontinued all aquatic application services due to compliance of either the Colorado or NPDES permits.

In Utah, for the last 3 years, an Idaho-based NAA operator has been contracted with a homeowner association north of Salt Lake City for treatment of mosquitos. It was not uncommon for him to treat 17,000 acres in one night.

The NPDES permit makes it impossible for him to continue his services as he will be liable for noncompliance because the client/decisionmaker did not require any sort of paperwork other than to substantiate that his equipment was calibrated, thereby constituting noncompliance under that Federal permit system.

□ 1330

In 2012, this most likely increased the impact of the record-breaking outbreak of West Nile virus around the Nation.

In response to those West Nile outbreaks, many States and communities were forced to declare public health emergencies, but this was only after the outbreak of the West Nile virus. So what happens here when they have an outbreak, an epidemic of West Nile in their community, they can declare an emergency, and they don't have to get any permits. They can just go out and spray to attack the epidemic.

So let's do this right and do it under the permitting process, but let's have a process that works.

It is absolutely irresponsible to allow a public health crisis to get to this emergency stage, and then we have the ability to prevent it before removing a simple regulatory barrier.

H.R. 897 will enable communities to resume conducting routine preventive mosquito control programs without additional bureaucracy getting in the way.

H.R. 897 provides a limited exemption for pesticides regulated by FIFRA and used under its product label—which is, by the way, approved by the EPA. Keep in mind, the pesticides necessary to combat Zika and stop the spread of mosquitos are already appropriately regulated under FIFRA. The red tape and compliance costs of an additional NPDES permit make it more difficult for our applicator sprayers to stop the Zika virus.

FIFRA regulation includes human health and environmental safeguards when pesticides are approved, including the rules of label use of a pesticide. Adding an NPDES requirement is redundant and unnecessary.

H.R. 897 was drafted very narrowly to address only the Sixth Circuit Court's decision and gives State and local entities that spray to control mosquito populations the certainty and the ability needed to protect public health. This commonsense legislation even received technical assistance from the EPA to achieve that goal safely and effectively.

Well over 100 organizations representing a wide variety of public and private entities and thousands of stakeholders support a legislative resolution of this issue. Just to name a few, these organizes include: the American Mosquito Control Association, the National Association of State Departments of Agriculture, the National Water Resources Association, the American Farm Bureau Federation, the National Farmers Union, the Family Farm Alliance, the National Rural Electric Cooperative Association, CropLife America, the Biopesticide Industry Alliance, the Responsible Industry for a Sound Environment, the Agricultural Retailers Association, and the National Agricultural Aviation Association.

I want to thank Chairman SHUSTER for his leadership on the Transportation and Infrastructure Committee as well as Chairman CONAWAY of the Ag Committee and Ranking Member COLLIN PETERSON of the Agriculture Committee for their leadership on this important public health issue.

This is a responsible, commonsense bill that will help ensure public health officials aren't fighting Zika with their hands tied behind their back. Mr. Speaker, I urge all Members to support H.R. 897.

I reserve the balance of my time.

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

Well, Groundhog Day came a month earlier this Congress. That is how I described this bill 2 years ago, July, because this is the third time that we have considered this bill. Now, we must admit the rationale has changed. Just last week—last week—it was named the Zika Control Act. But before that, it was the Regulatory Burden Removal Act.

So the first time it was considered, it was H.R. 1749. That one, the 109th Congress defeated. That was for West Nile virus—whoops. Then H.R. 872, last Congress, Reducing the Regulation Burdens Act, at the request of the American Farm Bureau because of a huge burden; and now just renamed last week, we are going to try and game a very serious thing, which is the potential spread of Zika, for which the Republicans thus far have appropriated zero dollars to help the States—zero. Now we are going to pretend we are doing something here today about Zika. It is not about Zika.

Now, this is pretty darn personal for me because the reason we have this rule is because of a huge, massive fish kill in Oregon—a misapplication of pesticide, an aquatic pesticide, into an irrigation canal. We are talking about applications in or near water.

People drink water, fish swim in water, and other things are dependent upon water. We are talking about, no, we don't want to have the EPA watch the pesticide operators who are putting pesticides in or around water. They should not be allowed to do that.

Now, 92,000 steelhead died in Oregon, and that was essentially the beginning of this rule. Now they are saying this is horribly burdensome.

Well, first off, in my State, my one, little, isolated State, we have 825 miles of rivers that are showing a significant level of pesticides, 10,000 acres of lakes. Nationwide, it is hundreds of thousands of miles, tens of thousands of miles and hundreds of thousands of acres.

We haven't been testing for pesticide residues in water, in drinking water, until very recently. But now we don't want to do that anymore. We don't want people to know. Let's just stop, because this is a horrible burden.

Well, actually, not so much. This is controlled at two levels: the EPA and the States. Now, we just heard one anecdote about an aerial applicator in one State that just came up yesterday, unnamed, anecdotal, they suspended operations. Why? Who knows why? We don't know why. There are no facts behind it. But we should end the whole program nationwide because of one anecdote regarding one applicator who may have been misapplying it in Colorado. We don't know.

So the committee asked the EPA and the States, how many people have complained and have had their operations interrupted? Interesting answer: zero and zero. The 50 States say zero, except we now hear about an anecdote in Colorado, and the EPA says zero.

So now we are going to pretend this has something to do with Zika. This has nothing to do with Zika. It has to do with whether or not someone is going to misapply a pesticide that is going to get in your drinking water.

Now, we should become kind of sensitive about drinking water after what happened in Michigan, but, nah, we don't care. Get rid of those stinking regulators. Don't worry. No one would ever misapply a pesticide. It won't get in your drinking water and won't kill fish—even though it clearly did that in Oregon. So this is really a kind of transparent renaming and opportunistic approach to Zika.

How about considering a real bill to put some real money to partner with the States to deal with this? By the way, they can spray wherever they want because of a declared emergency, so it is automatically covered.

But we are going to pretend that somehow we are going to facilitate the spread of Zika if we don't wipe out the EPA's authority to keep pesticides out of our water. This has been defeated twice before. Even though it was creatively renamed in the last week, I would recommend that my colleagues oppose it yet again.

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

Mr. GIBBS. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. SCALISE), the majority whip.

Mr. SCALISE. Mr. Speaker, I rise in strong support of this Zika Vector Control Act and want to commend Congressman GIBBS for his leadership in bringing this forward as we work here in the House to combat Zika.

The House is doing a number of things this week. Number one, we are moving legislation to reprioritize money so that there will be a total of $1.2 billion of moneys allocated to combat Zika.

But, in addition, while we are fighting Zika and giving not only Federal, but local agencies the resources they need to combat this terrible disease from spreading, we know, and CDC has told us, that it is spread by mosquitos. Mosquitos are the agents that spread Zika.

So here we have got Congressman GIBBS identifying a problem where the EPA is making it harder to actually kill mosquitos.

I come from south Louisiana. We have a lot of mosquitos in south Louisiana, and we don't like them. We actually spray using federally approved pesticides to kill mosquitos where they breed. Where do they breed, Mr. Speaker? They breed by water. They breed by sources of water. So you have got federally approved sprays and pesticides that are used to go and kill the mosquitos so that they can't spread Zika, and yet the EPA comes in and has a rule that makes it harder and more expensive to actually go kill mosquitos.

All that Congressman GIBBS is saying is let's block that rule because local governments, by the way, still control this. It is our local governments, our parishes and counties, that are doing the spraying. They understand how to comply with their own local laws. They are not going to do anything to jeopardize groundwater, but what they want to do is kill mosquitos so that the mosquitos don't spread Zika to our constituents.

If you look, this legislation actually was passed. It actually was passed in 2011 when we were responding to West Nile. So the House did pass this legislation already, and it was good legislation then. In fact, it got a wide bipartisan vote. All of a sudden, some people want to politicize it. This isn't a political issue. This is about common sense.

Mr. Speaker, the EPA is just putting additional hurdles in place. It is not like they are saying don't spray these pesticides. They are just jacking up the costs. It is an EPA money grab that makes it more expensive and more difficult to actually go kill mosquitos.

So while we are debating whether or not to prioritize more money for Zika—which we are doing, by the way, $1.2 billion worth—shouldn't we make sure that the money can actually be used to effectively kill the mosquitos that spread Zika? If the EPA has got a rule that makes no sense and makes it harder to kill mosquitos, shouldn't we remove that rule and that barrier and allow and trust our local governments?

There are some people up here who think that Washington knows best, and if your local parish or county knows what they need to do to control the mosquito population in their parish or county, shouldn't they be able to do it? Or you don't trust them; you don't want to give them the ability to go kill mosquitos.

Well, I do trust our local governments, and I want to give them the tools that they need to actually go and kill mosquitos at the source where they breed, and that is near sources of water. It is not in a way that contaminates groundwater at all. In fact, EPA still gives these permits out, but it just costs a lot more money to go and kill the mosquitos. So let's remove that burden so we can kill more mosquitos and stop Zika from spreading.

Mr. Speaker, it is a really good, commonsense piece of legislation, and I urge its adoption.

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

Mr. Speaker, the horrible burden the gentleman is talking about is a notice of intent which says where and how something was applied. It is virtually cost free. You can use a standardized form. But it is just good to know where we are putting the pesticides and what pesticides are being used in case there are problems like the massive fish kill in Oregon, which we were able to trace back to one misapplication by one private company, not by the local county or any other public entity.

Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I do rise in strong opposition to H.R. 897, the Zika Vector Control Act.

The Clean Water Act in no way hinders, delays, or prevents the use of approved pesticides for pest control operations. In fact, the Clean Water Act permit provides a specific emergency provision to prevent outbreaks of disease, such as Zika.

Under the terms of the permit, pesticide applicators are automatically covered under the permit, and spraying may be performed immediately for any declared pest emergency situations. In most instances, sprayers are only required to notify EPA of the spraying operations 30 days after the beginning of the spraying operation.

As I have noted before on similar bills, I have remained concerned that this bill would mean that no Clean Water Act protections would be required for pesticide application to water bodies that are already impaired by pesticides.

Most pesticide applications in the U.S. are done in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, which requires proper labeling of pesticide products regarding usage. However, FIFRA labeling is no substitute for ensuring that we understand the volumes of pesticides that we seem to apply to our rivers, our lakes, and our streams on an annual basis.

According to a 2016 USGS report on pesticides, commonly used pesticides frequently are present in streams and groundwater at levels that exceed human health benchmarks and occur in many streams at levels that may affect aquatic life or fish-eating wildlife.

In the data that the States provide the EPA, more than 16,000 miles of rivers and streams, 1,380 bays and estuaries, and 370,000 acres of lakes in the United States are currently impaired or threatened by pesticides.

EPA suggests that these estimates may be low because many of these States do not test for or monitor all the different pesticides that are currently being used. I am very concerned about the effect these pesticides have on the health of our rivers, on our streams, and especially the drinking water supplies of all of our citizens, especially the most vulnerable, which are the young, the elderly, the poor and disenfranchised, who have no other protection.

I would also add that, if our true concern here is protecting the health of pregnant women in particular, we should focus on preventing pesticide application directly or indirectly to drinking water sources.

Mr. Speaker, I have here a Federal report on how pesticides in California are a leading cause of impairments to water quality.

Currently in California, there are over 4,500 miles of rivers and streams, 235,000 acres of lakes and reservoirs, and 829 square miles of bays and estuaries in my State that are impaired by pesticides.

□ 1345

This is a significant concern in my home State, where every drop of water needs to be conserved, reused, and cherished.

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

Mr. DEFAZIO. Mr. Speaker, I yield the gentlewoman and additional 1 minute.

Mrs. NAPOLITANO. We hear that pesticide application is already regulated under FIFRA and that the Clean Water Act review is not needed. I understand the concerns about duplication of effort and the need to minimize the impacts that regulations have on small business or business at large.

However, I am still very concerned that these pesticides are having a very significant impact on water quality and that we are creating this exemption from water quality protection requirements without considering the impacts to the waters that are already impaired with pesticides, as they are in California.

This, in turn, costs our ratepayers, our water users, hundreds of millions of dollars to filter these pollutants out of the water before it is potable. This is something I deal with on an ongoing basis, as the ranking member of the Subcommittee on Water Resources and Environment.

We currently have aquifers that are contaminated by the continued use of pesticides and fertilizers. Millions of dollars have been spent on the 15-year-long cleanup effort of a Superfund site in my area that has pesticides as one of its contaminants.

We cannot and should not take away one of the only tools available to monitor for adverse impacts of pesticides in our rivers, streams, and reservoirs. Over the past 5 years, this tool has been reasonable.

I oppose this bill.

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

I want to respond a little bit to the gentlewoman from California's concerns about USGS studies. A lot of these studies are more than 10 years old and do not reflect the current status of pesticide conditions and pesticide regulation today.

Many of the detections were what we call legacy pollution stemming from many years ago. Many of the detections were of pesticides that have not been used in the United States for many years.

The vast majority of these detections that were in the more current studies have found very low concentrations, which were at levels well below what they consider human health benchmarks. For example, approximately 99 percent of monitored water wells and greater than 90 percent of the monitored stream sites were below human health benchmark levels.

Between 2002 and 2011—so before this court decision was in place—USGS only found one stream where human health benchmarks exceeded levels of danger. That is just one stream in the entire United States.

Because the USGS data is old, the data does not reflect improvements made by the EPA made to its pesticide regulatory program under FIFRA over the past 10 years. This program has become more rigorous than it was a decade or more ago.

The committee has also received testimony on how EPA uses its full regulatory authority under FIFRA to ensure that pesticides do not cause unreasonable adverse effects on human health and the environment, including our Nation's water resources.

In fact, EPA's pesticides and water programs both use the same risk assessment data, which helps to ensure that both programs are providing the same level of protection against risk.

Pesticide usage patterns have changed, technologies have become more sophisticated, and pesticides are much more carefully applied, in part driven by more elaborate label instructions and the high cost of pesticides.

Consequently, to argue that the USGS reports show that regulating the use of pesticides under the Clean Water Act is needed is nothing more than just a red herring.

To address the issue that my good friend from Oregon raises about the fish kill, NPDES permitting is really a permit to discharge. If an applicator misuses that pesticide under the label, under FIFRA, that is illegal. They broke the law.

So not fixing this court decision doesn't have any effect on the unfortunate situation that happened in Oregon with the fish kill. Nothing in the Clean Water Act will stop misapplication. It is already illegal under FIFRA. The person should be held accountable, prosecuted, and responsible for damages.

On the cost, there is more evidence out there of what is going on. The California vector control districts came out with a report that estimated the cost is $3 million to conduct the necessary administration for these permits. Just to conduct the administration, the $3 million in California, that money could be used in other ways to fight and control mosquitos.

Also, as another example, Benton County, Washington's, Mosquito Control District calculated that their compliance with the NPDES permit cost them $37,334. They spent over $37,334 doing paperwork to secure the Federal and State permits.

They spent this money updating maps to secure the permit. They spent this money on permit fees. They spent this money on software to help with the reporting requirements for the permit. They spent the money on lots of things associated with the permit, but they did not spend that money spraying for mosquitos.

Benton County estimates that, with that $37,334, they could have treated 2,593 acres of water where mosquitos breed or they could have paid for over

400 West Nile lab tests or they could have hired three seasonable workers. But Benton County got to spend their $37,334 to comply with a redundant Federal permit.

The National Agricultural Aviation Association, whose members perform over 17,000 public health and mosquito abatement applications every year, estimates that, for one of their members with two planes and five employees, compliance with the NPEDS permit requires one full-time employee and $40,000 annually for one full-time employee to comply with this additional permitting.

This permit is not simply ''the modest notification and monitoring requirements are providing valuable safeguards against over-application of pesticides'' that my colleague is claiming.

It is an incredibly heavy-handed, expensive, time-consuming process that takes dollars away from public health protection, putting it to more paperwork and putting more people at risk and the health of our communities at risk.

I yield back the balance of my time.

Mr. DEFAZIO. Mr. Speaker, may I inquire how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Oregon has 10½ minutes remaining. The gentleman from Ohio has 4 minutes remaining.

Mr. DEFAZIO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Mr. Speaker, I rise in strong opposition to the House consideration of the Reducing Regulatory Burdens Act that House Republicans have incorrectly and misleadingly renamed the Zika Vector Control Act.

In the 113th Congress, this exact legislation with a bill number of H.R. 935 failed under suspension of the rules 253–148. At the time, Republicans subsequently rescheduled it 2 days later under a closed rule to allow passage.

I was a Democratic manager of that bill under consideration in 2014. In fact, since my statement laid out a real substantive concern with the legislation, I include in the RECORD a copy of my remarks from that time.

Mr. Speaker, in the 112th Congress, the Republican leadership moved similar legislation under the guise that, unless Congress acted, the process for applying a pesticide would be so burdensome, that it would grind to a halt an array of agricultural and public health-related activities.

Some may say that this may be a bit of hyperbole to describe the impacts of the Environmental Protection Agency's (EPA) pesticide general permit.

However, if you were to compare the concern expressed before the agency's draft permit went into effect with the almost non-existent level of concern expressed after almost three years of implementation, you would likely question why we are here this evening debating this bill.

Contrary to the rhetoric, EPA and the States have successfully drafted and implemented a new pesticide general permit (PGP) for the last two-and-a-half years that adopted several common-sense precautionary measures to limit the contamination of local waters by pesticides. And they do so in a way that allows pesticide applicators to meet their vital public health, agricultural, and forestry-related activities in a cost-effective manner.

The sky has not fallen, farmers and forestry operators have had two successful growing seasons, and public health officials successfully address multiple threats of mosquito-borne illness, while at the same time complying with the sensible requirements of both the Clean Water Act and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

I say sensible because, as we should clearly understand, the intended focus of the Clean Water Act and FIFRA are very different.

FIFRA is intended to address the safety and effectiveness of pesticides on national scale, preventing unreasonable adverse effects on human health and the environment through uniform labels indicating approved uses and restrictions.

However, the Clean Water Act is focused on restoring and maintaining the integrity of the nation's waters, with a primary focus on the protection of local water quality.

It is simply incorrect to say that applying a FIFRA-approved pesticide in accordance with its labeling requirement is a surrogate for protecting local water quality. As any farmer knows, complying with FIFRA is as simple as applying a pesticide in accordance with its label—farmers do not need to look to the localized impact of that pesticide on local water quality.

So, why are groups ranging from the American Farm Bureau Federation to Crop Life America so adamantly opposed to this regulation?

One plausible answer is because these groups do not want to come out of the regulatory shadows that have allowed unknown individuals to discharge unknown pesticides in unknown quantities, with unknown mixtures, and at unknown locations.

I wonder how the American public would react to the fact that, for decades, pesticide sprayers could apply massive amounts of potentially-harmful materials, almost completely below the radar.

In fact, prior to the issuance of the pesticide general permit, the only hard evidence on pesticide usage in this country came from a voluntary sampling of the types and amounts of pesticides that were purchased from commercial dealers of pesticides.

No comprehensive information was required, or available, on the quantities, types, or location of pesticides applied in this country. Based on that practice, I guess we should not be surprised that, for decades, pesticides have been detected in the majority of our nation's surface and ground waters.

Which leads me to question how eliminating any reporting requirement on the use of pesticides is protective of human health and the environment?

All this would do is make it harder to locate the sources of pesticide contamination in our nation's rivers, lakes, and streams, and make accountability for these discharges more difficult. If this legislation were to pass, we would require more disclosure of those who manufacture pesticides, than those who actually release these dangerous chemicals into the real world.

During the debate on Monday, several speakers questioned the environmental and public health benefits of the Clean Water Act for the application of pesticides. However, many of these benefits are so obvious, it is not surprising they may have otherwise gone overlooked.

First, it is the Clean Water Act, and not FIFRA, that requires pesticide applicators to minimize pesticide discharges through the use of pesticide management measures, such as integrated pest management. I find it difficult to argue that using an appropriate amount of pesticides for certain applications would be a problem.

Second, it is the Clean Water Act, and not FIFRA, that requires pesticide applicators to monitor for and report any adverse incidents that result from spraying. I would think that monitoring for large fish or wildlife kills would be a mutually-agreed upon benefit.

Also, it is the Clean Water Act, and not FIFRA, that requires pesticide applicators to keep records on where and how many pesticides are being applied throughout the nation.

Again, if data is showing that a local waterbody is contaminated by pesticides, I would think the public would want to quickly identify the likely source of the pesticide that is causing the impairment.

Finally, and perhaps most important, I am unaware, despite repeated requests to both EPA and States, of any specific example where the current Clean Water Act requirements have prevented a pesticide applicator from performing their services. Despite claims to the contrary, the Clean Water Act has not significantly increased the compliance costs to states or individual pesticide sprayers, nor has it been used as a tool by outside groups or EPA to ban the use of pesticides.

So, let me summarize a few points.

One, the Clean Water Act does provide a valuable service in ensuring that an appropriate amount of pesticides are being applied at the appropriate times, and that pesticides are not having an adverse impacts on human health or the environment.

Two, to the best of my knowledge, the pesticide general permit has imposed no impediment on the ability of pesticide applicators to provide their valuable service to both agricultural and public health communities. In fact, most pesticide applications are automatically covered by the pesticide general permit, either by no action or by the filing of an electronic ''Notice of Intent.''

Three, Federal and state data make it clear that application of pesticides in compliance with FIFRA, alone, as was the case for many years, was insufficient to protect waterbodies throughout the nation from being contaminated by pesticides, so if we care about water quality, more needed to be done.

I can see no legitimate reason why we would want to allow any user of potentially-harmful chemicals to return to the regulatory shadows that existed prior to the issuance of the Clean Water Act pesticide general permit. It has caused no known regulatory, administrative, or significant financial burden, and has been implemented seamlessly across the country.

As was stated during the debate on Monday, this legislation is seeking to address a pretend problem that simply doesn't exist.

I urge a no vote on H.R. 935.

In this Congress, this legislation was marked up early last year in the Agriculture Committee as the Reducing Regulatory Burdens Act. The committee of primary jurisdiction, the House Transportation and Infrastructure Committee, has taken no action on the bill this time around; yet, here we are again on the House floor.

The Republican leadership has now changed the name of the bill to the Zika Vector Control Act. A new name and the inclusion of a sunset date in 2018 are the only differences from previous iterations of this bill.

H.R. 897 is the exact same legislation that pesticide manufacturers and other special interests have been pushing for the past several years. It would eliminate Clean Water Act safeguards that protect our waterways and communities from excessive pesticide pollution.

The pesticide general permit targeted in this legislation has been in place for nearly 5 years now, and alarmist predictions by pesticide manufacturers and others about the impacts of this permit have failed to bear any fruit.

In fact, in March 2015, before the House Transportation and Infrastructure Committee, Ken Kopocis, Deputy Assistant Administrator of the Office of Water at the Environmental Protection Agency, testified that:

''We have not been made aware of any issues associated with the pesticide general permit. Nobody has brought an instance to our attention where somebody has not been able to apply a pesticide in a timely manner . . . There have been no instances.''

Yet, here we are. Since then, all across the country, pesticide applicators—usually utilities managing their rights-of-way—are complying with the Clean Water Act permits to protect water quality. The public is getting information they need that we couldn't get before about what pesticides are being sprayed into what bodies of water.

Congress should not and must not respond to outdated sky-is-falling problems that history has shown has never occurred and weaken protections for the water our children drink.

In past Congresses, my colleagues on the other side of the aisle have chosen a public health emergency de jour as rationale to pass and enact this legislation into law. At one time, they cited, as they have again today, West Nile virus. The next time it was the western wildland fire suppression. Last Congress, it was the drought.

Now, in nothing less than a purely political move, Republicans are considering this bill on suspension, but this time under the guise of combating the spread of Zika.

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

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

Ms. EDWARDS. Let us be clear. This bill has absolutely nothing to do with Zika or trying to stop the threat of the Zika virus. Despite claims made by my colleagues to the contrary, the permit already in effect allows spraying for Zika or other mosquito control programs.

H.R. 897 is simply another attack on the Clean Water Act as part of the Republican's anti-environmental, deregulatory agenda. I urge my colleagues to vote this legislation down.

And let's do something real to combat Zika. The President has asked for $1.9 billion in emergency funding because it is an emergency. It is a public health threat. If we did that now, then we would be fulfilling our duties and responsibilities.

But this legislation today fulfills no responsibilities, gets in the way of protecting clean water, and does absolutely nothing to combat the Zika virus that, if you look at the map, is quickly spreading across this country.

Mr. GIBBS. Mr. Speaker, I include in the RECORD the following letters of support:

A letter from nearly 100 organizations supporting H.R. 897, including the National Association of State Departments of Agriculture, the National Farmers Union, Ohio Professional Applicators for Responsible Regulation, the Pesticide Policy Coalition, and the National Council of Farmer Cooperatives;

The American Mosquito Control Association;

National Pest Management Association;

Responsible Industry for a Sound Environment; and

American Farm Bureau.

MAY 17, 2016.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR MEMBER OF CONGRESS: The nearly one hundred undersigned organizations urge your support for HR 897, the Zika Vector Control Act, which the House will consider today under suspension of the rules.

Pesticide users, including those protecting public health from mosquito borne diseases, are now subjected to the court created requirement that lawful applications over, to or near 'waters of the U.S.' obtain a Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) permit from the Environmental Protection Agency (EPA) or delegated states. HR 897 would clarify that federal law does not require this redundant permit for already regulated pesticide applications.

Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), all pesticides are reviewed and regulated for use with strict instructions on the EPA approved product label. A thorough review and accounting of impacts to water quality and aquatic species is included in every EPA review. Requiring water permits for pesticide applications is redundant and provides no additional environmental benefit.

Compliance with the NPDES water permit also imposes duplicative resource burdens on thousands of small businesses and farms, as well as the municipal, county, state and federal agencies responsible for protecting natural resources and public health. Further, and most menacing, the permit exposes all pesticide users—regardless of permit eligibility—to the liability of CWA-based citizen law suits.

In the 112th Congress, the same Reducing Regulatory Burdens Act—then HR 872—passed the House Committee on Agriculture and went on to pass the House of Representatives on suspension. In the 113th Congress, the legislation—then HR 935—passed the both the House Committees on Agriculture and Transportation & Infrastructure by voice vote, and again, the House of Representatives.

The water permit threatens the critical role pesticides play in protecting human health and the food supply from destructive and disease-carrying pests, and for managing invasive weeds to keep open waterways and shipping lanes, to maintain rights of way for transportation and power generation, and to prevent damage to forests and recreation areas. The time and money expended on redundant permit compliance drains public and private resources. All this for no measureable benefit to the environment. We urge you to remove this regulatory burden by voting ''YES'' on HR 897, the Zika Vector Control Act.

Sincerely,

Agribusiness Council of Indiana, Agribusiness & Water Council of Arizona Agricultural Alliance of North Carolina, Agricultural Council of Arkansas, Agricultural Retailers Association, Alabama Agribusiness Council, American Farm Bureau Federation, Alabama Farmers Federation, American Mosquito Control Association, American Soybean Association, American Hort, Aquatic Plant Management Society, Arkansas Forestry Association, Biopesticide Industry Alliance, California Association of Winegrape Growers, California Specialty Crops Council, Cape Cod Cranberry Growers Association, The Cranberry Institute, CropLife America, Council of Producers & Distributors of Agrotechnology.

Family Farm Alliance, Far West Agribusiness Association, Florida Farm Bureau Federation, Florida Fruit & Vegetable Association, Georgia Agribusiness Council, Golf Course Superintendents Association of America, Hawaii Cattlemen's Council, Hawaii Farm Bureau Federation, Idaho Grower Shippers Association, Idaho Potato Commission, Idaho Water Users Association, Illinois Farm Bureau, Illinois Fertilizer & Chemical Association, Kansas Agribusiness Retailers Association, Louisiana Cotton and Grain Association, Louisiana Farm Bureau Federation, Maine Potato Board, Michigan Agribusiness Association, Minnesota Agricultural Aircraft Association, Minnesota Crop Production Retailers.

Minnesota Pesticide Information & Education, Minor Crops Farmer Alliance, Missouri Agribusiness Association, Missouri Farm Bureau Federation, Montana Agricultural Business Association, National Agricultural Aviation Association, National Alliance of Forest Owners, National Alliance of Independent Crop Consultants, National Association of State Departments of Agriculture, National Association of Wheat Growers, National Corn Growers Association, National Cotton Council, National Council of Farmer Cooperatives, National Farmers Union, National Pest Management Association, National Potato Council, National Rural Electric Cooperative Association, National Water Resources Association, Nebraska Agri-Business Association, North Carolina Agricultural Consultants Association.

North Carolina Cotton Producers Association, North Central Weed Science Society, North Dakota Agricultural Association, Northeast Agribusiness and Feed Alliance, Northeastern Weed Science Society, Northern Plains Potato Growers Association, Northwest Horticultural Council, Ohio Professional Applicators for Responsible Regulation, Oregon Potato Commission, Oregonians

for Food & Shelter, Pesticide Policy Coalition, Plains Cotton Growers, Inc., Professional Landcare Network, RISE (Responsible Industry for a Sound Environment), Rocky Mountain Agribusiness Association, SC Fertilizer Agrichemicals Association, South Dakota Agri-Business Association, South Texas Cotton and Grain Association, Southern Cotton Growers, Inc., Southern Crop Production Association.

Southern Rolling Plains Cotton Growers, Southern Weed Science Society, Sugar Cane League, Texas Ag Industries Association, Texas Vegetation Management Association, United Fresh Produce Association, U.S. Apple Association, USA Rice Federation, Virginia Agribusiness Council, Virginia Forestry Association, Washington Friends of Farm & Forests, Washington State Potato Commission, Weed Science Society of America, Western Growers, Western Plant Health Association, Western Society of Weed Science, Wild Blueberry Commission of Maine, Wisconsin Farm Bureau Federation, Wisconsin Potato and Vegetable Growers Association, Wisconsin State Cranberry Growers Association, Wyoming Ag Business Association, Wyoming Crop Improvement Association, Wyoming Wheat Growers Association.

THE AMERICAN MOSQUITO CONTROL ASSOCIATION,
Mount Laurel, NJ, May 16, 2016.

Hon. BOB GIBBS,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN GIBBS: The American Mosquito Control Association, in concert with mosquito control agencies, programs and regional associations throughout the United States, want to express our enthusiastic support for passage of HR 897 the Zika Vector Control Act clarifying the National Pollutant Discharge Elimination Systems (NPDES) permitting issue facing our public health agencies.

Each year, over one half million people die worldwide from mosquito-transmitted diseases. In the U.S. alone, the costs associated with the treatment of mosquito-borne illness run into the millions of dollars annually.

This amendment addresses a situation that has placed mosquito control activities under substantial legal jeopardy and requires ongoing diversion of taxpayer-supported resources away from their public health mission. Though the NPDES was originally designed to address point source emissions from major industrial polluters such as chemical plants, activist lawsuits have forced US Environmental Protection Agency (EPA) to require such permits even for the application of EPA registered pesticides, including insecticides used for mosquito control. These permits are mandated despite the fact that pesticides are already strictly regulated by the EPA under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

Currently, mosquito control programs are vulnerable to lawsuits for simple paperwork violations of the Clean Water Act (CWA) where fines may be up to $35,000 per day for activities that do not involve harm to the environment. In order to attempt to comply with this potential liability, these governmental agencies must divert scarce resources to CWA monitoring. In some cases, smaller applicators have simply chosen not to engage in vector control activities.

Requiring NPDES permits for the discharges of mosquito control products provides no additional environmental protections beyond those already listed on the pesticide label, yet the regulatory burdens are potentially depriving the general public of the economic and health benefits of mosquito control. This occurs at a time when many regions of the country have seen outbreaks of equine encephalitis, West Nile virus, dengue fever and the rapidly spreading new threat of the Zika and chikungunya viruses.

This negative impact on the public health response and needless legal jeopardy requires legislative clarification that the intent of the CWA does not include duplicating FIFRA's responsibilities. HR 897 seeks to achieve that goal and we strongly encourage its passage via any legislative vehicle that enacts its clarifying language into law.

Thank you for your strong leadership on this important public health issue.

Adams County (WA) Mosquito Control District, American Mosquito Control Association, Associated Executives of Mosquito Control Work in New Jersey, Atlantic County Office of Mosquito Control, Baker Valley Vector Control District, Benton County (WA) Mosquito Control District, Columbia Drainage Vector Control District, Davis County (UT) Mosquito Abatement District, Delaware Mosquito Control Section, Florida Mosquito Control Association, Gem County (ID) Mosquito Abatement, Georgia Mosquito Control Association, Idaho Mosquito and Vector Control Association, Jackson County (OR) Vector Control District, Klamath Vector Control District, Louisiana Mosquito Control Association, Magna Mosquito Abatement District.

Manatee County (FL) Mosquito Control District, Matthew C. Ball, Multnomah County (OR) Vector Control Program, New Jersey Mosquito Control Association, North Carolina Mosquito & Vector Control Association, North Morrow Vector Control District, Northeast Mosquito Control Association, North Shore Mosquito Abatement District (Cook County, Illinois), Northwest Mosquito and Vector Control Association, Oregon Mosquito and Vector Control Association, Pennsylvania Vector Control Association, Philip D. Smith, Richmond County (GA) Mosquito Control District, South Salt Lake Valley Mosquito Abatement District, Salt Lake City Mosquito Abatement District, Texas Mosquito Control Association, Teton County (WY) Weed & Pest District, Union County (OR) Vector Control District, Washington County (OR) Mosquito Control.

Members of the Mosquito and Vector Control Association of California:

Alameda County MAD, Alameda County VCSD, Antelope Valley MVCD, Burney Basin MAD, Butte County MVCD, City of Alturas, City of Berkeley, City of Blythe, City of Moorpark/VC, Coachella Valley MVCD, Colusa MAD, Compton Creek MAD, Consolidated MAD, Contra Costa MVCD, County of El Dorado, Vector Control, Delano MAD, Delta VCD, Durham MAD, East Side MAD, Fresno MVCD, Fresno Westside MAD, Glenn County MVCD.

Greater LA County VCD, Imperial County Vector Control, June Lake Public Utility District, Kern MVCD, Kings MAD, Lake County VCD, Long Beach Vector Control Program, Los Angeles West Vector and Vector-borne Disease Control District, Madera County MVCD, Marin/Sonoma MVCD, Merced County MAD, Mosquito and Vector Management District of Santa Barbara County, Napa County MAD, Nevada County Community Development Agency, No. Salinas Valley MAD, Northwest MVCD, Orange County Mosquito and Vector Control District, Oroville MAD, Owens Valley MAP, Pasadena Public Health Department, Pine Grove MAD.

Placer MVCD, Riverside County, Dept. of Environmental Health VCP, Sacramento-Yolo MVCD, Saddle Creek Community Services District, San Benito County Agricultural Commission, San Bernardino County Mosquito and Vector Control Program, San Diego County Dept. of Environmental Health, Vector Control, San Francisco Public Health, Environmental Health Section, San Gabriel Valley MVCD, San Joaquin County MVCD, San Mateo County MVCD, Santa Clara County VCD, Santa Cruz County Mosquito Abatement/Vector Control, Shasta MVCD, Solano County MAD, South Fork Mosquito Abatement District, Sutter-Yuba MVCD, Tehama County MVCD, Tulare Mosquito Abatement District, Turlock MAD, Ventura County Environmental Health Division, West Side MVCD, West Valley MVCD,

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DEAR REPRESENTATIVE, I am writing to you today as a pest management professional requesting your support for H.R. 897, the Zika Vector Control Act. H.R. 897 is scheduled to be considered by the full House of Representatives tomorrow, May 17. H.R. 897 would suspend the need to obtain unnecessary and burdensome permits, allowing our industry to better protect you from the mosquitoes that transmit the Zika virus.

Zika is an emerging mosquito-borne virus that currently has no specific medical treatment or vaccine. Zika virus is spread through the bite of infected mosquitoes in the Aedes genus, the same mosquitoes that carry dengue fever and chikungunya. The Zika virus causes mild flu-like symptoms in about 20 percent of infected people, but the main concern among leading health organizations is centered on a possible link between the virus and microcephaly, a birth defect associated with underdevelopment of the head and brain, resulting in neurological and developmental problems. The World Health Organization (WHO) recently declared Zika virus a global health emergency.

Currently, pest management professionals who apply even small amounts of pesticides in and around lakes, rivers and streams to protect public health and prevent potential disease outbreaks are required to obtain an additional, redundant and burdensome National Pollutant Discharge Elimination System (NPDES) permit prior to application. Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), all pesticides are reviewed and regulated for use with strict instructions on the U.S. Environmental Protection Agency (EPA) approved product label. A thorough review and accounting of impacts to water quality and aquatic species is included in every EPA review. Requiring water permits for pesticide applications is redundant and provides no additional environmental benefit.

Pest management professionals are on the front lines of protecting the public, using a variety of tools, including pesticides. Requiring pest management applicators to obtain an NPDES permit to prevent and react to potential disease outbreaks wastes valuable time against rapidly moving and potentially deadly pests. Water is the breeding ground for many pests.

The pest management industry strongly urges you temporarily remove this regulatory burden and help us protect people throughout your community from mosquitoes that transmit dangerous and deadly diseases, like Zika, by voting YES on H.R. 897, the Zika Vector Control Act.

Sincerely,
National Pest Management Association.

RESPONSIBLE INDUSTRY FOR A SOUND ENVIRONMENT,
Washington, DC, May 17, 2016.

Hon. BOB GIBBS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE GIBBS: Thank you for re-introducing the H.R. 897. RISE (Responsible Industry for a Sound Environment)

is a national not-for-profit trade association representing producers and suppliers of specialty pesticides including products used to control mosquitoes and invasive aquatic weeds.

For most of the past four decades, water quality concerns from pesticide applications were addressed within the registration process under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) rather than a Clean Water Act permitting program. Due to a 2009 decision of the 6th Circuit U.S. Court of Appeals, Clean Water Act National Pollution Discharge Elimination System Permits (NPDES) have been required since 2011 for aquatic pesticide applications. NPDES permits do not provide any identifiable additional environmental benefits, but add significant costs and paperwork requirements which make it more expensive to protect people from mosquitoes that can vector the Zika Virus, West Nile Virus, Dengue Fever and other viruses. Permits also make it more expensive to control invasive aquatic plants that over take our waterways and impede endangered species habitat.

H.R. 897 would clarify that duplicative NPDES permits are not needed for the application of EPA approved pesticides. The elimination of these permits will speed response to public health and other pest pressures, save resources for, states, municipalities, and communities. We support this legislation look forward to working with you and your colleagues to advance this legislation.

Sincerely,

AARON HOBBS,
President.

AMERICAN FARM BUREAU FEDERATION,
Washington, DC, May 16, 2016.

Hon. MEMBERS,
House of Representatives,
Washington, DC.

DEAR MEMBERS OF CONGRESS: Later this week, the House will vote on legislation that clarifies congressional intent regarding regulation of the use of pesticides for control of exotic diseases such as Zika virus and West Nile virus, as well as for other lawful uses in or near navigable waters. The American Farm Bureau Federation (AFBF) strongly supports the ''Zika Vector Control Act of 2016'' and urges all members of Congress to support this legislation.

AFBF represents rural areas nationwide that will be impacted by the spread of dangerous exotic diseases like Zika. The only control measure at this time is vector control. Our members are aware that local mosquito control districts face tight budgets and are concerned with the operational disruptions and increased costs associated with unnecessary and duplicative permitting requirements. Any disruption in vector control will expose a large portion of Farm Bureau members to mosquitos that may carry diseases like Zika and West Nile virus.

We urge all committee members to vote in favor of the ''Zika Vector Control Act of 2016.''

Thank you very much for your support.

Sincerely,

ZIPPY DUVALL,
President.

Mr. GIBBS. I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, I come down here to oppose this bill. I am not on the committee, but I was sitting in my office and it made me angry to hear people down here talking about H.R. 897.

You put out a title that says Zika Vector Control Act. That sounds like a good thing. People ought to be happy we are going to control the specter that is out there. But it is a lie.

This does nothing about Zika. It doesn't do anything with the research that the President has asked the money for. What it does simply is turn the applicators and the pesticide manufacturers loose on this country again.

I have been here long enough to remember all of the problems with the bird eggs that had soft shells and the birds were dying. All these animals were dying all over the place because of DDT and all of the things that happen with that kind of application freely in this society.

One of the things that you have to think about and what I would caution my congressional friends in the Republican Caucus of is that you ought to learn from history. Philadelphia was once full of malaria. Philadelphia was a malaria city. You kept the windows closed at night because you didn't want to get malaria.

Now, what we are seeing today because of global warming is that moving north from the equator are the organisms that create disease.

I heard somebody from Louisiana say: Oh, my God. We have got malaria. We have got all kinds of problems in Louisiana.

You are going to have them. You can find evidence everywhere that these organisms are there. But the answer is not to let there be unrestricted and uncontrolled application of pesticides.

That doesn't solve the problem because what it does is it creates another set of illnesses related to the effects of pesticides on human beings and on animals and on reproduction.

So what you are doing is you are saying: Well, if you spread this stuff out on the ground and all over the water and people are going to get in contact with that water, there is no question about it, directly or indirectly, and you are going to have the other diseases that come from this.

I won't give a whole long lecture on the effects of pesticides on people, but I will remind Members about something called Agent Orange.

□ 1400

Guys like me who were around during the Vietnam war saw that stuff being sprayed all over the trees. People said: Oh, that doesn't do anything. It is just that the leaves drop off.

Then we had an epidemic of physical illnesses that were secondary to Agent Orange. We told veterans for years: It is not a problem. It is not a problem. It was not that Agent Orange that got you.

Then we found out that, in fact, it was, and we have been paying and paying and paying.

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

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

Mr. MCDERMOTT. So this is one of those issues where you put it on cheap, but you are going to pay for it in the long term.

Now, some of you over there, clearly, don't care. As for the guy in Michigan who made the decision that they use that dirty river water and inflict that on the children of Flint and the lead poisoning and the lead effects on their heads, that is the kind of mentality we are dealing with with the people who run this bill every 2 years from the companies that make this stuff. It came in 2011, 2013, 2014, 2015. Here it is again this year. It will be back. This bill isn't done. They are going to keep trying to convince the American people that you can just spread chemicals everywhere, and it doesn't have effects on people, but it does. That is what environmental health is all about.

That is why this bill is a step backward to about 1950, when we didn't really know what pesticides did to people. Now we do. We are absolutely right in voting against this bill, and the President ought to veto it if it gets through. The Senate, as bad as they are, won't even let this bill through.

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). Members are reminded to direct their remarks to the Chair.

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

Boy, talk about fear mongering. Comparing responsible pesticide use in protecting the environment and in protecting human health to Agent Orange is just really over the top.

I do agree with one thing the previous gentleman spoke about, which is that we have to do more for Zika, and we are going to do more in the House this week. This is one tool in the toolbox to address this.

As for this bit about spraying pesticides uncontrollably all over the place, as a farmer, I have heard that all of my adult life, and it is really bizarre because pesticides cost a lot of money. It is really bizarre in this case because to use these pesticides, you have to be certified by the State and the EPA, and you have to be applying it by the label that the EPA has already approved. This goes through rigorous testing and regulation, so it is not uncontrollable. It is under FIFRA, which is the law the Congress set up many, many years ago to control this. This is not an uncontrolled application of pesticides that is contaminating our water bodies. As I said, the recent geological studies document that we are not contaminating our water bodies.

I will make this clear that this is not uncontrollable and that we have laws in place that are called FIFRA. If you break that law, you break the law, and you should be punished and held accountable.

I reserve the balance of my time.

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

The problem here is that FIFRA doesn't require recordkeeping. It is a

label, and you are supposed to follow the label. There is an even more recent problem in Oregon—we talked about the fish kill earlier—which is the overflight spraying of an herbicide on forestlands, which was applied, and then it drifted into occupied areas and streams.

Now, without the EPA's requirement that you record and report, we wouldn't know that that had happened; but now we do, and the people who are complaining about health effects have some recourse since they know what was applied, when it was applied, and who applied it.

If we do away with that requirement and say, Oh, well, the States might still require something, well, they might not. Therefore, it would be: Are you going to follow the label or not? How are you going to find out if they followed the label? How are you going to find out whose plane that was? How are you going to find out what they sprayed?

You won't be able to. If you get an impaired body of water, we are now mapping things.

The EPA says: Wait a minute. Wait a minute. That body of water is already impaired with this particular herbicide or pesticide. We should limit more applications in that area.

No, we don't want to know about that. We don't want to know about that.

That is the bottom line here. We are talking about recordkeeping and reporting after the fact: What did you use? Where did you put it? So if someone is injured or if we find out their water supply is impaired, they can figure out how it happened, but not if we do away with this requirement, with this Groundhog Day bill.

Again, it was pest management, it was forest health, then it was reducing regulatory burdens; but now it has been reborn in the last week as Zika control because it is, as the gentlewoman from Maryland said, the cause du jour. It has nothing to do with Zika.

I was really pleased to see the majority whip say that they were going to put $1.2 billion into Zika because, as of the publishing of the appropriations bill, it was only $622 million, which is a third of what the President asked for; so now they are up to 66 percent. That is great. I hope that is right because we haven't seen that in writing yet.

The bottom line is we need to partner with the States to deal with the threat of Zika just like we did with West Nile—none of which is going to be impaired by a little recordkeeping—so that we know where, how, what was applied so that citizens of the United States, private property owners, will have some recourse.

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

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

First of all, the gentleman from Oregon talked about the recordkeeping. There are additional burdensome records on this requirement, the MPDS, but a certified pesticide applicator under FIFRA has to keep records. They have to keep records on what they applied, how they applied it, when they applied it, what the wind speed was, and what the temperature was—all of that—so that there is a record there. I wanted to correct his information as he was inaccurate on that.

We talked about West Nile. In 2012, we had a crisis in this country of the West Nile epidemic. Dallas, Texas, had to declare an emergency. They probably weren't doing what they needed to do because of the MPDS permits. If they declare an emergency, they can spray without a permit.

That is why we put a sunset provision in this bill. On September 30, 2018, this bill sunsets. The reason we put that in there is to address this towards Zika. Zika will probably run its course. Hopefully, in 2 years, we will forget about it like we have done with Ebola. The problem is that we need to do everything we can to mitigate the problem in the interim. We saw last week there were 103 pregnant women in the United States who had the Zika virus. Today, I heard there were 113. That number is jumping up. It is going to jump up fast because we are in mosquito season. When these mothers start delivering those babies and when we have all kinds of problems, it is not going to be a pleasant experience; so we need to do everything we can. That 2-year sunset provision in there will really target and address this issue.

We need to give our States and local communities the tools they need, and we are going to do more this week. We are going to give them the resources, the dollars, they need; but we also have to make sure they can spend that money, like in the example I gave of the $37,000. Instead of spending it on administrative paperwork, they can spend it on killing the larvae and the mosquitos. It is easier to kill the mosquito population if you kill the larvae before they hatch. The risks are high, but we need to make sure we do this.

I reiterate that FIFRA is already in place to make sure that we don't have bad actors out there who are polluting our water bodies. If they do, they are going to be held accountable, and the EPA can step in and investigate those and do that. The EPA has all of the authority they need because they approve the label, they approve the pesticide certification, they approve the applicators. They can go back to every applicator and ask for their records. They can go into my local farm co-op and ask: When did you apply? What did you apply? What date did you apply? And all of those records are there for our regulators to see. They can do that.

All this bill does is fix the bad court decision that it has a regulatory burden. We need to support this bill and let our communities and our States do their jobs to protect the public health.

Mr. Speaker, I urge support of the bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise to speak in opposition to H.R. 897, the "Zika Vector Control Act," because this bill was not written with the intent to control Zika carrying mosquitoes, but rather to allow higher amounts of rodenticides, fungicides, and insecticides in water.

The title for H.R. 897, two days ago was the "Reducing Regulatory Burdens Act of 2015."

I am very interested in doing everything I can to address the threat of Zika Virus, but I am not supportive of tricks or misguided strategies to get legislation to the House floor in the name of Zika prevention that was conceived with no thought of the Zika Virus in mind.

As a senior member of the House Committee on Homeland Security, which has a core mission of emergency preparedness of state and local governments to be equipped to react to emergencies make me acutely aware of the potential for the Zika Virus to be a real challenge for state and local governments during the coming months.

I thank President Obama for his leadership in requesting $1.9 billion to address the threat of the Zika Virus.

The 18th Congressional District of Texas, which I represent has a tropical climate and very likely of having to confront the challenge of Zika Virus carrying mosquitoes before mosquito season ends in the Fall.

Houston, Texas, like many cities, towns, and parishes along the Gulf Coast, has a tropical climate hospitable to mosquitoes that carry the Zika Virus like parts of Central and South America, as well as the Caribbean.

For this reason, I am sympathetic to those members who have districts along the Gulf Coast.

These areas are known to have both types of the Zika Virus vectors: the Aedes Aegypti [A-up-ti] and the Asian Tiger Mosquito, which is why I held a meeting in Houston on March 10, 2016 about this evolving health threat.

I convened a meeting with Houston, Harris County and State officials at every level of responsibility to combat the Zika Virus to discuss preparations that would mitigate its.

The participants included Dr. Peter Hotez, Dean of the National School of Tropical Medicine and Professor of Pediatrics at Baylor College of Medicine and Dr. Dubboun, Director of the Harris County Public Health Environmental Services Mosquito Control Division who gave strong input on the critical need to address the threat on a multi-pronged approach.

Dr. Dubboun, Director of the Harris County Public Health Environmental Services Mosquito Control Division stressed that we cannot spray our way out of the Zika Virus threat.

He was particularly cautious about the over use of spraying because of its collateral threat to the environment and people.

We should not forget that Flint, Michigan was an example of short sighted thinking on the part of government decision makers, which resulted in the contamination of the city's water supply.

The participants in the meeting represented the senior persons at every, state and local agency with responsiblity for Zika Virus response and they agreed we need plan to address the Zika Virus in the Houston and Harris County area that will include every aspect of the community.

The collective wisdom of these experts revealed that we should not let the fear of the Zika Virus control public policy.

Instead we should get in front of the problem then we can control the Zika Virus from its source—targeting mosquitoes.

The consequences of too much insecticide, rodenticides or fungicides in water are known—to kill aquatic life and cause real damage to the food chain upon which fish and larger sea life rely.

Along the Coast of the United States, many habitat restoration efforts are centered on the reduction of chemical run off from urban areas, not increasing insecticide pollutants in their waters.

The real fight against the Zika Virus will be bottled neighborhood by neighborhood and will rely upon the resources and expertise of local government working closely with State governments with supported of federal government agencies.

The consensus of the experts related to H.R. 897, the Zika Vector Control Act, is that we cannot rely heavily on spraying techniques to control Zika Virus carrying mosquitoes.

Yes, spraying can reduce the population of mosquitoes, but it cannot eliminate the threat and we can reach a point where the presence of chemical insecticides is in fact more harmful than helpful.

The Aedes Aegypti mosquito is the greatest threat to people has evolved to be near people.

These mosquitoes fly close to the ground, enter homes or stay nearby places where people live.

The spraying that this bill permits is on an industrial scale using products that are not found in a local grocery or home supply store.

The most important approach to control the spread of Zika Virus is poverty and the conditions that may exist in poor communities can be of greatest risk for the Zika Virus breeding habitats for vector mosquitoes.

It is the illegal dumping of tires; open ditches, torn screens, or no screens at all during the long hot days of summer that will unfortunately create a perfect storm for the spread of the virus.

Zika Virus Prevention Kits like those being distributed in Puerto Rico will be essential to the fight against Zika Virus along the Gulf Coast.

These kits should include mosquito nets for beds.

Bed nets have proven to be essential in the battle to reduce malaria by providing protection and reducing the ability of biting insects to come in contact with people.

Mosquito netting has fine holes that are big enough to allow breezes to easily pass through, but small enough to keep mosquitoes and other biting insects out.

Bed nets that are not pre-treated with insecticide are effective and they can be treated with DEET products after purchase.

Mr. Speaker, there is no need to be alarmed, but we should be preparing to do what we can to prevent and mitigate the Zika Virus in communities around the nation.

We know that 33 states have one or both of the vector mosquitoes.

Dr. Peter Hotez said that we can anticipated that the Americas including the United States can expect 4 million the Zika Virus cases in the next four months and to date there are over a million cases in Brazil.

The most serious outcome the Zika Virus exposure is birth defects that can occur during pregnancy if the mother is exposed to the Zika Virus.

Infections of pregnant women can result in: still births; the rate of Microcephaly based on Zika Virus exposure far exceeds that number.

Microcephaly is brain underdevelopment either at birth or the brain failing to develop properly after birth, which can cause: difficulty walking; difficulty hearing; and difficulty with speech.

I call on my colleagues to pass the President's request for the $1.9 billion in emergency supplemental appropriations.

I urge my colleagues to reject H.R. 897, and support the President's request to fight the Zika Virus threat.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GIBBS) that the House suspend the rules and pass the bill, H.R. 897, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Ordering the previous question on House Resolution 732;

Adopting House Resolution 732, if ordered;

Agreeing to the motion to instruct on S. 524; and

Suspending the rules and passing H.R. 897.

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

PROVIDING FOR CONSIDERATION OF H.R. 4909, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 732) providing for consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 239, nays 177, not voting 17, as follows:

[Roll No. 196]

YEAS—239

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
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
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
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
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
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
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—177

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
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
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—17

Crawford
Curbelo (FL)
Farr
Fattah
Herrera Beutler
Hinojosa
Hoyer
Johnson, Sam
Larson (CT)
Lewis
Lieu, Ted
Pelosi
Richmond
Roby
Takai
Titus
Whitfield

□ 1430

Ms. WILSON of Florida and Messrs. ASHFORD and BECERRA changed their vote from ''yea'' to ''nay.''

Mr. MEADOWS and Mrs. HARTZLER changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HULTGREN). The question is on the resolution.

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

RECORDED VOTE

Mr. POLIS. 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 234, noes 181, not voting 18, as follows:

[Roll No. 197]

AYES—234

Abraham
Aderholt
Allen
Amash
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
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
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
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
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
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
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
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—181

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
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
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
Hoyer
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
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Ribble
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—18

Amodei
Crawford
Curbelo (FL)
Fattah
Herrera Beutler
Hinojosa
Honda
Hudson
Issa
Johnson, Sam
Lewis
Lieu, Ted
Roby
Russell
Schrader
Takai
Titus
Whitfield

□ 1438

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO GO TO CONFERENCE ON S. 524, COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2016

MOTION TO INSTRUCT OFFERED BY MS. ESTY

The SPEAKER pro tempore (Mr. SIMPSON). The unfinished business is the vote on the motion to instruct on the bill (S. 524) to authorize the Attorney General and Secretary of Health and Human Services to award grants to address the national epidemics of prescription opioid abuse and heroin use, and to provide for the establishment of an inter-agency task force to review, modify, and update best practices for pain management and prescribing pain medication, and for other purposes, offered by the gentlewoman from Connecticut (Ms. ESTY) 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 instruct.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 182, nays 236, not voting 15, as follows:

[Roll No. 198]

YEAS—182

Adams
Aguilar
Amodei
Ashford
Bass
Beatty
Becerra
Bera
Beyer
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
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Ellmers (NC)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
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
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—236

Abraham
Aderholt
Allen
Amash
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
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
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
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
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
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
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—15

Conyers
Crawford
Curbelo (FL)
Fattah
Garamendi
Herrera Beutler
Hinojosa
Johnson, Sam
Lewis
Lieu, Ted
Rangel
Roby
Takai
Titus
Whitfield

□ 1454

Mr. MULLIN changed his vote from ''yea'' to ''nay.''

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ZIKA VECTOR CONTROL ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 897) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 262, nays 159, not voting 12, as follows:

[Roll No. 199]

YEAS—262

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crenshaw
Cuellar
Culberson
Davis, Rodney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
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
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Maloney, Sean
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
Nolan
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
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
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—159

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Capuano
Cárdenas
Carson (IN)
Cartwright

Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lipinski
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Peters
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
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

NOT VOTING—12

Crawford
Curbelo (FL)
Fattah
Herrera Beutler
Hinojosa
Johnson, Sam
Lewis
Lieu, Ted
Roby
Takai
Titus
Whitfield

□ 1452

So (two-thirds not being in the affirmative) the rules were not suspended and the bill, as amended, was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON S. 524, COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2016

The SPEAKER pro tempore (Mr. JOYCE). Without objection, the Chair appoints the following conferees on S. 524:

For consideration of the Senate bill and the House amendments, and modifications committed to conference: Messrs. UPTON, PITTS, LANCE, GUTHRIE, KINZINGER of Illinois, BUCSHON, Mrs. BROOKS of Indiana, Messrs. GOODLATTE, SENSENBRENNER, SMITH of Texas, MARINO, COLLINS of Georgia, TROTT, BISHOP of Michigan, MCCARTHY, PALLONE, BEN RAY LUJÁN of New Mexico, SARBANES, GENE GREEN of Texas, CONYERS, Mses. JACKSON LEE, JUDY CHU of California, Mr. COHEN, Mses. ESTY, KUSTER, and Mr. COURTNEY.

From the Committee on Education and the Workforce, for consideration of title VII of the House amendment, and modifications committed to conference: Messrs. BARLETTA, CARTER of Georgia, and SCOTT of Virginia.

From the Committee on Veterans' Affairs, for consideration of title III of the House amendment, and modifications committed to conference: Mr. BILIRAKIS, Mrs. WALORSKI, and Mr. RUIZ.

From the Committee on Ways and Means, for consideration of sec. 705 of the Senate bill, and sec. 804 of the House amendment, and modifications committed to conference: Messrs. MEEHAN, DOLD, and MCDERMOTT.

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 4909.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 732 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4909.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1455

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am honored to bring to the House today H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017.

The House Armed Services Committee reported it favorably 3 weeks ago by a vote of 60–2. The only way a vote like that is possible is that members are willing to work together for the best interests of the country.

I want to start by thanking my partner on this committee, Mr. SMITH, for his work, his insight, and his commitment to work together to try to do the right thing for our servicemembers and for the good of the Nation.

Now, I am sure that he does not agree with everything in this bill, nor do I. It is the product of difficult choices, of compromise, of input from many members of this body.

But, as a whole, I think this bill is good for the troops, good for the country, and is faithful to the constitutional responsibilities that we have on our shoulders to provide for the military of the United States and defend the country.

I want to thank all the members of the committee as well as the staff. We had a compressed schedule this year. At the same time, the country is facing national security challenges that are growing more complex and more dangerous and we are still dealing with the consequences of defense budget cuts.

Coupled with an ambitious reform agenda, all of those things meant that our job was not easy, but members on both sides of the aisle put in the hours, attended the briefings and hearings, and contributed to this product.

This bill was built from the ground up. We started with about 2,000 legislative provisions that were suggested by members of our committee. We then received many additional requests from members who are not on our committee through testimony, letters, and other forms of communication.

For example, some members of the Small Business Committee all came together with a package of proposals to help small businesses contribute to our defense efforts.

We had subcommittee markups and then a full committee markup that lasted about 16 hours and considered 248 amendments.

Now we have more than 370 amendments that have been filed with the Rules Committee, and many of them will be considered over the next 2 days on this floor.

Mr. Chairman, I think that is the epitome of a regular legislative process and is particularly appropriate for this bill because providing for the common defense is the first job, I believe, of the Federal Government.

I would add that servicemembers here and around the world deserve to know that we in this body are doing our job and that we support them and are actually trying to do our job, inspired by the courage and dedication and selfless sacrifice that they exhibit in doing their jobs.

I want to just highlight two primary thrusts of this bill in addition to fulfilling our constitutional responsibilities. Those thrusts are readiness and reform.

The term ''readiness'' is often used by the military. It is sometimes not understood by those who are not in the military. Readiness involves the preparation and support required to successfully accomplish what the political leadership asks the military to do.

□ 1500

It means having the right number of people for a mission, each of whom is fully trained, has appropriate equipment, and is able to carry out their mission.

Now, we have got severe readiness problems today in the United States military. We have pilots who are getting less than half the minimum number of training hours they are supposed to get in order to stay proficient in their airplanes. We are cannibalizing some aircraft just to keep other aircraft flying.

We have significant shortages of people in key areas, such as pilots and aircraft mechanics.

I could go on with examples and statistics which point toward, unfortunately, the kind of hollow military that our country has seen in the past. Certainly there is a high level of frustration among many of our servicemembers.

Now, we do not fix all of those problems in this bill, but we start to turn them around. And to truly turn them around, it means not only providing more resources for operations and maintenance and training accounts, it means we have to deal with personnel accounts, and we have to deal with modernization accounts.

This bill authorizes spending at the same level as requested by the President, $610 billion, when you add it all together.

Now, personally, I would prefer a higher number, but last year we saw military funding used as a hostage to get more domestic funding. In fact, the President vetoed this bill once last year to force more domestic spending, the first time that has ever been done. Once an agreement was reached, he signed the exact same bill into law with the funding adjustments.

I think using the military as a hostage for domestic political leverage is deplorable, but I also want to avoid a repeat of that since President Obama is still in the White House. So we used the exact same number, the exact same top line as requested by the President.

Mr. Chairman, it would also be irresponsible for us to turn away and ignore the severe readiness problems that are coming to the fore, so this bill authorizes funding for several items that the President rejected in the budget proposal that he sent to us.

For example, it restores a full cost-of-living adjustment for our military. It prevents further cuts in the number of people serving. It begins to repair facilities. It adds funds for training and for maintenance, and it makes some progress on replacing outdated weapons systems.

So this bill provides full funding for the base requirements for the full year, as was agreed upon in last year's balanced budget agreement.

It then provides a bridge fund to pay for the overseas deployments for about half of the new fiscal year. That gives the new President, whoever he or she may be, the opportunity to look at the deployments that President Obama has begun, look at the funding that he has requested, make adjustments however they think it needs to be adjusted, and then come back to Congress with their conclusions.

Mr. Chairman, that is exactly the approach that was used the last time we transitioned between administrations. In June of 2008, this body, under Democratic leadership, did exactly what I have described with a bridge fund to get into 2009. We are following the same approach this year.

Now, this bill also contains major reforms. In fact, there are five major reform packages in it, all of which are the work of bipartisan work on the committee, and consultation with the Department of Defense.

Those areas, just briefly, are:

Acquisition reform to try to ensure that we are getting more value for the money we spend, and that we get modern technology into the hands of the warfighters faster.

Military health care to modernize the system, provide better care, and ensure that the emphasis is where it is supposed to be, and that is military health care for our warfighters.

Commissary reform to put domestic commissaries on a self-sustaining track while maintaining the benefit for our servicemembers, their families, and for retirees.

Organizational reform, including the changes to the 30-year old Goldwater-Nichols law, and replacing the Quadrennial Defense Review, the QDR, with something that is less costly and more useful.

Reform of the Uniform Code of Military Justice, long overdue and modernization spurred by a review that we required in this committee that was prompted by the sexual assault allegations of recent years.

So, Mr. Chairman, there is a lot here. There is a lot of substance, and there is a lot of reform, and it is all focused towards two goals. One is to support the men and women who volunteer to risk their lives to protect us. And secondly, to preserve and protect the national security of the United States of America in a very dangerous world.

I believe this bill deserves the support of all Members.

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

Mr. SMITH of Washington. Mr. Chairman, I yield myself 5 minutes.

I want to thank the chairman and all the staff members and members of the committee for their excellent work in pulling this bill together.

As always, I think it is a fine example of how the legislative process should work around here, and too often doesn't. We had a bill before committee. We had many, many hearings to discuss the issues around it. Then we had a long markup with amendments offered and debated, and we put together a bill in a bipartisan fashion that I think was done quite well.

I also agree with the chairman that there is a lot of good in this bill. There are a lot of efforts at reforming the way we do procurement and other things in the Department of Defense to try to get the most out of the money we spend.

More than anything, the good in this bill is that it continues to provide for the men and women of our services who are fighting for us and protecting our national security, and I think it does a very comprehensive job of that, and that is an important issue right now. I will also agree with the chairman that we face as complex a threat environment as we have probably faced, gosh, in the history of the country. We have certainly had great national security challenges throughout our history, but now they are coming at us from all directions.

Certainly, we have the asymmetric threat of terrorism from groups like al Qaeda and Daesh and all that goes with that.

We have a newly belligerent Russia that is creating problems in Eastern Europe and elsewhere. We have Iran, which continues to pose challenges to us in the Middle East and also elsewhere; North Korea, that is acting in a very belligerent manner; and China, that is expanding its territory by creating islands in the South China Sea and challenging the territorial integrity of other nations.

All of those things require us to be prepared and to have a robust national security policy. I think this bill does a good job of it.

Now, we are facing a reckoning, coming down the road here, in that all of those national security challenges that I just mentioned are going to be tough to meet under any budget.

One of the things that I would urge us to do is to work more closely with partners throughout the globe, as we have in some instances, to meet our national security challenges, because the sheer cost of them is going to be difficult. But on the whole, I think this bill does a good job of meeting our national security concerns.

There are just two problems that I do want to point out. Number one, we don't really make as many tough choices as we should make in this bill. The chairman has pointed out how this bill prioritizes readiness, and to some degree that is true; but this bill also still has $11 million less in money for readiness than the President's budget that was proposed because we support a wide range of other programs.

If you look over the course of the next 10 years at all of the programs that we are funding and planning on buying, and then you look at how much money we are likely to have, the two don't add up. We have to start making some difficult choices about what we are going to fund and what we are not going to fund.

Related to that is the second problem, the one the chairman alluded to, and that is the fact that while this

budget sticks to the $610 billion number that was agreed to in the budget resolution last year, it takes $18 billion out of the overseas contingency operations fund and puts it into the base budget, which means that 6 months into the fiscal year our troops in Afghanistan and Iraq and elsewhere will not have the money to support those overseas operations unless a supplemental is passed.

Now, the chairman is quite correct: this was done in 2008. But in 2008, we did not have the Budget Control Act. We did not have the complete unwillingness of this Congress to lift the Budget Control Act. I don't see that changing in the next 6 months.

Which brings us to the other issue, and that is the issue of ''holding the defense bill hostage for other spending priorities, for domestic spending priorities.''

Well, that is one way of looking at it. The other way of looking at is a budget is a series of choices that you have to make. And if we do spend an additional $18 billion on defense, over and above what the budget agreement of last year agreed to, then that money has got to come from somewhere.

Either, one, it adds to a $19 trillion debt that I think most people feel is too high and that we need to eventually get to the point of a balanced budget.

It requires new revenue which, of course, is—you know, I should be struck down by lightning in this Chamber for even mentioning the words ''new revenue.'' That is, apparently, verboten and not going to happen.

However much we may claim to support the men and women who served in our Armed Forces, we are not prepared to raise taxes for what they need to do.

Then you have got the domestic choices, and those domestic choices are not irrelevant. We have a crumbling infrastructure in this country that is way behind, massively unfunded.

We have other priorities. We have the Department of Homeland Security. We have Intel priorities. All of those priorities are shoved backwards if we take an additional $18 billion for defense.

So we are not holding defense hostage. We are arguing about what our budget priorities should be.

Should we go and take the $610 billion agreement we had for defense and effectively up it to $628 billion at the expense of all these other priorities, or shouldn't we? That is what we have to balance.

I will look forward to the debate. There are a lot of interesting amendments coming up. I am not sure at this point how I am going to vote on this bill. I think it is incredibly important. We need to get it done.

But those budget priorities are very real. And if we take an extra $18 billion for defense, that does shortchange other areas, given our unwillingness to raise revenue to pay for it.

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

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished majority leader.

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Chairman, I want to take one moment. Very seldom do we see a bill of this significance come to the floor in such a bipartisan manner. That takes leadership, it takes experience, and I want to thank the chairman for that. He knows that I trust his judgment, but more importantly, whenever we are talking about national security, he is the first one that I call. But I am not the only one who calls him: those around the world do as well.

I want to take a moment to thank the ranking member as well. The vote to come out of this committee was 60–2. That shows the leadership on both sides that when America looks at national security, they want Republicans and Democrats alike to work together.

Both of you have shown that leadership, and I want to congratulate you for that, bringing it to the floor in that manner.

Mr. Chairman, it is indisputable that our national security has declined under President Obama's watch. Terrorists are attacking us right here at home. Europe is under siege. And, yet, the President is more focused on closing Guantanamo Bay and releasing detainees than he is on the real threats to American security.

Afghanistan is increasingly unstable, and the Taliban and al Qaeda are gaining ground. Yet, President Obama remains committed to withdrawing our troops while constraining their ability to take the fight to the enemy.

These are just two examples, and I don't need to go through the whole list. Just look at the map of the world, and what do you see?

Allies that have been slighted, enemies that have been appeased, regions that have fallen into conflict and chaos.

The Obama administration is not the direct cause of every problem, but the President's inadequate responses, naive beliefs, and failures of leadership have put American interests at risk and made our country less safe.

Now, House Republicans have always been and remain committed to a strong American military, an active foreign policy, and continued American leadership in the world.

We must counter the terrorist threats forcefully. We must reaffirm and strengthen our strategic alliances, like NATO. We must engage and prevent, not retrench and respond.

This National Defense Authorization Act demonstrates our commitment by prioritizing funding to support more troops, better defenses, and better equipment.

Most importantly, this bill works to improve readiness, and ensures that our men and women are prepared to go into battle.

The President has fought this approach and has said he will veto this bill as it currently stands. That is despite a 2.1 percent pay raise for our troops, better resources for the warfighter, an aggressive stance against Russian expansion, and funding for Israel's missile defense.

□ 1515

This is the height of irresponsibility. With this bill, the House makes it clear that we intend to reinvigorate the Department of Defense, take care of our men and women in uniform, stand with our allies, and make every possible effort to defeat global extremism.

The President should share these goals and sign this bill.

Mr. SMITH of Washington. Mr. Chair, I yield 3 minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ), the ranking member of the Tactical Air and Land Forces Subcommittee.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I thank Chairman THORNBERRY, Ranking Member SMITH, and all of our staff for tirelessly working on this very incredibly important bill. Also I would like to thank Mr. TURNER. For the past 4 years, he has been the chairman and I have been the ranking member of the Subcommittee for Tactical Air and Land Forces. It has been a pleasure.

The National Defense Authorization Act, of course, is a must-pass bill. We have passed it for the past 53 years, and I am really honored to have been part of it for the past 20.

The NDAA is the annual piece of law that puts the necessary resources and funding to ensure that our servicemembers are fully equipped and trained to defend our country here and abroad. All of our military systems—air, land, water, and space—are authorized by this legislation. It provides new opportunities for the Department of Defense to engage in innovative research and development to ensure that America has the most technologically advanced military. Of course, that also bleeds over into the civilian world with all of our new technologies.

The NDAA makes sure that servicemembers and their families are provided with the necessary support and resources as they sacrifice their lives to defend their country. Just last Friday, I had the opportunity to be in Erie, Pennsylvania, where our son was commissioned as a second lieutenant and officer into the U.S. Army artillery. So I am pretty excited to continue to support our military families because we are one.

This bill also provides provisions to support women in the military—making equipment that actually fits them, for example—and we put in language for parental leave for our servicemembers for up to 14 days.

It increases funding for nuclear nonproliferation, something which I am an adamant supporter of, trying to eliminate nuclear threats for the future, for our grandchildren and their children.

It increases funding for K–12 STEM education because, again, we have to invest in our future, and the future of education is equal to our national security. The legislation also provides funding and resources to counterterrorism, including those threats from ISIL.

On our particular subcommittee, we included some significant oversight legislation. Everybody thinks about passing laws, but the reality is that one of the main things that we have to do as Members of Congress is to oversee what is really happening in programs and with the money of our taxpayers. So we included the F–35 Joint Strike Fighter's software oversight, the F–18 Super Hornet oxygen system, and a multiyear procurement authority for the Army's helicopters.

However, the successful passage of this important legislation is at risk because, first, it doesn't comply with the Republicans' Budget Control Act because it is $18 billion over the budget caps. Secondly, it includes a number of discriminatory provisions, such as language that would allow government contractors to discriminate against the LGBT community.

There are many things that we need to do to ensure that this bill can be, in a bipartisan way, passed by this House.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. FORBES), the chairman of the Subcommittee on Seapower and Projection Forces.

Mr. FORBES. Mr. Chairman, I rise in support of the National Defense Authorization Act for Fiscal Year 2017.

I want to first commend the leadership of Chairman THORNBERRY in bringing this bill to the floor. His leadership has been instrumental in tackling many of the tough issues this committee has had to address.

I am particularly impressed with the chairman's leadership to make sure that this Congress provides the required equipment and readiness that will begin to turn some disconcerting trend lines with our national security.

For example, Navy aviation has only 3 in 10 Navy jet aircraft that are fully mission capable; aircraft carriers are not available in sufficient quantities, and our Nation had a carrier gap of almost 3 months in Central Command last year; Navy ship deployments have increased almost 40 percent, and submarine demand continues to outpace availability, with the Navy projecting they will meet only 42 percent of the combatant commanders' demand, and this is before we reduce another 20 percent of our submarines by the end of the 2020s.

As to the Air Force, our B–1 fleet was pulled back from the Arabian Gulf this year because of engine maintenance issues and replaced with B–52s that are over 50 years old; and in the last 4 years, we have reduced our tactical airlift by 20 percent.

I think everyone would agree that these are disturbing trends. It is time we invest in these capabilities. This bill goes a long way to reversing this trajectory and authorizes funds to meet the 350-ship Navy that our Nation needs. I believe it is a national security imperative to arrest the decline of our projection forces.

Mr. Chairman, I urge my colleagues to support the National Defense Authorization Act for Fiscal Year 2017.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), the ranking member of the Emerging Threats and Capabilities Subcommittee.

Mr. LANGEVIN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I want to thank Chairman THORNBERRY, Ranking Member SMITH, and my fellow colleagues on the committee this year for many important issues within the committee's jurisdiction which we found in this bill, on which I have been proud to work with my colleagues.

As ranking member of the Emerging Threats and Capabilities Subcommittee, I especially want to thank my subcommittee colleagues, particularly my colleague JOE WILSON, the chairman of the subcommittee. It has been a pleasure to work with him.

I also want to take this opportunity to recognize members of the staff who worked so hard on this bill, without whom we wouldn't be able to move legislation of this magnitude forward.

The legislation, Mr. Chairman, before us today continues to address critical priorities and programs at the strategic, operational, and tactical levels when it comes to emerging threats and capabilities.

In particular, I am pleased with many provisions relating to game-changing technologies, such as language addressing how to properly operationalize directed energy technologies, electromagnetic rail gun mount funding, electronic warfare capabilities, strategy requirements, and a point person within DOD for directed energy systems.

This legislation goes on also to prioritize the readiness of the Cyber Mission Force and fully supports U.S. Cyber Command while elevating this critical entity to its own combatant command. This effort enhances our superiority in the cyber domain, and I am glad the committee recognized the need to take this vital step.

I am also pleased with the approach we took toward enhancing capabilities and extending authorities to defeat nonstate actors like ISIL and al Qaeda.

I am also pleased with the continued support of our Special Operations Forces and their families who are under the responsibility of the subcommittee, and those forces which are always at the pointy tip of the spear.

Although this bill moves the ball forward on policies vital to our national defense, of course, it is far from perfect. We must continue to address funding issues in other areas of concern as we move forward in the process.

In closing, I want to thank all the members of our subcommittee, as well as the members of the full Armed Services Committee, for their support during this markup.

I again commend Chairman THORNBERRY and Ranking Member SMITH for their leadership. I look forward to our continuing to work together to craft a final product with the Senate that provides further support for our men and women in uniform, our military families, and further strengthens our national security.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. WILSON), the chairman of the Subcommittee on Emerging Threats and Capabilities.

Mr. WILSON of South Carolina. Mr. Chairman, I thank the gentleman for his efforts to promote peace through strength.

Mr. Chairman, I am grateful to support H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017, which I believe faithfully sets forth a path to recover and strengthen our military readiness.

As chairman of the Subcommittee on Emerging Threats and Capabilities of the House Armed Services Committee, I am particularly appreciative to oversee some of the most innovative aspects of the Department of Defense.

A few key areas of the subcommittee's contributions to this legislation are providing robust and resilient cyber capabilities and authorities to improve our cyber readiness and ensure resiliency for Department of Defense networks and weapons systems. We support innovative science and technology programs and authorities to meet future challenges. We fully resource and support our Special Operations Forces, who remain at war and globally postured, supporting our national security in the global war on terrorism. We extend vital counterterrorism authorities while improving congressional oversight in this very important area.

Again, I would like to thank Chairman MAC THORNBERRY for his steadfast leadership as well as the subcommittee ranking member, Mr. JIM LANGEVIN of Rhode Island, who has been an energetic partner on these issues with an extraordinary subcommittee staff.

Mr. Chairman, I urge my colleagues to support this bill and vote ''yes'' on H.R. 4909.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentlewoman from Guam (Ms. BORDALLO), the ranking member of the Readiness Subcommittee.

Ms. BORDALLO. Mr. Chairman, I commend Chairman THORNBERRY, Ranking Member SMITH, and the committee staff who have worked many, many long nights on the FY17 National Defense Authorization Act. I worked with Mr. SMITH and members on the committee, particularly the Readiness chairman, Mr. ROB WITTMAN, to include a number of provisions that will

improve our military readiness and continue to support the Asia-Pacific rebalance, allowing crucial infrastructure projects to move forward and requiring the Navy to report on land usage on Guam that will have positive impacts for our posture in this region.

The bill provides critical funding to the Long Range Strike Bomber program as well as adds additional funding to keep the fielding of the MQ–4 program on track.

I especially want to thank Ranking Member SMITH for working to get a provision mandating a review of distinguished Asian American and Pacific Islander veterans who may have been unjustly overlooked in the Medal of Honor consideration included in the chairman's mark. It is important that we appropriately recognize the contributions of our brave men and women in uniform.

While I am proud of these and other provisions, this bill is far from perfect. There are, once again, numerous damaging environmental provisions; and, more broadly, I am disappointed that the majority has again created a bill that circumvents budget caps, a maneuver that plays politics with our servicemembers in the field—particularly reckless in this environment.

I look forward to working with my colleagues on both sides of the aisle to address these and other concerns, and I hope common sense will prevail as this process continues.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Ohio (Mr. TURNER), the subcommittee chairman on Tactical Air and Land Forces.

Mr. TURNER. Mr. Chairman, I rise in support of the National Defense Authorization Act for Fiscal Year 2017.

As the chairman has indicated, the President has issued a veto threat on this bill claiming criticism that the bill uses overseas contingency operations funds for base requirements. This is a hypocritical attack by the President because the President, in his own bill, included $5 billion in overseas contingency operations funding to be used for base requirements as part of the President's budget for 2017.

The reality is that $5 billion is not enough to address the readiness crisis that is facing our military, and it does not ensure that our troops are ready to deploy and are fully prepared. The military, in fact, submitted $22 billion in unfunded requirements for fiscal year 2017 alone.

I want to thank Chairman THORNBERRY for his leadership as he begins the process of rebuilding our military and restoring readiness back into the future. As the chairman said, this bill came out of our committee, 60–2. It is the same bill that is going to come to this House floor.

I certainly hope we are not in the situation, as we were last year, where we had Democrats on the committee who actually voted for the bill in committee and then voted against the bill on the House floor. This is a bill that deserves passage. It deserves the support for our men and women in uniform.

In my subcommittee, the bill authorizes almost $6 billion in additional funds to address critical unfunded requirements, a benefit provided by the military services.

I want to also thank Chairman THORNBERRY, in this bill, for reversing the President's proposed cuts to our end strength, our numbers of those serving in the Army and the Marine Corps. He has incorporated the POSTURE Act, which was first introduced by Representative CHRIS GIBSON.

The bill also includes funds for the European Reassurance Initiative, which is incredibly important as we move to respond against Russian aggression.

Additionally, this bill calls for continued action to eradicate sexual assault in the military, and I appreciate the chairman's support for those provisions.

The bill provides greater transparency in the military criminal justice system, acknowledges the need for intensive treatment for male victims of sexual assault, and continues to address the critical issue of retaliation.

□ 1530

Before I conclude, I want to thank our subcommittee's ranking member, Ms. LORETTA SANCHEZ, for her support in completing the markup of this bill as well as that of other Members, and I want to thank LORETTA SANCHEZ for her long service on the Armed Services Committee.

I ask everyone to support this bill.

The CHAIR. The Chair would remind Members to refrain from engaging in personalities toward the President.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. COURTNEY), the ranking member of the Seapower and Projection Forces Subcommittee.

Mr. COURTNEY. Mr. Chair, I enthusiastically support the seapower portion of the defense bill, which is a strong bipartisan boost to our security on, below, and above the seas.

The Seapower and Projection Forces Subcommittee worked hard this year examining the President's budget as well as the larger strategic maritime context that we are considering these programs in.

We have determined the following, that the demand for our naval fleet is higher than ever and so is the strain on the force. A casual review of the headlines explains why.

China's navy is militarizing the South China Sea, threatening good order and commerce on the world's seaways, completely in violation of international maritime law.

Russia's navy is recapitalizing its fleet, particularly its undersea fleet, and operating at a level not seen since the cold war.

These are just two examples of the up-tempo challenges that the Navy faces every single day. In this strategic context, the seapower portion of our bill builds on the work done by the Navy, the Obama administration, and this Congress to put us on a path to a 308-ship Navy within the next 5 years.

That is good, but it is clear we need to do more to ensure that we have the capability to keep pace with the growing and changing threats around the world. That is why this bill adds three new ships to the seven ships in the President's budget, a third littoral combat ship, funding to complete a third DDG–51 destroyer, and resources to add an additional amphibious ship.

Our bill also has another area of good bipartisan work. It is in the area of our undersea forces. Our bill not only sustains the two-a-year build rate of our advanced Virginia-class submarines, but also includes a measure that I pushed for to continue that build rate through the 2020s to provide the undersea capabilities our military leaders are pleading for.

Our bill also fully funds our Nation's top strategic priority, the Ohio replacement submarine. We also continue our bipartisan work to strengthen the National Sea-Based Deterrence Fund to support this critical program outside of the regular shipbuilding account.

We provide this fund with new authorities to save additional funds during the course of building the Ohio class program—perhaps as much as 10 percent on components like missile tubes—on top of the billions in savings that already existing authorities in the fund were shown to garner by the CRS and the Congressional Budget Office.

The bipartisan seapower mark is a down payment on the additional naval capabilities and capacity that we will need to keep pace with the fast-changing security challenges around the globe. I am confident that it will emerge in the final enactment of the 2017 NDAA.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. ROGERS), the distinguished chairman of the Subcommittee on Strategic Forces.

Mr. ROGERS of Alabama. Mr. Chair, I would like to thank the distinguished chairman of the House Armed Services Committee for his leadership in bringing what I think is a very good NDAA bill to the floor. This is the 55th consecutive NDAA.

This is not an easy bill to manage. We have a critical set of funding challenges as the administration's budget submission for FY 2017 broke the deal negotiated in 2015 to achieve the Bipartisan Budget Act of 2015.

Because of this failure, we in Congress must exercise our constitutional duty to provide for the men and women in uniform and we must provide much-needed oversight of the Department of Defense and the Department of Energy.

This bill includes a number of key provisions that were authored by the

Subcommittee on Strategic Forces that I lead, including:

Consolidating and strengthening the Air Force's organization regarding our nuclear command and control and missile warning systems;

It enhances the authority for the Department of Defense and, also, the Department of Energy to mitigate threats from unmanned aircraft at its most sensitive nuclear facilities;

It prohibits the DOE funding for Russia and for Secretary Kerry's unilateral disarmament initiative concerning retired U.S. nuclear warheads;

It tackles the significant and growing foreign counter space threat that our space systems are suffering by providing the necessary resources to build up our space security and defense capabilities and by ensuring the Department is organized properly and has the authorities it needs to maintain our space advantage long into the future;

It makes clear that replacement of the RD–180 in a reasoned, prudent timeline is the primary goal of the Department of Defense to maintain assured access to space while protecting the taxpayers and ending our reliance on Russian rocket engines;

It requires the Army to do a better job for its soldiers than delaying the procurement of a modern radar until 2028 at the earliest; and

Most significantly to me, in this bill we have recommended to the chairman a significant increase of over $400 million for the Missile Defense Agency, focusing on R&D, and full funding of the request of our allies in Israel, $600.7 million, for codevelopment and coproduction of Iron Dome, David's Sling, and Arrow 3.

I want to thank the chairman for his leadership, and I want to thank my good friend and colleague from Tennessee, Mr. JIM COOPER, for his support, counsel, and thoughtfulness. I couldn't ask for a better ranking member.

I urge support of the bill.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. COOPER), the ranking member of the Strategic Forces Subcommittee.

Mr. COOPER. Mr. Chair, I thank the gentleman from Washington. I thank also the chairman of the full committee from Texas and my particular friend, the gentleman from Alabama (Mr. ROGERS).

All the members of the subcommittee contributed greatly to the final product. It is not to all of our liking, but we are making progress.

We agree on so many of the fundamental provisions having to do with national security. For example, I am thankful that our safe, secure, and effective nuclear deterrent is fully funded and we are also providing full support for our nuclear nonproliferation efforts as well as providing for nuclear cleanup. Those are all very important efforts.

The bill also provides a very robust missile defense, including not only protecting the homeland, but also our allies and partners, such as the $600 million for Israeli missile defense.

The mark fully funds national security space programs and makes some very important adjustments, including ensuring that we adequately support acquisition of satellite communication services.

There are a few provisions in the bill that I strongly oppose, such as restricting dismantlement of obsolete and unneeded nuclear weapons.

Also, I think it was a mistake to mandate a poorly-thought-out, unaffordable, and unrealistic missile defense policy, including plans for a space-based missile deterrent. I also plan to continue to oppose these provisions in conference.

I would like to reiterate my thanks to Chairman ROGERS, my friend from Alabama. It is a pleasure to work with him and our other subcommittee members.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN), the distinguished chairman of the Subcommittee on Readiness.

Mr. WITTMAN. Mr. Chairman, I would like to thank Chairman THORNBERRY, Ranking Member SMITH, and the ranking member on the Readiness Subcommittee, MADELEINE BORDALLO, for all of their efforts.

Chairman THORNBERRY over the last few months has highlighted the significant readiness challenges and budget choices we are facing. The reality is that these decisions we make here will affect the strength of our national security for years to come.

The American people are concerned. And why shouldn't they be? The readiness obstacles that we face force our military leaders to choose between providing adequate training and equipment for troops at home and supporting our men and women who are already fighting on the front lines.

We have heard verified media reports, for instance, that aircraft mechanics have taken drastic measures, even attempting to strip parts from museum pieces, to keep our fighters and bombers flying.

We have heard testimony from each of our service branches about how critical it is for us to address our military readiness shortfalls. What we have heard has been sobering, to say the least.

Today we are called to address these maintenance, sustainment, and readiness issues. That is our constitutional duty. I believe that this bill will move us toward that end goal of restoring full-spectrum readiness.

This bill, for example, prohibits the Department from implementing another round of base realignment and closure in the absence of an accurate end strength assessment and it streamlines the Department of Defense's civilian hiring practices so that critical manpower capability gaps can be filled.

Most importantly, this bill also includes more than $5 billion in additional funds for, among other things, ship and aircraft depot maintenance, aviation training and readiness, and long-neglected facility sustainment, restoration, and modernization accounts.

Our military, an overruling force for good, is supported by the finest men and women in the world. They deserve our support in return.

At the same time, I would like to note that these recommendations don't fully alleviate my concerns about our readiness shortfalls. Here in Washington we need to make sure that we fully understand what is at stake and how the choices we make affect those who serve and sacrifice on our behalf.

We have to continue to focus on restoring readiness in the years to come and make sure that we properly man, train, and equip our forces so that they can meet the challenges on the horizon with the confidence and superiority we have come to expect.

I ask the Members of the House to support this National Defense Authorization Act and vote ''yes'' on H.R. 4909.

Mr. SMITH of Washington. Mr. Chairman, may I inquire as to how much time each side has remaining?

The CHAIR. The gentleman from Washington has 13½ minutes remaining. The gentleman from Texas has 11 minutes remaining.

Mr. SMITH of Washington. Mr. Chairman, I yield 4 minutes to the gentlewoman from California (Mrs. DAVIS), ranking member of the Military Personnel Subcommittee.

Mrs. DAVIS of California. Mr. Chairman, I want to thank Dr. HECK and the committee staff for working in a bipartisan manner to develop this bill and particularly recognize Chairman THORNBERRY and Ranking Member SMITH for their leadership during this process.

The bill includes many provisions that will provide the military services flexibility to recruit and retain members of our Armed Forces and to continue our commitment to taking care of military families.

One provision that we have expands parental leave for military members to 14 days as well as expanding adoption leave for dual military couples to 36 days to be split between them.

It also requires DOD to study flexible maternity and paternity leave sharing for all of our dual military couples.

This bill includes reforms that will put the commissary on a sustainable path while protecting the benefit for our servicemembers, retirees, and their families. It also begins to reform and modernize the military healthcare system.

Although we would all agree it is not perfect, this bill is long needed to start ensuring that our servicemembers, retirees, and their families continue to receive the best health care in the world through efficient and economical means.

Important issues were addressed in this bill. I support many of the reforms

and all of the hard work that went into them. However, I am extremely concerned with how this bill is funded.

I applaud Chairman THORNBERRY's desire to increase funds for end strength, modernization, and the operations and maintenance accounts. But the $18 billion required comes from the Overseas Contingency Fund and cuts short resources required for our troops in harm's way.

This will require the next Congress to pass a supplemental before May, and that assumes current operations don't increase over the next year. What programs do we cut midyear to find that level of funding?

This gimmick creates a hollow force. It will require the military services to hedge their bets that the funding to maintain the increased end strength authorized will be available in fiscal year 2018 when sequestration hits.

The world we know is very dangerous in many places, and the pace of combat operations will most likely not diminish in the near future.

In light of these dangers, I do not disagree that the Army may need more soldiers. But the Army has not provided us with the requested number, nor have they told Congress how they would create the appropriate force structure to use these additional soldiers.

Lastly, this NDAA passed out of committee continued to expand on Congress' efforts to increase opportunities for women to serve our Nation by requiring women to register for the Selective Service. This was only possible because the Department of Defense, after several years of intense review, opened the last remaining combat arms positions to women earlier this year.

Unfortunately, the rule for the NDAA strikes the provision without debate. I understand that we are not always going to be in agreement, and that is why we debate and vote issues on the House floor. But to resort to gimmicks to hide debate is unconscionable. This is a national issue that Congress must debate and vote on.

I certainly look forward, Mr. Chair, to continuing to work with the chairman and the rest of the committee to ensure we resource our military services in a responsible manner so that we can face the challenges of today and tomorrow.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Missouri (Mrs. HARTZLER), the chair of the Subcommittee on Oversight and Investigations.

Mrs. HARTZLER. Mr. Chair, I rise today in support of our national defense. There are some stark realities we must face in today's world of increased and emerging threats from around the globe combined with decreased military readiness from arbitrary and reckless cuts to our national defense.

In the face of these challenges, we have a choice: either continue to let our military capabilities wither as our adversaries grow stronger or we can recognize that ever-changing global landscape and make sure our troops are prepared with the resources and training they need to keep Americans safe against today's threats and tomorrow's.

The latter, Mr. Chair, is what this defense authorization does. From addressing the strike fighter shortfall with 14 additional F–18s that the Navy needs, to providing for maintenance of equipment and facilities so that museum aircraft do not have to be cannibalized for spare parts, to fully funding our troops' pay raise, which they have rightly earned, we have listened to the services and our commanders.

□ 1545

They know what they need to do their jobs, to keep us safe, and to retain their people, and we have acted on their priorities.

This bill also addresses shortfalls in training and provides for the modernization of critical national security programs. It makes sure soldiers are prepared at all of our bases, including at the Army's Maneuver Support Center of Excellence at Fort Leonard Wood, in my district. It ensures aircraft like the B–2 at Whiteman Air Force Base can continue to project power and the spirit of America around the globe.

Mr. Chair, this authorization takes care of our troops, ensures the safety of the American people, and fulfills our constitutional obligation to provide for the common defense.

I commend Chairman THORNBERRY, my House Armed Services colleagues, and the HASC staff for all of their hard work and leadership.

I urge my colleagues to vote ''yes'' on this responsible authorization.

Mr. SMITH of Washington. Mr. Chair, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chair, I yield 2 minutes to the distinguished gentleman from Nevada (Mr. HECK), the chairman of the Subcommittee on Military Personnel, who is both a doctor and a general in the Reserves.

Mr. HECK of Nevada. Mr. Chair, I rise in strong support of H.R. 4909, the National Defense Authorization Act of 2017.

This bill contains significant policy and funding initiatives that continue our commitment to maintain military personnel and family readiness and address important issues for our troops.

To that end, this bill:

Establishes a fully funded pay raise for all of our servicemembers. After 3 years of executive action that has provided lower-than-by-law calculated pay raises, it is time we give our troops and their families the pay increase they deserve;

Stops the reductions in the active end-strengths of the Armed Forces, thereby increasing readiness while reducing the stress and strain on the force and their families;

Reforms the Military Health System to ensure the system can sustain trained and ready healthcare providers to support the readiness of the force and provide a quality healthcare benefit valued by its beneficiaries;

It also modernizes the Uniform Code of Military Justice to improve the system's efficiency and transparency while also enhancing victims' rights. This includes establishing several new offenses, including an offense prohibiting retaliation and prohibiting inappropriate relationships between military recruits or trainees and a person in a position of special trust;

Reforms the commissary system in a way that preserves this important benefit while also improving the system so it remains an excellent value for the shoppers and a good value for the taxpayer;

Includes an increase in parental adoptive leave for dual military couples in recognition of the importance of bonding time between parents and their newly adopted children.

In conclusion, I thank the ranking member, Mrs. DAVIS of California, and her staff for their contributions to the mark and support in this very bipartisan process. We were joined by an active and informed and dedicated group of subcommittee members, and their recommendations and priorities are clearly reflected in this bill. Additionally, I appreciate the dedication and hard work of the subcommittee staff.

I urge my colleagues to support our military men and women and their families and to support this bill.

Mr. SMITH of Washington. Mr. Chair, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chair, I yield 2 minutes to the gentleman from Oklahoma (Mr. BRIDENSTINE), who is a member of the committee and who also continues to be active in the Air National Guard.

Mr. BRIDENSTINE. I thank the chairman.

Mr. Chair, this defense authorization makes a huge down payment on the readiness of our forces.

As a combat veteran, I have participated in the inter-deployment training cycles that are getting ready to deploy. I have seen the force regeneration process. I have seen it during good times, and I have seen it during bad times.

Personally, as a Navy reservist, most recently, I saw a very steep decline in readiness when my squadron got eliminated. The VAW–77, the Nightwolves, got completely eliminated when I was a Navy reservist. We busted about $2 billion worth of cocaine every year on the high seas. Now that cocaine comes into the country, and $2 billion worth of cash funds transnational criminal organizations in northern Mexico and in Central and South America. That is what happens when we have defense cuts the way we have had recently.

In fact, I will tell you that our remaining forces still face significant shortfalls and disruptions to time-tested training and deployment cycles. The OPTEMPO back home is almost more intense than an overseas deployment,

but the resources are simply not available. Pilots are flying the bare minimum flight hours to stay qualified, and our maintainers and our depots can't keep up. As a warfighter, I can attest that this will break our force.

The important thing about this bill, this defense authorization—and, Mr. Chairman, it is why I am so grateful for your leadership and the bipartisan support that we had from the ranking member, Mr. SMITH—is it makes a huge down payment on the readiness that is required to make sure that the force we have remaining is not hollow, which is critically important to the national security of this country.

I urge my colleagues to support this bill.

Mr. SMITH of Washington. Mr. Chair, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chair, I yield 1 minute to the distinguished gentlewoman from New York (Ms. STEFANIK), the vice chairman of the Subcommittee on Readiness.

Ms. STEFANIK. Mr. Chair, I am proud of the bipartisan work of the House Committee on Armed Services on the FY17 National Defense Authorization Act.

This legislation takes important steps to strengthen our defense capabilities, and it gives our Armed Forces the resources they need to keep us safe. Importantly, this bill works to stop the funding gaps that are harming our military's readiness, and it includes a much-deserved pay raise for our troops.

This bill contains an important initiative to ensure our land forces will not be depleted as well as including some of my own initiatives—the creation of a DOD social media cell to counter radical online recruitment and maintain the edge in a 21st century battlefield. It also includes the development of joint directed energy capabilities between the United States and Israel.

I am proud to support this legislation, which passed in committee by a bipartisan vote of 60–2, and I urge my colleagues to vote in favor of this vital bill on the floor.

The CHAIR. The gentleman from Washington has 10 minutes remaining, and the gentleman from Texas has 4 minutes remaining.

Mr. SMITH of Washington. Mr. Chair, I yield myself the balance of my time.

I want to reiterate some of the points that were made during the debate in the beginning of how important this bill is.

We do have many national security needs. I know you see the size of the Department of Defense's budget, and there are certainly ways we can save money. I think we have done that with acquisition reform and with some of the other reforms that are contained in this bill.

It is also important to understand the threats that we face in the world—the continuing threat of terrorism and the continuing threats from nations like Russia, Iran, North Korea, and China. We need to be prepared to counter those threats if we are going to have a peaceful and stable world.

Nonetheless, I think we still have the budget problem that I alluded to earlier, and that is that we do not have the money that we would like to have. It is not just for defense; it is for a lot of domestic priorities as well. In the way this bill is set up, it creates the possibility that we will take an additional $18 billion for defense.

How does that balance against our other priorities?

We have to figure out how to make our budget balance and meet the priorities domestically while also meeting the national security priorities because our infrastructure is critical to our national security as well. We have to remain strong economically as a country.

In addition to that, it is not just the Department of Defense that provides for our security. There is the Department of Homeland Security, certainly, in the intelligence budget; the Department of Treasury; the Department of Justice. A lot of pieces to that puzzle are necessary, and they all get shortchanged if we don't take into account their needs as well.

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

Mr. THORNBERRY. Mr. Chair, I yield myself the balance of my time.

As usual, I largely agree with many of the comments made by Mr. SMITH. I think he is exactly right when he discusses the many complex, dangerous threats that face the United States at this point. I think he is also right that we all have to put the Federal budget—but especially the military budget—on a more stable, predictable footing. I absolutely agree with him on those points.

At the same time, we have an immediate need, one in which lives are at stake. Mr. Chair, let me just offer the fact that the Air Force is currently short 4,000 maintainers and more than 700 pilots.

Another fact: in fiscal year 2015, the Navy had a backlog of 11 planes in depot. In fiscal year 2017, they are going to have 278 planes backlogged in the Navy depots. Less than one-third of the Army is now ready to meet the requirements of the defense strategic guidance.

We can't just turn away and say: Oh, we don't like this budget approach, so we are willing to live with all of those problems.

We have to deal with them. That is what this bill tries to do.

Mr. Chair, by the way, if we take away the $18 billion that we try to put to readiness issues, then a lot of the things that the Members have asked for go away.

I have before me, for example, a letter that has been signed by a number of House and Senate Members who ask for new Black Hawks this year. The fact is the President did not request any Black Hawks in his budget request. Currently, too many of our military folks are flying Black Hawks that were made in 1979. They can't get the parts for them. They can't even fly them in a lot of the circumstances because of the restrictions on these helicopters. So we look to the Army's unfunded requirements' list of the things they would like to have had that were stripped out by the administration, and we put into this bill 36 new Black Hawks. That is the way you deal with a lot of these readiness problems, is you replace the 1979 helicopter with a 2016 helicopter. We do that in this bill, but if we take away the approach that we have here to meet the readiness requirements, all of those Black Hawks go away.

I also have letters from Members who ask for the third littoral combat ship. We were only able to do that because of the $18 billion. I have a letter signed by a number of Members to increase the U.S.-Israeli cooperative missile defense. Again, if our approach is not used, which some people on the other side are critical of, that funding goes away. It doesn't just come out of the air.

Mr. Chair, my point is we have an immediate problem. This bill tries to deal with the immediate problem that is affecting the men and women who serve our country today. Is it perfect? Of course not, but I have yet to hear of a better alternative that meets these needs and can pass the House.

Mr. Chair, just to reiterate, the other point is this is exactly the same approach that was used in the last administration. It is curious to me that some people who wanted to give President Obama a chance of a fresh look of the deployments which he found when he came into office now want to deny the same possibility for the next President, whoever he or she may be. We take exactly the approach that was used under Speaker PELOSI and Majority Leader HARRY REID in 2008, and we apply it to the next transition. I think that is what makes sense because that is what enables us to deal today with the readiness problems that threaten our military. I hope all Members will support this bill.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chair, I ask that the following exchange of letters be submitted on H.R. 4909:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, April 28, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write concerning H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017, as amended. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

However, in order to expedite this legislation for Floor consideration, the Committee will forgo action on this bill. This, of course, is conditional on our mutual understanding that forgoing consideration of the bill does

not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 4909 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Transportation and Infrastructure is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, April 28, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. THORNBERRY: I am writing to you concerning the jurisdictional interest of the Committee on Oversight and Government Reform in matters being considered in H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017.

Our committee recognizes the importance of H.R. 4909 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces, or otherwise affects the jurisdiction of the Committee on Oversight and Government Reform, and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Committee on Oversight and Government Reform also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your consideration in this matter.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 3, 2016.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Oversight and Government Reform has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Oversight and Government Reform is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, April 28, 2016.

HON. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 4909, the ''National Defense Authorization Act for Fiscal Year 2017,'' which your Committee ordered reported on April 28, 2016.

H.R. 4909 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 3, 2016.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Science, Space, and Technology has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Science, Space, and Technology is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, April 28, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I am writing to you concerning the bill H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. There are certain provisions in the legislation which fall within the jurisdiction of the Committee on Small Business pursuant to Rule X(q) of the House of Representatives.

In the interest of permitting the Committee on Armed Services to proceed expeditiously to floor consideration of this important bill, I am willing to waive the right of the Committee on Small Business to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Small Business does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X(q) jurisdiction, including future bills that the Committee on Armed Services will consider.

I request that you urge the Speaker to appoint members of this Committee to any conference committee which is named to consider such provisions. Please place this letter into the committee report on H.R. 4909 and into the Congressional Record during consideration of the measure on the House floor.

Thank you for the cooperative spirit in which you have worked regarding this issue and others between our respective committees. If you have any questions, please contact Jan Oliver, Chief Counsel to the Committee.

Sincerely,

STEVE CHABOT,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. STEVE CHABOT,
Chairman, Committee on Small Business, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Small Business has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Small Business is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

Ms. JACKSON LEE. Mr. Chair, I rise to speak on House consideration of the National Defense Authorization Act for Fiscal Year 2017.

I thank Chairman THORNBERRY and Ranking Member SMITH and the Armed Services Committee for their work on the National Defense Authorization Act for Fiscal Year 2015.

As a senior member of the House Committee on Homeland Security, I take our role in Congress as stewards of our nation's security seriously.

I offer my thanks and appreciation to the men and women of the armed services who place themselves in harm's way each day for the safety and security of our nation's people.

The National Defense Authorization Act's purpose is to address the threats our nation

must deal with not just today, but into the future. This makes our work vital to our national interest and it should reflect our strong commitment to ensure that the men and women of our Armed Services receive the benefits and support that they deserve for their faithful service.

This is the 54th consecutive National Defense Authorization Act, which speaks to the long term commitment of the Congress and successive Administrations to provide for National Defense.

This bill encompasses a number of initiatives designed to confront the military challenges posed by violent extremism, terrorists engaging in ground wars, making more efficient the work of protecting America, addresses the medical health needs of men and women in the armed services, and extends economic and education opportunity to small minority and women owned businesses.

We do live in a dangerous world, where threats are not always easily identifiable, and our enemies are not bound by borders.

Boko Haram, ISIL, and Al Shabaab remind us of how fragile our nation's security could be without a well trained and equipped military.

I appreciate the House Armed Services Committee's continued support of our national defense and support a number of provisions in H.R. 1735, the National Defense Authorization Act for Fiscal Year (FY) 2016, such as authorities that support ongoing operations.

The Administration also appreciates much of the work of the committee, but is expressing strong objections because the bill: Redirects $18 billion in funding intended for use in defeating ISIL to base budget programs; Extends operations at Guantanamo Bay, Cuba; Increases costs of the TRICARE administration; Prohibits the retiring or inactivation of Ticonderoga-Class cruisers or dock landing ships; Reduces by $250 million the Counterterrorism Partnership Fund; Bars the administration from making sure that companies that break United States labor laws are not rewarded; Prohibition on the use of funds for Countering Weapons of Mass Production; and Eliminates for the Department of Defense's Joint Urgent Operational Needs Fund.

Although the Administration points out areas of agreement with the Committee, the Administration strongly objects to several provisions in the bill.

The opportunity to amend the bill will offer an opportunity to address these and other Administration concerns that will improve the bill.

Congress should authorize sufficient funding for our military's priorities, and avoid using the Overseas Contingency Operations (OCO) funding in ways that leaders of both parties over the years have made clear is inappropriate.

The final bill considered by the Congress should adopt many of the needed force structure and weapons system reforms that have been identified by military leaders and experts.

As written the President's senior advisors would recommend that he veto this bill.

It is my hope that the Rules Committee will make in order a number of perfecting amendments for consideration under the Rule for H.R. 4909.

I have amendments that have been offered for consideration of H.R. 4909.

Let me discuss briefly the amendments I offered that were adopted by the House and included in the final version of the bill.

Jackson Lee Amendment Number 1 calls for increased collaboration with NIH to combat Triple Negative Breast Cancer.

Jackson Lee Amendment Number 2 provides authorization for $2.5 million increase in funding to combat post-traumatic stress disorder (PTSD).

Jackson Lee Amendment Number 3 condemns the actions of Boko Haram and urges the Commander-in-Chief to ensure accountability for crimes against humanity committed by Boko Haram against the Nigerian people.

Jackson Lee Amendment Number 4 authorizes the Secretary of Defense to work with local security partners in facilitating the provision of security at civilian nuclear research centers in educational institutions to ascertain that nuclear weapons do not end up in the hands of terrorists, in promotion of the United States' and its allies' security interests.

Jackson Lee Amendment Number 5 authorizes the Secretary of Defense to work with local and international security partners, innovators, law enforcement, and other civil society organizations in the provision of technical assistance for the creation, facilitation and implementation of a technological app designed to enable the location, protection and tracking of missing persons, refugees, returnees and internally displaced persons.

Jackson Lee Amendment Number 6 directs Secretary of the Navy to submit report to Congress on the feasibility of applying desalinization technologies to provide drought relief in areas impacted by sharp declines in water availability for both military as well as civilian purposes.

Jackson Lee Amendment Number 7 authorizes the Secretary of Defense to provide technical assistance to local and international security partners in the provision of security and protection for activists and civil society organizations advocating for and promoting freedom of religion, education, press expression and personal expression.

Jackson Lee Amendment Number 8 directs Secretary of Defense to conduct study and submit to Congress report regarding the awarding of secret and top secret security clearances to better understand the process for awarding clearances in effective and fair.

Jackson Lee Amendment Number 9 requires outreach for small business concerns owned and controlled by women and minorities required before conversation of certain functions to contractor performance.

Jackson Lee Amendment Number 10 expresses the sense of Congress regarding the importance of increasing the effectiveness of the Northern Command ("NORTHCOM") in fulfilling its critical mission of protecting the U.S. homeland in event of war and to provide support to local, state, and federal authorities in times of national emergency.

Jackson Lee Amendment Number 11 requires the Government Accountability Office to include in its annual report to Congress a list of the most common grounds for sustaining protests related to bids for contracts.

Jackson Lee Amendment Number 12 directs the Secretary of Defense to report to Congress on the Department's ability to support the rapid development, production and deployment of vaccines or treatments of emerging tropical diseases, like the Zika and Ebola viruses, to protect the men and women of the armed forces and their families.

We must continue to direct our efforts as a body to ensure that our troops remain the best equipped and prepared military force in the world. They are not just soldiers they are sons and daughters, husbands and wives, brothers and sisters—they are some of the people we represent as members of Congress.

Support of our men and women in uniform is a sacred obligation of Congress both to those who are at risk on battle fields and serving as the guard against threats around the world, but they are also those who have returned home from war.

I look forward to the inclusion of the Jackson Lee Amendments and others that will improve the underlying bill.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services, printed in the bill, an amendment in the nature of a substitute, consisting of the text of Rules Committee print 114–51, modified by the amendment printed in part A of House Report 114–569, shall be considered as adopted.

The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

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

H.R. 4909

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 ''National Defense Authorization Act for Fiscal Year 2017''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into five divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Funding Tables.

(5) Division E—Military Justice.

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

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Multiyear procurement authority for AH–64E Apache helicopters.
Sec. 112. Multiyear procurement authority for UH–60M and HH–60M Black Hawk helicopters.
Sec. 113. Assessment of certain capabilities of the Department of the Army.

Subtitle C—Navy Programs

Sec. 121. Procurement authority for aircraft carrier programs.
Sec. 122. Sense of Congress on aircraft carrier procurement schedules.
Sec. 123. Design and construction of LHA replacement ship designated LHA 8.

Sec. 124. Design and construction of replacement dock landing ship designated LX(R) or amphibious transport dock designated LPD–29.
Sec. 125. Ship to shore connector program.
Sec. 126. Limitation on availability of funds for Littoral Combat Ship or successor frigate.

Subtitle D—Air Force Programs

Sec. 131. Elimination of annual report on aircraft inventory.
Sec. 132. Repeal of requirement to preserve certain retired C–5 aircraft.
Sec. 133. Repeal of requirement to preserve certain retired F–117 aircraft.
Sec. 134. Prohibition on availability of funds for retirement of A–10 aircraft.
Sec. 135. Prohibition on availability of funds for retirement of Joint Surveillance Target Attack Radar System aircraft.

Subtitle E—Defense-wide, Joint, and Multiservice Matters

Sec. 141. Termination of quarterly reporting on use of combat mission requirements funds.
Sec. 142. Fire suppressant and fuel containment standards for certain vehicles.
Sec. 143. Report on Department of Defense munitions strategy for the combatant commands.
Sec. 144. Comptroller General review of F–35 Lightning II aircraft sustainment support.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Laboratory quality enhancement program.
Sec. 212. Mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.
Sec. 213. Notification requirement for certain rapid prototyping, experimentation, and demonstration activities.
Sec. 214. Improved biosafety for handling of select agents and toxins.
Sec. 215. Modernization of security clearance information technology architecture.
Sec. 216. Prohibition on availability of funds for countering weapons of mass destruction system Constellation.
Sec. 217. Limitation on availability of funds for Defense Innovation Unit Experimental.
Sec. 218. Limitation on availability of funds for Tactical Combat Training System Increment II.
Sec. 219. Restructuring of the distributed common ground system of the Army.
Sec. 220. Designation of Department of Defense senior official with principal responsibility for directed energy weapons.

Subtitle C—Reports and Other Matters

Sec. 231. Strategy for assured access to trusted microelectronics.
Sec. 232. Pilot program on evaluation of commercial information technology.
Sec. 233. Pilot program for the enhancement of the laboratories and test and evaluation centers of the Department of Defense.
Sec. 234. Pilot program on modernization of electromagnetic spectrum warfare systems and electronic warfare systems.
Sec. 235. Independent review of F/A–18 physiological episodes and corrective actions.
Sec. 236. Study on helicopter crash prevention and mitigation technology.
Sec. 237. Report on electronic warfare capabilities.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Rule of construction regarding alternative fuel procurement requirement.

Subtitle C—Logistics and Sustainment

Sec. 321. Pilot program for inclusion of certain industrial plants in the Armament Retooling and Manufacturing Support Initiative.
Sec. 322. Private sector port loading assessment.
Sec. 323. Limitation on availability of funds for Defense Contract Management Agency.

Subtitle D—Reports

Sec. 331. Modification of annual Department of Defense energy management reports.
Sec. 332. Report on equipment purchased from foreign entities and authority to adjust Army arsenal labor rates.

Subtitle E—Other Matters

Sec. 341. Explosive Ordnance Disposal Corps.
Sec. 342. Explosive ordnance disposal program.
Sec. 343. Expansion of definition of structures interfering with air commerce and national defense.
Sec. 344. Development of personal protective equipment for female Marines and soldiers.
Sec. 345. Study on space-available travel system of the Department of Defense.
Sec. 346. Supply of specialty motors from certain manufacturers.
Sec. 347. Limitation on use of certain funds until establishment and implementation of required process by which members of the Armed Forces may carry appropriate firearms on military installations.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revisions in permanent active duty end strength minimum levels.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for reserves on active duty in support of the reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2017 limitation on number of non-dual status technicians.
Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.
Sec. 416. Sense of Congress on full-time support for the Army National Guard.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Number of Marine Corps general officers.
Sec. 502. Equal consideration of officers for early retirement or discharge.
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SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

In this Act, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2017 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR AH–64E APACHE HELICOPTERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Army may enter into one or more multiyear contracts, beginning with the fiscal year 2017 program year, for the procurement of AH–64E Apache helicopters.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2017 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR UH–60M AND HH–60M BLACK HAWK HELICOPTERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Army may enter into one or more multiyear contracts, beginning with the fiscal year 2017 program year, for the procurement of UH–60M and HH–60M Black Hawk helicopters.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2017 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 113. ASSESSMENT OF CERTAIN CAPABILITIES OF THE DEPARTMENT OF THE ARMY.

(a) ASSESSMENT.—The Secretary of Defense, in consultation with the Secretary of the Army and the Chief of Staff of the Army, shall conduct an assessment of the following capabilities with respect to the Department of the Army:

(1) The capacity of AH–64 Apache-equipped attack reconnaissance battalions to meet future needs.

(2) Air defense artillery capacity and responsiveness, including—

(A) the capacity of short-range air defense artillery to address existing and emerging threats, including threats posed by unmanned aerial systems, cruise missiles, and manned aircraft; and

(B) the potential for commercial off-the-shelf solutions.

(3) Chemical, biological, radiological, and nuclear capabilities and modernization needs.

(4) Field artillery capabilities, including—

(A) modernization needs;

(B) munitions inventory shortfalls; and

(C) changes in doctrine and war plans consistent with the Memorandum of the Secretary of Defense dated June 19, 2008, regarding the Department of Defense policy on cluster munitions and unintended harm to civilians.

(5) Fuel distribution and water purification capacity and responsiveness.

(6) Watercraft and port-opening capabilities and responsiveness.

(7) Transportation capacity and responsiveness, particularly with respect to the transportation of fuel, water, and cargo.

(8) Military police capacity.

(9) Tactical mobility and tactical wheeled vehicle capacity, including heavy equipment prime movers.

(b) REPORT.—Not later than April 1, 2017, the Secretary of Defense shall submit to the congressional defense committees a report containing—

(1) the assessment conducted under subsection (a);

(2) recommendations for reducing or eliminating shortfalls in responsiveness and capacity with respect to each of the capabilities described in such subsection; and

(3) an estimate of the costs of implementing such recommendations.

(c) FORM.—The report under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

Subtitle C—Navy Programs

SEC. 121. PROCUREMENT AUTHORITY FOR AIRCRAFT CARRIER PROGRAMS.

(a) PROCUREMENT AUTHORITY IN SUPPORT OF CONSTRUCTION OF FORD CLASS AIRCRAFT CARRIERS.—

(1) AUTHORITY FOR ECONOMIC ORDER QUANTITY.—The Secretary of the Navy may procure materiel and equipment in support of the construction of the Ford class aircraft carriers designated CVN–80 and CVN–81 in economic order quantities when cost savings are achievable.

(2) LIABILITY.—Any contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at time of termination.

(b) REFUELING AND COMPLEX OVERHAUL OF NIMITZ CLASS AIRCRAFT CARRIERS.—

(1) IN GENERAL.—The Secretary of the Navy may carry out the nuclear refueling and complex overhaul of each of the following Nimitz class aircraft carriers:

(A) U.S.S. George Washington (CVN–73).

(B) U.S.S. John C. Stennis (CVN–74).

(C) U.S.S. Harry S. Truman (CVN–75).

(D) U.S.S. Ronald Reagan (CVN–76).

(E) U.S.S. George H.W. Bush (CVN–77).

(2) USE OF INCREMENTAL FUNDING.—With respect to any contract entered into under paragraph (1) for the nuclear refueling and complex overhaul of a Nimitz class aircraft carrier, the Secretary may use incremental funding for a period not to exceed six years after advance procurement funds for such nuclear refueling and complex overhaul effort are first obligated.

(3) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—Any contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2017 is subject to the availability of appropriations for that purpose for that later fiscal year.

SEC. 122. SENSE OF CONGRESS ON AIRCRAFT CARRIER PROCUREMENT SCHEDULES.

(a) FINDINGS.—Congress finds the following:

(1) In a report submitted to Congress on March 17, 2015, the Secretary of the Navy indicated the Department of the Navy has a requirement of 11 aircraft carriers.

(2) In the Congressional Budget Office report titled ''An Analysis of the Navy's Fiscal Year 2016 Shipbuilding Plan'', the Office stated as follows: ''To prevent the carrier force from declining to 10 ships in the 2040s, 1 short of its inventory goal of 11, the Navy could accelerate purchases after 2018 to 1 every four years, rather than 1 every five years''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the plan of the Department of the Navy to schedule the procurement of one aircraft carrier every five years will reduce the overall aircraft carrier inventory to 10 aircraft carriers, a level insufficient to meet peacetime and war plan requirements; and

(2) to accommodate the required aircraft carrier force structure, the Department of the Navy should—

(A) begin to program construction for the Ford class aircraft carrier designated CVN–81 in fiscal year 2022; and

(B) program the required advance procurement activities to accommodate the construction of such carrier.

SEC. 123. DESIGN AND CONSTRUCTION OF LHA REPLACEMENT SHIP DESIGNATED LHA 8.

(a) IN GENERAL.—The Secretary of the Navy may enter into a contract, beginning with the fiscal year 2017 program year, for the design and construction of the LHA Replacement ship designated LHA 8 using amounts authorized to be appropriated for the Department of Defense for Shipbuilding and Conversion, Navy.

(b) USE OF INCREMENTAL FUNDING.—With respect to the contract entered into under subsection (a), the Secretary may use incremental funding to make payments under the contract.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—The contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under such contract for any fiscal year after fiscal year 2017 is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 124. DESIGN AND CONSTRUCTION OF REPLACEMENT DOCK LANDING SHIP DESIGNATED LX(R) OR AMPHIBIOUS TRANSPORT DOCK DESIGNATED LPD–29.

(a) IN GENERAL.—The Secretary of the Navy may enter into a contract, beginning with the fiscal year 2017 program year, for the design and construction of the replacement dock landing ship designated LX(R) or the amphibious transport dock designated LPD–29 using amounts authorized to be appropriated for the Department of Defense for Shipbuilding and Conversion, Navy.

(b) USE OF INCREMENTAL FUNDING.—With respect to the contract entered into under subsection (a), the Secretary may use incremental funding to make payments under the contract.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—The contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under such contract for any fiscal year after fiscal year 2017 is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 125. SHIP TO SHORE CONNECTOR PROGRAM.

(a) CONTRACT AUTHORITY.—Notwithstanding section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a contract to procure up to 45 Ship to Shore Connector craft.

(b) LIABILITY.—Any contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that the total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at time of termination.

SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP OR SUCCESSOR FRIGATE.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Navy shall be used to select only a single contractor for the construction of the Littoral Combat Ship or any successor frigate class ship program until the Secretary of the Navy certifies to the congressional defense committees that such selection of a single contractor will be conducted—

(1) using competitive procedures; and

(2) for the limited purpose of awarding a contract for—

(A) an engineering change proposal for a frigate class ship; or

(B) the construction of a frigate class ship.

Subtitle D—Air Force Programs

SEC. 131. ELIMINATION OF ANNUAL REPORT ON AIRCRAFT INVENTORY.

Section 231a of title 10, United States Code, is amended—

(1) by striking subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

SEC. 132. REPEAL OF REQUIREMENT TO PRESERVE CERTAIN RETIRED C–5 AIRCRAFT.

Section 141 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1659) is amended by striking subsection (d).

SEC. 133. REPEAL OF REQUIREMENT TO PRESERVE CERTAIN RETIRED F–117 AIRCRAFT.

Section 136 of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2114) is amended by striking subsection (b).

SEC. 134. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF A–10 AIRCRAFT.

(a) PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or on backup aircraft inventory status any A–10 aircraft.

(b) ADDITIONAL LIMITATION ON RETIREMENT.—In addition to the prohibition in subsection (a), the Secretary of the Air Force may not retire, prepare to retire, or place in storage or on backup aircraft inventory status any A–10 aircraft until a period of 90 days has elapsed following the date on which the Secretary submits to the congressional defense committees the report under subsection (e)(2).

(c) PROHIBITION ON SIGNIFICANT REDUCTIONS IN MANNING LEVELS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Air Force may be obligated or expended to make significant reductions to manning levels with respect to any A–10 aircraft squadrons or divisions.

(d) MINIMUM INVENTORY REQUIREMENT.—The Secretary of the Air Force shall ensure the Air Force maintains a minimum of 171 A–10 aircraft designated as primary mission aircraft inventory until a period of 90 days has elapsed following the date on which the Secretary submits to the congressional defense committees the report under subsection (e)(2).

(e) REPORTS REQUIRED.—

(1) The Director of Operational Test and Evaluation shall submit to the congressional defense committees a report that includes—

(A) the results and findings of the initial operational test and evaluation of the F–35 aircraft program; and

(B) a comparison test and evaluation that examines the capabilities of the F–35A and A–10C aircraft in conducting close air support, combat search and rescue, and forward air controller airborne missions.

(2) Not later than 180 days after the date of the submission of the report under paragraph (1), the Secretary of the Air Force shall submit to the congressional defense committees a report that includes—

(A) the views of the Secretary with respect to the results of the initial operational test and evaluation of the F–35 aircraft program as summarized in the report under paragraph (1), including any issues or concerns of the Secretary with respect to such results;

(B) a plan for addressing any deficiencies and carrying out any corrective actions identified in such report; and

(C) short-term and long-term strategies for preserving the capability of the Air Force to conduct close air support, combat search and rescue, and forward air controller airborne missions.

(f) SPECIAL RULE.—

(1) Subject to paragraph (2), the Secretary of the Air Force may carry out the transition of the A–10 unit at Fort Wayne Air National Guard Base, Indiana, to an F–16 unit as described by the Secretary in the Force Structure Actions map submitted in support of the budget of the President for fiscal year 2017 (as submitted to Congress under section 1105(a) of title 31, United States Code).

(2) Subsections (a) through (e) shall apply with respect to any A–10 aircraft affected by the transition described in paragraph (1).

SEC. 135. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF JOINT SURVEILLANCE TARGET ATTACK RADAR SYSTEM AIRCRAFT.

(a) PROHIBITION.—Except as provided by subsection (b) and in addition to the prohibition under section 144 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 758) none of the funds authorized to be appropriated or otherwise made available for fiscal year 2018 for the Air Force may be obligated or expended to retire, or prepare to retire, any Joint Surveillance Target Attack Radar System aircraft.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to individual Joint Surveillance Target Attack Radar System aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be non-operational because of mishaps, other damage, or being uneconomical to repair.

Subtitle E—Defense-wide, Joint, and Multiservice Matters

SEC. 141. TERMINATION OF QUARTERLY REPORTING ON USE OF COMBAT MISSION REQUIREMENTS FUNDS.

Section 123(a)(1) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4158; 10 U.S.C. 167 note.) is amended by inserting ''ending on or before September 30, 2018'' after ''each fiscal quarter''.

SEC. 142. FIRE SUPPRESSANT AND FUEL CONTAINMENT STANDARDS FOR CERTAIN VEHICLES.

(a) GUIDANCE REQUIRED.—

(1) The Secretary of the Army shall issue guidance regarding fire suppressant and fuel containment standards for covered vehicles of the Army.

(2) The Secretary of the Navy shall issue guidance regarding fire suppressant and fuel containment standards for covered vehicles of the Marine Corps.

(b) ELEMENTS.—The guidance regarding fire suppressant and fuel containment standards issued pursuant to subsection (a) shall—

(1) meet the survivability requirements applicable to each class of covered vehicles;

(2) include standards for vehicle armor, vehicle fire suppression systems, and fuel containment technologies in covered vehicles; and

(3) balance cost, survivability, and mobility.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Navy shall each submit to the congressional defense committees a report that includes—

(1) the policy guidance established pursuant to subsection (a), set forth separately for each class of covered vehicle; and

(2) any other information the Secretaries determine to be appropriate.

(d) COVERED VEHICLES.—In this section, the term ''covered vehicles'' means ground vehicles acquired on or after October 1, 2018, under a major defense acquisition program (as such term is defined in section 2430 of title 10, United States Code), including light tactical vehicles, medium tactical vehicles, heavy tactical vehicles, and ground combat vehicles.

SEC. 143. REPORT ON DEPARTMENT OF DEFENSE MUNITIONS STRATEGY FOR THE COMBATANT COMMANDS.

(a) REPORT REQUIRED.—Not later than April 1, 2017, the Secretary of Defense shall submit to the congressional defense committees a report on the munitions strategy for the combatant commands, including an identification of munitions requirements, an assessment of munitions gaps and shortfalls, and necessary munitions investments. Such strategy shall cover the 10-year period beginning with 2016.

(b) ELEMENTS.—The report on munitions strategy required by subsection (a) shall include the following:

(1) An identification of current and projected munitions requirements, by class or type.

(2) An assessment of munitions gaps and shortfalls, including a census of current munitions capabilities and programs, not including ammunition.

(3) A description of current and planned munitions programs, including with respect to procurement; research, development, test, and evaluation; and deployment activities.

(4) Schedules, estimated costs, and budget plans for current and planned munitions programs.

(5) Identification of opportunities and limitations within the associated industrial base.

(6) Identification and evaluation of technology needs and applicable emerging technologies.

(7) An assessment of how current and planned munitions programs, and promising technologies, may affect existing operational concepts and capabilities of the military departments or lead to new operational concepts and capabilities.

(8) An assessment of programs and capabilities by other countries to counter the munitions programs and capabilities of the Armed Forces, not including with respect to ammunition, and how such assessment affects the munitions strategy of each military department.

(9) An assessment of how munitions capability and capacity may be affected by changes consistent with the Memorandum of the Secretary of Defense dated June 19, 2008, regarding the Department of Defense policy on cluster munitions and unintended harm to civilians.

(10) Any other matters the Secretary determines appropriate.

(c) FORM.—The report under subsection (a) may be submitted in classified or unclassified form.

SEC. 144. COMPTROLLER GENERAL REVIEW OF F–35 LIGHTNING II AIRCRAFT SUSTAINMENT SUPPORT.

(a) REVIEW.—Not later than September 30, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report on the sustainment support structure for the F–35 Lightning II aircraft program.

(b) ELEMENTS.—The review under subsection (a) shall include, with respect to the F–35 Lightning II aircraft program, the following:

(1) The status of the sustainment support strategy for the program, including goals for personnel training, required infrastructure, and fleet readiness.

(2) Approaches, including performance-based logistics, considered in developing the sustainment support strategy for the program.

(3) Other information regarding sustainment and logistics support for the program that the Comptroller General determines to be of critical importance to the long-term viability of the program.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. LABORATORY QUALITY ENHANCEMENT PROGRAM.

(a) IN GENERAL.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering, shall carry out a Program to be known as the ''Laboratory Quality Enhancement Program'' under which the Secretary shall establish the panels described in subsection (b) and direct such panels—

(1) to review and make recommendations to the Secretary with respect to—

(A) existing policies and practices affecting the science and technology reinvention laboratories to improve the research output of such laboratories; and

(B) new initiatives proposed by the science and technology reinvention laboratories;

(2) to support implementation of current and future initiatives affecting the science and technology reinvention laboratories; and

(3) to conduct assessments or data analysis on such other issues as the Secretary determines to be appropriate.

(b) PANELS.—The panels described in this subsection are:

(1) A panel on personnel, workforce development, and talent management.

(2) A panel on facilities and infrastructure.

(3) A panel on research strategy, technology transfer, and industry partnerships.

(4) A panel on oversight, administrative, and regulatory processes.

(c) COMPOSITION OF PANELS.—

(1) Each panel described in subsection (b) shall be composed of not less than 4 members.

(2) Each panel described in paragraphs (1) through (3) of subsection (b) shall be composed of subject matter and technical management experts from—

(A) laboratories and research centers of the Army, Navy and Air Force;

(B) appropriate Defense Agencies;

(C) the Office of the Assistant Secretary of Defense for Research and Engineering; and

(D) such other entities of the Department of Defense as the Secretary determines to be appropriate.

(3) The panel described in subsection (b)(4) shall be composed of—

(A) the Director of the Army Research Laboratory;

(B) the Director of the Air Force Research Laboratory;

(C) the Director of the Naval Research Laboratory; and

(D) such other members as the Secretary determines to be appropriate.

(d) GOVERNANCE OF PANELS.—

(1) The chairperson of each panel shall be selected by its members.

(2) The panel described in subsection (b)(4) shall—

(A) oversee the activities of the panels described in paragraphs (1) through (3) of subsection (b);

(B) determine the subject matter to be considered by the panels; and

(C) provide the recommendations of the panels to the Secretary.

(e) PERSONNEL DEMONSTRATION PROJECT AUTHORITY.—Section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2721) (as amended by section 1114(a)(2)(C) of the National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398; 114 Stat. 1654A–315)) is amended by adding at the end the following new paragraph:

''(4) In carrying out this subsection, the Secretary shall act through the Assistant Secretary of Defense for Research and Engineering.''.

(f) SCIENCE AND TECHNOLOGY REINVENTION LABORATORY DEFINED.—In this section, the term ''science and technology reinvention laboratory'' means a science and technology reinvention laboratory designated under section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note).

SEC. 212. MECHANISMS TO PROVIDE FUNDS FOR DEFENSE LABORATORIES FOR RESEARCH AND DEVELOPMENT OF TECHNOLOGIES FOR MILITARY MISSIONS.

Section 219 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2358 note), as most recently amended by section 262 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66), is amended—

(1) in subsection (a)(1), by striking ''not more than''; and

(2) by amending subsection (d) to read as follows:

''(d) SPECIAL RULE.—For purposes of this section, a federally funded research and development center shall be considered a defense laboratory if the center is sponsored by the Department of Defense.''.

SEC. 213. NOTIFICATION REQUIREMENT FOR CERTAIN RAPID PROTOTYPING, EXPERIMENTATION, AND DEMONSTRATION ACTIVITIES.

(a) NOTICE REQUIRED.—The Secretary of the Navy shall not initiate a covered activity until a period of 10 business days has elapsed following the date on which the Secretary submits to the congressional defense committees the notice described in subsection (b) with respect to such activity.

(b) ELEMENTS OF NOTICE.—The notice described in this subsection is a written notice of the intention of the Secretary to initiate a covered activity. Each such notice shall include the following:

(1) A description of the activity.

(2) Estimated costs and funding sources for the activity, including a description of any cost-sharing or in-kind support arrangements with other participants.

(3) A description of any transition agreement, including the identity of any partner organization that may receive the results of the covered activity under such an agreement.

(4) Identification of major milestones and the anticipated date of completion of the activity.

(c) COVERED ACTIVITY.—In this section, the term ''covered activity'' means a rapid prototyping, experimentation, or demonstration activity carried out under program element 0603382N.

(d) SUNSET.—The requirements of this section shall terminate 5 years after the date of the enactment of this Act.

SEC. 214. IMPROVED BIOSAFETY FOR HANDLING OF SELECT AGENTS AND TOXINS.

(a) QUALITY CONTROL AND QUALITY ASSURANCE PROGRAM.—The Secretary of Defense, acting through the executive agent for the biological select agent and toxin biosafety program of the Department of Defense, shall carry out a program to implement certain quality control and quality assurance measures at each covered facility.

(b) QUALITY CONTROL AND QUALITY ASSURANCE MEASURES.—Subject to subsection (c), the quality control and quality assurance measures implemented at each covered facility under subsection (a) shall include the following:

(1) Designation of an external manager to oversee quality assurance and quality control.

(2) Environmental sampling and inspection.

(3) Production procedures that prohibit operations where live biological select agents and toxins are used in the same laboratory where viability testing is conducted.

(4) Production procedures that prohibit work on multiple organisms or multiple strains of one organism within the same biosafety cabinet.

(5) A video surveillance program that uses video monitoring as a tool to improve laboratory practices in accordance with regulatory requirements.

(6) Formal, recurring data reviews of production in an effort to identify data trends and nonconformance issues before such issues affect end products.

(7) Validated protocols for production processes to ensure that process deviations are adequately vetted prior to implementation.

(8) Maintenance and calibration procedures and schedules for all tools, equipment, and irradiators.

(c) WAIVER.—In carrying out the program under subsection (a), the Secretary may waive any of the quality control and quality assurance measures required under subsection (b) in the interest of national defense.

(d) STUDY AND REPORT REQUIRED.—

(1) The Secretary of Defense shall carry out a study to evaluate—

(A) the feasibility of consolidating covered facilities within a unified command to minimize risk;

(B) opportunities to partner with industry for the production of biological select agents and toxins and related services in lieu of maintaining such capabilities within the Department of the Army; and

(C) whether operations under the biological select agent and toxin production program should be transferred to another government or commercial laboratory that may be better suited to execute production for non-Department of Defense customers.

(2) Not later than February 1, 2017, the Secretary shall submit to the congressional defense committees a report on the results of the study under paragraph (1).

(e) COMPTROLLER GENERAL REVIEW.—Not later than September 1, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report that includes the following:

(1) A review of—

(A) the actions taken by the Department of Defense to address the findings and recommendations of the report of the Department of the Army titled ''Individual and Institutional Accountability for the Shipment of Viable Bacillus Anthracis from Dugway Proving Grounds'', dated December 15, 2015, including any actions taken to address the culture of complacency in the biological select agent and toxin production program identified in such report; and

(B) the progress of the Secretary in carrying out the program under subsection (a).

(2) An analysis of the study and report under subsection (d).

(f) DEFINITIONS.—In this section:

(1) The term ''covered facility'' means any facility of the Department of Defense that produces biological select agents and toxins.

(2) The term ''biological select agent and toxin'' means any agent or toxin identified under—

(A) section 331.3 of title 7, Code of Federal Regulations;

(B) section 121.3 or section 121.4 of title 9, Code of Federal Regulations; or

(C) section 73.3 or section 73.4 of title 42, Code of Federal Regulations.

SEC. 215. MODERNIZATION OF SECURITY CLEARANCE INFORMATION TECHNOLOGY ARCHITECTURE.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Director of National Intelligence and the Director of the Office of Personnel Management, shall develop and implement an information technology system (in this section referred to as the ''System'') to—

(1) modernize and sustain the security clearance information architecture of the National Background Investigations Bureau and the Department of Defense;

(2) support decision-making processes for the evaluation and granting of personnel security clearances;

(3) improve cyber security capabilities with respect to sensitive security clearance data and processes;

(4) reduce the complexity and cost of the security clearance process;

(5) provide information to managers on the financial and administrative costs of the security clearance process;

(6) strengthen the ties between counterintelligence and personnel security communities; and

(7) improve system standardization in the security clearance process.

(b) GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of National Intelligence and the Director of the Office of Personnel Management, shall issue guidance establishing the respective roles, responsibilities, and obligations of the Secretary and Directors with respect to the development and implementation of the System.

(c) ELEMENTS OF SYSTEM.—In developing the System under subsection (a), the Secretary shall—

(1) conduct a review of security clearance business processes and, to the extent practicable, modify such processes to maximize compatibility with the security clearance information technology architecture to minimize the need for customization of the System;

(2) conduct business process mapping (as such term is defined in section 2222(i) of title 10, United States Code) of the business processes described in paragraph (1);

(3) use spiral development and incremental acquisition practices to rapidly deploy the System, including through the use of prototyping and open architecture principles;

(4) establish a process to identify and limit interfaces with legacy systems and to limit customization of any commercial information technology tools used;

(5) establish automated processes for measuring the performance goals of the System; and

(6) incorporate capabilities for the continuous monitoring of network security and the mitigation of insider threats to the System.

(d) COMPLETION DATE.—The Secretary shall complete the development and implementation of the System by not later than September 30, 2019.

(e) BRIEFING.—Beginning on December 1, 2016, and on a quarterly basis thereafter until the completion date of the System under subsection (d), the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives (and other appropriate congressional committees on request) on the progress of the Secretary in developing and implementing the System.

(f) REVIEW OF APPLICABLE LAWS.—The Secretary shall review laws, regulations, and executive orders relating to the maintenance of personnel security clearance information by the Federal Government. Not later than 90 days after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the Senate and House of Representatives (and other appropriate congressional committees on request) a briefing that includes—

(1) the results of the review; and

(2) recommendations, if any, for consolidating and clarifying laws, regulations, and executive orders relating to the maintenance of personnel security clearance information by the Federal Government.

(g) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Select Committee on Intelligence, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

SEC. 216. PROHIBITION ON AVAILABILITY OF FUNDS FOR COUNTERING WEAPONS OF MASS DESTRUCTION SYSTEM CONSTELLATION.

(a) PROHIBITIONS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the countering weapons of mass destruction situational awareness information system commonly known as ''Constellation'' may be obligated or expended for research, development, or prototyping for such system.

(b) REVIEW.—The Chief Information Officer of the Department of Defense, in consultation with the Director of the Defense Information Systems Agency, shall review the requirements and program plan for research, development, and prototyping for the Constellation system.

(c) REPORT REQUIRED.—Not later than February 1, 2017, the Chief Information Officer of the Department of Defense, in consultation with the Director of the Defense Information Systems Agency, shall submit to the congressional defense committees a report on the review under subsection (b). Such report shall include the following, with respect to the Constellation system:

(1) A review of the major software components of the system and an explanation of the requirements of the Department of Defense with respect to each such component.

(2) Identification of elements and applications of the system that cannot be implemented using the existing technical infrastructure and tools of the Department of Defense or the infrastructure and tools in development.

(3) A description of major developmental milestones and decision points for additional prototypes needed to establish the full capabilities of the system, including a timeline and detailed metrics and criteria for each such milestone and decision point.

(4) An overview of a security plan to achieve an accredited cross-domain solution system, including security milestones and proposed security architecture to mitigate both insider and outsider threats.

(5) Identification of the planned categories of end-users of the system, linked to organizations, mission requirements, and concept of operations, the expected total number of end-users, and the associated permissions granted to such users.

(6) A cost estimate for the full life-cycle cost to complete the Constellation system.

SEC. 217. LIMITATION ON AVAILABILITY OF FUNDS FOR DEFENSE INNOVATION UNIT EXPERIMENTAL.

(a) LIMITATION.—Of the funds specified in subsection (c), not more than 80 percent may

beobligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees the report under subsection (b).

(b) REPORT REQUIRED.—The Secretary of Defense shall submit to the congressional defense committees a report on the Defense Innovation Unit Experimental. Such report shall include the following:

(1) The charter and mission statement of the Unit.

(2) A description of—

(A) the governance structure of the Unit;

(B) the metrics used to measure the effectiveness of the Unit;

(C) the process for coordinating and deconflicting the activities of the Unit with similar activities of the military departments, Defense Agencies, and other departments and agencies of the Federal Government, including activities carried out by In-Q-Tel, the Defense Advanced Research Projects Agency, and Department of Defense laboratories;

(D) the direct staffing requirements of the Unit, including a description of the desired skills and expertise of such staff;

(E) the number of civilian and military personnel provided by the military departments and Defense Agencies to support the Unit;

(F) any planned expansion to new sites, the metrics used to identify such sites, and an explanation of how such expansion will provide access to innovations of nontraditional defense contractors (as such term is defined in section 2302 of title 10, United States Code) that are not otherwise accessible;

(G) how compliance with Department of Defense requirements could affect the ability of such nontraditional defense contractors to market products and obtain funding; and

(H) how to treat intellectual property that has been developed with little or no government funding.

(3) Any other information the Secretary determines to be appropriate.

(c) FUNDS SPECIFIED.—The funds specified in this subsection are as follows:

(1) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for operation and maintenance, Defense-wide, for the Defense Innovation Unit Experimental.

(2) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for research, development, test, and evaluation, Defense-wide, for the Defense Innovation Unit Experimental.

SEC. 218. LIMITATION ON AVAILABILITY OF FUNDS FOR TACTICAL COMBAT TRAINING SYSTEM INCREMENT II.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Tactical Combat Training System Increment II of the Navy, not more than 80 percent may be obligated or expended until the Secretary of the Navy and the Secretary of the Air Force submit to the congressional defense committees the report required by section 235 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 780).

SEC. 219. RESTRUCTURING OF THE DISTRIBUTED COMMON GROUND SYSTEM OF THE ARMY.

(a) IN GENERAL.—Not later than April 1, 2017, the Secretary of the Army shall restructure versions of the distributed common ground system of the Army after Increment 1—

(1) by discontinuing development of any component of the system for which there is commercial software that is capable of fulfilling at least 80 percent of the system requirements applicable to such component; and

(2) by conducting a review of the acquisition strategy of the program to ensure that procurement of commercial software is the preferred method of meeting program requirements.

(b) LIMITATION.—The Secretary of the Army shall not award any contract for the development of any capability for the distributed common ground system of the Army if such a capability is available for purchase on the commercial market, except for minor capabilities that are incidental to and necessary for the proper functioning of a major component of the system.

SEC. 220. DESIGNATION OF DEPARTMENT OF DEFENSE SENIOR OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR DIRECTED ENERGY WEAPONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) designate a senior official already serving within the Department of Defense as the official with principal responsibility for the development and demonstration of directed energy weapons for the Department; and

(2) set forth the responsibilities of that senior official with respect to such programs.

Subtitle C—Reports and Other Matters

SEC. 231. STRATEGY FOR ASSURED ACCESS TO TRUSTED MICROELECTRONICS.

(a) STRATEGY.—The Secretary of Defense shall develop a strategy to ensure that the Department of Defense has assured access to trusted microelectronics by not later than September 30, 2020.

(b) ELEMENTS.—The strategy under subsection (a) shall include the following:

(1) Definitions of the various levels of trust required by classes of Department of Defense systems.

(2) Means of classifying systems of the Department of Defense based on the level of trust such systems are required to maintain with respect to microelectronics.

(3) Means by which trust in microelectronics can be assured.

(4) Means to increase the supplier base for assured microelectronics to ensure multiple supply pathways.

(5) An assessment of the microelectronics needs of the Department of Defense in future years, including the need for trusted, radiation-hardened microelectronics.

(6) An assessment of the microelectronic needs of the Department of Defense that may not be fulfilled by entities outside the Department of Defense.

(7) The resources required to assure access to trusted microelectronics, including infrastructure and investments in science and technology.

(c) SUBMISSION.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the strategy developed under subsection (a). The strategy shall be submitted in unclassified form, but may include a classified annex.

(d) DIRECTIVE REQUIRED.—Not later than September 30, 2020, the Secretary of Defense shall issue a directive for the Department of Defense describing how Department of Defense entities may access assured and trusted microelectronics supply chains for Department of Defense systems.

(e) CERTIFICATION.—Not later than September 30, 2020, the Secretary of the Defense shall certify to the congressional defense committees that—

(1) the strategy developed under subsection (a) has been implemented; and

(2) the Department of Defense has an assured means for accessing a sufficient supply of trusted microelectronics, as required by the strategy developed under subsection (a).

(f) DEFINITION.—In this section, the terms ''trust'' and ''trusted'' refer, with respect to microelectronics, to the ability of the Department of Defense to have confidence that the microelectronics function as intended and are free of exploitable vulnerabilities, either intentionally or unintentionally designed or inserted as part of the system at any time during its life cycle.

SEC. 232. PILOT PROGRAM ON EVALUATION OF COMMERCIAL INFORMATION TECHNOLOGY.

(a) PILOT PROGRAM.—The Director of the Defense Information Systems Agency shall carry out a pilot program to evaluate commercially available information technology tools to better understand the potential impact of such tools on networks and computing environments of the Department of Defense.

(b) ACTIVITIES.—Activities under the pilot program may include the following:

(1) Prototyping, experimentation, operational demonstration, military user assessments, and other means of obtaining quantitative and qualitative feedback on the commercial information technology products.

(2) Engagement with the commercial information technology industry to—

(A) forecast military requirements and technology needs; and

(B) support the development of market strategies and program requirements before finalizing acquisition decisions and strategies.

(3) Assessment of novel or innovative commercial technology for use by the Department of Defense.

(4) Assessment of novel or innovative contracting mechanisms to speed delivery of capabilities to the Armed Forces.

(5) Solicitation of operational user input to shape future information technology requirements of the Department of Defense.

(c) LIMITATION ON AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated for research, development, test, and evaluation, Defense-wide, for each of fiscal years 2017 through 2022, not more than $15,000,000 may be expended on the pilot program in any such fiscal year.

SEC. 233. PILOT PROGRAM FOR THE ENHANCEMENT OF THE LABORATORIES AND TEST AND EVALUATION CENTERS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Assistant Secretaries shall jointly carry out a pilot program to demonstrate methods for the more effective development of research, development, test, and evaluation functions.

(b) SELECTION AND PRIORITY.—The Assistant Secretaries shall jointly select not more than one laboratory and one test and evaluation center from each of the military services to participate in the pilot program under subsection (a).

(c) PARTICIPATION IN PROGRAM.—

(1) IN GENERAL.—Subject to paragraph (2), the director of a laboratory or test and evaluation center selected under subsection (b) shall propose and implement alternative and innovative methods of rapid project delivery, support, experimentation, prototyping, and partnership with universities and private sector entities to—

(A) generate greater value and efficiencies in research and development activities per dollar of cost; and

(B) enable more rapid deployment of warfighter capabilities.

(2) IMPLEMENTATION.—The director shall implement each method proposed under paragraph (1) unless such method is disapproved by the Assistant Secretary concerned.

(d) WAIVER AUTHORITY FOR DEMONSTRATION AND IMPLEMENTATION.—Until the termination of the pilot program under subsection (f), the director of a laboratory or test and evaluation center selected under subsection (b) may waive any restriction or departmental instruction that would affect the implementation of a method proposed under subsection (c), unless such implementation would be prohibited by Federal law.

(e) MINIMUM PARTICIPATION REQUIREMENT.—Each laboratory or test and evaluation center selected under subsection (b) shall participate in the pilot program under subsection (a) for a period of not fewer than six years beginning not later than 180 days after the date of the enactment of this Act.

(f) TERMINATION.—The pilot program under subsection (a) shall terminate on the date determined appropriate by the Secretary of Defense that is on or after the end of the six-year period described in subsection (e).

(g) ASSISTANT SECRETARY DEFINED.—In this section, the term ''Assistant Secretary'' means—

(1) the Assistant Secretary of the Air Force for Acquisition, with respect to a working capital fund institution of the Air Force;

(2) the Assistant Secretary of the Army for Acquisition, Technology, and Logistics, with respect to a working capital fund institution of the Army; and

(3) the Assistant Secretary of the Navy for Research, Development, and Acquisition, with respect to a working capital fund institution of the Navy.

SEC. 234. PILOT PROGRAM ON MODERNIZATION OF ELECTROMAGNETIC SPECTRUM WARFARE SYSTEMS AND ELECTRONIC WARFARE SYSTEMS.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense may carry out a pilot program on the modernization of electromagnetic spectrum warfare systems and electronic warfare systems.

(2) SELECTION.—If the Secretary carries out the pilot program under paragraph (1), the Electronic Warfare Executive Committee shall select from the list described in section 237(b)(4) a total of five electromagnetic spectrum warfare systems and electronic warfare systems across at least two military departments that are currently in sustainment for modernization under the pilot program.

(b) DEFINITIONS.—In this section:

(1) The term ''electromagnetic spectrum warfare'' means electronic warfare that encompasses military communications and sensing operations that occur in the electromagnetic operational domain.

(2) The term ''electronic warfare'' means military action involving the use of electromagnetic and directed energy to control the electromagnetic spectrum or to attack the enemy.

SEC. 235. INDEPENDENT REVIEW OF F/A–18 PHYSIOLOGICAL EPISODES AND CORRECTIVE ACTIONS.

(a) INDEPENDENT REVIEW REQUIRED.—The Secretary of the Navy shall conduct an independent review of the plans, programs, and research of the Department of the Navy with respect to—

(1) physiological events affecting aircrew of the F/A–18 Hornet and the F/A–18 Super Hornet aircraft during the covered period; and

(2) the efforts of the Navy and Marine Corps to prevent and mitigate the affects of such physiological events.

(b) CONDUCT OF REVIEW.—In conducting the review under subsection (a), the Secretary of the Navy shall—

(1) designate an appropriate senior official in the Office of the Secretary of the Navy to oversee the review; and

(2) consult experts from outside the Department of Defense in appropriate technical and medical fields.

(c) REVIEW ELEMENTS.—The review under subsection (a) shall include an evaluation of—

(1) any data of the Department of the Navy relating to the increased frequency of physiological events affecting aircrew of the F/A–18 Hornet and the F/A–18 Super Hornet aircraft during the covered period;

(2) aircraft mishaps potentially related to such physiological events;

(3) the cost and effectiveness of all material, operational, maintenance, and other measures carried out by the Department of the Navy to mitigate such physiological events during the covered period;

(4) material, operational, maintenance, or other measures that may reduce the rate of such physiological events in the future; and

(5) the performance of—

(A) the onboard oxygen generation system in the F/A–18 Super Hornet;

(B) the overall environmental control system in the F/A–18 Hornet and F/A–18 Super Hornet; and

(C) other relevant subsystems of the F/A–18 Hornet and F/A–18 Super Hornet, as determined by the Secretary.

(d) REPORT REQUIRED.—Not later than December 1, 2017, the Secretary of Navy shall submit to the congressional defense committees a report that includes the results of the review under subsection (a).

(e) COVERED PERIOD.—In this section, the term ''covered period'' means the period beginning on January 1, 2009, and ending on the date of the submission of the report under subsection (d).

SEC. 236. STUDY ON HELICOPTER CRASH PREVENTION AND MITIGATION TECHNOLOGY.

(a) STUDY REQUIRED.—The Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on technologies with the potential to prevent and mitigate helicopter crashes.

(b) ELEMENTS.—The study required under subsection (a) shall include the following:

(1) Identification of technologies with the potential—

(A) to prevent helicopter crashes (such as collision avoidance technologies and battle space and terrain situational awareness technologies); and

(B) to improve survivability among individuals involved in such crashes (such as adaptive flight control technologies and improved energy absorbing technologies).

(2) A cost-benefit analysis of each technology identified under paragraph (1) that takes into account the cost of developing and deploying the technology compared to the potential of the technology to prevent casualties or injuries.

(3) A list that ranks the technologies identified under paragraph (1) based on—

(A) the results of the cost-benefit analysis under paragraph (2); and

(B) the readiness level of each technology.

(4) An analysis of helicopter crashes that—

(A) compares the casualty rates of cockpit occupants to the casualty rates of occupants of cargo compartments and troop seats; and

(B) identifies the root causes of the casualties described in subparagraph (A).

(c) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the Senate and House of Representatives (and other congressional defense committees on request) a briefing that includes—

(1) the results of the study required under subsection (a); and

(2) the list described in subsection (b)(3).

SEC. 237. REPORT ON ELECTRONIC WARFARE CAPABILITIES.

(a) REPORT REQUIRED.—Not later than April 1, 2017, the Under Secretary of Defense for Acquisition, Technology, and Logistics, acting through the Electronic Warfare Executive Committee, shall submit to the congressional defense committees a report on the electronic warfare capabilities of the Department of Defense.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) A strategy for advancing and accelerating research, development, test, and evaluation, and fielding, of electronic warfare capabilities to meet current and projected requirements, including recommendations for streamlining acquisition processes with respect to such capabilities.

(2) A methodology for synchronizing and overseeing electronic warfare strategies, operational concepts, and programs across the Department of Defense, including electronic warfare programs that support or enable cyber operations.

(3) The training and operational support required for fielding and sustaining current and planned investments in electronic warfare capabilities.

(4) A comprehensive list of investments of the Department of Defense in electronic warfare capabilities, including the capabilities to be developed, procured, or sustained in—

(A) the budget of the President for fiscal year 2018 submitted to Congress under section 1105(a) of title 31, United States Code; and

(B) the future-years defense program submitted to Congress under section 221 of title 10, United States Code, for that fiscal year.

(5) Progress on increasing innovative electromagnetic spectrum warfighting methods and operational concepts that provide advantages within the electromagnetic spectrum operational domain.

(6) Specific attributes needed in future electronic warfare capabilities, such as networking, adaptability, agility, multifunctionality, and miniaturization, and progress toward incorporating such attributes in new electronic warfare systems.

(7) Capability gaps with respect to asymmetric and near-peer adversaries identified pursuant to a capability gap assessment.

(8) A joint strategy on achieving near real-time system adaption to rapidly advancing modern digital electronics.

(9) Any other information the Secretary determines to be appropriate.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. RULE OF CONSTRUCTION REGARDING ALTERNATIVE FUEL PROCUREMENT REQUIREMENT.

Section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142) is amended by adding at the end the following: ''This provision shall not be construed as a constraint on any conventional or unconventional fuel procurement necessary for military operations, including for test and certification purposes.''

Subtitle C—Logistics and Sustainment

SEC. 321. PILOT PROGRAM FOR INCLUSION OF CERTAIN INDUSTRIAL PLANTS IN THE ARMAMENT RETOOLING AND MANUFACTURING SUPPORT INITIATIVE.

During the five-year period beginning on the date of the enactment of this Act, the Secretary of Defense shall treat a Government-owned, contractor-operated industrial plant of the Department of the Army as an eligible facility under section 4551(2) of title 10, United States Code.

SEC. 322. PRIVATE SECTOR PORT LOADING ASSESSMENT.

(a) ASSESSMENTS REQUIRED.—During the period beginning on the date of the enactment of this Act and ending on the date of the final briefing under subsection (d), the Secretary of the Navy shall conduct quarterly assessments of Naval ship maintenance and loading activities carried out by private sector entities at each covered port.

(b) ELEMENTS OF ASSESSMENTS.—Each assessment under subsection (a) shall include, with respect to each covered port, the following:

(1) Resources per day, including daily ship availabilities and the workforce available to carry out maintenance and loading activities, for the fiscal year preceding the quarter covered by the assessment through the end of such quarter.

(2) Projected resources per day, including daily ship availabilities and the workforce available to carry out maintenance and loading activities, through the end of the second fiscal year beginning after the quarter covered by the assessment.

(3) A description of the methods by which the Secretary communicates projected workloads to private sector entities engaged in ship maintenance activities and ship loading activities.

(4) A description of any processes that have been implemented to allow for timely feedback from private sector entities engaged in ship maintenance activities and ship loading activities.

(c) SENSE OF CONGRESS.—It is the Sense of Congress that the Secretary should implement measures to minimize workload fluctuations at covered ports to stabilize the private sector workforce and reduce the cost of maintenance availabilities.

(d) BRIEFINGS REQUIRED.—Not later than October 1, 2016, and on a quarterly basis thereafter until September 30, 2021, the Secretary shall provide to the Committees on Armed Services of the Senate and House of Representatives (and other congressional defense committees on request)—

(1) a briefing on the results of the assessments conducted under subsection (a); and

(2) a chart depicting the information described in paragraphs (1) and (2) of subsection (b) with respect to each covered port.

(e) COVERED PORTS.—In this section, the term ''covered ports'' means port facilities used by the Department of Defense in each of the following locations:

(1) Mayport, Florida.

(2) Norfolk, Virginia.

(4) Pearl Harbor, Hawaii.

(3) Puget Sound, Washington.

(5) San Diego, California.

SEC. 323. LIMITATION ON AVAILABILITY OF FUNDS FOR DEFENSE CONTRACT MANAGEMENT AGENCY.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the operation of the Defense Contract Management Agency, not more than 90 percent may be obligated or expended in fiscal year 2017 until the Director of the agency provides to the congressional defense committees the briefing under subsection (b).

(b) BRIEFING.—The Director of the Defense Contract Management Agency shall provide to the Committees on Armed Services of the Senate and House of Representatives (and other congressional defense committees on request) a briefing that includes the following:

(1) A plan describing how the agency will foster the adoption, implementation, and verification of item-unique identification standards for tangible personal property across the Department of Defense and the defense industrial base (as prescribed under Department of Defense Instruction 8320.04).

(2) A description of the policies, procedures, staff training, and equipment needed to—

(A) ensure contract compliance with item-unique identification standards for all items that require unique item-level traceability at any time in their life cycle;

(B) support counterfeit material risk reduction; and

(C) provide for the systematic assessment and accuracy of item-unique identification marks.

Subtitle D—Reports

SEC. 331. MODIFICATION OF ANNUAL DEPARTMENT OF DEFENSE ENERGY MANAGEMENT REPORTS.

(a) MODIFICATION OF ANNUAL REPORT RELATED TO INSTALLATIONS ENERGY MANAGEMENT.—Subsection (a) of section 2925 of title 10, United States Code, is amended to read as follows:

''(a) ANNUAL REPORT RELATED TO INSTALLATIONS ENERGY MANAGEMENT.—Not later than 120 days after the end of each fiscal year ending before January 31, 2021, the Secretary of Defense shall submit to the congressional defense committees an installation energy report detailing the fulfillment during that fiscal year of the energy performance goals for the Department of Defense under section 2911 of this title. Each report shall contain the following:

''(1) The energy performance goals for the Department of Defense with respect to transportation systems, support systems, utilities, and infrastructure and facilities for the fiscal year covered by the report and the next 5, 10, and 20 fiscal years, including any changes to such energy performance goals since the submission of the previous report under this section.

''(2) A master plan for the achievement of the energy performance goals of the Department of Defense, as such goals are set forth in any laws, regulations, executive orders, or Department of Defense policies, including—

''(A) a separate plan for each military department and Defense Agency;

''(B) a standard for the measurement of energy consumed by transportation systems, support systems, utilities, and facilities and infrastructure, applied consistently across the military departments;

''(C) a methodology for measuring reductions in energy consumption that accounts for changes—

''(i) in the sizes of fleets; and

''(ii) in the number and overall square footage of facility plants;

''(D) standards to track annual progress in meeting energy performance goals;

''(E) a description of any requirements and proposed investments relating to energy performance goals included in the materials submitted in support of the budget of the President (as submitted to Congress under section 1105(a) of title 31) for the fiscal year covered by the report; and

''(F) a description of any energy savings resulting from the implementation of the master plan or any other energy performance measures.

''(3) A table listing all energy projects financed through third party financing mechanisms (including energy savings performance contracts, enhanced use leases, utility energy service contracts, utility privatization agreements, and other contractual mechanisms), including—

''(A) the duration of each such mechanism, an estimate of the financial obligation incurred through the duration of each such mechanism, whether the project incorporates energy security into its design, and the estimated payback period for each such mechanism; and

''(B) any renewable energy certificates relating to the project, including the purchasing authority for the certificates, the price of the certificates, and whether the certificates were bundled or unbundled.

''(4) A description of the types and quantities of energy consumed by the Department of Defense and by members of the armed forces and civilian personnel residing or working on military installations during the fiscal year covered by the report, including a breakdown of energy consumption by—

''(A) user group;

''(B) the type of energy consumed, including the quantities of any renewable energy consumed that was produced or procured by the Department of Defense; and

''(C) the cost of the energy consumed.

''(5) A description of the types and amount of financial incentives received under section 2913 of this title during the preceding fiscal year and the appropriation account or accounts to which the incentives were credited.

''(6) A description and estimate of the progress made by the military departments in meeting the certification requirements for sustainable green-building standards in construction and major renovations as required by section 433 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1612).

''(7) Details of utility outages at military installations, including the total number and locations of outages, the financial impact of the outages, and measures taken to mitigate outages in the future at the affected locations and across the Department of Defense.

''(8) A description of any other issues and strategies the Secretary determines relevant to a comprehensive and renewable energy policy.''.

(b) MODIFICATION OF ANNUAL REPORT RELATED TO OPERATIONAL ENERGY.—Subsection (b) of section 2925 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''138c of this title'' and inserting ''2926(b) of this title''; and

(2) in paragraph (2), by adding at the end the following new subparagraph:

''(H) The comments and recommendations of the Assistant Secretary under section 2926(c) of this title, including the certification required under paragraph (3) of such section.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply with respect to reports required to be submitted under section 2925 of title 10, United States Code, after such date.

SEC. 332. REPORT ON EQUIPMENT PURCHASED FROM FOREIGN ENTITIES AND AUTHORITY TO ADJUST ARMY ARSENAL LABOR RATES.

(a) REPORT REQUIRED.—Not later than 30 days after the date on which the budget of the President for fiscal year 2018 is submitted to Congress pursuant to section 1105 of title 31, Unites States Code, the Secretary of Defense shall submit to the congressional defense committees a report on the equipment, weapons, weapons systems, components, subcomponents, and end-items purchased from foreign entities that identifies those items which could be manufactured in the military arsenals of the United States or the military depots of the United States to meet the goals of this section or section 2464 of title 10, United States Code, as well as a plan for moving that workload into such arsenals or depots.

(b) ELEMENTS.—The report under subsection (a) shall include each of the following:

(1) A list of items identified in the report required under section 333 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 792) and a list of any items purchased from foreign manufacturers after the date of the submission of such report that are—

(A) described in section 8302(a)(1) of title 41, United States Code, and purchased from a foreign manufacturer by reason of an exception under section 8302(a)(2)(A) or section 8302(a)(2)(B) of such title;

(B) described in section 2533b(a)(1) of title 10, United States Code, and purchased from a foreign manufacturer by reason of an exception under section 2533b(b); and

(C) described in section 2534(a) of such title and purchased from a foreign manufacturer by reason of a waiver exercised under paragraph (1), (2), (4), or (5) of section 2534(d) of such title.

(2) An assessment of the skills required to manufacture the items described in paragraph (1) and a comparison of those skills with skills required to meet the critical capabilities identified in the report of the Army to Congress on Critical Manufacturing Capabilities and Capacities, dated August 2013, and the core logistics capabilities identified by each military service pursuant to section 2464 of title 10, United States Code, as of the date of the enactment of this Act.

(3) An identification of the tooling, equipment, and facilities upgrades necessary for a military arsenal or depot to manufacture items described in paragraph (1).

(4) An identification of items described in paragraph (1) most appropriate for transfer to military arsenals or depots to meet the goals of this section or the requirements of section 2464 of title 10, United States Code.

(5) An explanation of the rationale for continuing to sole-source the manufacturing of items described in paragraph (1) from a foreign source rather than a military arsenal, depot, or other organic facility.

(6) Such other information the Secretary determines to be appropriate.

(c) AUTHORITY TO ADJUST LABOR RATES TO REFLECT WORK PRODUCTION.—

(1) IN GENERAL.—Not later than March 1, 2017, the Secretary of Defense shall establish a two-year pilot program for the purpose of permitting the Army arsenals to adjust periodically, throughout the year, their labor rates charged to customers based upon changes in workload and other factors.

(2) BRIEFING.—Not later than May 1, 2019, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that assesses—

(A) each Army arsenal's changes in labor rates throughout the previous year;

(B) the ability of each arsenal to meet the costs of their working-capital funds; and

(C) the effect on arsenal workloads of labor rate changes.

Subtitle E—Other Matters

SEC. 341. EXPLOSIVE ORDNANCE DISPOSAL CORPS.

Section 3063 of title 10, United States Code, is amended—

(1) in paragraph (12), by striking ''and'' at the end;

(2) by redesignating paragraph (13) as paragraph (14); and

(3) by inserting after paragraph (12) the following new paragraph (13):

''(13) Explosive Ordnance Disposal Corps; and''.

SEC. 342. EXPLOSIVE ORDNANCE DISPOSAL PROGRAM.

(a) IN GENERAL.—Chapter 136 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2283. Explosive ordnance disposal program

''(a) IN GENERAL.—The Secretary of Defense shall carry out a program to be known as the 'Explosive Ordnance Disposal Program' (in this section referred to as the 'Program') under which the Secretary shall ensure close and continuous coordination between the military departments on matters relating to explosive ordnance disposal.

''(b) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—In carrying out the Program under subsection (a)—

''(1) the Secretary of Defense shall—

''(A) assign responsibility for the coordination and integration of explosive ordnance disposal to a single office or entity in the Office of the Secretary of Defense;

''(B) designate the Secretary of the Navy, or a designee of the Secretary's choice, as the executive agent for the Department of Defense to coordinate and integrate research, development, test, and evaluation activities and procurement activities of the military departments with respect to explosive ordnance disposal; and

''(C) exercise oversight over explosive ordnance disposal through the Defense Acquisition Board process; and

''(2) the Secretary of each military department shall assess the needs of the military department concerned with respect to explosive ordnance disposal and may carry out research, development, test, and evaluation activities and procurement activities to address such needs.

''(c) ANNUAL BUDGET JUSTIFICATION DOCUMENTS.— (1) The Secretary of Defense shall submit to Congress, as a part of the defense budget materials for each fiscal year after fiscal year 2017, a consolidated budget justification display, in classified and unclassified form, that covers all activities of Department of Defense relating to the Program.

''(2) The budget display under paragraph (1) for a fiscal year shall include a single program element for each of the following:

''(A) Research, development, test, and evaluation.

''(B) Procurement.

''(C) Military construction.

''(d) MANAGEMENT REVIEW.—(1) The Secretary of Defense, acting through the Office of the Secretary of Defense assigned responsibility for the coordination and integration of explosive ordnance disposal under subsection (b)(1)(A), shall conduct a review of the management structure of the Program, including—

''(A) research, development, test, and evaluation;

''(B) procurement;

''(C) doctrine development;

''(D) policy;

''(E) training;

''(F) development of requirements;

''(G) readiness; and

''(H) risk assessment.

''(2) Not later than May 1, 2018, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that includes—

''(A) the results of the review described in paragraph (1); and

''(B) a description of any measures undertaken to improve joint coordination and oversight of the Program and ensure a coherent and effective approach to its management.

''(e) DEFINITIONS.—In this section:

''(1) The term 'explosive ordnance' means any munition containing explosives, nuclear fission or fusion materials, or biological or chemical agents, including—

''(A) bombs and warheads;

''(B) guided and ballistic missiles;

''(C) artillery, mortar, rocket, and small arms munitions;

''(D) mines, torpedoes, and depth charges;

''(E) demolition charges;

''(F) pyrotechnics;

''(G) clusters and dispensers;

''(H) cartridge and propellant actuated devices;

''(I) electro-explosive devices; and

''(J) clandestine and improvised explosive devices.

''(2) The term 'disposal' means, with respect to explosive ordnance, the detection, identification, field evaluation, defeat, disablement, or rendering safe, recovery and exploitation, and final disposition of the ordnance.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2283. Explosive ordnance disposal program.''.

SEC. 343. EXPANSION OF DEFINITION OF STRUCTURES INTERFERING WITH AIR COMMERCE AND NATIONAL DEFENSE.

(a) NOTICE.—Section 44718(a) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(3) the interests of national security, as determined by the Secretary of Defense.''.

(b) STUDIES.—Section 44718(b) of title 49, United States Code, is amended to read as follows:

''(b) STUDIES.—

''(1) IN GENERAL.—Under regulations prescribed by the Secretary, if the Secretary decides that constructing or altering a structure may result in an obstruction of the navigable airspace, an interference with air navigation facilities and equipment or the navigable airspace, or, after consultation with the Secretary of Defense, an unacceptable risk to the national security of the United States, the Secretary shall conduct an aeronautical study to decide the extent of such impacts on the safe and efficient use of the airspace, facilities, or equipment. In conducting the study, the Secretary shall—

''(A) consider factors relevant to the efficient and effective use of the navigable airspace, including—

''(i) the impact on arrival, departure, and en route procedures for aircraft operating under visual flight rules;

''(ii) the impact on arrival, departure, and en route procedures for aircraft operating under instrument flight rules;

''(iii) the impact on existing public-use airports and aeronautical facilities;

''(iv) the impact on planned public-use airports and aeronautical facilities;

''(v) the cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures; and

''(vi) other factors relevant to the efficient and effective use of navigable airspace; and

''(B) include the finding made by the Secretary of Defense under subsection (f).

''(2) REPORT.—On completing the study, the Secretary shall issue a report disclosing the extent of the—

''(A) adverse impact on the safe and efficient use of the navigable airspace that the Secretary finds will result from constructing or altering the structure; and

''(B) unacceptable risk to the national security of the United States, as determined by the Secretary of Defense under subsection (f).''.

(c) NATIONAL SECURITY FINDING; DEFINITION.—Section 44718 of title 49, United States Code, is amended by adding at the end the following:

''(f) NATIONAL SECURITY FINDING.—As part of an aeronautical study conducted under subsection (b), the Secretary of Defense shall—

''(1) make a finding on whether the construction, alteration, establishment, or expansion of a structure or sanitary landfill included in the study would result in an unacceptable risk to the national security of the United States; and

''(2) transmit the finding to the Secretary of Transportation for inclusion in the report required under subsection (b)(2).

''(g) UNACCEPTABLE RISK TO NATIONAL SECURITY OF UNITED STATES DEFINED.—In this section, the term 'unacceptable risk to the national security of the United States' has the meaning given the term in section 211.3 of title 32, Code of Federal Regulations, as in effect on January 6, 2014.''.

(d) CONFORMING AMENDMENTS.—

*(1) SECTION HEADING.—Section 44718 of title 49, United States Code, is amended in the section heading by inserting ''**or national security**'' after ''**air commerce**''.*

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 447 of title 49, United States Code, is amended by striking the item relating to section 44718 and inserting the following:

''44718. Structures interfering with air commerce or national security.''.

SEC. 344. DEVELOPMENT OF PERSONAL PROTECTIVE EQUIPMENT FOR FEMALE MARINES AND SOLDIERS.

The Secretary of the Navy and the Commandant of the Marine Corps shall work in coordination with the Secretary of the Army to develop, not later than April 1, 2017, a joint acquisition strategy to provide more effective personal protective equipment and organizational clothing and equipment to meet the specific and unique requirements for female Marines and soldiers.

SEC. 345. STUDY ON SPACE-AVAILABLE TRAVEL SYSTEM OF THE DEPARTMENT OF DEFENSE.

(a) STUDY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct an independent study on the space-available travel system of the Department of Defense.

(b) REPORT REQUIRED.—Not later than 180 days after entering into a contract with a federally funded research and development

centerunder subsection (a), the Secretary shall submit to the congressional defense committees a report summarizing the results of the study conducted under such subsection.

(c) ELEMENTS.—The report under subsection (b) shall include, with respect to the space-available travel system, the following:

(1) A determination of—

(A) the capacity of the system as of the date of the enactment of this Act;

(B) the projected capacity of the system for the 10-year period following such date of enactment; and

(C) the projected number of reserve retirees, active duty retirees, and dependents of such retirees that will exist by the end of such 10-year period.

(2) Estimates of system capacity based the projections described in paragraph (1).

(3) A discussion of the efficiency of the system and data regarding the use of available space with respect to each category of passengers eligible for space-available travel under existing regulations.

(4) A description of the effect on system capacity if eligibility for space-available travel is extended to—

(A) drilling reserve component personnel and dependents of such personnel on international flights;

(B) dependents of reserve component retirees who are less than 60 years of age;

(C) retirees who are less than 60 years of age on international flights; and

(D) drilling reserve component personnel traveling to drilling locations.

(5) A discussion of logistical and management problems, including congestion at terminals, waiting times, lodging availability, and personal hardships experienced by travelers.

(6) An evaluation of the cost of the system and whether space-available travel is and can remain cost-neutral.

(7) An evaluation of the feasibility of expanding the categories of passengers eligible for space-available travel to include—

(A) in the case of overseas travel, retired members of an active or reserve component, including retired members of reserve components, who, but for being under the eligibility age applicable to the member under section 12731 of title 10, United States Code, would be eligible for retired pay under chapter 1223 of such title; and

(B) unremarried widows and widowers of active or reserve component members of the Armed Forces.

(8) Such other factors relating to the efficiency and cost of the system as the Secretary determines to be appropriate.

(d) ADDITIONAL RESPONSIBILITIES.—In addition to carrying out subsections (a) through (c), the Secretary of Defense shall—

(1) analyze the methods used to prioritize among the categories of individuals eligible for space-available travel and make recommendations for—

(A) re-ordering the priority of such categories; and

(B) adding additional categories of eligible individuals; and

(2) collect data on travelers who request but do not obtain available travel spaces under the space-available travel system.

SEC. 346. SUPPLY OF SPECIALTY MOTORS FROM CERTAIN MANUFACTURERS.

To ensure that an adequate, competitive supply of custom designed motors is available to the Department of Defense, particularly to meet its replacement motor requirements for older equipment, and to protect small businesses that supply such motors to the Department of Defense, the requirements of section 431.25 of title 10, Code of Federal Regulations, shall not be enforced against manufacturers of specialty motors, whether characterized by the Department as special purpose or definite purpose motors, provided that such manufacturers qualify as small businesses and provided further that such manufacturers do not also manufacture general purpose motors and provided further that such manufacturers were in the business of manufacturing such motors on June 1, 2016.

SEC. 347. LIMITATION ON USE OF CERTAIN FUNDS UNTIL ESTABLISHMENT AND IMPLEMENTATION OF REQUIRED PROCESS BY WHICH MEMBERS OF THE ARMED FORCES MAY CARRY APPROPRIATE FIREARMS ON MILITARY INSTALLATIONS.

Of the amounts authorized to be appropriated for Operation and Maintenance, Defense-Wide, for the Office of the Under Secretary of Defense for Policy, for fiscal year 2017, not more than 85 percent of such amounts may be obligated or expended until the Secretary of Defense establishes and implements the process by which members of the Armed Forces may carry an appropriate firearm on a military installation, as required by section 526 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 813; 10 U.S.C. 2672 note).

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2017, as follows:

(1) The Army, 480,000.

(2) The Navy, 324,615.

(3) The Marine Corps, 185,000.

(4) The Air Force, 321,000.

SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

''(1) For the Army, 480,000.

''(2) For the Navy, 322,900.

''(3) For the Marine Corps, 185,000.

''(4) For the Air Force, 321,000.''.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2017, as follows:

(1) The Army National Guard of the United States, 350,000.

(2) The Army Reserve, 205,000.

(3) The Navy Reserve, 58,000.

(4) The Marine Corps Reserve, 38,500.

(5) The Air National Guard of the United States, 105,700.

(6) The Air Force Reserve, 69,000.

(7) The Coast Guard Reserve, 7,000.

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve for any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2017, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 30,155.

(2) The Army Reserve, 16,261.

(3) The Navy Reserve, 9,955.

(4) The Marine Corps Reserve, 2,261.

(5) The Air National Guard of the United States, 14,764.

(6) The Air Force Reserve, 2,955.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2017 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 25,507.

(2) For the Army Reserve, 7,570.

(3) For the Air National Guard of the United States, 22,103.

(4) For the Air Force Reserve, 10,061.

SEC. 414. FISCAL YEAR 2017 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2017, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2017, may not exceed 420.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2017, may not exceed 90.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term ''non-dual status technician'' has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2017, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

SEC. 416. SENSE OF CONGRESS ON FULL-TIME SUPPORT FOR THE ARMY NATIONAL GUARD.

It is the sense of Congress that—

(1) an adequately supported, full-time support force consisting of active and reserve personnel and military technicians for the Army National Guard is essential to maintaining the readiness of the Army National Guard;

(2) the full-time support force for the Army National Guard is the primary mechanism through which the programs of the Army and the Department of Defense are delivered to all 350,000 soldiers of the Army National Guard;

(3) reductions in active and reserve personnel and military technicians since 2014,

totaling2401, have adversely impacted the readiness of the Army National Guard;

(4) the growth in the full-time support force for the Army National Guard since 2014 is due solely to validated requirements originating before September 11, 2001, and not war-time growth;

(5) funding for the full-time support force for the Army National Guard has never exceeded 72 percent of the validated requirement of the headquarters of the Department of the Army;

(6) the current size of the full-time support force for the Army National Guard is the minimum required to maintain foundational readiness requirements; and

(7) further reducing the size of the full-time support force for the Army National Guard will have adverse and long-lasting impacts on readiness.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2017.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. NUMBER OF MARINE CORPS GENERAL OFFICERS.

(a) DISTRIBUTION OF COMMISSIONED OFFICERS ON ACTIVE DUTY IN GENERAL OFFICER AND FLAG OFFICER GRADES.—Section 525(a)(4) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ''15'' and inserting ''17''; and

(2) in subparagraph (C), by striking ''23'' and inserting ''22''.

(b) GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.—Section 526(a)(4) of such title is amended by striking ''61'' and inserting ''62''.

(c) DEPUTY COMMANDANTS.—Section 5045 of such title is amended by striking ''six'' and inserting ''seven''.

SEC. 502. EQUAL CONSIDERATION OF OFFICERS FOR EARLY RETIREMENT OR DISCHARGE.

Section 638a of title 10, United States Code, is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

''(4) Convening selection boards under section 611(b) of this title to consider for early retirement or discharge regular officers on the active-duty list in a grade below lieutenant colonel or commander—

''(A) who have served at least one year of active duty in the grade currently held; and

''(B) whose names are not on a list of officers recommended for promotion.'';

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following new subsection (e):

''(e)(1) In the case of action under subsection (b)(4), the Secretary of the military department concerned shall specify the total number of officers described in that subsection that a selection board convened under section 611(b) of this title pursuant to the authority of that subsection may recommend for early retirement or discharge. Officers who are eligible, or are within two years of becoming eligible, to be retired under any provision of law (other than by reason of eligibility pursuant to section 4403 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484)), if selected by the board, shall be retired or retained until becoming eligible to retire under sections 3911, 6323, or 8911 of this title, and those officers who are otherwise ineligible to retire under any provision of law shall, if selected by the board, be discharged.

''(2) In the case of action under subsection (b)(4), the Secretary of the military department concerned may submit to a selection board convened pursuant to that subsection—

''(A) the names of all eligible officers described in that subsection, whether or not they are eligible to be retired under any provision of law, in a particular grade and competitive category; or

''(B) the names of all eligible officers described in that subsection in a particular grade and competitive category, whether or not they are eligible to be retired under any provision of law, who are also in particular year groups, specialties, or retirement categories, or any combination thereof, with that competitive category.

''(3) The number of officers specified under paragraph (1) may not be more than 30 percent of the number of officers considered.

''(4) An officer who is recommended for discharge by a selection board convened pursuant to the authority of subsection (b)(4) and whose discharge is approved by the Secretary concerned shall be discharged on a date specified by the Secretary concerned.

''(5) Selection of officers for discharge under this subsection shall be based on the needs of the service.''.

SEC. 503. MODIFICATION OF AUTHORITY TO DROP FROM ROLLS A COMMISSIONED OFFICER.

Section 1161(b) of title 10, United States Code, is amended by inserting ''or the Secretary of Defense, or in the case of a commissioned officer of the Coast Guard, the Secretary of the department in which the Coast Guard is operating when it is not operating in the Navy,'' after ''President''.

Subtitle B—Reserve Component Management

SEC. 511. EXTENSION OF REMOVAL OF RESTRICTIONS ON THE TRANSFER OF OFFICERS BETWEEN THE ACTIVE AND INACTIVE NATIONAL GUARD.

Section 512 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 752; 32 U.S.C. prec. 301 note) is amended—

(1) in subsection (a) in the matter preceding paragraph (1), by striking ''December 31, 2016'' and inserting ''December 31, 2019''; and

(2) in subsection (b) in the matter preceding paragraph (1), by striking ''December 31, 2016'' and inserting ''December 31, 2019''.

SEC. 512. EXTENSION OF TEMPORARY AUTHORITY TO USE AIR FORCE RESERVE COMPONENT PERSONNEL TO PROVIDE TRAINING AND INSTRUCTION REGARDING PILOT TRAINING.

Section 514(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 810) is amended by inserting ''and fiscal year 2017'' after ''During fiscal year 2016''.

SEC. 513. LIMITATIONS ON ORDERING SELECTED RESERVE TO ACTIVE DUTY FOR PREPLANNED MISSIONS IN SUPPORT OF THE COMBATANT COMMANDS.

Section 12304b(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''only'' in the matter preceding subparagraph (A);

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

''(2) In lieu of paragraph (1), units may be ordered to active duty under this section if—

''(A) the manpower and associated costs of such active duty has been identified by the Secretary concerned as an emerging requirement in the year of execution; and

''(B) the Secretary concerned provides 30-day advance notification to the congressional defense committees that identifies the funds required to support the order, a description of the mission for which the units will be ordered to active duty, and the anticipated length of time of the order of such units to active duty on an involuntary basis.''.

SEC. 514. EXEMPTION OF MILITARY TECHNICIANS (DUAL STATUS) FROM CIVILIAN EMPLOYEE FURLOUGHS.

Section 10216(b)(3) of title 10, United States Code, is amended by inserting after ''reductions'' the following: ''(including temporary reductions by furlough or otherwise)''.

Subtitle C—General Service Authorities

SEC. 521. TECHNICAL CORRECTION TO ANNUAL AUTHORIZATION FOR PERSONNEL STRENGTHS.

Section 115 of title 10, United States Code, is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (B), by striking ''502(f)(2)'' and inserting ''502(f)(1)(B)''; and

(B) in subparagraph (C), by striking ''502(f)(2)'' and inserting ''502(f)(1)(B)''; and

(2) in subsection (i)(7), by striking ''502(f)(1)'' and inserting ''502(f)(1)(A)''.

SEC. 522. ENTITLEMENT TO LEAVE FOR ADOPTION OF CHILD BY DUAL MILITARY COUPLES.

Section 701(i) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting ''except as provided in paragraph (3),'' after ''the Secretary of Defense,''; and

(2) in paragraph (3), by striking ''only one such member shall be allowed leave under this subsection'' and inserting ''one of the members shall be allowed up to 21 days of leave under this subsection and the other member shall be allowed up to 14 days of leave under this subsection''.

SEC. 523. REVISION OF DEPLOYABILITY RATING SYSTEM AND PLANNING REFORM.

(a) DEPLOYMENT PRIORITIZATION AND READINESS.—

(1) IN GENERAL.—Chapter 1003 of title 10, United States Code, is amended by inserting after section 10102 the following new section:

''§ 10102a. Deployment prioritization and readiness of army components

''(a) DEPLOYMENT PRIORITIZATION.—The Secretary of the Army shall maintain a system for identifying the priority of deployment for units of all components of the Army.

''(b) DEPLOYABILITY READINESS RATING.—The Secretary of the Army shall maintain a readiness rating system for units of all components of the Army that provides an accurate assessment of the deployability of a unit and those shortfalls of a unit that require the provision of additional resources. The system shall ensure—

''(1) that the personnel readiness rating of a unit reflects—

''(A) both the percentage of the overall personnel requirement of the unit that is manned and deployable and the fill and deployability rate for critical occupational specialties necessary for the unit to carry out its basic mission requirements; and

''(B) the number of personnel in the unit who are qualified in their primary military occupational specialty; and

''(2) that the equipment readiness assessment of a unit—

''(A) documents all equipment required for deployment;

''(B) reflects only that equipment that is directly possessed by the unit;

''(C) specifies the effect of substitute items; and

''(D) assesses the effect of missing components and sets on the readiness of major equipment items.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1003 of such title is amended by inserting after the item relating to section 10102 the following new item:

''10102a. Deployment prioritization and readiness of Army components.''.

(b) REPEAL OF SUPERSEDED PROVISIONS OF LAW.—Sections 1121 and 1135 of the Army National Guard Combat Readiness Reform Act of 1992 (title XI of Public Law 102-484; 10 U.S.C. 10105 note) are repealed.

SEC. 524. EXPANSION OF AUTHORITY TO EXECUTE CERTAIN MILITARY INSTRUMENTS.

(a) EXPANSION OF AUTHORITY TO EXECUTE MILITARY TESTAMENTARY INSTRUMENTS.—

(1) IN GENERAL.—Paragraph (2) of section 1044d(c) of title 10, United States Code, is amended to read as follows:

''(2) the execution of the instrument is notarized by—

''(A) a military legal assistance counsel;

''(B) a person who is authorized to act as a notary under section 1044a of this title who—

''(i) is not an attorney; and

''(ii) is supervised by a military legal assistance counsel; or

''(C) a State-licensed notary employed by a military department or the Coast Guard who is supervised by a military legal assistance counsel;''.

(2) CLARIFICATION.—Paragraph (3) of such section is amended by striking ''presiding attorney'' and inserting ''person notarizing the instrument in accordance with paragraph (2)''.

(b) EXPANSION OF AUTHORITY TO NOTARIZE DOCUMENTS TO CIVILIANS SERVING IN MILITARY LEGAL ASSISTANCE OFFICES.—

(1) IN GENERAL.—Subsection (b) of section 1044a of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) All civilian paralegals serving at military legal assistance offices, supervised by a military legal assistance counsel (as defined in section 1044d(g) of this title).''.

SEC. 525. TECHNICAL CORRECTION TO VOLUNTARY SEPARATION PAY AND BENEFITS.

Section 1175a(j) of title 10, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking ''or 12304'' and inserting ''12304, 12304a, or 12304b''; and

(B) by striking ''502(f)(1)'' and inserting ''502(f)(1)(A)''; and

(2) in paragraph (3), by striking ''502(f)(2)'' and inserting ''502(f)(1)(B)''.

SEC. 526. ANNUAL NOTICE TO MEMBERS OF THE ARMED FORCES REGARDING CHILD CUSTODY PROTECTIONS GUARANTEED BY THE SERVICEMEMBERS CIVIL RELIEF ACT.

The Secretaries of each of the military departments shall ensure that each member of the Armed Forces with dependents receives annually, and prior to each deployment, notice of the child custody protections afforded to members of the Armed Forces under the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.).

SEC. 527. PILOT PROGRAM ON CONSOLIDATED ARMY RECRUITING.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall carry out a pilot program to consolidate the recruiting efforts of the Regular Army, Army Reserve, and Army National Guard under which a recruiter in one of the components participating in the pilot program may recruit individuals to enlist in any of the components regardless of the funding source of the recruiting activity. Under the pilot program, the recruiter shall receive credit toward periodic enlistment goals for each enlistment regardless of the component in which the individual enlists.

(2) DURATION.—The Secretary shall carry out the pilot program for a period of not less than three years.

(b) REPORTS.—

(1) INTERIM REPORT.—

(A) IN GENERAL.—Not later than one year after the date on which the pilot program under subsection (a) commences, the Secretary shall submit to the Committee on Armed Services of the House of Representatives a report on the pilot program.

(B) ELEMENTS.—The report under subparagraph (A) shall include each of the following:

(i) An analysis of the effects that consolidated recruiting efforts has on the overall ability of recruiters to attract and place qualified candidates.

(ii) A determination of the extent to which consolidating recruiting efforts affects efficiency and recruiting costs.

(iii) An analysis of any challenges associated with a recruiter working to recruit individuals to enlist in a component in which the recruiter has not served.

(iv) An analysis of the satisfaction of recruiters and the component recruiting commands with the pilot program.

(2) FINAL REPORT.—Not later than 180 days after the date on which the pilot program under subsection (a) is completed, the Secretary shall submit to the committees specified in paragraph (1)(A) a final report on the pilot program. Such final report shall include any recommendations of the Secretary with respect to extending or making permanent the pilot program and a description of any related legislative actions that the Secretary considers appropriate.

SEC. 528. REPORT ON PURPOSE AND UTILITY OF REGISTRATION SYSTEM UNDER MILITARY SELECTIVE SERVICE ACT.

(a) REPORT REQUIRED.—Not later than July 1, 2017, the Secretary of Defense shall—

(1) submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the current and future need for a centralized regisration system under the Military Selective Service Act (50 U.S.C. 3801 et seq.); and

(2) provide a briefing on the results of the report.

(b) ELEMENTS OF REPORT.—The report required by subsection (a) shall include the following:

(1) A detailed analysis of the current benefits dervied, both directly and indirectly, from the Military Selective Service System, including—

(A) the extent to which mandatory registration benefits military recruiting;

(B) the extent to which a national registration capability serves as a deterrent to potential enemies of the United States; and

(C) the extent to which expanding registration to include women would impact these benefits.

(2) An analysis of the funcitons currently performed by the Selective Service System that would be assumed by the Department of Defense in the absence of a national registration capability.

(3) An analysis of the systems, manpower, and facilities that would be needed by the Department to physically mobilize inductees in the absence of the Selective Service System.

(4) An analysis of the feasibility and utility of eliminating the current focus on mass mobilization of primarily combat troops in favor of a system that focuses on mobilization of all military occupational specialities, and the extent to which such a change would impact the need for both male and female inductees.

(5) A detailed analysis of the Department's personnel needs in the event of an emergency requiring mass mobilization, including—

(A) a detailed timeline, along with the factors considered in arriving at this timeline, of when the Department would require—

(i) the first inductees to report for service;

(ii) the first 100,000 inductees to report for service; and

(iii) the first medical personnel to report for service; and

(B) an analysis of any additional critical skills that would be needed in the event of a national emergency, and a timeline for when the Department would require the first inductees to report for service.

(6) A list of the assumptions used by the Department when conducting its analysis in preparing the report.

(c) COMPTROLLER GENERAL REVIEW.—Not later than December 1, 2017, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a review of the procedures used by the Department of Defense in evaluating selective service requirements.

SEC. 529. PARENTAL LEAVE FOR MEMBERS OF THE ARMED FORCES.

(a) ADDITIONAL PARENTAL LEAVE AUTHORITY.—

(1) AVAILABILITY OF PARENTAL LEAVE.—Chapter 40 of title 10, United States Code, is amended by inserting after section 701 the following new section:

''§ 701a. Parental leave

''(a) LEAVE AUTHORIZED.—A member of the armed forces who is performing active service may be allowed leave under this section for each instance in which the member becomes a parent as a result of the member's spouse giving birth.

''(b) AMOUNT OF LEAVE.—Leave under this section shall be at least 14 days, under regulations prescribed under this section by the Secretary concerned.

''(c) DURATION OF AVAILABILITY OF LEAVE.—Leave under this section is lost as follows:

''(1) If not used within one year of the date of the birth giving rise to the leave.

''(2) If the member having the leave becomes entitled to leave under this section with respect to a different child.

''(3) If not used before separation from active service.

''(d) COORDINATION WITH OTHER LEAVE AUTHORITIES.—Leave under this section is in addition to any other leave and may not be deducted or charged against other leave authorized by this chapter.

''(e) REGULATIONS.—This section shall be carried out under regulations prescribed by the Secretary concerned. Regulations prescribed under this section by the Secretaries of the military departments shall be as uniform as practicable and shall be subject to approval by the Secretary of Defense.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 40 of title 10, United States Code, is amended by inserting after the item relating to section 701 the following new item:

''701a. Parental leave.''.

(3) CONFORMING AMENDMENT.—Subsection (j) of section 701 of title 10, United States Code, is repealed.

(b) ADOPTIONS BY DUAL-SERVICE COUPLES.—Section 701(i) of title 10, United States Code, is amended by striking paragraph (3) and inserting the following new paragraph:

''(3) In the event that two members of the armed forces who are married to each other adopt a child in a qualifying child adoption, the two members shall be allowed a total of at least 36 days of leave under this subsection, to be shared between the two members. The Secretary concerned shall permit the transfer of such leave between the two members to accommodate individual family circumstances.''.

(c) COVERAGE OF COMMISSIONED OFFICERS OF THE PUBLIC HEALTH SERVICE.—Section 221(a) of the Public Health Service Act (42 U.S.C. 213a(a)) is amended by adding at the end the following new paragraph:

''(19) Section 701(i) and 701a, Adoption Leave and Parental Leave.''.

Subtitle D—Military Justice, Including Sexual Assault and Domestic Violence Prevention and Response

SEC. 541. EXPEDITED REPORTING OF CHILD ABUSE AND NEGLECT TO STATE CHILD PROTECTIVE SERVICES.

(a) REPORTING BY MILITARY AND CIVILIAN PERSONNEL OF THE DEPARTMENT OF DEFENSE.—

Section 1787 of title 10, United States Code, is amended—

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

(2) by inserting before subsection (c), as so redesignated, the following new subsections:

''(a) REPORTING BY MILITARY AND CIVILIAN PERSONNEL.—A member of the armed forces, civilian employee of the Department of Defense, or contractor employee working on a military installation who is mandated by Federal regulation or State law to report known or suspected instances of child abuse and neglect shall provide the report directly to State Child Protective Services or another appropriate State agency in addition to the member's or employee's chain of command or any designated Department point of contact.

''(b) TRAINING FOR MANDATED REPORTERS.—The Secretary of Defense shall ensure that individuals referred to in subsection (a) who are mandated by State law to report known or suspected instances of child abuse and neglect receive appropriate training, in accordance with State guidelines, intended to improve their—

''(1) ability to recognize evidence of child abuse and neglect; and

''(2) understanding of the mandatory reporting requirements imposed by law.''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—Section 1787 of title 10, United States Code, is further amended—

(1) in subsection (c), as redesignated by subsection (a)(1), by striking ''IN GENERAL.—'' and inserting ''REPORTING BY STATES.—''; and

(2) in subsection (d), as redesignated by subsection (a)(1)—

(A) by striking ''(d) DEFINITION.—In this section, the term'' and inserting the following:

''(d) DEFINITIONS.—In this section:

''(1) The term''; and

(B) by adding at the end the following new paragraph:

''(2) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.''.

SEC. 542. EXTENSION OF THE REQUIREMENT FOR ANNUAL REPORT REGARDING SEXUAL ASSAULTS AND COORDINATION WITH RELEASE OF FAMILY ADVOCACY REPORT.

Section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4433; 10 U.S.C. 1561 note) is amended—

(1) in subsection (a) by striking ''March 1, 2017'' and inserting ''January 31, 2021''; and

(2) by adding at the end the following new subsection:

''(g) COORDINATION OF RELEASE DATE BETWEEN ANNUAL REPORT REGARDING SEXUAL ASSAULTS AND FAMILY ADVOCACY REPORT.—The Secretary of Defense shall ensure that the report required under subsection (a) for a year is delivered to the Committees on Armed Services of the Senate and House of Representatives simultaneously with the Department of Defense Family Advocacy Report for that year required by section 543 of the National Defense Authorization Act for Fiscal Year 2017.''.

SEC. 543. REQUIREMENT FOR ANNUAL FAMILY ADVOCACY PROGRAM REPORT REGARDING CHILD ABUSE AND DOMESTIC VIOLENCE.

(a) ANNUAL REPORT ON CHILD ABUSE AND DOMESTIC VIOLENCE.—Not later than January 31, 2017, and annually thereafter through January 31, 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the child abuse and domestic abuse incident data from the Department of Defense Family Advocacy Program central registry of child abuse and domestic abuse incidents for the preceding calendar year.

(b) CONTENTS.—The report shall contain each of the following:

(1) The number of incidents reported during the year covered by the report involving—

(A) spouse physical or sexual abuse;

(B) intimate partner physical or sexual abuse;

(C) child physical or sexual abuse; and

(D) child or domestic abuse resulting in a fatality.

(2) An analysis of the number of such incidents that met the criteria for substantiation.

(3) An analysis of—

(A) the types of abuse reported;

(B) for cases involving children as the reported victims of the abuse, the ages of the abused children; and

(C) other relevant characteristics of the reported victims.

(4) An analysis of the military status, sex, and pay grade of the alleged perpetrator of the child or domestic abuse.

(5) An analysis of the effectiveness of the Family Advocacy Program.

(c) COORDINATION OF RELEASE DATE BETWEEN ANNUAL REPORT REGARDING SEXUAL ASSAULTS AND FAMILY ADVOCACY PROGRAM REPORT.—The Secretary of Defense shall ensure that the sexual assault report required under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is delivered to the Committees on Armed Services of the House of Representatives and the Senate simultaneously with the report required under this section.

SEC. 544. IMPROVED DEPARTMENT OF DEFENSE PREVENTION OF AND RESPONSE TO HAZING IN THE ARMED FORCES.

(a) ANTI-HAZING DATABASE.—The Secretary of Defense shall provide for the establishment and use of a comprehensive and consistent data-collection system for the collection of reports, including anonymous reports, of incidents of hazing involving a member of the Armed Forces. The Secretary shall issue department-wide guidance regarding the availability and use of the database, including information on protected classes, such as race and religion, who are often the victims of hazing.

(b) IMPROVED TRAINING.—The Secretary of each military department, in consultation with the Chief of Staff of each Armed Force under the jurisdiction of such Secretary, shall seek to improve training to assist members of the Armed Forces better recognize, prevent, and respond to hazing at all command levels.

(c) ANNUAL SURVEY.—The Secretary of each military department, in consultation with the Chief of Staff of each Armed Force under the jurisdiction of such Secretary, shall conduct an annual survey among members of each Armed Force under the jurisdiction of such Secretary to determine the following:

(1) The prevalence of hazing in the Armed Force.

(2) The effectiveness of training provided members of the Armed Force to recognize and prevent hazing.

(3) The extent to which members of the Armed Force report, including anonymously report, incidents of hazing.

(d) ANNUAL REPORTS ON HAZING.—

(1) REPORT REQUIRED.—Not later than January 31 of each year through January 31, 2021, the Secretary of each military department, in consultation with the Chief of Staff of each Armed Force under the jurisdiction of such Secretary, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing a description of efforts during the previous year—

(A) to prevent and to respond to incidents of hazing involving members of the Armed Forces;

(B) to track and encourage reporting, including reporting anonymously, incidents of hazing in the Armed Force; and

(C) to ensure the consistent implementation of anti-hazing policies.

(2) ADDITIONAL ELEMENTS.—Each report required by this subsection also shall address the same elements originally addressed in the anti-hazing reports required by section 534 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1726).

SEC. 545. BURDENS OF PROOF APPLICABLE TO INVESTIGATIONS AND REVIEWS RELATED TO PROTECTED COMMUNICATIONS OF MEMBERS OF THE ARMED FORCES AND PROHIBITED RETALIATORY ACTIONS.

(a) BURDENS OF PROOF.—Section 1034 of title 10, United States Code, is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

''(i) BURDENS OF PROOF.—The burdens of proof specified in section 1221(e) of title 5 shall apply in any investigation conducted by an Inspector General under subsection (c) or (d), any review performed by a board for the correction of military records under subsection (g), and any review conducted by the Secretary of Defense under subsection (h).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 30 days after the date of the enactment of this Act, and shall apply with respect to allegations pending or submitted under section 1034 of title 10, United States Code, on or after that date.

SEC. 546. IMPROVED INVESTIGATION OF ALLEGATIONS OF PROFESSIONAL RETALIATION.

Section 1034(c)(4) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(F) The Secretary concerned shall ensure that any individual investigating an allegation as described in paragraph (1) must have training in the definition and characteristics of retaliation. In addition, if the investigation involves alleged retaliation in response to a communication regarding a violation of a law or regulation prohibiting rape, sexual assault, or other sexual misconduct in violation of sections 920 through 920c of this title (articles 120 through 120c of the Uniform Code of Military Justice), the training shall include specific instruction regarding such violations.''.

Subtitle E—Member Education, Training, and Transition

SEC. 561. REVISION TO QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS.

Section 2015(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''is accredited by an accreditation body that'' and all that follows and inserting ''meets one of the requirements specified in paragraph (2).''; and

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

''(2) The requirements for a credentialing program specified in this paragraph are that the credentialing program—

''(A) is accredited by a nationally-recognized third-party personnel certification program accreditor;

''(B)(i) is sought or accepted by employers within the industry or sector involved as a recognized, preferred, or required credential for recruitment, screening, hiring, retention, or advancement purposes; and

''(ii) where appropriate, is endorsed by a nationally-recognized trade association or organization representing a significant part of the industry or sector;

''(C) grants licenses that are recognized by the Federal Government or a State government; or

''(D) meets credential standards of a Federal agency.''.

SEC. 562. ESTABLISHMENT OF ROTC CYBER INSTITUTES AT SENIOR MILITARY COLLEGES.

(a) IN GENERAL.—Chapter 103 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2111c. Senior military colleges: ROTC cyber institutes

''(a) PROGRAM AUTHORIZED.—The Secretary of Defense may establish cyber institutes at each of the senior military colleges for the purpose of accelerating the development of foundational expertise in critical cyber operational skills for future military and civilian leaders of the armed forces and the Department of Defense, including such leaders of the reserve components.

''(b) ELEMENTS.—Each cyber institute established under this section shall include each of the following:

''(1) Training for members of the program who possess cyber operational expertise from beginning through advanced skill levels, including instruction and practical experiences that lead to cyber certifications recognized in the field.

''(2) Training in targeted strategic foreign language proficiency designed to significantly enhance critical cyber operational capabilities and tailored to current and anticipated readiness requirements.

''(3) Training related to mathematical foundations of cryptography and cryptographic theory and practice designed to complement and reinforce cyber education along with the strategic language programs critical to cyber operations.

''(4) Training designed to expand the pool of qualified cyber instructors necessary to support cyber education in regional school systems.

''(c) PARTNERSHIPS WITH DEPARTMENT OF DEFENSE AND THE ARMED FORCES.—Any cyber institute established under this section may enter into a partnership with any active or reserve component of the armed forces or any agency of the Department of Defense to facilitate the development of critical cyber skills.

''(d) PARTNERSHIPS WITH OTHER SCHOOLS.—Any cyber institute established under this section may enter into a partnership with one or more local educational agencies to facilitate the development of critical cyber skills under the program among students attending the elementary and secondary schools of such agencies who may pursue a military career.

''(e) SENIOR MILITARY COLLEGES.—The senior military colleges are the senior military colleges in section 2111a(f) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2111c. Senior military colleges: ROTC cyber institutes.''.

SEC. 563. MILITARY-TO-MARINER TRANSITION.

(a) REPORT.— Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of the department in which the Coast Guard is operating shall jointly report to the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate on steps the Departments of Defense and Homeland Security have taken or intend to take to—

(1) maximize the extent to which United States armed forces service, training, and qualifications are creditable toward meeting the laws and regulations governing United States merchant mariner license, certification, and document laws and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, including steps to enhance interdepartmental coordination; and

(2) to promote better awareness among armed forces personnel who serve in vessel operating positions of the requirements for post-service use of armed forces training, education, and practical experience in satisfaction of requirements for merchant mariner credentials under section 11.213 of title 46, Code of Federal Regulation, and the need to document such service in a manner suitable for post-service use.

(b) LIST OF TRAINING PROGRAMS.—The report under subsection (a) shall include a list of Army, Navy, and Coast Guard training programs open to Army, Navy, and Coast Guard vessel operators, respectively, that shows—

(1) which programs have been approved for credit toward merchant mariner credentials;

(2) which programs are under review for such approval;

(3) which programs are not relevant to the training needed for merchant mariner credentials; and

(4) which programs could become eligible for credit toward merchant mariner credentials with minor changes.

SEC. 564. EMPLOYMENT AUTHORITY FOR CIVILIAN FACULTY AT CERTAIN MILITARY DEPARTMENT SCHOOLS.

(a) ADDITION OF ARMY UNIVERSITY AND ADDITIONAL FACULTY.—

(1) IN GENERAL.—Section 4021 of title 10, United States Code, is amended—

(A) by striking subsection (a) and inserting the following new subsection:

''(a) AUTHORITY OF SECRETARY.—The Secretary of the Army may employ as many civilians as professors, instructors, lecturers, researchers, and administrative faculty at the Army War College, the United States Army Command and General Staff College, and the Army University as the Secretary considers necessary.''; and

(B) by striking subsection (c).

(2) CLERICAL AMENDMENT.—The heading of such section is amended to read as follows:

"§ 4021. Army War College, United States Army Command and General Staff College, and Army University: civilian faculty members".

(b) NAVAL WAR COLLEGE AND MARINE CORPS UNIVERSITY.—Section 7478 of title 10, United States Code, is amended—

(1) by striking subsection (a) and inserting the following new subsection:

''(a) AUTHORITY OF SECRETARY.—The Secretary of the Navy may employ as many civilians as professors, instructors, lecturers, researchers, and administrative faculty at a school of the Naval War College or of the Marine Corps University as the Secretary considers necessary.''; and

(2) by striking subsection (c).

(c) AIR UNIVERSITY.—Section 9021 of title 10, United States Code, is amended—

(1) by striking subsection (a) and inserting the following new subsection:

''(a) AUTHORITY OF SECRETARY.—The Secretary of the Air Force may employ as many civilians as professors, instructors, lecturers, researchers, and administrative faculty at a school of the Air University as the Secretary considers necessary.''; and

(2) by striking subsection (c).

SEC. 565. REVISION OF NAME ON MILITARY SERVICE RECORD TO REFLECT CHANGE IN NAME OF A MEMBER OF THE ARMY, NAVY, AIR FORCE, OR MARINE CORPS, AFTER SEPARATION FROM THE ARMED FORCES.

(a) REVISION REQUIRED.—Section 1551 of title 10, United States Code, is amended—

(1) by inserting ''(a) SERVICE UNDER ASSUMED NAME.—'' before ''The Secretary''; and

(2) by adding at the end the following new subsection:

''(b) EFFECT OF CHANGE IN NAME.—The Secretary of the military department concerned shall reissue a certificate of discharge or an order of acceptance of resignation in the new name of any person who, after separation from an armed force under the jurisdiction of that Secretary, legally changes the person's name to reflect the person's gender identity.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 1551 of title 10, United States Code, is amended to read as follows:

"§ 1551. Correction of name after separation from service".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 79 of title 10, United States Code, is amended by striking the item relating to section 1551 and inserting the following new item:

''1551. Correction of name after separation from service.''.

SEC. 566. DIRECT EMPLOYMENT PILOT PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE.

(a) PROGRAM AUTHORITY.—The Secretary of Defense may carry out a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to members in the National Guard and Reserves.

(b) ADMINISTRATION.—The pilot program shall be offered to, and administered by, the adjutants general appointed under section 314 of title 32, United States Code.

(c) COST-SHARING REQUIREMENT.—As a condition on the provision of funds under this section to a State to support the operation of the pilot program in the State, the State must agree to contribute an amount, derived from non-Federal sources, equal to at least 30 percent of the funds provided by the Secretary of Defense under this section.

(d) DIRECT EMPLOYMENT PROGRAM MODEL.—The pilot program should follow a job placement program model that focuses on working one-on-one with a member of a reserve component to cost-effectively provide job placement services, including services such as identifying unemployed and under employed members, job matching services, resume editing, interview preparation, and post-employment follow up. Development of the pilot program should be informed by State direct employment programs for members of the reserve components, such as the programs conducted in California and South Carolina.

(e) EVALUATION.—The Secretary of Defense shall develop outcome measurements to evaluate the success of the pilot program.

(f) REPORTING REQUIREMENTS.—

(1) REPORT REQUIRED.—Not later than January 31, 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the results of the pilot program. The Secretary shall prepare the report in coordination with the Chief of the National Guard Bureau.

(2) ELEMENTS OF REPORT.—A report under paragraph (1) shall include the following:

(A) A description and assessment of the effectiveness and achievements of the pilot program, including the number of members of the reserve components hired and the cost-per-placement of participating members.

(B) An assessment of the impact of the pilot program and increased reserve component employment levels on the readiness of members of the reserve components.

(C) Any other matters considered appropriate by the Secretary.

(g) DURATION OF AUTHORITY.—

(1) IN GENERAL.—The authority to carry out the pilot program expires September 30, 2019.

(2) EXTENSION.—Upon the expiration of the authority under paragraph (1), the Secretary of Defense may extend the pilot program for not more than two additional fiscal years.

SEC. 567. PROHIBITION ON ESTABLISHMENT, MAINTENANCE, OR SUPPORT OF SENIOR RESERVE OFFICERS' TRAINING CORPS UNITS AT EDUCATIONAL INSTITUTIONS THAT DISPLAY CONFEDERATE BATTLE FLAG.

(a) PROHIBITION.—Section 2102 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) PROHIBITION RELATED TO DISPLAY OF CONFEDERATE BATTLE FLAG.—(1) The Secretary of a military department may not establish, maintain, or support a unit of the program at any educational institution, including any senior military college specified in section 2111a of this title, that displays, in a location other than in a museum exhibit, the Confederate battle flag.

''(2)(A) Upon making a determination under paragraph (1) that an educational institution displays, in a location other than in a museum exhibit, the Confederate battle flag, the Secretary of the military department concerned shall terminate, in accordance with subparagraph (B), any unit of the program at that educational institution in existence as of the date of the determination.

''(B) The termination of a unit of the program at an educational institution pursuant to this paragraph shall take effect on the date on which—

''(i) each member of the program who, as of the date of the determination, is enrolled in the educational institution is no longer so enrolled; and

''(ii) each student who, as of the date of the determination, is enrolled in the educational institution but not yet a member of the program, is no longer so enrolled.

''(3) Not later than January 31, 2017, and each January 31 thereafter through January 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report—

''(A) identifying each unit of the program located at an educational institution that displays, in a location other than in a museum exhibit, the Confederate battle flag; and

''(B) describing the implementation of this subsection with respect to that educational institution.

''(4) In this subsection, the term 'Confederate battle flag' means the battle flag of the Army of Northern Virginia, the battle flag of the Army of Tennessee, the battle flag of Forrest's Cavalry Corps, the Second Confederate Navy Jack, the Second Confederate Navy Ensign, or other flag with a like design.''.

(b) CONFORMING AMENDMENTS.—(1) Section 2102(d) of title 10, United States Code, is amended by striking ''The President'' and inserting ''Subject to subsection (e), the President''.

(2) Section 2111a of title 10, United States Code, is amended—

(A) in subsection (d), by striking ''The Secretary'' and inserting ''Except as provided in section 2102(e) of this title, the Secretary''; and

(B) in subsection (e)(1), by striking ''The Secretary'' and inserting ''Except in the case of a senior miliary college at which a unit of the program is terminated pursuant to section 2102(e) of this title, the Secretary''.

(c) EXCEPTION.—Section 2102 of title 10, United States Code, is further amended by adding at the end the following:

''(f) EXCEPTION.—The prohibition under subsection (e) shall not apply to an educational institution if the board of visitors of such institution has voted to take down the flag described in such subsection.''.

Subtitle F—Defense Dependents' Education and Military Family Readiness Matters

SEC. 571. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2017 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in division D, $30,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 572. SUPPORT FOR PROGRAMS PROVIDING CAMP EXPERIENCE FOR CHILDREN OF MILITARY FAMILIES.

(a) IN GENERAL.—The Secretary of Defense may provide financial or non-monetary support to qualified nonprofit organizations in order to assist such organizations in carrying out programs to support the attendance at a camp or camp-like setting of children of military families who have experienced the death of a family member or other loved one or who have another family member living with a substance use disorder or post-traumatic stress disorder.

(b) APPLICATION FOR SUPPORT.—

(1) IN GENERAL.—Each organization seeking support pursuant to subsection (a) shall submit to the Secretary an application therefor containing such information as the Secretary shall specify for purposes of this section.

(2) CONTENTS.—Each application submitted under paragraph (1) shall include the following:

(A) A description of the program for which support is being sought, including the location of the setting or settings under the program, the duration of such setting or setting, any local partners participating in or contributing to the program, and the ratio of counselors, trained volunteers, or both to children at such setting or settings.

(B) An estimate of the number of children of military families to be supported using the support sought.

(C) A description of the type of activities that will be conducted using the support sought, including the manner in which activities are particularly supportive to children of military families described in subsection (a).

(D) A description of the outreach conducted or to be conducted by the organization to military families regarding the program.

(c) PREFERENCE IN APPROVAL OF APPLICATIONS.—The Secretary shall accord a preference in the approval of applications submitted pursuant to subsection (b) to applications submitted by organizations that—

(1) provide a traditional camp or camp-like environment setting that is hosted by an accredited service provider or facility;

(2) offer activities in that setting that—

(A) includes a continued care model;

(B) is tailored to the needs of children and uses recognized best practices;

(C) exhibits an adequate understanding and recognition of appropriate military culture and traditions; and

(D) places a focus on peer-to-peer support and activities;

(3) offers post-camp and continuing bereavement or addiction-prevention support, as applicable;

(4) offer support services for children and families; and

(5) provides for evaluations of the camp experience by children and their families after camp.

(d) USE OF SUPPORT.—Support provided by the Secretary to an organization pursuant to subsection (a) shall be used by the organization to support attendance at a camp or camp-like setting of children of military families described in subsection (a).

Subtitle G—Decorations and Awards

SEC. 581. REVIEW REGARDING AWARD OF MEDAL OF HONOR TO CERTAIN ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER WAR VETERANS.

(a) REVIEW REQUIRED.—The Secretary of each military department shall review the service records of each Asian American and Native American Pacific Islander war veteran described in subsection (b) to determine whether that veteran should be awarded the Medal of Honor.

(b) COVERED VETERANS.— The Asian American and Native American Pacific Islander war veterans whose service records are to be reviewed under subsection (a) are the following:

(1) Any Asian American or Native American Pacific Islander war veteran who was awarded the Distinguished-Service Cross, the Navy Cross, or the Air Force Cross during the Korean War or the Vietnam War.

(2) Any other Asian American or Native American Pacific Islander war veteran whose name is submitted to the Secretary concerned for such purpose before the end of the one-year period beginning on the date of the enactment of this Act.

(c) CONSULTATIONS.—In carrying out the review under subsection (a), the Secretary of each military department shall consult with such veterans service organizations as the Secretary considers appropriate.

(d) RECOMMENDATIONS BASED ON REVIEW.—If the Secretary concerned determines, based upon the review under subsection (a) of the service records of any Asian American or Native American Pacific Islander war veteran, that the award of the Medal of Honor to that veteran is warranted, the Secretary shall submit to the President a recommendation that the President award the Medal of Honor to that veteran.

(e) AUTHORITY TO AWARD MEDAL OF HONOR.—A Medal of Honor may be awarded to an Asian American or Native American Pacific Islander war veteran in accordance with a recommendation of the Secretary concerned under subsection (d).

(f) CONGRESSIONAL NOTIFICATION.—No Medal of Honor may be awarded pursuant to subsection (e) until the Secretary of Defense submits to the Committee on Armed Services of the Senate and House of Representatives notice of the recommendations under subsection (d), including the name of each Asian American or Native American Pacific Islander war veteran recommended to be awarded a Medal of Honor and the rationale for such recommendation.

(g) WAIVER OF TIME LIMITATIONS.—An award of the Medal of Honor may be made under subsection (e) without regard to—

(1) section 3744, 6248, or 8744 of title 10, United States Code, as applicable; and

(2) any regulation or other administrative restriction on—

(A) the time for awarding the Medal of Honor; or

(B) the awarding of the Medal of Honor for service for which a Distinguished-Service Cross, Navy Cross, or Air Force Cross has been awarded.

(h) DEFINITION.—In this section the term ''Native American Pacific Islander'' means a Native Hawaiian or Native American Pacific Islander, as those terms are defined in section 815 of the Native American Programs Act of 1974 (42 U.S.C. 2992c).

SEC. 582. AUTHORIZATION FOR AWARD OF MEDALS FOR ACTS OF VALOR.

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in sections 3744, 6248, 8744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the United States Armed Forces, the President may award a medal referred to in subsection (c) to a member or former member of the United States Armed Forces identified as warranting award of that medal pursuant to the review of valor award nominations for Operation Enduring Freedom, Operation Iraqi Freedom, Operation New Dawn, Operation Freedom's Sentinel, and Operation Inherent Resolve that was directed by the Secretary of Defense on January 7, 2016.

(b) AWARD OF MEDAL OF HONOR.—If, pursuant to the review referred to in subsection (a), the President decides to award to a member or former member of the Armed Forces the Medal of Honor, the medal may only be awarded after the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a letter identifying the intended recipient of the Medal of Honor and the rationale for awarding the medal of honor to such intended recipient.

(c) MEDALS.—The medals referred to in this subsection are any of the following:

(1) The Medal of Honor under section 3741, 6241, or 8741 of title 10, United States Code;

(2) The Distinguished-Service Cross under section 3742 of title 10, United States Code.

(3) The Navy Cross under section 6242 of title 10, United States Code.

(4) The Air Force Cross under section 8742 of title 10, United States Code.

(5) The Silver Star under section 3746, 6244, or 8746 of title 10, United States Code.

(d) TERMINATION.—No medal may be awarded under this section after December 31, 2019.

SEC. 583. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO GARY M. ROSE FOR ACTS OF VALOR DURING THE VIETNAM WAR.

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President is authorized to award the Medal of Honor under section 3741 of such title to Gary M. Rose for the acts of valor described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Gary M. Rose in Laos from September 11 through 14, 1970, during the Vietnam War while a member of the United States Army, Military Assistance Command Vietnam-Studies and Observation Group (MACVSOG).

SEC. 584. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO CHARLES S. KETTLES FOR ACTS OF VALOR DURING THE VIETNAM WAR.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to Charles S. Kettles for the acts of valor during the Vietnam War described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Charles S. Kettles during combat operations on May 15, 1967, while serving as Flight Commander, 176th Aviation Company, 14th Aviation Battalion, Task Force Oregon, Republic of Vietnam, for which he was previously awarded the Distinguished-Service Cross.

Subtitle H—Miscellaneous Reports and Other Matters

SEC. 591. BURIAL OF CREMATED REMAINS IN ARLINGTON NATIONAL CEMETERY OF CERTAIN PERSONS WHOSE SERVICE IS DEEMED TO BE ACTIVE SERVICE.

(a) IN GENERAL.—Section 2410 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(c)(1) The Secretary of the Army shall ensure that under such regulations as the Secretary may prescribe, the cremated remains of any person described in paragraph (2) are eligible for inurnment in Arlington National Cemetery with military honors in accordance with section 1491 of title 10.

''(2) A person described in this paragraph is a person whose service has been determined to be active duty service pursuant to section 401 of the GI Bill Improvement Act of 1977 (Public Law 95–202; 38 U.S.C. 106 note) as of the date of the enactment of this paragraph.''.

(b) APPLICABILITY.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply with respect to—

(A) the remains of a person that are not formally interred or inurned as of the date of the enactment of this Act; and

(B) a person who dies on or after the date of the enactment of this Act.

(2) FORMALLY INTERRED OR INURNED DEFINED.—In this subsection, the term ''formally interred or inurned'' means interred or inurned in a cemetery, crypt, mausoleum, columbarium, niche, or other similar formal location.

(c) REPORT ON CAPACITY OF ARLINGTON NATIONAL CEMETERY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the Committees on Veterans' Affairs and the Committees on Armed Services of the House of Representatives and the Senate a report on the interment and inurnment capacity of Arlington National Cemetery, including—

(1) the estimated date that the Secretary determines the cemetery will reach maximum interment and inurnment capacity; and

(2) in light of the unique and iconic meaning of the cemetery to the United States, recommendations for legislative actions and nonlegislative options that the Secretary determines necessary to ensure that the maximum interment and inurnment capacity of the cemetery is not reached until well into the future, including such actions and options with respect to—

(A) redefining eligibility criteria for interment and inurnment in the cemetery; and

(B) considerations for additional expansion opportunities beyond the current boundaries of the cemetery.

SEC. 592. REPRESENTATION FROM MEMBERS OF THE ARMED FORCES ON BOARDS, COUNCILS, AND COMMITTEES MAKING RECOMMENDATIONS RELATING TO MILITARY PERSONNEL ISSUES.

(a) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 190. Representation on boards, councils, and committees making recommendations relating to military personnel issues

''(a) REPRESENTATION REQUIRED.—Notwithstanding any other provision of law, any board, council, or committee established under this chapter that is responsible for making any recommendation relating to any military personnel issue affecting enlisted members of the armed forces shall include representation on the board, council, or committee from enlisted members of the armed forces or retired enlisted members of the armed forces.

''(b) MILITARY PERSONNEL ISSUES.—For purposes of this section, military personnel issues include issues relating to health care, retirement benefits, pay, direct and indirect compensation, and entitlements for members of the armed forces.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''190. Representation on boards, councils, and committees making recommendations relating to military personnel issues.''.

SEC. 593. BODY MASS INDEX TEST.

(a) REVIEW.—The Secretary of Defense shall review—

(1) the current body mass index test procedure used by the Armed Forces; and

(2) other methods to measure body fat with a more holistic health and wellness approach.

(b) ELEMENTS.—The review under subsection (a) shall—

(1) address nutrition counseling;

(2) determine the best methods to be used by the Armed Forces to assess body fat percentages; and

(3) improve the accuracy of body fat measurements.

SEC. 594. PRESEPARATION COUNSELING REGARDING OPTIONS FOR DONATING BRAIN TISSUE AT TIME OF DEATH FOR RESEARCH.

Section 1142(b)(11) of title 10, United States Code, is amended by inserting before the period at the end the following: '', and information concerning options available to the member for registering at or following separation to donate brain tissue at time of the member's death for research regarding traumatic brain injury and chronic traumatic encephalopathy''.

SEC. 595. RECOGNITION OF THE EXPANDED SERVICE OPPORTUNITIES AVAILABLE TO FEMALE MEMBERS OF THE ARMED FORCES AND THE LONG SERVICE OF WOMEN IN THE ARMED FORCES.

Congress—

(1) honors women who have served, and who are currently serving, as members of the Armed Forces;

(2) commends female members of the Armed Forces who have sacrificed their lives in defense of the United States;

(3) recognizes that female members of the Armed Forces are an integral and invaluable part of the Armed Forces;

(4) urges the Secretary of Defense to ensure that female members of the Armed Forces receive adequate, well-fitted equipment in order to ensure optimal safety and protection;

(5) urges the Secretary of Defense to ensure that female members of the Armed Forces have access to adequate health services that fully address their specific medical needs;

(6) encourages the Secretary of Defense to develop new initiatives focused on recruiting and retaining more women in the officer corps; and

(7) recognizes that the United States must continue to encourage and support female members of the Armed Forces as they fight for and defend the United States.

SEC. 596. SENSE OF CONGRESS REGARDING PLIGHT OF MALE VICTIMS OF MILITARY SEXUAL TRAUMA.

(a) FINDING.—Congress finds that the plight of male victims of military sexual trauma remains in the shadows due a lack of social awareness on the issue of male victimization.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should—

(1) enhance victims' access to intensive medical and mental health treatment for military sexual trauma treatment;

(2) look for opportunities to utilize male survivors of sexual assault as presenters during annual Sexual Assault Preventions and Response training; and

(3) ensure Department of Defense medical and mental health providers are adequately trained to meet the needs of male survivors of military sexual trauma.

SEC. 597. SENSE OF CONGRESS REGARDING SECTION 504 OF TITLE 10, UNITED STATES CODE, ON EXISTING AUTHORITY OF THE DEPARTMENT OF DEFENSE TO ENLIST INDIVIDUALS, NOT OTHERWISE ELIGIBLE FOR ENLISTMENT, WHOSE ENLISTMENT IS VITAL TO THE NATIONAL INTEREST.

It is the sense of Congress that a statute currently exists, specifically paragraph (2) of section 504(b) of title 10, United States Code, which states that ''the Secretary concerned may authorize the enlistment of a person not described in paragraph (1) [of that section] if the Secretary determines that such enlistment is vital to the national interest''.

SEC. 598. PROTECTION OF SECOND AMENDMENT RIGHTS OF MILITARY FAMILIES.

(a) SHORT TITLE.—This section may be cited as the ''Protect Our Military Families' 2nd Amendment Rights Act''.

(b) RESIDENCY OF SPOUSES OF MEMBERS OF THE ARMED FORCES TO BE DETERMINED ON THE SAME BASIS AS THE RESIDENCY OF SUCH MEMBERS FOR PURPOSES OF FEDERAL FIREARMS LAWS.—Section 921(b) of title 18, United States Code, is amended to read as follows:

''(b) For purposes of this chapter:

''(1) A member of the Armed Forces on active duty and the spouse of such a member are residents of the State in which the permanent duty station of the member is located.

''(2) The spouse of such a member may satisfy the identification document requirements of this chapter by presenting—

''(A) the military identification card issued to the spouse; and

''(B) the official Permanent Change of Station Orders annotating the spouse as being authorized for collocation, or an official letter from

thecommanding officer of the member verifying that the member and the spouse are collocated at the permanent duty station of the member.''.

(c) EFFECTIVE DATE.—The amendment made by subsection (b) shall apply to conduct engaged in after the 6-month period that begins with the date of the enactment of this Act.

SEC. 599. PILOT PROGRAM ON ADVANCED TECHNOLOGY FOR ALCOHOL ABUSE PREVENTION.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments, shall establish a pilot program to demonstrate the feasibility of using portable, disposable alcohol breathalyzers and a cloud based server platform to collect data and monitor the progress of alcohol abuse prevention programs through the use of digital applications.

(b) ELEMENTS.—In carrying out the pilot program under subsection (a), the Secretary shall—

(1) select at least three locations at which to carry out the program, including at least one military service initial training location;

(2) at each location selected under paragraph (1), include at least one active duty unit with no less than 300 personnel and one reserve unit with no less than 300 personnel; and

(3) offer participation in the pilot program on a voluntary basis.

(c) DURATION.—The pilot program under subsection (a) shall be operational for a minimum of 6 months and shall terminate not later than September 30, 2018.

(d) REPORTS REQUIRED.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives—

(1) not later than 120 days after the date of the implementation of the pilot program under subsection (a), a report on the implementation of the program; and

(2) not later than one year after the date of the implementation of the program, a report on the program, including findings and recommendations of the Secretary with respect to the benefits of using advanced technology as part of alcohol abuse prevention efforts within the military services.

(e) FUNDING.—The Secretary of Defense may carry out the pilot program under subsection (a) using amounts authorized to be appropriated for Alcohol Abuse Prevention Programs as specified in the funding tables in division D.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. ANNUAL ADJUSTMENT OF MONTHLY BASIC PAY.

The adjustment in the rates of monthly basic pay required by subsection (a) of section 1009 of title 37, United States Code, to be made on January 1, 2017, shall take effect, notwithstanding any determination made by the President under subsection (e) of such section with respect to an alternative pay adjustment to be made on such date.

SEC. 602. EXTENSION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING UNDER CERTAIN CIRCUMSTANCES.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

SEC. 603. PROHIBITION ON PER DIEM ALLOWANCE REDUCTIONS BASED ON THE DURATION OF TEMPORARY DUTY ASSIGNMENT OR CIVILIAN TRAVEL .

(a) MEMBERS.—Section 474(d)(3) of title 37, United States Code, is amended by adding at the end the following new sentence: ''The Secretary of a military department shall not alter the amount of the per diem allowance, or the maximum amount of reimbursement, for a locality based on the duration of the temporary duty assignment in the locality of a member of the armed forces under the jurisdiction of the Secretary.''.

(b) CIVILIAN EMPLOYEES.—Section 5702(a)(2) of title 5, United States Code, is amended by adding at the end the following new sentence: ''The Secretary of Defense shall not alter the amount of the per diem allowance, or the maximum amount of reimbursement, for a locality based on the duration of the travel in the locality of an employee of the Department.''.

(c) REPEAL OF POLICY AND REGULATIONS.—The policy, and any regulations issued pursuant to such policy, implemented by the Secretary of Defense on November 1, 2014, with respect to reductions in per diem allowances based on duration of temporary duty assignment or civilian travel shall have no force or effect.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'':

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'':

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'':

(1) Section 302c-1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'':

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'':

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(7) Section 351(h), relating to hazardous duty pay.

(8) Section 352(g), relating to assignment pay or special duty pay.

(9) Section 353(i), relating to skill incentive pay or proficiency bonus.

(10) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'':

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 316a(g), relating to incentive pay for members of precommissioning programs pursuing foreign language proficiency.

(6) Section 324(g), relating to accession bonus for new officers in critical skills.

(7) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(8) Section 327(h), relating to incentive bonus for transfer between Armed Forces.

(9) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. INCREASE IN MAXIMUM AMOUNT OF AVIATION SPECIAL PAYS FOR FLYING DUTY.

Section 334(c)(1) of title 37, United States Code, is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) aviation incentive pay under subsection (a) shall be paid at a monthly rate not to exceed $1,000 per month; and

''(B) an aviation bonus under subsection (b) may not exceed $60,000 for each 12-month period of obligated service agreed to under subsection (d).''.

SEC. 617. CONFORMING AMENDMENT TO CONSOLIDATION OF SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

Section 332(c)(1)(B) of title 37, United States Code, is amended by striking ''$12,000'' and inserting ''$20,000''.

SEC. 618. TECHNICAL AND CLERICAL AMENDMENTS RELATING TO 2008 CONSOLIDATION OF CERTAIN SPECIAL PAY AUTHORITIES.

(a) FAMILY CARE PLANS.—Section 586 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 991 note) is amended by inserting ''or 351'' after ''section 310''.

(b) DEPENDENTS' MEDICAL CARE.—Section 1079(g)(1) of title 10, United States Code, is amended by inserting ''or 351'' after ''section 310''.

(c) RETENTION ON ACTIVE DUTY DURING DISABILITY EVALUATION PROCESS.—Section 1218(d)(1) of title 10, United States Code, is amended by inserting ''or 351'' after ''section 310''.

(d) STORAGE SPACE.—Section 362(1) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 2825 note) is amended by inserting '', or paragraph (1) or (3) of section 351(a),'' after ''section 310''.

(e) STUDENT ASSISTANCE PROGRAMS.—Sections 455(o)(3)(B) and 465(a)(2)(D) of the Higher Education Act of 1965 (20 U.S.C. 1087e(o)(3)(B), 1087ee(a)(2)(D)) are amended by inserting ''or paragraph (1) or (3) of section 351(a).'' after ''section 310''.

(f) ARMED FORCES RETIREMENT HOME.—Section 1512(a)(3)(A) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 412(a)(3)(A)) is amended by inserting ''or 351'' after ''section 310''.

(g) VETERANS OF FOREIGN WARS MEMBERSHIP.—Section 230103(3) of title 36, United States Code, is amended by inserting ''or 351'' after ''section 310''.

(h) MILITARY PAY AND ALLOWANCES.—Title 37, United States Code, is amended—

(1) in section 212(a), by inserting '', or paragraph (1) or (3) of section 351(a),'' after ''section 310'';

(2) in section 402a(b)(3)(B), by inserting ''or 351'' after ''section 310'';

(3) in section 481a(a), by inserting ''or 351'' after ''section 310'';

(4) in section 907(d)(1)(H), by inserting ''or 351'' after ''section 310''; and

(5) in section 910(b)(2)(B), by inserting '', or paragraph (1) or (3) of section 351(a),'' after ''section 310''.

(i) EXCLUSIONS FROM INCOME FOR PURPOSE OF SUPPLEMENTAL SECURITY INCOME.—Section 1612(b)(20) of the Social Security Act (42 U.S.C. 1382a(b)(20)) is amended by inserting '', or paragraph (1) or (3) of section 351(a),'' after ''section 310''.

(j) EXCLUSIONS FROM INCOME FOR PURPOSE OF HEAD START PROGRAM.—Section 645(a)(3)(B)(i) of the Head Start Act (42 U.S.C. 9840(a)(3)(B)(i)) is amended by inserting ''or 351'' after ''section 310''.

(k) EXCLUSIONS FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES.—Section 112(c)(5)(B) of the Internal Revenue Code of 1986 is amended by inserting '', or paragraph (1) or (3) of section 351(a),'' after ''section 310''.

SEC. 619. COMBAT-RELATED SPECIAL COMPENSATION COORDINATING AMENDMENT.

Subparagraph (B) of section 1413a(b)(3) of title 10, United States Code, is amended by striking ''the amount equal to'' and all that follows through ''creditable service multiplied'' and inserting the following: ''the amount equal to the retired pay multiplier determined for the member under section 1409 of this title multiplied''.

Subtitle C—Disability, Retired Pay, and Survivor Benefits

SEC. 621. SEPARATION DETERMINATIONS FOR MEMBERS PARTICIPATING IN THRIFT SAVINGS PLAN.

The amendment to be made by section 632(c)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 847) shall not take effect.

SEC. 622. CONTINUATION PAY FOR FULL THRIFT SAVINGS PLAN MEMBERS WHO HAVE COMPLETED 8 TO 12 YEARS OF SERVICE.

(a) CONTINUATION PAY.—Section 356 of title 37, United States Code, which shall take effect on January 1, 2018, pursuant to section 635 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 851), is amended—

(1) in the heading, by striking ''**12 years**'' and inserting ''**8 to 12 years**'';

(2) in subsection (a)—

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

''(1) has completed not less than 8 and not more than 12 years of service in a uniformed service; and''; and

(B) in paragraph (2), by striking ''an additional 4 years'' and inserting ''not less than 3 additional years'';

(3) by amending subsection (b) to read as follows:

''(b) PAYMENT AMOUNT.—The Secretary concerned shall determine the payment amount under this section as a multiple of a full TSP member's monthly basic pay but shall not be less than 2.5 times the member's monthly basic pay. The maximum amount the Secretary concerned may pay the member under this section is—

''(1) in the case of a member of a regular component or in a reserve component if the member is performing active Guard and Reserve duty (as defined in section 101(d)(6) of title 10), 13 times the amount of the monthly basic pay payable to the member for the month during which the agreement under subsection (a)(2) is entered into; and

''(2) in the case of any member not covered by paragraph (1), 6 times the amount of monthly basic pay to which the member would be entitled for the month during which the agreement under subsection (a)(2) is entered into if the member were serving on active duty at the time the agreement is entered into.''; and

(4) by amending subsection (d) to read as follows:

''(d) TIMING OF PAYMENT.—The Secretary concerned shall pay continuation pay under subsection (a) to a full TSP member when the member has completed not less than 8 and not more than 12 years of service in a uniformed service.''.

(b) CLERICAL AMENDMENT.—The item relating to section 356 in the table of sections at the beginning of chapter 5 of title 37, United States Code, which shall take effect on January 1, 2018, pursuant to section 635 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 851), is amended by striking ''12 years'' and inserting ''8 to 12 years''.

SEC. 623. SPECIAL SURVIVOR INDEMNITY ALLOWANCE.

(a) PAYMENT AMOUNT PER FISCAL YEAR.—Paragraph (2)(I) of section 1450(m) of title 10, United States Code, is amended by striking ''fiscal year 2017'' and inserting ''each of fiscal years 2017 and 2018''.

(b) DURATION.—Paragraph (6) of such section is amended—

(1) by striking ''September 30, 2017'' and inserting ''September 30, 2018''; and

(2) by striking ''October 1, 2017'' both places it appears and inserting ''October 1, 2018''.

SEC. 624. EQUAL BENEFITS UNDER SURVIVOR BENEFIT PLAN FOR SURVIVORS OF RESERVE COMPONENT MEMBERS WHO DIE IN THE LINE OF DUTY DURING INACTIVE-DUTY TRAINING.

(a) TREATMENT OF INACTIVE-DUTY TRAINING IN SAME MANNER AS ACTIVE DUTY.—Section 1451(c)(1)(A) of title 10, United States Code, is amended—

(1) in clause (i)—

(A) by inserting ''or 1448(f)'' after ''section 1448(d)''; and

(B) by inserting ''or (iii)'' after ''clause (ii)''; and

(2) in clause (iii)—

(A) by striking ''section 1448(f) of this title'' and inserting ''section 1448(f)(1)(A) of this title by reason of the death of a member or former member not in line of duty''; and

(B) by striking ''active service'' and inserting ''service''.

(b) CONSISTENT TREATMENT OF DEPENDENT CHILDREN.—Paragraph (2) of section 1448(f) of title 10, United States Code, is amended to read as follows:

''(2) DEPENDENT CHILDREN ANNUITY.—

''(A) ANNUITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—In the case of a person described in paragraph (1), the Secretary concerned shall pay an annuity under this subchapter to the dependent children of that person under section 1450(a)(2) of this title as applicable.

''(B) OPTIONAL ANNUITY WHEN THERE IS AN ELIGIBLE SURVIVING SPOUSE.—The Secretary may pay an annuity under this subchapter to the dependent children of a person described in paragraph (1) under section 1450(a)(3) of this title, if applicable, instead of paying an annuity to the surviving spouse under paragraph (1), if the Secretary concerned, in consultation with the surviving spouse, determines it appropriate to provide an annuity for the dependent children under this paragraph instead of an annuity for the surviving spouse under paragraph (1).''.

(c) DEEMED ELECTIONS.—Section 1448(f) of title 10, United States Code, is further amended by adding at the end the following new paragraph:

''(5) DEEMED ELECTION TO PROVIDE AN ANNUITY FOR DEPENDENT.—Paragraph (6) of subsection (d) shall apply in the case of a member described in paragraph (1) who dies after November 23, 2003, when no other annuity is payable on behalf of the member under this subchapter.''.

(d) AVAILABILITY OF SPECIAL SURVIVOR INDEMNITY ALLOWANCE.—Section 1450(m)(1)(B) of title 10, United States Code, is amended by inserting ''or (f)'' after ''subsection (d)''.

(e) APPLICATION OF AMENDMENTS.—

(1) PAYMENT.—No annuity benefit under subchapter II of chapter 73 of title 10, United States Code, shall accrue to any person by reason of the amendments made by this section for any period before the date of the enactment of this Act.

(2) ELECTIONS.—For any death that occurred before the date of the enactment of this Act with respect to which an annuity under such subchapter is being paid (or could be paid) to a surviving spouse, the Secretary concerned may, within six months of that date and in consultation with the surviving spouse, determine it appropriate to provide an annuity for the dependent children of the decedent under paragraph 1448(f)(2)(B) of title 10, as added by subsection (b)(1), instead of an annuity for the surviving spouse. Any such determination and resulting change in beneficiary shall be effective as of the first day of the first month following the date of the determination.

SEC. 625. USE OF MEMBER'S CURRENT PAY GRADE AND YEARS OF SERVICE, RATHER THAN FINAL RETIREMENT PAY GRADE AND YEARS OF SERVICE, IN A DIVISION OF PROPERTY INVOLVING DISPOSABLE RETIRED PAY.

(a) USE OF CURRENT PAY GRADE REQUIRED.—Section 1408(a)(4) of title 10, United States Code, is amended in the matter preceding subparagraph (A) by inserting after ''member is entitled'' the following: ''(to be determined using the member's pay grade and years of service at the time of the court order, rather than the member's pay grade and years of service at the time of retirement, unless the same)''.

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall apply with respect to any division of property as part of a final decree of divorce, dissolution, annulment, or legal separation involving a member of the Armed Forces to which section 1408 of

title10, United States Code, applies that becomes final after the date of the enactment of this Act.

Subtitle D—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

SEC. 631. PROTECTION AND ENHANCEMENT OF ACCESS TO AND SAVINGS AT COMMISSARIES AND EXCHANGES.

(a) OPTIMIZATION STRATEGY.—Section 2481(c) of title 10, United States Code, is amended by adding at the end the following paragraph:

''(3)(A) The Secretary of Defense shall develop and implement a comprehensive strategy to optimize management practices across the defense commissary system and the exchange system that reduce reliance of those systems on appropriated funding without reducing benefits to the patrons of those systems or the revenue generated by nonappropriated fund entities or instrumentalities of the Department of Defense for the morale, welfare, and recreation of members of the armed forces.

''(B) The Secretary shall ensure that savings generated due to such optimization practices are shared by the defense commissary system and the exchange system through contracts or agreements that appropriately reflect the participation of the systems in the development and implementation of such practices.

''(C) If the Secretary determines that the reduced reliance on appropriated funding pursuant to subparagraph (A) is insufficient to maintain the benefits to the patrons of the defense commissary system, and if the Secretary converts the defense commissary system to a nonappropriated fund entity or instrumentality pursuant to paragraph (1) of section 2484(j) of this title, the Secretary shall transfer appropriated funds pursuant to paragraph (2) of such section to ensure the maintenance of such benefits.

''(4) On not less than a quarterly basis, the Secretary shall provide to the congressional defense committees a briefing on the defense commissary system, including—

''(A) an assessment of the savings the system provides patrons;

''(B) the status of implementing section 2484(i) of this title;

''(C) the status of implementing section 2484(j), including whether the system requires any appropriated funds pursuant to paragraph (2) of such section;

''(D) the status of carrying out a program for such system to sell private label merchandise; and

''(E) any other matters the Secretary considers appropriate.''.

(b) AUTHORIZATION TO SUPPLEMENT APPROPRIATIONS THROUGH BUSINESS OPTIMIZATION.—Section 2483(c) of such title is amended by adding at the end the following new sentence: ''Such appropriated amounts may also be supplemented with additional funds derived from improved management practices implemented pursuant to sections 2481(c)(3) and 2487(c) of this title and the variable pricing program implemented pursuant to section 2484(i) of this title.''.

(c) VARIABLE PRICING PILOT PROGRAM.—Section 2484 of such title is amended by adding at the end the following new subsections:

''(i) VARIABLE PRICING PROGRAM.—(1) Notwithstanding subsection (e), and subject to subsection (k), the Secretary may establish a variable pricing program pursuant to which prices may be established in response to market conditions and customer demand, in accordance with the requirements of this subsection. Notwithstanding the amount of the uniform surcharge assessed in subsection (d), the Secretary may provide for an alternative surcharge of not more than five percent of sales proceeds under such variable pricing program to be made available for the purposes specified in subsection (h).

''(2) Subject to subsection (k), before establishing a variable pricing program under this subsection, the Secretary shall establish the following:

''(A) Specific, measurable benchmarks for success in the provision of high quality grocery merchandise, discount savings to patrons, and levels of customer satisfaction while achieving savings for the Department of Defense.

''(B) A baseline of overall savings to patrons achieved by commissary stores prior to the initiation of the variable pricing program, based on a comparison of prices charged by those stores on a regional basis with prices charged by relevant local competitors for a representative market basket of goods.

''(3) The Secretary shall ensure that the defense commissary system implements the variable pricing program by conducting price comparisons using the methodology established for paragraph (2)(B) and adjusting pricing as necessary to ensure that pricing in the variable pricing program achieves overall savings to patrons that are consistent with the baseline savings established for the relevant region pursuant to such paragraph.

''(j) CONVERSION TO NONAPPROPRIATED FUND ENTITY OR INSTRUMENTALITY.—(1) Subject to subsection (k), if the Secretary determines that the variable pricing program has met the benchmarks for success established pursuant to paragraph (2)(A) of subsection (i) and the savings requirements established pursuant to paragraph (3) of such subsection over a period of at least six months, the Secretary may convert the defense commissary system to a nonappropriated fund entity or instrumentality, with operating expenses financed in whole or in part by receipts from the sale of products and the sale of services. Upon such conversion, appropriated funds shall be transferred to the defense commissary system only in accordance with paragraph (2) or section 2491 of this title. The requirements of section 2483 shall not apply to the defense commissary system operating as a nonappropriated fund entity or instrumentality.

''(2) If the Secretary determines that the defense commissary system operating as a nonappropriated fund entity or instrumentality is likely to incur a loss in any fiscal year as a result of compliance with the savings requirement established in subsection (i), the Secretary shall authorize a transfer of appropriated funds available for such purpose to the commissary system in an amount sufficient to offset the anticipated loss. Any funds so transferred shall be considered to be nonappropriated funds for such purpose.

''(3)(A) The Secretary of Defense may identify positions of employees in the defense commissary system who are paid with appropriated funds whose status may be converted to the status of an employee of a nonappropriated fund entity or instrumentality.

''(B) The status and conversion of employees in a position identified by the Secretary under subparagraph (A) shall be addressed as provided in section 2491(c) for employees in morale, welfare, and recreation programs, including with respect to requiring the consent of such employee to be so converted.

''(C) No individual who is an employee of the defense commissary system as of the date of the enactment of this subsection shall suffer any loss of or decrease in pay as a result of a conversion made under this paragraph.

''(k) OVERSIGHT REQUIRED TO ENSURE CONTINUED BENEFIT TO PATRONS.—(1) With respect to each action described in paragraph (2), the Secretary may not carry out such action until—

''(A) the Secretary provides to the congressional defense committees a briefing on such action, including a justification for such action; and

''(B) a period of 30 days has elapsed following such briefing.

''(2) The actions described in this paragraph are the following:

''(A) Establishing the representative market basket of goods pursuant to subsection (i)(2)(B).

''(B) Establishing the variable pricing program under subsection (i)(1).

''(C) Converting the defense commissary system to a nonappropriated fund entity or instrumentality under subsection (j)(1).''.

(d) ESTABLISHMENT OF COMMON BUSINESS PRACTICES.—Section 2487 of such title is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) COMMON BUSINESS PRACTICES.—(1) Notwithstanding subsections (a) and (b), the Secretary of Defense may establish common business processes, practices, and systems—

''(A) to exploit synergies between the defense commissary system and the exchange system; and

''(B) to optimize the operations of the defense retail systems as a whole and the benefits provided by the commissaries and exchanges.

''(2) The Secretary may authorize the defense commissary system and the exchange system to enter into contracts or other agreements—

''(A) for products and services that are shared by the defense commissary system and the exchange system; and

''(B) for the acquisition of supplies, resale goods, and services on behalf of both the defense commissary system and the exchange system.

''(3) For the purpose of a contract or agreement authorized under paragraph (2), the Secretary may—

''(A) use funds appropriated pursuant to section 2483 of this title to reimburse a nonappropriated fund entity or instrumentality for the portion of the cost of a contract or agreement entered by the nonappropriated fund entity or instrumentality that is attributable to the defense commissary system; and

''(B) authorize the defense commissary system to accept reimbursement from a nonappropriated fund entity or instrumentality for the portion of the cost of a contract or agreement entered by the defense commissary system that is attributable to the nonappropriated fund entity or instrumentality.''.

(e) AUTHORITY FOR EXPERT COMMERCIAL ADVICE.—Section 2485 of such title is amended by adding at the end the following new subsection:

''(h) EXPERT COMMERCIAL ADVICE.—The Secretary of Defense may enter into a contract with an entity to obtain expert commercial advice, commercial assistance, or other similar services not otherwise carried out by the Defense Commissary Agency, to implement section 2481(c), subsections (i) and (j) of section 2484, and section 2487(c) of this title.''.

(f) CLARIFICATION OF REFERENCES TO ''THE EXCHANGE SYSTEM''.—Section 2481(a) of title 10, United States Code, is amended by adding at the end the following new sentence: ''Any reference in this chapter to 'the exchange system' shall be treated as referring to each separate administrative entity within the Department of Defense through which the Secretary of Defense has implemented the requirement under this subsection for a world-wide system of exchange stores.''.

(g) OPERATION OF DEFENSE COMMISSARY SYSTEM AS A NONAPPROPRIATED FUND ENTITY.—In the event that the defense commissary system is converted to a nonappropriated fund entity or instrumentality as authorized by section 2484(j)(1) of title 10, United States Code, as added by subsection (c) of this section, the Secretary may—

(1) provide for the transfer of commissary assets, including inventory and available funds, to the nonappropriated fund entity or instrumentality; and

(2) ensure that revenues accruing to the defense commissary system are appropriately credited to the nonappropriated fund entity or instrumentality.

(h) CONFORMING CHANGE.—Section 2643(b) of such title is amended by adding at the end the following new sentence: ''Such

appropriatedfunds may be supplemented with additional funds derived from improved management practices implemented pursuant to sections 2481(c)(3) and 2487(c) of this title.''.

Subtitle E—Travel and Transportation Allowances and Other Matters

SEC. 641. MAXIMUM REIMBURSEMENT AMOUNT FOR TRAVEL EXPENSES OF MEMBERS OF THE RESERVES ATTENDING INACTIVE DUTY TRAINING OUTSIDE OF NORMAL COMMUTING DISTANCES.

Section 478a(c) of title 37, United States Code, is amended—

(1) by striking ''The amount'' and inserting the following: ''(1) Except as provided by paragraph (2), the amount''; and

(2) by adding at the end the following new paragraph:

''(2) The Secretary concerned may authorize, on a case-by-case basis, a higher reimbursement amount for a member under subsection (a) when the member—

''(A) resides—

''(i) in the same State as the training location; and

''(ii) outside of an urbanized area with a population of 50,000 or more, as determined by the Bureau of the Census; and

''(B) is required to commute to a training location—

''(i) using an aircraft or boat on account of limited or nonexistent vehicular routes to the training location or other geographical challenges; or

''(ii) from a permanent residence located more than 75 miles from the training location.''.

SEC. 642. STATUTE OF LIMITATIONS ON DEPARTMENT OF DEFENSE RECOVERY OF AMOUNTS OWED TO THE UNITED STATES BY MEMBERS OF THE UNIFORMED SERVICES, INCLUDING RETIRED AND FORMER MEMBERS.

Section 1007(c)(3) of title 37, United States Code, is amended by adding at the end the following new subparagraphs:

''(C)(i) In accordance with clause (ii), if the indebtedness of a member of the uniformed services to the United States occurs, through no fault of the member, as a result of the overpayment of pay or allowances to the member or upon the settlement of the member's accounts, the Secretary concerned may not recover the indebtedness from the member, including a retired or former member, using deductions from the pay of the member, deductions from retired or separation pay, or any other collection method unless recovery of the indebtedness commences before the end of the 10-year period beginning on the date on which the indebtedness was incurred.

''(ii) Clause (i) applies with respect to cases of indebtedness that incur on or after October 1, 2027.

''(D)(i) Not later than January 1 of each of years 2017 through 2027, the Director of the Defense Finance and Accounting Service shall review all cases occurring during the 10-year period prior to the date of the review of indebtedness of a member of the uniformed services, including a retired or former member, to the United States in which—

''(I) the recovery of the indebtedness commenced after the end of the 10-year period beginning on the date on which the indebtedness was incurred; or

''(II) the Director did not otherwise notify the member of such indebtedness during such 10-year period.

''(ii) The Director shall submit to the congressional defense committees and the Committees on Veterans' Affairs of the House of Representatives and the Senate each review conducted under clause (i), including the amounts owed to the United States by the members included in such review.''.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—Reform of TRICARE and Military Health System

SEC. 701. TRICARE PREFERRED AND OTHER TRICARE REFORM.

(a) ESTABLISHMENT.—

(1) TRICARE PREFERRED.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074n the following new section:

''§ 1075. TRICARE Preferred

''(a) ESTABLISHMENT.—(1) Not later than January 1, 2018, the Secretary of Defense shall establish a self-managed, preferred-provider network option under the TRICARE program. Such option shall be known as 'TRICARE Preferred'.

''(2) The Secretary shall establish TRICARE Preferred in all areas. Under TRICARE Preferred, eligible beneficiaries will not have restrictions on the freedom of choice of the beneficiary with respect to health care providers.

''(b) ENROLLMENT ELIGIBILITY.—(1) The beneficiary categories for purposes of eligibility to enroll in TRICARE Preferred and cost sharing requirements applicable to such category are as follows:

''(A) An 'active-duty family member' category that consists of beneficiaries who are covered by section 1079 of this title (as dependents of active duty members).

''(B) A 'retired' category that consists of beneficiaries covered by subsection (c) of section 1086 of this title, other than Medicare-eligible beneficiaries described in subsection (d)(2) of such section.

''(C) A 'reserve and young adult' category that consists of beneficiaries who are covered by—

''(i) section 1076d of this title;

''(ii) section 1076e; or

''(iii) section 1110b.

''(2) A covered beneficiary who elects to participate in TRICARE Preferred shall enroll in such option under section 1099 of this title.

''(c) COST-SHARING REQUIREMENTS.—The cost sharing requirements under TRICARE Preferred are as follows:

''(1) With respect to beneficiaries in the active-duty family member category or the retired category by reason of being a member or former member of the uniformed services who originally enlists or is appointed in the uniformed services on or after January 1, 2018, or by reason of being a dependent of such a member, the cost sharing requirements shall be calculated pursuant to subsection (d)(1).

''(2)(A) Except as provided by subsection (e), with respect to beneficiaries described in subparagraph (B) in the active-duty family member category or the retired category, the cost sharing requirements shall be calculated as if the beneficiary were enrolled in TRICARE Extra or TRICARE Standard as if TRICARE Extra or TRICARE Standard, as the case may be, were still being carried out by the Secretary.

''(B) Beneficiaries described in this subparagraph are beneficiaries who are eligible to enroll in the TRICARE program by reason of being a member or former member of the uniformed services who originally enlists or is appointed in the uniformed services before January 1, 2018, or by reason of being a dependent of such a member.

''(3) With respect to beneficiaries in the reserve and young adult category, the cost sharing requirements shall be calculated pursuant to subsection (d)(1) as if the beneficiary were in the active-duty family member category or the retired category, as applicable, except that the premiums calculated pursuant to sections 1076d, 1076e, or 1110b of this title, as the case may be, shall apply instead of any enrollment fee required under this section.

''(d) COST-SHARING AMOUNTS FOR CERTAIN BENEFICIARIES.—(1) Beneficiaries described in subsection (c)(1) enrolled in TRICARE Preferred shall be subject to cost-sharing requirements in accordance with the amounts and percentages under the following table during calendar year 2018 and as such amounts are adjusted under paragraph (2) for subsequent years:

"TRICARE Preferred	***Active-Duty Family Member (Individual/Family)***	***Retired (Individual/Family)***
Annual Enrollment	*$300 / $600*	*$425 / $850*
Annual deductible	*$0*	*$0*
Annual catastrophic cap	*$1,000*	*$3,000*
Outpatient visit civilian network	*$15 primary care* *$25 specialty care* *Out of network: 20%*	*$25 primary care* *$40 specialty care* *25% of out of network*
ER visit civilian network	*$40 network* *20% out of network*	*$60 network*
Urgent care civilian network	*$20 network* *20% out of network*	*$40 network* *25% out of network*

"TRICARE Preferred	*Active-Duty Family Member (Individual/Family)*	*Retired (Individual/Family)*
Ambulatory surgery civilian network	*$40 network* *20% out of network*	*$80 network* *25% out of network*
Ambulance civilian network	*$15*	*$25*
Durable medical equipment civilian network	*10%*	*20%*
Inpatient visit civilian network	*$60 per network admission* *20% out of network*	*$125 per admission network* *25% out of net work*
Inpatient skilled nursing/rehab civilian	*$20 per day network* *$50 per day out of network*	*$50 per day network* *$300 per day or 20% of billed charges out of network*

''(2) Each dollar amount expressed as a fixed dollar amount in the table set forth in paragraph (1), and the amounts determined under subsection (e), shall be annually indexed to the amount by which retired pay is increased under section 1401a of this title, rounded to the next lower multiple of $1. The remaining amount above such multiple of $1 shall be carried over to, and accumulated with, the amount of the increase for the subsequent year or years and made when the aggregate amount of increases carried over under this clause for a year is $1 or more.

''(3) Enrollment fees, deductible amounts, and catastrophic caps under this section are on a calendar-year basis.

''(e) EXCEPTIONS TO CERTAIN COST-SHARING AMOUNTS FOR CERTAIN BENEFICIARIES ELIGIBLE PRIOR TO 2018.—(1) Subject to paragraph (3), and in accordance with subsection (d)(2), the Secretary shall establish an annual enrollment fee for beneficiaries described in subsection (c)(2)(B) in the retired category who enroll in TRICARE Preferred (other than such beneficiaries covered by paragraph (2)). Such enrollment fee shall be $100 for an individual and $200 for a family.

''(2) The enrollment fee established pursuant to paragraph (1) for beneficiaries described in subsection (c)(2)(B) in the retired category shall not apply with respect to the following beneficiaries:

''(A) Retired members and the family members of such members covered by paragraph (1) of section 1086(c) of this title by reason of being retired under chapter 61 of this title or being a dependent of such a member.

''(B) Survivors covered by paragraph (2) of such section 1086(c).

''(3) The Secretary may not establish an annual enrollment fee under paragraph (1) until 90 days has elapsed following the date on which the Comptroller General of the United States is required to submit the review under paragraph (4).

''(4) Not later than February 1, 2020, the Comptroller General of the United States shall submit to the Committees on Armed Services of the House of Representatives and the Senate a review of the following:

''(A) Whether health care coverage for covered beneficiaries has changed since the enactment of this section.

''(B) Whether covered beneficiaries are able to obtain appointments for health care according to the access standards established by the Secretary of Defense.

''(C) The percent of network providers that accept new patients under the TRICARE program.

''(D) The satisfaction of beneficiaries under TRICARE Preferred.

''(f) PUBLICATION OF MEASURES.—As part of the administration of TRICARE Prime and TRICARE Preferred, the Secretary shall publish on a publically available Internet website of the Department of Defense data on all measures required by section 711 of the National Defense Authorization Act for Fiscal Year 2017. The published measures shall be updated not less frequently than quarterly.

''(g) CONSTRUCTION.—Nothing in this section may be construed as affecting the availability of TRICARE Prime and TRICARE for Life.

''(h) DEFINITIONS.—In this section, terms 'active-duty family member category', 'retired category', and 'reserve and young adult category' mean the respective categories of TRICARE Preferred enrollment described in subsection (b).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of title 10, United States Code, is amended by inserting after the item relating to section 1074n, the following new item:

''1075. TRICARE Preferred.''.

(b) TRICARE PRIME COST SHARING.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1075, as added by subsection (a), the following new section:

''§ 1075a. TRICARE Prime: cost sharing

''(a) COST-SHARING REQUIREMENTS.—The cost sharing requirements under TRICARE Prime are as follows:

''(1) There are no cost-sharing requirements for beneficiaries who are covered by section 1074(a) of this title.

''(2) With respect to beneficiaries in the active-duty family member category or the retired category (as described in section 1075(b)(1) of this title) by reason of being a member or former member of the uniformed services who originally enlists or is appointed in the uniformed services on or after January 1, 2018, or by reason of being a dependent of such a member, the cost-sharing requirements shall be calculated pursuant to subsection (b)(1).

''(3)(A) With respect to beneficiaries described in subparagraph (B) in the active-duty family member category or the retired category (as described in section 1075(b)(1) of this title), the cost-sharing requirements shall be calculated in accordance with the other provisions of this chapter without regard to subsection (b).

''(B) Beneficiaries described in this subparagraph are beneficiaries who are eligible to enroll in the TRICARE program by reason of being a member or former member of the uniformed services who originally enlists or is appointed in the uniformed services before January 1, 2018, or by reason of being a dependent of such a member.

''(b) COST-SHARING AMOUNTS.—(1) Beneficiaries described in subsection (a)(2) enrolled in TRICARE Prime shall be subject to cost-sharing requirements in accordance with the amounts and percentages under the following table during calendar year 2018 and as such amounts are adjusted under paragraph (2) for subsequent years:

"TRICARE Prime	*Active-Duty Family Member (Individual/Family)*	*Retired (Individual/Family)*
Annual Enrollment	*$180 / $360*	*$325 / $650*
Annual deductible	*No*[1]	*No*[1]
Annual catastrophic cap	*$1,000*	*$3,000 per family*

"TRICARE Prime	*Active-Duty Family Member (Individual/Family)*	*Retired (Individual/Family)*
Outpatient visit civilian network	*$0 with authorization*	*$20 primary care*
		$30 specialty care
ER visit civilian network	*$0*	*$50 network*
Urgent care civilian network	*$0*	*$30 network*
Ambulatory surgery civilian network	*$0 with authorization*	*$60 network with authorization*
Ambulance civilian network	*$0*	*$20*
Durable medical equipment civilian network	*$0 with authorization*	*20%*
Inpatient visit civilian network	*$0 with authorization*	*$100 network per admission with authorization*
Inpatient skilled nursing/rehab civilian	*$0 with authorization*	*$30 per day network with authorization*

1: Deductibles and cost-sharing does apply to TRICARE Prime beneficiaries that seek care in the civilian network care through the point-of-service option (without a referral). Annual deductible is $300 individual and $600 family. Cost-sharing for covered inpatient and outpatient services are 50% of the TRICARE allowable charges.

''(2) Each dollar amount expressed as a fixed dollar amount in the table set forth in paragraph (1) shall be annually indexed to the amount by which retired pay is increased under section 1401a of this title, rounded to the next lower multiple of $1. The remaining amount above such multiple of $1 shall be carried over to, and accumulated with, the amount of the increase for the subsequent year or years and made when the aggregate amount of increases carried over under this clause for a year is $1 or more.

''(3) Enrollment fees, deductible amounts, and catastrophic caps under this section are on a calendar-year basis.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of title 10, United States Code, is amended by inserting after the item relating to section 1075, as added by subsection (a), the following new item:

''1075a. TRICARE Prime: cost sharing.''.

(c) PORTABILITY.—Section 1073 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) PORTABILITY IN PROGRAM.—The Secretary of Defense shall ensure that the enrollment status of covered beneficiaries is portable between or among TRICARE program regions of the United States and that effective procedures are in place for automatic electronic transfer of information between or among contractors responsible for administration in such regions and prompt communication with such beneficiaries. Each covered beneficiary enrolled in TRICARE Prime who has relocated the beneficiary's primary residence to a new area in which enrollment in TRICARE Prime is available shall be able to obtain a new primary health care manager or provider within 10 days of the relocation and associated request for such manager or provider.''.

(d) TERMINATION OF TRICARE STANDARD AND TRICARE EXTRA.—Beginning on January 1, 2018, the Secretary of Defense may not carry out TRICARE Standard and TRICARE Extra under the TRICARE program. The Secretary shall ensure that any individual who is covered under TRICARE Standard or TRICARE Extra as of December 31, 2017, enrolls in TRICARE Prime, TRICARE Preferred, or TRICARE for Life, as the case may be, as of January 1, 2018, for the individual to continue coverage under the TRICARE program.

(e) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than June 1, 2017, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate an implementation plan to improve access to health care for TRICARE beneficiaries pursuant to the amendments made by this section.

(2) ELEMENTS.—The plan under paragraph (1) shall—

(A) ensure that at least 85 percent of the beneficiary population under TRICARE Preferred is covered by the network by January 1, 2018;

(B) establish access standards for appointments for health care;

(C) establish mechanisms for monitoring compliance with access standards;

(D) establish health care provider-to-beneficiary ratios;

(E) monitor on a monthly basis complaints by beneficiaries with respect to network adequacy and the availability of health care providers;

(F) establish requirements for mechanisms to monitor the responses to complaints by beneficiaries;

(G) mechanisms to evaluate the quality metrics of the network providers established under section 711;

(H) any recommendations for legislative action the Secretary determines necessary to carry out the plan; and

(I) any other elements the Secretary determines appropriate.

(f) GAO REVIEWS.—

(1) IMPLEMENTATION PLAN.—Not later than December 1, 2017, the Comptroller General of the United States shall submit to the Committees on Armed Services of the House of Representatives and the Senate a review of the implementation plan of the Secretary under paragraph (1) of subsection (e), including an assessment of the adequacy of the plan in meeting the elements specified in paragraph (2) of such subsection.

(2) NETWORK.—Not later than September 1, 2017, the Comptroller General shall submit to the Committees on Armed Services of the House of Representatives and the Senate a review of the network established under TRICARE Extra, including the following:

(A) An identification of the percent of beneficiaries who are covered by the network.

(B) An assessment of the extent to which beneficiaries are able to obtain appointments under TRICARE extra.

(C) The percent of network providers under TRICARE Extra that accept new patients under the TRICARE program.

(D) An assessment of the satisfaction of beneficiaries under TRICARE Extra.

(g) DEFINITIONS.—In this section:

(1) The terms ''uniformed services'', ''covered beneficiary'', ''TRICARE Extra'', ''TRICARE for Life'', ''TRICARE Prime'', and ''TRICARE Standard'' have the meaning given those terms in section 1072 of title 10, United States Code, as amended by subsection (h).

(2) The term ''TRICARE Preferred'' means the self-managed, preferred-provider network option under the TRICARE program established by section 1075 of such title, as added by subsection (a).

(h) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Title 10, United States Code, is amended as follows:

(A) Section 1072 is amended—

(i) by striking paragraph (7) and inserting the following:

''(7) The term 'TRICARE program' means the various programs carried out by the Secretary of Defense under this chapter and any other provision of law providing for the furnishing of medical and dental care and health benefits to members and former members of the uniformed services and their dependents, including the following health plan options:

''(A) TRICARE Prime.

''(B) TRICARE Preferred.

''(C) TRICARE for Life.''; and

(ii) by adding at the end the following new paragraphs:

''(11) The term 'TRICARE Extra' means the preferred provider option of the TRICARE program made available prior to January 1, 2018, under which TRICARE Standard beneficiaries may obtain discounts on cost-sharing as a result of using TRICARE network providers.

''(12) The term 'TRICARE Preferred' the self-managed, preferred-provider network option under the TRICARE program established by section 1075 of this title.

''(13) The term 'TRICARE for Life' means the Medicare wraparound coverage option of the TRICARE program made available to the beneficiary by reason of section 1086(d) of this title.

''(14) The term 'TRICARE Prime' means the managed care option of the TRICARE program.

''(15) The term 'TRICARE Standard' means the TRICARE program made available prior to January 1, 2018, covering—

''(A) medical care to which a dependent described in section 1076(a)(2) of this title is entitled; and

''(B) health benefits contracted for under the authority of section 1079(a) of this title and subject to the same rates and conditions as apply to persons covered under that section.''.

(B) Section 1076d is amended—

(i) in subsection (d)(1), by inserting after ''coverage.'' the following: ''Such premium shall apply instead of any enrollment fees required under section 1075 of this section.''; and

(ii) in subsection (f), by striking paragraph (2) and inserting the following new paragraph:

''(2) The term 'TRICARE Reserve Select' means the TRICARE Preferred self-managed, preferred-provider network option under section 1075 made available to beneficiaries by reason of this section and in accordance with subsection (d)(1).''; and

(iii) by striking ''TRICARE Standard'' each place it appears (including in the heading of such section) and inserting ''TRICARE Reserve Select''.

(C) Section 1076e is amended—

(i) in subsection (d)(1), by inserting after ''coverage.'' the following: ''Such premium shall apply instead of any enrollment fees required under section 1075 of this section.''; and

(ii) in subsection (f), by striking paragraph (2) and inserting the following new paragraph:

''(2) The term 'TRICARE Retired Reserve' means the TRICARE Preferred self-managed, preferred-provider network option under section 1075 made available to beneficiaries by reason of this section and in accordance with subsection (d)(1).'';

(iii) in subsection (b), by striking ''TRICARE Standard coverage at'' and inserting ''TRICARE coverage at''; and

(iv) by striking ''TRICARE Standard'' each place it appears (including in the heading of such section) and inserting ''TRICARE Retired Reserve''.

(D) Section 1079a is amended—

*(i) in the section heading, by striking ''**CHAMPUS**'' and inserting ''**TRICARE program**''; and*

(ii) by striking ''the Civilian Health and Medical Program of the Uniformed Services'' and inserting ''the TRICARE program''.

(E) Section 1099(c) is amended by striking paragraph (2) and inserting the following new paragraph:

''(2) A plan under the TRICARE program.''.

(F) Section 1110b(c)(1) is amended by inserting after ''(b).'' the following: ''Such premium shall apply instead of any enrollment fees required under section 1075 of this section.''.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 55 of title 10, United States Code, is further amended—

(A) in the item relating to section 1076d, by striking ''TRICARE Standard'' and inserting ''TRICARE Reserve Select'';

(B) in the item relating to section 1076e, by striking ''TRICARE Standard'' and inserting ''TRICARE Retired Reserve''; and

(C) in the item relating to section 1079a, by striking ''CHAMPUS'' and inserting ''TRICARE program''.

(3) CONFORMING STYLE.—Any new language inserted or added to title 10, United States Code, by an amendment made by this subsection shall conform to the typeface and typestyle of the matter in which the language is so inserted or added.

(i) APPLICATION.—The amendments made by this section shall apply with respect to the provision of health care under the TRICARE program beginning on January 1, 2018.

SEC. 702. REFORM OF ADMINISTRATION OF THE DEFENSE HEALTH AGENCY AND MILITARY MEDICAL TREATMENT FACILITIES.

(a) ADMINISTRATION.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1073b the following new section:

''§ 1073c. Administration of Defense Health Agency and military medical treatment facilities

''(a) ADMINISTRATION OF MILITARY MEDICAL TREATMENT FACILITIES.—(1) Beginning October 1, 2018, the Director of the Defense Health Agency shall be responsible for the administration of each military medical treatment facility, including with respect to—

''(A) budgetary matters;

''(B) information technology;

''(C) health care administration and management;

''(D) administrative policy and procedure; and

''(E) any other matters the Secretary of Defense determines appropriate.

''(2) The commander of each military medical treatment facility shall be responsible for—

''(A) ensuring the readiness of the members of the armed forces and civilian employees at such facility; and

''(B) furnishing the health care and medical treatment provided at such facility.

''(3) The Secretary of Defense shall establish within the Defense Health Agency a professional staff serving in senior executive service positions to carry out this subsection. The Secretary may carry out this paragraph by appointing the positions specified in subsections (b) and (c).

''(b) DHA ASSISTANT DIRECTOR.—(1) The Secretary of Defense may establish in the Defense Health Agency an Assistant Director for Health Care Administration. If so established, the Assistant Director shall—

''(A) be a career appointee within the senior executive service of the Department; and

''(B) report directly to the Director of the Defense Health Agency.

''(2) If established under paragraph (1), the Assistant Director shall be appointed from among individuals who have equivalent education and experience as a chief executive officer leading a large, civilian health care system.

''(3) If established under paragraph (1), the Assistant Director shall be responsible for the following:

''(A) Establishing priorities for health care administration and management.

''(B) Establishing policies and procedures for the provision of direct care at military medical treatment facilities.

''(C) Establishing priorities for budgeting matters with respect to the provision of direct care at military medical treatment facilities.

''(D) Establishing policies and procedures for clinic management and operations at military medical treatment facilities.

''(E) Establishing priorities for information technology at and between the military medical treatment facilities.

''(c) DHA DEPUTY ASSISTANT DIRECTORS.—(1)(A) The Secretary of Defense may establish in the Defense Health Agency a Deputy Assistant Director for Information Operations.

''(B) If established under subparagraph (A), the Deputy Assistant Director for Information Operations shall be responsible for management and execution of information technology operations at and between the military medical treatment facilities.

''(2)(A) The Secretary of Defense may establish in the Defense Health Agency a Deputy Assistant Director for Financial Operations.

''(B) If established under subparagraph (A), the Deputy Assistant Director for Financial Operations shall be responsible for the management and execution of budgeting matters and financial management with respect to the provision of direct care at military medical treatment facilities.

''(3)(A) The Secretary of Defense may establish in the Defense Health Agency a Deputy Assistant Director for Health Care Operations.

''(B) If established under subparagraph (A), the Deputy Assistant Director for Health Care Operations shall be responsible for the execution of health care administration and management in the military medical treatment facilities.

''(4)(A) The Secretary of Defense may establish in the Defense Health Agency a Deputy Assistant Director for Medical Affairs.

''(B) If established under subparagraph (A), the Deputy Assistant Director for Medical Affairs shall be responsible for the management and leadership of clinical quality and process improvement, patient safety, infection control, graduate medical education, clinical integration, utilization review, risk management, patient experience, and civilian physician recruiting.

''(5) Each Deputy Assistant Director appointed under paragraphs (1) through (4) shall—

''(A) be a career appointee within the senior executive service of the Department; and

''(B) report directly to the Assistant Director for Health Care Administration.

''(d) DHA DEPUTY DIRECTOR.—(1) In addition to the other duties of the Joint Staff Surgeon, the Joint Staff Surgeon shall serve as the Deputy Director for Combat Support of the Defense Health Agency.

''(2) The responsibilities of the Deputy Director shall include the following:

''(A) Ensuring that the Defense Health Agency meets the operational needs of the commanders of the combatant commands.

''(B) Coordinating with the military departments to ensure that the staffing at the military

medical treatment facilities support readiness requirements for members of the armed forces and health care personnel.

''(C) Serving as the link between the commanders of the combatant commands and the Defense Health Agency.

''(e) APPOINTMENTS.—In carrying out subsection (a)(3), including with respect to establishing positions under subsections (b) and (c), the Secretary shall make appointments under such subsections—

''(1) by not later than October 1, 2018; and

''(2) by not increasing the number of full-time equivalent employees of the Defense Health Agency.

''(f) DEFINITIONS.—In this section:

''(1) The term 'career appointee' has the meaning given that term in section 3132(a)(4) of title 5.

''(2) The term 'Defense Health Agency' means the Defense Agency established pursuant to Department of Defense Directive 5136.13, or such successor Defense Agency.

''(3) The term 'senior executive service' has the meaning given that term in section 2101a of title 5.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1073b the following new item:

''1073c. Administration of Defense Health Agency and military medical treatment facilities.''.

(b) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—The Secretary of Defense shall develop a plan to implement section 1073c of title 10, United States Code, as added by subsection (a).

(2) ELEMENTS.—The plan developed under paragraph (1) shall include the following:

(A) How the Secretary will carry out subsection (a) of such section 1073c.

(B) Efforts to minimize potentially duplicative activities carried out by the elements of the Defense Health Agency.

(C) Efforts to maximize efficiencies in the activities carried out by the Defense Health Agency.

(D) How the Secretary will implement such section 1073 in a manner that does not increase the number of full-time equivalent employees of the headquarters activities of the military health system as of the date of the enactment of this Act.

(c) REPORTS.—

(1) INTERIM REPORT.—Not later than March 1, 2017, the Secretary shall submit to the congressional defense committees a report containing—

(A) a preliminary draft of the plan developed under subsection (b)(1); and

(B) any recommendations for legislative actions the Secretary determines necessary to carry out the plan.

(2) FINAL REPORT.—Not later than March 1, 2018, the Secretary shall submit to the congressional defense committees a report containing the final version of the plan developed under subsection (b)(1).

(3) COMPTROLLER GENERAL REVIEWS.—

(A) The Comptroller General of the United States shall submit to the congressional defense committees—

(i) a review of the preliminary draft of the plan submitted under paragraph (1) by not later than September 1, 2017; and

(ii) a review of the final version of the plan submitted under paragraph (2) by not later than September 1, 2018.

(B) Each review of the plan conducted under paragraph (A) shall determine whether the Secretary has addressed the required elements for the plan under subsection (b)(2).

SEC. 703. MILITARY MEDICAL TREATMENT FACILITIES.

(a) ADMINISTRATION.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, as amended by section 702, is further amended by inserting after section 1073c the following new section:

''§ 1073d. Military medical treatment facilities

''(a) IN GENERAL.—To support the medical readiness of the armed forces and the readiness of medical personnel, the Secretary of Defense, in consultation with the Secretaries of the military departments, shall maintain the military medical treatment facilities described in subsections (b), (c), and (d).

''(b) MEDICAL CENTERS.—(1) The Secretary of Defense shall maintain medical centers in areas with a large population of members of the armed forces and covered beneficiaries.

''(2) Medical centers shall serve as referral facilities for members and covered beneficiaries who require comprehensive health care services that support medical readiness.

''(3) Medical centers shall consist of the following:

''(4) Inpatient and outpatient tertiary care facilities that incorporate specialty and subspecialty care.

''(5) Graduate medical education programs.

''(6) Residency training programs.

''(7) Level one or level two trauma care capabilities.

''(c) HOSPITALS.—(1) The Secretary of Defense shall maintain hospitals in areas where civilian health care facilities are unable to support the health care needs of members of the armed forces and covered beneficiaries.

''(2) Hospitals shall provide—

''(A) inpatient and outpatient health services to maintain medical readiness; and

''(B) such other programs and functions as the Secretary determines appropriate.

''(3) Hospitals shall consist of inpatient and outpatient care facilities with limited specialty care that the Secretary determines—

''(A) is cost effective; or

''(B) is not available at civilian health care facilities in the area of the hospital.

''(d) AMBULATORY CARE CENTERS.—(1) The Secretary of Defense shall maintain ambulatory care centers in areas where civilian health care facilities are able to support the health care needs of members of the armed forces and covered beneficiaries.

''(2) Ambulatory care centers shall provide the outpatient health services required to maintain medical readiness, including with respect to partnerships established pursuant to section 707 of the National Defense Authorization Act for Fiscal Year 2017.

''(3) Ambulatory care centers shall consist of outpatient care facilities with limited specialty care that the Secretary determines—

''(A) is cost effective; or

''(B) is not available at civilian health care facilities in the area of the ambulatory care center.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 702, is further amended by inserting after the item relating to section 1073c the following new item:

''1073d. Military medical treatment facilities.''.

(b) UPDATE OF STUDY.—

(1) IN GENERAL.—The Secretary of Defense, in collaboration with the Secretaries of the military departments, shall update the report described in paragraph (2) to address the restructuring or realignment of military medical treatment facilities pursuant to section 1073d of title 10, United States Code, as added by subsection (a), including with respect to any expansions or consolidations of such facilities.

(2) REPORT DESCRIBED.—The report described in this paragraph is the Military Health System Modernization Study dated May 29th, 2015, required by section 713(a)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3414).

(3) SUBMISSION.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees the updated report under paragraph (1).

(c) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees an implementation plan to restructure or realign the military medical treatment facilities pursuant to section 1073d of title 10, United States Code, as added by subsection (a).

(2) ELEMENTS.—The implementation plan under paragraph (1) shall include the following:

(A) With respect to each military medical treatment facility—

(i) whether the facility will be realigned or restructured under the plan;

(ii) whether the functions of such facility will be expanded or consolidated;

(iii) the costs of such realignment or restructuring;

(iv) a description of any changes to the military and civilian personnel assigned to such facility as of the date of the plan;

(v) a timeline for such realignment or restructuring; and

(vi) the justifications for such realignment or restructuring, including an assessment of the capacity of the civilian health care facilities located near such facility.

(B) A description of the relocation of the graduate medical education programs and the residency programs.

SEC. 704. ACCESS TO URGENT CARE UNDER TRICARE PROGRAM.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1077 the following new section:

''§ 1077a. Access to military medical treatment facilities and other facilities

''(a) URGENT CARE.—(1) Beginning not later than one year after the date of the enactment of this section, the Secretary of Defense shall ensure that military medical treatment facilities, at locations the Secretary determines appropriate, provide urgent care services for members of the armed forces and covered beneficiaries until 11:00 p.m each day.

''(2) With respect to areas in which a military medical treatment facility covered by paragraph (1) is not located, the Secretary shall ensure that members of the armed forces and covered beneficiaries may access urgent care clinics that are open during the hours specified in such paragraph through the health care provider network under the TRICARE program.

''(3) A covered beneficiary may access urgent care services without the need for preauthorization for such services.

''(4) The Secretary shall—

''(A) publish information about changes in access to urgent care under the TRICARE program—

''(i) on the primary publicly available Internet website of the Department; and

''(ii) on the primary publicly available website of each military treatment facility; and

''(B) ensure that such information is made available on the publically available Internet website of each current managed care contractor that has established a health care provider network under the TRICARE program.

''(b) NURSE ADVICE LINE.—The Secretary shall ensure that the nurse advice line of the Department directs covered beneficiaries seeking access to care to the source of the most appropriate level of health care required to treat the medical conditions of the beneficiaries, including urgent care services described in subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1077 the following new item:

''1077a. Access to military medical treatment facilities and other facilities''.

SEC. 705. ACCESS TO PRIMARY CARE CLINICS AT MILITARY MEDICAL TREATMENT FACILITIES.

(a) IN GENERAL.—Section 1077a of title 10, United States Code, as added by section 704, is amended by adding at the end the following new subsection:

''(c) PRIMARY CARE CLINICS.—(1) The Secretary shall ensure that primary care clinics at military medical treatment facilities are available for members of the armed forces and covered beneficiaries between the hours determined appropriate under paragraph (2), including with respect to expanded hours described in subparagraph (B) of such paragraph.

''(2)(A) The Secretary shall determine the hours that each primary care clinic at a military medical treatment facility is available for members of the armed forces and covered beneficiaries based on—

''(i) the needs of the military treatment facility to meet the access standards under the TRICARE Prime program; and

''(ii) the primary care usage patterns of members and covered beneficiaries at such military medical treatment facility.

''(B) The primary care clinic hours at a military medical treatment facility determined under subparagraph (A) shall include expanded hours beyond regular business hours during weekdays and the weekend if the Secretary determines under such subparagraph that sufficient demand exists at the military medical treatment facility for such expanded primary care clinic hours.''.

(b) IMPLEMENTATION.—The Secretary of Defense shall implement subsection (c) of section 1077a of title 10, United States Code, as added by subsection (a), by not later than 180 days after the date of the enactment of this Act.

SEC. 706. INCENTIVES FOR VALUE-BASED HEALTH UNDER TRICARE PROGRAM.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1095g the following new section:

''§ 1095h. TRICARE program: value-based health care

''(a) IN GENERAL.—The Secretary of Defense may develop and implement value-based incentive programs as part of any contract awarded under this chapter for the provision of health care services to covered beneficiaries to encourage health care providers under the TRICARE program (including physicians, hospitals, and other persons and facilities involved in providing such health care services) to improve the following:

''(1) The quality of health care provided to covered beneficiaries under the TRICARE program.

''(2) The experience of covered beneficiaries in receiving health care under the TRICARE program.

''(3) The health of covered beneficiaries.

''(b) VALUE-BASED INCENTIVE PROGRAMS.—(1) In developing value-based incentive programs under subsection (a), the Secretary shall—

''(A) link payments to health care providers under the TRICARE program to improved performance with respect to quality, cost, and reducing the provision of inappropriate care;

''(B) consider the characteristics of the population of covered beneficiaries affected by the value-based incentive program;

''(C) consider how the value-based incentive program would affect the receipt of health care under the TRICARE program by such covered beneficiaries;

''(D) establish or maintain an assurance that such covered beneficiaries will have timely access to health care during the operation of the value-based incentive program;

''(E) ensure that such covered beneficiaries do not incur any additional costs by reason of the value-based incentive program; and

''(F) consider such other factors as the Secretary considers appropriate.

''(2) With respect to a value-based incentive program developed and implemented under subsection (a), the Secretary shall ensure that—

''(A) the size, scope, and duration of the value-based incentive program is reasonable in relation to the purpose of the value-based incentive program; and

''(B) the value-based incentive program relies on the core quality performance metrics pursuant to section 711 of the National Defense Authorization Act for Fiscal Year 2017.

''(c) USE OF EXISTING MODELS.—In developing a value-based incentive program under subsection (a), the Secretary may adapt a value-based incentive program conducted by a TRICARE managed care support contractor, the Centers for Medicare & Medicaid Services, or any other governmental or commercial health care program.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1095g the following new item:

''1095h. TRICARE program: value-based health care.''.

(c) BRIEFINGS.—

(1) PRIOR TO CERTAIN CONTRACT MODIFICATIONS.—Not later than 60 days before the date on which the Secretary of Defense modifies a contract awarded under chapter 55 of title 10, United States Code, to implement a value-based incentive program under section 1095h of such title, as added by subsection (a), the Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate (and any other appropriate congressional committee upon request) a briefing on any implementation plan of the Secretary with respect to such a value-based incentive program.

(2) ANNUAL BRIEFING.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2022, the Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate (and any other appropriate congressional committee upon request) a briefing on the quality performance metrics and expenditures relating to a value-based incentive program developed and implemented under section 1095h of title 10, United States Code, as added by subsection (a).

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 707. IMPROVEMENTS TO MILITARY-CIVILIAN PARTNERSHIPS TO INCREASE ACCESS TO HEALTH CARE AND READINESS.

(a) PARTNERSHIP AGREEMENTS.—Subsection (a) of section 1096 of title 10, United States Code, is amended to read as follows:

''(a) PARTNERSHIP AGREEMENTS.—The Secretary of Defense may enter into a partnership agreement between facilities of the uniformed services and local or regional health care systems if the Secretary determines that such an agreement would—

''(1) result in the delivery of health care to which covered beneficiaries are entitled under this chapter in a more effective, efficient, or economical manner; or

''(2) provide members of the armed forces with additional training opportunities to maintain readiness requirements.''.

(b) IN GENERAL.—Such section 1096 is further amended—

(1) by redesignating subsections (c) and (d) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (b) the following new subsections:

''(c) CRITERIA.—In entering into an agreement under subsection (a) between a facility of the uniformed services and a local or regional health care system, the Secretary shall—

''(1) identify and analyze—

''(A) the health care delivery options provided by the local or regional health care system; and

''(B) the health care services provided by the facility;

''(2) assess—

''(A) how such agreement affects the delivery of health care at the facility and the readiness of the members of the uniformed services;

''(B) the viability of the agreement with respect to succeeding on a long-term basis in the local community of the facility; and

''(C) the cost efficiency and effectiveness of the agreement; and

''(3) consult with—

''(A) the Secretary concerned;

''(B) representatives from such facility, including the leadership of the installation at which the facility is located, the leadership of the facility, and covered beneficiaries at such installation;

''(C) the TRICARE managed care support contractor with responsibility for such facility;

''(D) officials of the Federal, State, and local governments, as appropriate; and

''(E) representatives from the local or regional health care system.

''(d) LOCAL CONSORTIUM.—The Secretary shall ensure that an agreement entered into under subsection (a) between a facility of the uniformed services and a local or regional health care system is developed by a consortium representing the community of the facility and such health care system.

''(e) BIENNIAL EVALUATION.—The Secretary of Defense shall evaluate each agreement entered into under subsection (a) on a biennial basis to—

''(1) assess whether the agreement provides increased access to health care for covered beneficiaries;

''(2) assess the training opportunities to maintain readiness requirements provided pursuant to such agreement; and

''(3) determine whether such agreement should continue.''.

(c) REMOVAL OF REIMBURSEMENT LIMIT FOR LICENSING FEES.—Subsection (g) of such section 1096, as redesignated by subsection (a), is amended by striking ''up to $500 of''.

SEC. 708. JOINT TRAUMA SYSTEM.

(a) PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate an implementation plan to establish a Joint Trauma System within the Defense Health Agency that promotes improved trauma care to members of the Armed Forces and other individuals who are eligible to be treated for trauma at a military medical treatment facility.

(2) IMPLEMENTATION.—The Secretary shall implement the plan under paragraph (1) after a 90-day period has elapsed following the date on which the Comptroller General of the United States is required to submit to the Committees on Armed Services of the House of Representatives and the Senate the review under subsection (c). In implementing such plan, the Secretary shall take into account any recommendation made by the Comptroller General under such review.

(b) ELEMENTS.—The Joint Trauma System described in subsection (a)(1) shall include the following elements:

(1) Serve as the reference body for all trauma care provided across the military health system.

(2) Establish standards of care for trauma services provided at military medical treatment facilities.

(3) Coordinate the translation of research from the centers of excellence of the Department of Defense into standards of clinical trauma care.

(4) Coordinate the incorporation of lessons learned from the trauma education and training

partnerships pursuant to section 709 into clinical practice.

(c) REVIEW.—Not later than 120 days after the date on which the Secretary submits to the Committees on Armed Services of the House of Representatives and the Senate the implementation plan under subsection (a)(1), the Comptroller General of the United States shall submit to such committees a review of such plan to determine if each element under subsection (b) is included in such plan.

(d) REVIEW OF MILITARY TRAUMA SYSTEM.—In establishing a Joint Trauma System, the Secretary of Defense may seek to enter into an agreement with a non-governmental entity with subject matter experts to—

(1) conduct a system-wide review of the military trauma system; and

(2) make publicly available a report containing such review and recommendations to establish a comprehensive trauma system for the Armed Forces.

SEC. 709. JOINT TRAUMA EDUCATION AND TRAINING DIRECTORATE.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a Joint Trauma Education and Training Directorate (in this section referred to as the ''Directorate'') to ensure that the traumatologists of the Armed Forces maintain readiness and are able to be rapidly deployed for future armed conflicts. The Secretary shall carry out this section in collaboration with the Secretaries of the military departments.

(b) DUTIES.—The duties of the Directorate are as follows:

(1) To enter into and coordinate the partnerships under subsection (c).

(2) To establish the goals of such partnerships necessary for trauma combat casualty care teams led by traumatologists to maintain professional competency in trauma care.

(3) To establish metrics for measuring the performance of such partnerships in achieving such goals.

(4) To develop methods of data collection and analysis for carrying out paragraph (3).

(5) To communicate and coordinate lessons learned from such partnerships with the Joint Trauma System established under section 708.

(c) PARTNERSHIPS.—

(1) IN GENERAL.—The Secretary shall enter into partnerships with civilian academic medical centers and large metropolitan teaching hospitals that have level I civilian trauma centers.

(2) TRAUMA COMBAT CASUALTY CARE TEAMS.—Under the partnerships entered into with civilian academic medical centers and large metropolitan teaching hospitals under paragraph (1), trauma combat casualty care teams of the Armed Forces led by traumatologists of the Armed Forces shall embed within the trauma centers of the medical centers and hospitals on an enduring basis.

(3) SELECTION.—The Secretary shall select civilian academic medical centers and large metropolitan teaching hospitals to enter into partnerships under paragraph (1) based on patient volume, acuity, and other factors the Secretary determines necessary to ensure that the traumatologists of the Armed Forces and the associated clinical support teams have adequate and continuous exposure to critically injured patients.

(4) CONSIDERATION.—In entering into partnerships under paragraph (1), the Secretary may consider the experiences and lessons learned by the military departments that have entered into memoranda of understanding with civilian medical centers for trauma care.

(d) ANALYSIS.—The Secretary of Defense shall conduct an analysis to determine the number of traumatologists of the Armed Forces, by specialty, that must be maintained within the Department of Defense to meet the requirements of the combatant commands.

(e) IMPLEMENTATION PLAN.—Not later than July 1, 2017, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate an implementation plan for establishing the Joint Trauma Education and Training Directorate under subsection (a) and entering into partnerships under subsection (c).

(f) LEVEL I CIVILIAN TRAUMA CENTER DEFINED.—In this section, the term ''level I civilian trauma center'' means a comprehensive regional resource that is a tertiary care facility central to the trauma system and is capable of providing total care for every aspect of injury from prevention through rehabilitation.

SEC. 710. IMPROVEMENTS TO ACCESS TO HEALTH CARE IN MILITARY MEDICAL TREATMENT FACILITIES.

(a) FIRST CALL RESOLUTION.—

(1) IN GENERAL.—The Secretary of Defense shall implement standard processes to ensure that, in the case of a beneficiary contacting a military medical treatment facility over the telephone for, at a minimum, scheduling an appointment, requesting a prescription drug refill, and other matters determined appropriate by the Secretary, the needs of the beneficiary are met during the first such telephone call.

(2) METRICS.—The Secretary shall—

(A) develop metrics, collect data, and evaluate the performance of the processes implemented under paragraph (1); and

(B) carry out satisfaction surveys to monitor the satisfaction of beneficiaries with such processes, including with respect to the satisfaction regarding access to appointments and patient care.

(b) APPOINTMENT SCHEDULING.—

(1) IN GENERAL.—The Secretary shall implement standard processes to schedule beneficiaries for appointments at military medical treatment facilities.

(2) ELEMENTS.—The standard processes implemented under paragraph (1) shall include the following:

(A) Requiring clinics at military medical treatment facilities to allow a beneficiary to schedule an appointment for wellness visits or follow-up appointments during the six-month or longer period beginning on the date of the request for the appointment.

(B) A process to remind a beneficiary of future appointments in a manner that the beneficiary prefers, which may include sending postcards to the beneficiary prior to appointments and making reminder telephone calls, emails, or cellular text messages to the beneficiary at specified intervals prior to appointments.

(c) APPOINTMENT SUPPLY AND DEMAND.—

(1) PRODUCTIVITY.—The Secretary shall implement standards for the productivity of health care providers at military medical treatment facilities. In developing such standards, the Secretary shall consider civilian benchmarks for measuring the productivity of health care providers, the optimal number of appointments (patient contact hours) required to maintain access according to the standards developed by the Secretary, and readiness requirements.

(2) MANAGING USE OF FACE-TO-FACE APPOINTMENTS.—The Secretary shall implement strategies for managing the use of face-to-face appointments at military medical treatment facilities. Such strategies may include—

(A) maximizing the use of telehealth and virtual appointments for beneficiaries at the discretion of the health care provider and the beneficiary;

(B) the implementation of remote patient monitoring of chronic conditions to improve outcomes and reduce the number of follow-up appointments for beneficiaries; and

(C) maximizing the use of secure messaging between health care providers and beneficiaries to improve the access of beneficiaries to health care and reduce the number of visits for health care needs.

(d) IMPLEMENTATION.—The Secretary shall implement subsections (a), (b), and (c) by not later than February 1, 2017.

(e) BRIEFING.—Not later than March 1, 2017, the Secretary shall provide the Committees on Armed Services of the House of Representatives and the Senate a briefing on the implementation of subsections (a), (b), and (c).

(f) BENEFICIARIES DEFINED.—In this section, the term ''beneficiaries'' means members of the Armed Forces and covered beneficiaries (as defined in section 1072(5) of title 10, United States Code).

SEC. 711. ADOPTION OF CORE QUALITY PERFORMANCE METRICS.

(a) ADOPTION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall adopt the core quality performance metrics agreed upon by the Core Quality Measures Collaborative for use by the military health system and in contracts awarded to carry out the TRICARE program.

(2) CORE MEASURES.—The core quality performance metrics described in paragraph (1) shall include the following sets:

(A) Accountable care organizations, patient centered medical homes and primary care.

(B) Cardiology.

(C) Gastroenterology.

(D) HIV and hepatitis C.

(E) Medical oncology.

(F) Obstetrics and gynecology.

(G) Orthopedics.

(b) DEFINITIONS.—In this section:

(1) The term ''Core Quality Measures Collaborative'' means the collaboration between the Centers for Medicare & Medicaid Services, major health insurance companies, national physician organizations, and other entities to reach consensus on core performance measures reported by health care providers.

(2) The term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

SEC. 712. STUDY ON IMPROVING CONTINUITY OF HEALTH CARE COVERAGE FOR RESERVE COMPONENTS.

(a) STUDY.—The Secretary of Defense shall conduct a study of options for providing health care coverage that improves the continuity of health care provided to current and former members of the Selected Reserve of the Ready Reserve who are not—

(1) serving on active duty;

(2) eligible for the Transitional Assistance Management Program under section 1145 of title 10, United States Code; or

(3) eligible for the Federal Employees Health Benefit Program under chapter 89 of title 5.

(b) ELEMENTS.—The study under subsection (a) shall address the following:

(1) Whether to allow current and former members of the Selected Reserve to participate in the Federal Employees Health Benefit Program under chapter 89 of title 5.

(2) Whether to pay a stipend to current and former members to continue coverage in a health plan obtained by the member.

(3) Whether to allow current and former members to participate in the TRICARE program under section 1076d of title 10, United States Code.

(4) Whether to allow members of the National Guard assigned to Homeland Response Force Units mobilized for a State emergency pursuant to chapter 9 of title 32, United States Code, to remain eligible for the TRICARE program.

(5) Any other options for providing health care coverage to current and former members of the Selected Reserve the Secretary considers appropriate.

(c) CONSULTATION.—In carrying out the study under subsection (a), the Secretary shall consult with, and obtain the opinions of, current and former members of the Selected Reserve, including the leadership of the Selected Reserve.

(d) SUBMISSION.—

(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study under subsection (a).

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) A description of the health care coverage options addressed by the Secretary under subsection (b).

(B) Identification of such health care coverage option that the Secretary recommends as the best option.

(C) The justifications for such recommended best option.

(D) The number and proportion of the current and former members of the Selected Reserve projected to participate in such recommended best option.

(E) A determination of the appropriate cost sharing for such recommended best option with respect to the percentage contribution as a monthly premium for current members of the Selected Reserve.

(F) An estimate of the cost of implementing such recommended best option.

(G) Any legislative language required to implement such recommended best option.

Subtitle B—Other Health Care Benefits

SEC. 721. PROVISION OF HEARING AIDS TO DEPENDENTS OF RETIRED MEMBERS.

Section 1077 of title 10, United States Code, is amended—

(1) in subsection (a)(16), by striking ''A hearing aid'' and inserting ''Except as provided by subsection (g), a hearing aid''; and

(2) by adding at the end the following new subsection:

''(g) In addition to the authority to provide a hearing aid under subsection (a)(16), hearing aids may be sold under this section to dependents of former members of the uniformed services at cost to the United States.''.

SEC. 722. EXTENDED TRICARE PROGRAM COVERAGE FOR CERTAIN MEMBERS OF THE NATIONAL GUARD AND DEPENDENTS DURING CERTAIN DISASTER RESPONSE DUTY.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1076e the following new section:

''§ 1076f. TRICARE program: extension of coverage for certain members of the National Guard and dependents during certain disaster response duty

''(a) EXTENDED COVERAGE.—During a period in which a member of the National Guard is performing disaster response duty, the member shall be treated as being on active duty for a period of more than 30 days for purposes of the eligibility of the member and dependents of the member for health care benefits under the TRICARE program if such period immediately follows a period in which the member served on full-time National Guard duty under section 502(f) of title 32, including pursuant to chapter 9 of such title, unless the Governor of the State (or, with respect to the District of Columbia, the mayor of the District of Columbia) determines that such extended eligibility is not in the best interest of the member or the State.

''(b) CONTRIBUTION BY STATE.—(1) The Secretary may charge a State for the costs of providing coverage under the TRICARE program to members of the National Guard of the State and the dependents of the members pursuant to subsection (a). Such charges shall be paid from the funds of the State or from any other non-Federal funds.

''(2) Any amounts received by the Secretary under paragraph (1) shall be credited to the appropriation available for the Defense Health Program Account under section 1100 of this title, shall be merged with sums in such Account that are available for the fiscal year in which collected, and shall be available under subsection (b) of such section, including to carry out subsection (a) of this section.

''(c) DEFINITIONS.—In this section:

''(1) The term 'disaster response duty' means duty performed by a member of the National Guard in State status pursuant to an emergency declaration by the Governor of the State (or, with respect to the District of Columbia, the mayor of the District of Columbia) in response to a disaster or in preparation for an imminent disaster.

''(2) The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1076e the following new item:

''1076f. TRICARE program: extension of coverage for certain members of the National Guard and dependents during certain disaster response duty.''.

Subtitle C—Health Care Administration

SEC. 731. PROSPECTIVE PAYMENT OF FUNDS NECESSARY TO PROVIDE MEDICAL CARE FOR THE COAST GUARD.

(a) IN GENERAL.—Chapter 13 of title 14, United States Code, is amended by adding at the end the following:

''§ 519. Prospective payment of funds necessary to provide medical care

''(a) PROSPECTIVE PAYMENT REQUIRED.—In lieu of the reimbursement required under section 1085 of title 10, the Secretary of Homeland Security shall make a prospective payment to the Secretary of Defense of an amount that represents the actuarial valuation of treatment or care—

''(1) that the Department of Defense shall provide to members of the Coast Guard, former members of the Coast Guard, and dependents of such members and former members (other than former members and dependents of former members who are a Medicare-eligible beneficiary or for whom the payment for treatment or care is made from the Medicare-Eligible Retiree Health Care Fund) at facilities under the jurisdiction of the Department of Defense or a military department; and

''(2) for which a reimbursement would otherwise be made under section 1085.

''(b) AMOUNT.—The amount of the prospective payment under subsection (a) shall be—

''(1) in the case of treatment or care to be provided to members of the Coast Guard and their dependents, derived from amounts appropriated for the operating expenses of the Coast Guard;

''(2) in the case of treatment or care to be provided former members of the Coast Guard and their dependents, derived from amounts appropriated for retired pay;

''(3) determined under procedures established by the Secretary of Defense;

''(4) paid during the fiscal year in which treatment or care is provided; and

''(5) subject to adjustment or reconciliation as the Secretaries determine appropriate during or promptly after such fiscal year in cases in which the prospective payment is determined excessive or insufficient based on the services actually provided.

''(c) NO PROSPECTIVE PAYMENT WHEN SERVICE IN NAVY.—No prospective payment shall be made under this section for any period during which the Coast Guard operates as a service in the Navy.

''(d) RELATIONSHIP TO TRICARE.—This section shall not be construed to require a payment for, or the prospective payment of an amount that represents the value of, treatment or care provided under any TRICARE program.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 13 of title 14, United States Code, is amended by adding at the end the following:

''519. Prospective payment of funds necessary to provide medical care.''.

(c) REPEAL.—Section 217 of the Coast Guard Authorization Act of 2016 (Public Law 114–120), as amended by section 3504, and the item relating to that section in the table of contents in section 2 of such Act, are repealed.

Subtitle D—Reports and Other Matters

SEC. 741. MENTAL HEALTH RESOURCES FOR MEMBERS OF THE MILITARY SERVICES AT HIGH RISK OF SUICIDE.

(a) IN GENERAL.—The Secretary of Defense shall develop a methodology that identifies which members of the military services are at high risk of suicide.

(b) MENTAL HEALTH RESOURCES.—

(1) HIGH RISK MEMBERS OF THE MILITARY SERVICES.—The Secretary of Defense shall use the results under subsection (c) to—

(A) identify which units have a disproportionately high rate of suicide and suicide attempts; and

(B) provide additional preventative and treatment resources for mental health for members of the military services who were deployed with the units identified under subparagraph (A).

(2) PREVENTATIVE MENTAL HEALTH CARE.—The Secretary of Defense shall use the results under subsection (c) to—

(A) identify the circumstances of deployments associated with increased vulnerability to suicide, including the length of deployment, the region and area of deployment, and the nature and extent to which there was contact with enemy forces; and

(B) provide additional preventative mental health care to units who currently are, or will be, deployed under circumstances similar to those of subparagraph (A).

(c) METHODOLOGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a methodology to assess the rate of suicide and suicide attempts of members of the military services of units that have been deployed in support of a contingency operation after September 11, 2001.

(d) REPORTS.—Not later than September 30, 2017, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on the activities carried out under this section and the effectiveness of such activities.

(e) RESTRICTION ON USE OF INFORMATION.—Information disclosed or obtained pursuant to the provisions of this section may be used by officers, employees, and contractors of the Department of Defense only for the purposes of, and to the extent necessary in, carrying out this section.

(f) MILITARY SERVICES DEFINED.—In this section, the term ''military services'' means the Army, Navy, Air Force, and the Marine Corps, including the reserve components thereof.

SEC. 742. RESEARCH OF CHRONIC TRAUMATIC ENCEPHALOPATHY.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for advanced development for research, development, test, and evaluation for the Defense Health Program, not more than $25,000,000 may be used to award grants to medical researchers and universities to support research into early detection of chronic traumatic encephalopathy.

SEC. 743. ACTIVE OSCILLATING NEGATIVE PRESSURE TREATMENT.

In furnishing health care and medical treatment to members of the Armed Forces who have incurred injuries from improvised explosive devices and other blast-related events, the Secretary of Defense shall consider using non-invasive technologies that increase blood flow to areas of reduced circulation, including through the use of active oscillating negative pressure treatment.

SEC. 744. LONG-TERM STUDY ON HEALTH OF HELICOPTER AND TILTROTOR PILOTS.

(a) STUDY REQUIRED.—The Secretary of Defense shall carry out a long-term study of career helicopter and tiltrotor pilots to assess potential links between the operation of helicopter and tiltrotor aircraft and acute and chronic medical conditions experienced by such pilots.

(b) ELEMENTS.—The study under subsection (a) shall include the following:

(1) A study of career helicopter and tiltrotor pilots compared to a control population that—

(A) takes into account the amount of time such pilots operated aircraft;

(B) examines the severity and rates of acute and chronic injuries experienced by such pilots; and

(C) determines whether such pilots experience a higher degree of acute and chronic medical conditions than the control population.

(2) If a higher degree of acute and chronic medical conditions is observed among such pilots, an explanation of—

(A) the specific causes of the conditions (such as whole body vibration, seat and cockpit ergonomics, landing loads, hard impacts, and pilot-worn gear); and

(B) any costs associated with treating the conditions if the causes are not mitigated.

(3) A review of relevant scientific literature and prior research.

(4) Such other information as the Secretary determines to be appropriate.

(c) DURATION.—The duration of the study under subsection (a) shall be not more than 2 years.

(d) BRIEFING.—Not later than June 6, 2017, the Secretary shall provide to the Committees on Armed Services of the Senate and House of Representatives (and other congressional defense committees on request) a briefing on the progress of the Secretary in carrying out the study under subsection (a).

SEC. 745. PILOT PROGRAM FOR PRESCRIPTION DRUG ACQUISITION COST PARITY IN THE TRICARE PHARMACY BENEFITS PROGRAM.

(a) AUTHORITY TO ESTABLISH PILOT PROGRAM.—The Secretary of Defense may conduct a pilot program to evaluate whether, in carrying out the TRICARE pharmacy benefits program under section 1074g of title 10, United States Code, extending additional discounts for prescription drugs filled at retail pharmacies will maintain or reduce prescription drug costs for the Department of Defense.

(b) ELEMENTS OF PILOT PROGRAM.—In carrying out the pilot program under subsection (a), the Secretary shall require that for prescription medications, including but not limited to non-generic maintenance medications, that are dispensed to retired TRICARE beneficiaries that are not Medicare eligible, through any TRICARE participating retail pharmacy, manufacturers shall pay rebates such that those medications are available to the Department at the lowest rate available. In addition to utilizing the authority under section 1074g(f) of title 10, United States Code, the Secretary shall have the authority to enter into a purchase blanket agreement with prescription drug manufactures for supplemental discounts for prescription drugs dispensed in the pilot to be paid in the form of manufactures rebates.

(c) CONSULTATION.—The Secretary shall develop the pilot program in consultation with—

(1) the Secretaries of the military departments, including Army, Navy and Air Force;

(2) the Chief, Pharmacy Operations Division, of the Defense Health Agency; and

(3) stakeholders, including TRICARE beneficiaries and retail pharmacies.

(d) DURATION OF PILOT PROGRAM.—If the Secretary carries out the pilot program under subsection (a), the Secretary shall commence such pilot program no later than October 1, 2017, and may terminate such program no later than September 30, 2018.

(e) REPORTS.—If the Secretary carries out the pilot program under subsection (a), the Secretary of Defense shall submit to the congressional defense committees, including the House and Senate Committees on Armed Services, reports on the pilot program as follows:

(1) Not later than 90 days after the date of the enactment of this Act, a report containing an implementation plan for the pilot program.

(2) Not later than 180 days after the date on which the pilot program commences, an interim report on the pilot program.

(3) Not later than 90 days after the date on which the pilot program terminates, a final report describing the results of the pilot program, including any recommendations of the Secretary to expand such program. The final report will include—

(A) an analysis of the changes in prescription drug costs for the Department related to the pilot program;

(B) an analysis of the impact on beneficiary access to prescription drugs;

(C) a survey of beneficiary satisfaction with the pilot program;

(D) a summary of any fraud and abuse activities related to the pilot and actions taken in response by the Department; and

(E) a comparison of immunization rates for beneficiaries participating in the pilot and those outside of the pilot.

SEC. 746. STUDY ON DISPLAY OF WAIT TIMES AT URGENT CARE CLINICS, PHARMACIES, AND EMERGENCY ROOMS OF MILITARY MEDICAL TREATMENT FACILITIES.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a study on the feasibility of placing in a conspicuous location at each urgent care clinic of a military medical treatment facility, pharmacy of such a facility, and emergency room of such a facility an electronic sign that displays the current average wait time for a patient to be seen by a qualified medical professional or to receive a filled prescription, as the case may be.

(2) DETERMINATION OF CERTAIN WAIT TIMES.—For purposes of conducting the study under paragraph (1) with respect to urgent care clinics and emergency rooms, the average wait time that would be displayed shall be—

(A) determined by calculating, for the four-hour period preceding the calculation, the average length of time beginning at the time of the arrival of a patient and ending at the time at which the patient is first seen by a doctor of medicine, a doctor of osteopathy, a physician assistant, or an advanced registered nurse practitioner; and

(B) updated every 30 minutes.

(b) REPORT.—Not later than March 1, 2017, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the study conducted under subsection (a)(1), including the estimated costs for displaying the wait times as described in such subsection.

SEC. 747. REPORT ON FEASIBILITY OF INCLUDING ACUPUNCTURE AND CHIROPRACTIC SERVICES FOR RETIREES UNDER TRICARE PROGRAM.

Not later than November 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of furnishing acupuncture services and chiropractic services under the TRICARE program to beneficiaries who are retired members of the uniformed services (not including any dependent of such a retired member).

SEC. 748. CLARIFICATION OF SUBMISSION OF REPORTS ON LONGITUDINAL STUDY ON TRAUMATIC BRAIN INJURY.

Section 1080 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) shall not apply to reports submitted by the Secretary of Defense to Congress under section 721 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2294).

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 801. REVISION TO AUTHORITIES RELATING TO DEPARTMENT OF DEFENSE TEST RESOURCE MANAGEMENT CENTER.

Section 196 of title 10, United States Code, is amended—

(1) in subsection (c)(1)(B), by striking ''of the Major Range and Test Facility Base, including with respect to the expansion, divestment, consolidation, or curtailment of activities,'' and inserting the following: ''that comprise the Major Range and Test Facility Base and other facilities and resources used to support the acquisition programs of the Department of Defense'';

(2) in subsection (d)(2)(E)—

(A) by striking ''plans and business case analyses supporting any significant modification of'' and inserting ''implementation plans and analyses supporting any significant change to''; and

(B) by striking ''including with respect to the expansion, divestment, consolidation, or curtailment of activities'';

(3) in subsection (f)—

(A) in the subsection heading, by striking ''MODIFICATIONS'' and inserting ''CHANGES'';

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''modification of the test'' and all that follows through ''activities,'' and inserting ''change of the test and evaluation facilities and resources that comprise the Major Range and Test Facility Base and other facilities and resources used to support the acquisition programs of the Department of Defense'';

(ii) in subparagraph (A), by striking ''a business case analysis for such modification'' and inserting ''an implementation plan and analysis, including an analysis of cost considerations, that supports such a change''; and

(iii) in subparagraph (B), by striking ''analysis and approves such modification'' and inserts ''plan and analysis and approves such change''; and

(C) in paragraph (2), by striking ''business case'' and inserting ''implementation plan and''; and

(4) in subsection (i)—

(A) by striking ''In this section, the term'' and inserting ''In this section:

''(1) The term''; and

(B) by adding at the end the following new paragraph:

''(2) The term 'significant change' means—

''(A) any action that will limit or preclude a test and evaluation capability from fully performing its intended purpose;

''(B) any action that affects the ability of the Department of Defense to conduct test and evaluation in a timely or cost-effective manner; or

''(C) any expansion or addition that develops a new significant test capability.''.

SEC. 802. AMENDMENTS TO RESTRICTIONS ON UNDEFINITIZED CONTRACTUAL ACTIONS.

(a) ALLOWABLE PROFIT.—Section 2326(e) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(2) by inserting ''(1)'' before ''The head''; and

(3) by adding at the end the following new paragraph:

''(2) If a contractor submits a qualifying proposal to definitize an undefinitized contractual action and the contracting officer for such action definitized the contract after the end of the 180-day period beginning on the date on which the contractor submitted the qualifying proposal, the head of the agency concerned shall ensure that the profit allowed on the contract accurately reflects the cost risk of the contractor as it existed on the date the contractor submitted the qualifying proposal.''.

(b) FOREIGN MILITARY SALES.—Section 2326 of such title is further amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(2) by inserting after subsection (e) the following new subsection (f):

''(f) FOREIGN MILITARY SALES.—A contracting officer of the Department of Defense may not enter into an undefinitized contractual action for a foreign military sale unless the contractual action provides for agreement upon contractual terms, specifications, and price by the end of the 180-day period beginning on the date on which the contractor submits a qualifying proposal to definitize such terms, specifications, and price. This subsection may be waived in the same manner as subsection (b) may be waived under subsection (b)(4).''.

(c) DEFINITIONS.—Subsection (h) of such section, as redesignated by subsection (b), is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively; and

(2) in paragraph (2), by striking ''complete and meaningful audits'' and all that follows through the period and inserting ''a meaningful audit of the information contained in the proposal.''.

SEC. 803. REVISION TO REQUIREMENTS RELATING TO INVENTORY METHOD FOR DEPARTMENT OF DEFENSE CONTRACTS FOR SERVICES.

(a) REVISION TO CURRENT REQUIREMENTS.—Section 2330a of title 10, United States Code, is amended—

(1) by striking subsections (c), (d), (f), and (g);

(2) by redesignating subsections (e), (h), (i), and (j) as subsections (d), (e), (f), and (g), respectively; and

(3) by inserting after subsection (b) the following new subsection (c):

''(c) INVENTORY.—(1) The Secretary of Defense shall implement a method for inventory of Department of Defense contracts for services. The method implemented under this subsection shall provide the capability to—

''(A) make appropriate comparisons of contractor and Government civilian full-time equivalent employees for the purpose of informing sourcing decisions and workforce planning in compliance with section 129a of this title;

''(B) distinguish between different types of services contracts, including contracts for labor or staff augmentation and other types of services contracts;

''(C) provide qualitative information such as the nature of the work performed, the place where the work is actually performed (on-site or off-site), and the entity for which the work is performed; and

''(D) identify the number of contractor employees, expressed as full-time equivalents for direct labor, using direct labor hours and associated cost data collected from contractors.

''(2) The Secretary shall ensure that the method implemented under this subsection is auditable at minimal cost.''.

(b) IMPLEMENTATION OF INVENTORY METHOD.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall implement a method for inventory of Department of Defense contracts for services, as required by subsection (c) of section 2330a, as amended by subsection (a). In implementing the method, the Secretary shall use methods and systems, including time-and-attendance systems, or combinations of methods and systems, in existence as of the date of the enactment of this Act, as determined appropriate by the Secretary.

(c) SUBMISSION TO CONGRESS.—Not later than the end of the third quarter of each fiscal year, through fiscal year 2021, the Secretary of Defense shall submit to Congress a summary of the inventory reporting activities performed by each military department, each combatant command, and each Defense Agency, during the preceding fiscal year pursuant to contracts for services (and pursuant to contracts for goods to the extent services are a significant component of performance as identified in a separate line item of a contract) for or on behalf of the Department of Defense.

(d) CONFORMING AMENDMENTS.—

(1) Section 2330a of title 10, United States Code, is further amended—

(A) in subsection (d), as redesignated by subsection (a)(2) of this section, by striking ''Within 90 days after the date on which an inventory is submitted under subsection (c),'' and inserting ''Not later than the end of each fiscal year,''; and

(B) in subsection (e), as so redesignated—

(i) by striking ''2014 and ending with 2016'' and inserting ''2017 and ending with 2018''; and

(ii) by striking ''subsections (e) and (f)'' and inserting ''subsection (c)''.

(2) Section 235(b) of such title is amended—

(A) by striking ''and separately'' and all the follows through ''amount requested'' and inserting ''and separately identify the amount requested and the number of full-time contractor employees (or the equivalent of full-time in the case of part-time contractor employees)'';

(B) by striking ''; and'' and inserting a period; and

(C) by striking paragraph (2).

SEC. 804. PROCUREMENT OF PERSONAL PROTECTIVE EQUIPMENT.

Section 884 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 948; 10 U.S.C. 2302 note) is amended—

(1) by inserting ''(a) REQUIREMENT.—'' before ''The Secretary of Defense'';

(2) by striking ''that is predominately'' and all that follows through ''price'' and inserting ''described in subsection (b)''; and

(3) by adding at the end the following new subsection:

''(b) SOURCE SELECTION CRITERIA DESCRIBED.—For purposes of subsection (a), the source selection criteria described in this subsection are criteria—

''(1) that are predominately based on technical qualifications of the item and not predominately based on price;

''(2) that do not use reverse auction or lowest price technically acceptable contracting methods; and

''(3) that reflect a preference for best value source selection methods.''.

SEC. 805. REVISION TO EFFECTIVE DATE OF SENIOR EXECUTIVE BENCHMARK COMPENSATION FOR ALLOWABLE COST LIMITATIONS.

(a) REPEAL OF RETROACTIVE APPLICABILITY.—Section 803(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1485; 10 U.S.C. 2324 note) is amended by striking ''amendments made by'' and all that follows and inserting ''amendments made by this section shall apply with respect to costs of compensation incurred after January 1, 2012, under contracts entered into on or after December 31, 2011.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall take effect as of December 31, 2011, and shall apply as if included in the National Defense Authorization Act for Fiscal Year 2012 as enacted.

SEC. 806. AMENDMENTS RELATED TO DETECTION AND AVOIDANCE OF COUNTERFEIT ELECTRONIC PARTS.

Section 818 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2302 note) is amended—

(1) in paragraph (3) of subsection (c)—

(A) by striking the heading and inserting ''SUPPLIERS MEETING ANTICOUNTERFEITING REQUIREMENTS.—'';

(B) in subparagraph (A)(i), by striking ''trusted suppliers in accordance with regulations issued pursuant to subparagraph (C) or (D) who'' and inserting ''suppliers that meet anticounterfeiting requirements in accordance with regulations issued pursuant to subparagraph (C) or (D) and that'';

(C) in subparagraphs (A)(ii) and (A)(iii), by striking ''trusted suppliers'' each place it appears and inserting ''suppliers that meet anticounterfeiting requirements'';

(D) in subparagraph (C), by striking ''as trusted suppliers those'' and inserting ''suppliers'';

(E) in subparagraph (D) in the matter preceding clause (i), by striking ''trusted suppliers'' and inserting ''suppliers that meet anticounterfeiting requirements''; and

(F) in subparagraphs (D)(i) and (D)(iii), by striking ''trusted'' each place it appears; and

(2) in subsection (e)(2)(A)(v), by striking ''use of trusted suppliers'' and inserting ''the use of suppliers that meet applicable anticounterfeiting requirements''.

SEC. 807. AMENDMENTS TO SPECIAL EMERGENCY PROCUREMENT AUTHORITY.

Section 1903(a) of title 41, United States Code, is amended—

(1) by striking ''or'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting a semicolon; and

(3) by adding after paragraph (2) the following new paragraphs:

''(3) in support of a request from the Secretary of State or the Administrator of the United States Agency for International Development to facilitate the provision of international disaster assistance pursuant to chapter 9 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2292 et seq.); or

''(4) in support of an emergency or major disaster (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)).''.

SEC. 808. COMPLIANCE WITH DOMESTIC SOURCE REQUIREMENTS FOR FOOTWEAR FURNISHED TO ENLISTED MEMBERS OF THE ARMED FORCES UPON THEIR INITIAL ENTRY INTO THE ARMED FORCES.

Section 418 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) In the case of athletic footwear needed by members of the Army, Navy, Air Force, or Marine Corps upon their initial entry into the armed forces, the Secretary of Defense shall furnish such footwear directly to the members instead of providing a cash allowance to the members for the purchase of such footwear.

''(2) In procuring athletic footwear to comply with paragraph (1), the Secretary of Defense shall comply with the requirements of section 2533a of title 10, without regard to the applicability of any simplified acquisition threshold under chapter 137 of title 10 (or any other provision of law).

''(3) This subsection does not prohibit the provision of a cash allowance to a member described in paragraph (1) for the purchase of athletic footwear if such footwear—

''(A) is medically required to meet unique physiological needs of the member; and

''(B) cannot be met with athletic footwear that complies with the requirements of this subsection.''.

SEC. 809. REQUIREMENT FOR POLICIES AND STANDARD CHECKLIST IN PROCUREMENT OF SERVICES.

(a) REQUIREMENT.—Section 2330a of title 10, United States Code, as amended by section 803, is further amended by adding by adding at the end the following new subsection:

''(h) REQUEST FOR SERVICES CONTRACT APPROVAL.—(1) The Under Secretary of Defense for Personnel and Readiness shall—

''(A) ensure that Department of Defense Instruction 1100.22, Guidance for Manpower Mix, is modified to incorporate policies establishing a standard checklist to be completed ensuring the

appropriate alignment of workload to the private sector prior to the issuance of a solicitation for any new contract for services or exercising an option under an existing contract for services, including services provided under a contract for goods; and

''(B) in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics, ensure that such policies and checklist are incorporated by reference or otherwise into the Service Requirements Review Board processes established under Department of Defense Instruction 5000.74 and into the pre-solicitation requirements of the Defense Federal Acquisition Regulation Supplement.

''(2) Such checklist shall, at minimum, consolidate and address workforce management and sourcing considerations established under sections 129, 129a, 2461, and 2463 of this title as well as Office of Federal Procurement Policy Letter 11-01.''.

(b) ARMY MODEL.—In implementing section 2330a(g) of title 10, United States Code, as added by subsection (a), the Under Secretary of Defense for Personnel and Readiness shall model, to the maximum extent practicable, its policies and checklist on the policies and checklist relating to services contract approval established and in use by the Department of the Army (as set forth in the request for services contract approval form updated as of August 2012, or any successor form).

(c) DEADLINE.—The policies required under such section 2230a(g) of such title, as so added, shall be issued within one year after the date of the enactment of this Act.

SEC. 810. EXTENSION OF LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1489), as most recently amended by section 813 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3429) is further amended—

(1) in subsections (a) and (b), by striking ''or 2015'' and inserting ''2015, 2016, or 2017'';

(2) in subsection (c)(3), by striking ''and 2015'' and inserting ''2015, 2016, and 2017'';

(3) in subsection (d)(4), by striking ''or 2015'' and inserting ''2015, 2016, or 2017''; and

(4) in subsection (e), by striking ''2015'' and inserting ''2017''.

Subtitle B—Provisions Relating to Major Defense Acquisition Programs

SEC. 811. CHANGE IN DATE OF SUBMISSION TO CONGRESS OF SELECTED ACQUISITION REPORTS.

Section 2432(f) of title 10, United States Code, is amended by striking ''45'' the first place it occurs and inserting ''10''.

SEC. 812. AMENDMENTS RELATING TO INDEPENDENT COST ESTIMATION AND COST ANALYSIS.

(a) AMENDMENTS.—Section 2334 of title 10, United States Code, is amended—

(1) in subsection (a)(3), by striking ''selection of confidence levels'' both places it appears and inserting ''discussion of risk'';

(2) in subsection (a)(6)—

(A) by inserting ''or approve'' after ''conduct'';

(B) by striking ''major defense acquisition programs'' and all that follows through ''Authority—'' and inserting ''all major defense acquisition programs, major automated information system programs, and major subprograms—''; and

(C) in subparagraph (B), by striking ''or upon the request'' and all that follows through the semicolon at the end and inserting '', upon the request of the Under Secretary of Defense for Acquisition, Technology, and Logistics, or upon the request of the milestone decision authority;''

(3) by redesignating subsections (b), (c), (d), (e), and (f) as subsections (c), (d), (e), (f), and (h), respectively;

(4) by inserting after subsection (a) the following new subsection (b):

''(b) INDEPENDENT COST ESTIMATE REQUIRED BEFORE APPROVAL.—(1) A milestone decision authority may not approve the system development and demonstration, or production and deployment, of a major defense acquisition program, major automated information system program, or major subprogram unless an independent cost estimate of the full life-cycle cost of the program or subprogram has been conducted or approved by the Director of Cost Assessment and Program Evaluation and considered by the milestone decision authority.

''(2) The regulations governing the content and submission of independent cost estimates required by subsection (a) shall require that the independent cost estimate of the full life-cycle cost of a program or subprogram include—

''(A) all costs of development, procurement, military construction, operations and support, and trained manpower to operate, maintain, and support the program or subprogram upon full operational deployment, without regard to funding source or management control; and

''(B) an analysis to support decision making that identifies and evaluates alternative courses of action that may reduce cost, reduce risk, and result in more affordable programs.'';

(5) in subsection (d), as so redesignated, in paragraph (3), by striking ''confidence level'' and inserting ''discussion of risk'';

(6) in subsection (e), as so redesignated—

(A) by amending the subsection heading to read as follows: ''DISCUSSION OF RISK IN COST ESTIMATES.—'';

(B) by amending paragraph (1) to read as follows:

''(1) issue guidance requiring a discussion of risk, the potential impacts of risk on program costs, and approaches to mitigate risk in cost estimates for major defense acquisition programs, major automated information system programs, and major subprograms;'';

(C) in paragraph (2)—

(i) by striking ''such confidence level provides'' and inserting ''cost estimates provide''; and

(ii) by inserting ''or subprogram'' after ''the program''; and

(D) in paragraph (3), by striking ''disclosure required by paragraph (1)'' and inserting ''information required in the guidance under paragraph (1)''; and

(7) by inserting after subsection (f), as so redesignated, the following new subsection:

''(g) GUIDELINES AND COLLECTION OF COST DATA.—(1) The Director of Cost Assessment and Program Evaluation shall, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, develop policies, procedures, guidance, and a collection method to ensure that acquisition cost data are collected in a standardized format that facilitates cost estimation and comparison across acquisition programs.

''(2) The program manager and contracting officer for each major defense acquisition program, major automated information system program, and major subprogram, in consultation with the cost estimating component of the relevant military department or Defense Agency, shall ensure that cost data are collected in accordance with the requirements of paragraph (1) for any acquisition program in an amount greater than $100,000,000.

''(3) The requirement under paragraph (1) may be waived only by the Director of Cost Assessment and Program Evaluation.''.

(b) CONFORMING AMENDMENTS TO ADD SUBPROGRAMS.—Section 2334 of such title is further amended—

(1) in subsection (a)(2), by inserting ''or major subprogram'' before ''under chapter 144'';

(2) in paragraphs (3), (4), and (5) of subsection (a) and in subsection (c)(1) (as redesignated by subsection (a) of this section), by striking ''major defense acquisition programs and major automated information system programs'' and inserting ''major defense acquisition programs, major automated information system programs, and major subprograms'' each place it appears;

(3) in paragraphs (1) and (2) of subsection (d) (as so redesignated), and in subsection (f)(4) (as so redesignated), by striking ''major defense acquisition program or major automated information system program'' and inserting ''major defense acquisition program, major automated information system program, or major subprogram'' each place it appears;

(4) in subsection (d)(4) (as so redesignated), by inserting before the period ''or major subprogram'';

(5) in subsection (e)(3)(B) (as so redesignated), by inserting ''or major subprogram'' after ''major defense acquisition program''; and

(6) in subsection (f)(3) (as so redesignated), by striking ''major defense acquisition program and major automated information system program'' and inserting ''major defense acquisition program, major automated information system program, and major subprogram''.

(c) REPEAL.—Chapter 144 of such title is amended—

(1) by striking section 2434; and

(2) in the table of sections at the beginning of such chapter, by striking the item relating to such section.

SEC. 813. REVISIONS TO MILESTONE B DETERMINATIONS.

Section 2366b(a)(3) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ''acquisition cost in'' and all that follows through the semicolon, and inserting ''life-cycle cost;''; and

(2) in subparagraph (D), by striking ''funding is'' and all that follows through ''made,'' and inserting ''funding is expected to be available to execute the product development and production plan for the program,''.

SEC. 814. REVIEW AND REPORT ON SUSTAINMENT PLANNING IN THE ACQUISITION PROCESS.

(a) REQUIREMENT FOR REVIEW.—The Secretary of Defense shall conduct a review of the extent to which sustainment matters are considered in decisions related to the requirements, acquisition, cost estimating, and programming and budgeting processes for major defense acquisition programs. The review shall include the following:

(1) A determination of whether information related to the operation and sustainment of major defense acquisition programs, including cost data, is available to inform decisions made during those processes.

(2) If such information exists, an evaluation of the completeness, timeliness, quality, and suitability of the information for aiding in decisions made during those processes.

(3) A determination of whether information related to the operation and sustainment of existing major weapon systems is used to forecast the operation and sustainment needs of major weapon systems proposed for or under development.

(4) A description of the potential benefits from improved completeness, timeliness, quality, and suitability of data on operation and support costs and increased consideration of such data.

(5) Recommendations for improving access to and consideration of operation and support cost data.

(6) An assessment of product support strategies for major weapon systems required by section 2337 of title 10, United States Code, or other similar life-cycle sustainment strategies, including an evaluation of—

(A) the stage at which such strategies are developed during the life of a major weapon system;

(B) the content and completeness of such strategies;

(C) the extent to which such strategies influence the planning for major defense acquisition programs; and

(D) the extent to which such strategies influence decisions related to the life-cycle management and product support of major weapon systems.

(7) An assessment of how effectively the military departments consider sustainment matters at key decision points for acquisition and life-cycle management in accordance with the requirements of sections 2431a, 2366a, 2366b, and 2337 of title 10, United States Code and section 832 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2430 note).

(8) Recommendations for improving the consideration of sustainment during the requirements, acquisition, cost estimating, programming and budgeting processes.

(b) CONTRACT WITH INDEPENDENT ENTITY.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall enter into a contract with an independent entity with appropriate expertise to conduct the review required by subsection (a). The contract also shall require the entity to provide to the Secretary a report on the findings of the entity.

(c) BRIEFING.—Not later than March 1, 2017, the Secretary shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives on the preliminary findings of the independent entity.

(d) SUBMISSION TO CONGRESS.—Not later than August 1, 2017, the Secretary shall submit to the congressional defense committees a copy of the report of the independent entity, along with comments on the report, proposed revisions or clarifications to laws related to life-cycle management or sustainment planning for major weapon systems, and a description of any actions the Secretary may take to revise or clarify regulations related to life-cycle management or sustainment planning for major weapon systems.

SEC. 815. REVISION TO DISTRIBUTION OF ANNUAL REPORT ON OPERATIONAL TEST AND EVALUATION.

Section 139(h) of title 10, United States Code, is amended—

(1) in paragraph (2)—

(A) by inserting ''the Secretaries of the military departments,'' after ''Logistics,''; and

(B) by striking ''10 days'' and all that follows through ''title 31'' and inserting ''January 31 of each year, through January 31, 2021''; and

(2) in paragraph (5), by inserting after ''Secretary'' the following: ''of Defense and the Secretaries of the military departments''.

Subtitle C—Provisions Relating to Commercial Items

SEC. 821. REVISION TO DEFINITION OF COMMERCIAL ITEM.

(a) IN GENERAL.—Section 103(8) of title 41, United States Code, is amended by striking ''to multiple State and local governments'' and inserting ''to State, local, or foreign governments''.

(b) EFFECT ON SECTION 2464.—Nothing in this section or the amendment made by this section shall affect the meaning of the term ''commercial item'' under section (a)(5) of section 2464 of title 10, United States Code, or any requirement under subsection (a)(3) or subsection (c) of such section.

SEC. 822. MARKET RESEARCH FOR DETERMINATION OF PRICE REASONABLENESS IN ACQUISITION OF COMMERCIAL ITEMS.

Section 2377 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e), and in that subsection by striking ''subsection (c)'' and inserting ''subsections (c) and (d)''; and

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

''(d) MARKET RESEARCH FOR PRICE ANALYSIS.—The Secretary of Defense shall ensure that procurement officials in the Department of Defense conduct or obtain market research to support the determination of the reasonableness of price for commercial items contained in any bid or offer submitted in response to an agency solicitation. To the extent necessary to support such market research, the procurement official for the solicitation—

''(1) in the case of items acquired under section 2379 of this title, shall use information submitted under subsection (d) of that section; and

''(2) in the case of other items, may require the offeror to submit relevant information.''.

SEC. 823. VALUE ANALYSIS FOR THE DETERMINATION OF PRICE REASONABLENESS.

Subsection 2379(d) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) An offeror may submit information or analysis relating to the value of a commercial item to aid in the determination of the reasonableness of the price of such item. A contracting officer may consider such information or analysis in addition to the information submitted pursuant to paragraphs (1)(A) and (1)(B).''.

SEC. 824. CLARIFICATION OF REQUIREMENTS RELATING TO COMMERCIAL ITEM DETERMINATIONS.

Paragraphs (1) and (2) of section 2380 of title 10, United States Code, are amended to read as follows:

''(1) establish and maintain a centralized capability with necessary expertise and resources to provide assistance to the military departments and Defense Agencies in making commercial item determinations, conducting market research, and performing analysis of price reasonableness for the purposes of procurements by the Department of Defense; and

''(2) provide to officials of the Department of Defense access to previous Department of Defense commercial item determinations, market research, and analysis used to determine the reasonableness of price for the purposes of procurements by the Department of Defense.''.

SEC. 825. PILOT PROGRAM FOR AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL ITEMS USING GENERAL SOLICITATION COMPETITIVE PROCEDURES.

(a) AUTHORITY.—The Secretary of Defense may carry out a pilot program, to be known as a ''commercial solutions opening pilot program'', under which innovative commercial items may be acquired through a competitive selection of proposals resulting from a general solicitation and the peer review of such proposals.

(b) TREATMENT AS COMPETITIVE PROCEDURES.—Use of general solicitation competitive procedures for the pilot program under subsection (a) shall be considered to be use of competitive procedures for purposes of chapter 137 of title 10, United States Code.

(c) LIMITATIONS ON FUNDING.—

(1) LIMITATION ON INDIVIDUAL CONTRACT AMOUNT.—The Secretary may not enter into a contract under the pilot program for an amount in excess of $10,000,000.

(2) ANNUAL LIMITATION.—The total amount that may be obligated or expended under the pilot program for a fiscal year may not exceed $75,000,000.

(d) LIMITATION RELATING TO MAJOR DEFENSE ACQUISITION PROGRAM SYSTEMS.—The Secretary may not acquire innovative commercial items under the pilot program to replace a system under a major defense acquisition program in its entirety.

(e) GUIDANCE.—The Secretary shall issue guidance for the implementation of the pilot program under this section within the Department of Defense. Such guidance shall be issued in consultation with the Office of Management and Budget and shall be posted for access by the public.

(f) REPORTS REQUIRED.—

(1) IN GENERAL.—Not later than six months after the initiation of the pilot program, and every six months thereafter, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the activities the Department of Defense carried out under the pilot program.

(2) ELEMENTS OF REPORT.—The report under this subsection shall include the following:

(A) An assessment of the impact of the pilot program on competition.

(B) An assessment of the ability under the pilot program to attract proposals from non-traditional defense contractors (as defined in section 2302(9) of title 10, United States Code).

(C) A comparison of acquisition timelines for—

(i) procurements made using the pilot program; and

(ii) procurements made using other competitive procedures that do not use general solicitations.

(D) A recommendation on whether the authority for the pilot program should be made permanent.

(g) DEFINITION.—In this section, the term ''innovative'' means—

(1) any new technology, process, or method, able to be used to improve or replace existing information system applications, programs, or networks, or used to improve research and development of information technology advancements; or

(2) any new application of an existing technology, process, or method.

(h) TERMINATION.—The authority to enter into a contract under a pilot program under this section terminates on the date occurring five years after the date of the enactment of this Act.

Subtitle D—Other Matters

SEC. 831. REVIEW AND REPORT ON THE BID PROTEST PROCESS.

(a) REVIEW.—The Secretary of Defense shall conduct a review of the bid protest processes related to major defense acquisition programs. The review shall examine the extent to which—

(1) the incidence and duration of bid protests have increased or decreased during the previous decade;

(2) bid protests have delayed procurement of items or services;

(3) there are differences in the incidence and outcomes of bid protests filed by incumbent and non-incumbent contractors;

(4) protests filed by incumbent contractors result in extension of the period of performance of a contract, and whether there are benefits (monetary or non-monetary) to incumbent contractors under such circumstances; and

(5) there are alternative actions or authorities that could give the Government more flexibility in managing contracts if a bid protest is filed.

(b) CONTRACT WITH INDEPENDENT ENTITY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity with appropriate expertise to conduct the review required in subsection (a).

(c) BRIEFING.—Not later than March 1, 2017, the Secretary, or his designee, shall brief the Committees on Armed Services of the Senate and House of Representatives on interim findings of the independent entity.

(d) REPORT.—Not later than July 1, 2017, the Secretary shall submit to the congressional defense committees a report on the findings of the independent entity, along with a description of any actions that the Secretary proposes to address the findings of the independent entity.

SEC. 832. REVIEW AND REPORT ON INDEFINITE DELIVERY CONTRACTS.

(a) REPORT.—The Comptroller General of the United States shall deliver, not later than March 31, 2018, a report to Congress on the use by the Department of Defense of indefinite delivery contracts entered into during fiscal years 2015, 2016, and 2017.

(b) ELEMENTS.—The report under subsection (a) shall address, at a minimum, the following:

(1) A review of Department of Defense policies for using indefinite delivery contracts, including requirements for competition.

(2) The number and value of all indefinite delivery contracts entered into by the Department of Defense.

(3) An assessment of the number and value of indefinite delivery contracts entered into by the Department of Defense that included competition between multiple vendors.

(4) Selected case studies of indefinite delivery contracts, including an assessment of whether any such contracts may have limited future opportunities for competition for the services or items required.

(5) Recommendations for potential changes to current law or Department of Defense acquisition regulations to promote competition with respect to indefinite delivery contracts.

SEC. 833. REVIEW AND REPORT ON CONTRACTUAL FLOW-DOWN PROVISIONS.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of contractual flow-down provisions related to major defense acquisition programs. The review shall—

(1) identify the flow-down provisions that exist in the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement;

(2) identify the flow-down provisions that are critical for national security;

(3) examine the extent to which clauses in contracts with the Department of Defense are being applied inappropriately in subcontracts under the contracts;

(4) assess the applicability of flow-down provisions for the purchase of commodity items that are acquired in bulk for multiple acquisition programs;

(5) determine the unnecessary costs or burdens, if any, of flow-down provisions on the supply chain; and

(6) determine the effect, if any, of flow-down provisions on the participation rate of small businesses and non-traditional defense contractors in defense procurements.

(b) CONTRACT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity with appropriate expertise to conduct the review required by subsection (a).

(c) BRIEFING.—Not later than March 1, 2017, the Secretary, or his designee, shall brief the Committees on Armed Services of the Senate and the House of Representatives on interim findings of the independent entity as well as initial recommendations of the entity on how to modify or eliminate contractual flow-down requirements that the entity considers burdensome or unnecessary.

(d) REPORT.—Not later than August 1, 2017, the Secretary shall submit to the congressional defense committees a report on the findings of the independent entity, along with a description of any actions that the Secretary proposes to address the findings of the independent entity.

SEC. 834. REVIEW OF ANTI-COMPETITIVE SPECIFICATIONS IN INFORMATION TECHNOLOGY ACQUISITIONS.

(a) REVIEW REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall conduct a review of the policy, guidance, regulations, and training related to specifications included in information technology acquisitions to ensure current policies eliminate the unjustified use of potentially anti-competitive specifications. In conducting the review, the Under Secretary shall examine the use of brand names or proprietary specifications or standards in solicitations for procurements of goods and services, as well as the current acquisition training curriculum related to those areas.

(b) BRIEFING REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Under Secretary shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives on the results of the review required by subsection (a).

(c) ADDITIONAL GUIDANCE.—Not later than one year after the date of the enactment of this Act, the Under Secretary shall revise policies, guidance, and training to incorporate such recommendations as the Under Secretary considers appropriate from the review required by subsection (a).

SEC. 835. COAST GUARD MAJOR ACQUISITION PROGRAMS.

(a) FUNCTIONS OF CHIEF ACQUISITION OFFICER.—Section 56(c) of title 14, United States Code, is amended by striking ''and'' after the semicolon at the end of paragraph (8), striking the period at the end of paragraph (9) and inserting ''; and'', and adding at the end the following:

''(10)(A) keeping the Commandant informed of the progress of major acquisition programs (as that term is defined in section 581);

''(B) informing the Commandant on a continuing basis of any developments on such programs that may require new or revisited trade-offs among cost, schedule, technical feasibility, and performance, including—

''(i) significant cost growth or schedule slippage; and

''(ii) requirements creep (as that term is defined in section 2547(c)(1) of title 10); and

''(C) ensuring that the views of the Commandant regarding such programs on cost, schedule, technical feasibility, and performance trade-offs are strongly considered by program managers and program executive officers in all phases of the acquisition process.''.

(b) CUSTOMER SERVICE MISSION OF DIRECTORATE.—

(1) IN GENERAL.—Chapter 15 of title 14, United States Code, is amended—

(A) in section 561(b)—

(i) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(ii) in paragraph (2), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(3) to meet the needs of customers of major acquisition programs in the most cost-effective manner practicable.'';

(B) in section 562, by repealing subsection (b) and redesignating subsections (c) through (g) as subsections (b) through (f), respectively;

(C) in section 563, by striking ''Not later than 180 days after the date of enactment of the Coast Guard Authorization Act of 2010, the Commandant shall commence implementation of'' and inserting ''The Commandant shall maintain'';

(D) by adding at the end of section 564 the following:

''(c) ACQUISITION OF UNMANNED AERIAL SYSTEMS.—

''(1) IN GENERAL.—The Commandant—

''(A) may not award a contract for design of an unmanned aerial system for use by the Coast Guard; and

''(B) may acquire an unmanned aerial system only—

''(i) if such a system has been acquired or has been used by the Department of Defense or the Department of Homeland Security, or a component thereof, before the date on which the Commandant acquires the system; and

''(ii) through an agreement with such department or component, unless the unmanned aerial system can be obtained at less cost through independent contract action.

''(2) LIMITATION ON APPLICATION.—The limitations of paragraph (1)(B) shall not apply to any small unmanned aerial system that consists of—

''(A) an unmanned aircraft weighing less than 55 pounds on takeoff, including all components and equipment on board or otherwise attached to the aircraft; and

''(B) associated elements (including communication links and the components that control such aircraft) that are required for the safe and efficient operation of such aircraft.'';

(E) in subchapter II, by adding at the end the following:

''§578. Role of Vice Commandant in major acquisition programs

''The Vice Commandant—

''(1) shall represent the customer of a major acquisition program with regard to trade-offs made among cost, schedule, technical feasibility, and performance with respect to such program; and.

''(2) shall advise the Commandant in decisions regarding the balancing of resources against priorities, and associated trade-offs referred to in paragraph (1), on behalf of the customer of a major acquisition program.

''§579. Extension of major acquisition program contracts

''(a) IN GENERAL.—Notwithstanding section 564(a)(2) of this title and section 2304 of title 10, and subject to subsections (b) and (c) of this section, the Secretary may acquire additional units procured under a Coast Guard major acquisition program contract, by extension of such contract without competition, if the Comptroller General of the United States determines that the costs that would be saved through award of a new contract in accordance with such sections would not exceed the costs of such an award.

''(b) LIMITATION ON NUMBER OF ADDITIONAL UNITS.—The number of additional units acquired under a contract extension under this section may not exceed the number of additional units for which such determination is made.

''(c) DETERMINATION OF COSTS UPON REQUEST.—The Comptroller General shall, at the request of the Secretary, determine for purposes of this section—

''(1) the costs that would be saved through award of a new major acquisition program contract in accordance with section 564(a)(2) for the acquisition of a number of additional units specified by the Secretary; and

''(2) the costs of such award, including the costs that would be incurred due to acquisition schedule delays and asset design changes associated with such award.

''(d) NUMBER OF EXTENSIONS.—A contract may be extended under this section more than once.''; and

(F) in section 581—

(i) by redesignating paragraphs (7) through (10) as paragraphs (9) through (12), respectively, and by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(ii) by inserting after paragraph (2) the following:

''(3) CUSTOMER OF A MAJOR ACQUISITION PROGRAM.—The term 'customer of a major acquisition program' means the operating field unit of the Coast Guard that will field the system or systems acquired under a major acquisition program.''; and

(iii) by inserting after paragraph (7), as so redesignated, the following:

''(8) MAJOR ACQUISITION PROGRAM.—The term 'major acquisition program' means an ongoing acquisition undertaken by the Coast Guard with a life-cycle cost estimate greater than or equal to $300,000,000.''.

(2) CONFORMING AMENDMENT.—Section 569a of such title is amended by striking subsection (e).

(3) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end of the items relating to subchapter II the following:

''578. Role of Vice Commandant in major acquisition programs.

''579. Extension of major acquisition program contracts.''.

(c) REVIEW REQUIRED.—

(1) REQUIREMENT.—The Commandant of the Coast Guard shall conduct a review of—

(A) the authorities provided to the Commandant in chapter 15 of title 14, United States Code, and other relevant statutes and regulations related to Coast Guard acquisitions, including developing recommendations to ensure

that the Commandant plays an appropriate role in the development of requirements, acquisition processes, and the associated budget practices;

(B) implementation of the strategy prepared in accordance with section 562(b)(2) of title 14, United States Code, as in effect before the enactment of the National Defense Authorization Act for Fiscal Year 2017; and

(C) acquisition policies, directives, and regulations of the Coast Guard to ensure such policies, directives, and regulations establish a customer-oriented acquisition system.

(2) REPORT.—Not later than March 1, 2017, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing, at a minimum, the following:

(A) The recommendations developed by the Commandant under paragraph (1) and other results of the review conducted under such paragraph.

(B) The actions the Commandant is taking, if any, within the Commandant's existing authority to implement such recommendations.

(3) MODIFICATION OF POLICIES, DIRECTIVES, AND REGULATIONS.—Not later than one year after the date of the enactment of this Act, the Commandant of the Coast Guard shall modify the acquisition policies, directives, and regulations of the Coast Guard as necessary to ensure the development and implementation of a customer-oriented acquisition system, pursuant to the review under paragraph (1)(C).

(d) ANALYSIS OF USING MULTIYEAR CONTRACTING.—

(1) IN GENERAL.—No later than one year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an analysis of the use of multiyear contracting, including procurement authority provided under section 2306b of title 10, United States Code, and authority similar to that granted to the Navy under section 121(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1648) and section 150 of the Continuing Appropriations Act, 2011 (Public Law 111–242; 124 Stat. 3519), to acquire any combination of at least five—

(A) Fast Response Cutters, beginning with hull 43; and

(B) Offshore Patrol Cutters, beginning with hull 5.

(2) CONTENTS.—The analysis under paragraph (1) shall include the costs and benefits of using multiyear contracting, the impact of multiyear contracting on delivery timelines, and whether the acquisitions examined would meet the tests for the use of multiyear procurement authorities.

SEC. 836. WAIVER OF CONGRESSIONAL NOTIFICATION FOR ACQUISITION OF TACTICAL MISSILES AND MUNITIONS GREATER THAN QUANTITY SPECIFIED IN LAW.

Section 2308(c) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''The head'';

(2) by inserting '', except as provided in paragraph (2),'' after ''but''; and

(3) by adding at the end the following new paragraph:

''(2) A notification is not required under paragraph (1) if the end item being acquired in a higher quantity is an end item under a tactical missile program or a munition program.''.

SEC. 837. CLOSEOUT OF OLD DEPARTMENT OF THE NAVY CONTRACTS.

(a) AUTHORITY.—Notwithstanding any other provision of law, the Secretary of the Navy may close out the contracts described in subsection (b) through the issuance of one or more modifications to such contracts without completing further reconciliation audits or corrective actions other than those described in this section. To accomplish closeout of such contracts—

(1) remaining contract balances may be offset with balances in other contract line items within a contract regardless of the year or type of appropriation obligated to fund each contract line item and regardless of whether the appropriations for such contract line items have closed; and

(2) remaining contract balances may be offset with balances on other contracts regardless of the year or type of appropriation obligated to fund each contract and regardless of whether the appropriations for such contract line item have closed.

(b) CONTRACTS COVERED.—The contracts covered by this section are a group of contracts that are with one contractor and identified by the Secretary, each one of which is a contract—

(1) to design, construct, repair, or support the construction or repair of Navy submarines that—

(A) was entered into between fiscal years 1974 and 1998; and

(B) has no further supply or services deliverables due under the terms and conditions of the contract;

(2) with respect to which the Secretary of the Navy has established the total final contract value; and

(3) with respect to which the Secretary of the Navy has determined that the final allowable cost may have a negative or positive unliquidated obligation balance for which it would be difficult to determine the year or type of appropriation because—

(A) the records for the contract have been destroyed or lost; or

(B) the records for the contract are available but the contracting officer, in collaboration with the certifying official, has determined that a discrepancy is of such a minimal value that the time and effort required to determine the cause of an out-of-balance condition is disproportionate to the amount of the discrepancy.

(c) CLOSEOUT.—The contracts described in subsection (b) may be closed out—

(1) upon receipt of $581,803 from the contractor, to be deposited into the Treasury as miscellaneous receipts; and

(2) without seeking further amounts from the contractor, and without payment to the contractor of any amounts that may be due under such contracts.

(d) ADJUSTMENT AND CLOSURE OF RECORDS.—After closeout of any contract described in subsection (b) using the authority of this section, the payment or accounting offices concerned may adjust and close any open finance and accounting records relating to the contract.

SEC. 838. REQUIREMENT THAT CERTAIN SHIP COMPONENTS BE MANUFACTURED IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) ADDITIONAL PROCUREMENT LIMITATION.—Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) COMPONENTS FOR AUXILIARY SHIPS.—Subject to subsection (k), the following components:

''(A) Auxiliary equipment, including pumps, for all shipboard services.

''(B) Propulsion system components, including engines, reduction gears, and propellers.

''(C) Shipboard cranes.

''(D) Spreaders for shipboard cranes.''.

(b) IMPLEMENTATION.—Such section is further amended by adding at the end the following new subsection:

''(k) IMPLEMENTATION OF AUXILIARY SHIP COMPONENT LIMITATION.—Subsection (a)(6) applies only with respect to contracts awarded by the Secretary of a military department for new construction of an auxiliary ship after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 using funds available for National Defense Sealift Fund programs or Shipbuilding and Conversion, Navy.''.

SEC. 839. DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND DETERMINATION ADJUSTMENT.

Subsection (d)(2)(D) of section 1705 of title 10, United States Code, is amended by inserting after ''$400,000,000'' the following: ''except that, in the case of fiscal year 2017, the Secretary may reduce the amount to $0''.

SEC. 840. AMENDMENT TO PROHIBITION ON PERFORMANCE OF NON-DEFENSE AUDITS BY DEFENSE CONTRACT AUDIT AGENCY TO EXEMPT AUDITS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Section 893(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; Stat. 952) is amended—

(1) in paragraph (1), by striking ''Effective'' and inserting ''Except as provided in paragraph (3), effective''; and

(2) by adding at the end the following new paragraph:

''(3) EXCEPTION.—In this subsection, the term 'non-Defense Agencies' does not include the National Nuclear Security Administration.''.

SEC. 841. SELECTION OF SERVICE PROVIDERS FOR AUDITING SERVICES AND AUDIT READINESS SERVICES.

The Department of Defense shall select service providers for auditing services and audit readiness services based on the best value to the Department, as determined by the resource sponsor for an auditing contract, rather than based on the lowest price technically acceptable service provider.

SEC. 842. MODIFICATIONS TO THE JUSTIFICATION AND APPROVAL PROCESS FOR CERTAIN SOLE-SOURCE CONTRACTS FOR SMALL BUSINESS CONCERNS.

(a) REPEAL OF SIMPLIFIED JUSTIFICATION AND APPROVAL PROCESS.—Section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2405; 41 U.S.C. 3304 note) is repealed.

(b) REQUIREMENTS FOR JUSTIFICATION AND APPROVAL PROCESS.—

(1) DEFENSE PROCUREMENTS.—Section 2304(f)(2)(D)(ii) of title 10, United States Code, is amended by inserting ''only if such procurement is for property or services in an amount less than $20,000,000'' before the semicolon at the end.

(2) CIVILIAN PROCUREMENTS.—Section 3304(e)(4) of title 41, United States Code, is amended—

(A) in subparagraph (C), by striking ''or'' at the end;

(B) in subparagraph (D), by striking ''or section 8(a) of the Small Business Act (15 U.S.C. 637(a)).'' and inserting ''; or''; and

(C) by adding at the end the following new subparagraph:

''(E) the procurement is for property or services in an amount less than $20,000,000 and is conducted under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).''.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Goldwater-Nichols Reform

SEC. 901. SENSE OF CONGRESS ON GOLDWATER-NICHOLS REFORM.

It is the sense of Congress that the following principles should be adhered to in any reform of the Goldwater-Nichols Department of Defense Reorganization Act of 1986:

(1) Civilian control of the military and the civilian chain of command must be preserved.

(2) The role of the Chairman of the Joint Chiefs of Staff in providing independent military advice, as the principal military advisor to the President and the Secretary of Defense, must be preserved.

(3) Any changes to the Goldwater-Nichols Act of 1986 should be rooted in a clear identification and understanding of the issues and the objectives and ramifications of any changes.

(4) Any changes to the Goldwater-Nichols Act of 1986 should enhance the capabilities of the United States Armed Forces.

(5) Each Geographical Unified Command has its own distinct area of emphasis and expertise, as well as requirements and responsibilities. Combining Northern Command and Southern Command, or combining European Command and Africa Command, would severely degrade mission effectiveness, but would provide only marginal increased efficiency. Additionally, consolidating Geographic Unified Commands would cause unacceptable risk to both global strategic influence as well as regional capability, and would exacerbate already significant capacity challenges.

(6) The emphasis on strategy and planning in the Goldwater-Nichols Act must be sustained.

(7) Complex security challenges will become increasingly transregional, multi-domain, and multi-functional.

(8) Therefore, the Department of Defense, including streamlined headquarters staffs, must be more agile and adaptive.

SEC. 902. REPEAL OF DEFENSE STRATEGY REVIEW.

(a) REPEAL.—Section 118 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of such title is amended by striking the item relating to section 118.

SEC. 903. COMMISSION ON THE NATIONAL DEFENSE STRATEGY FOR THE UNITED STATES.

(a) ESTABLISHMENT.—There is hereby established a commission to be known as the ''Commission on the National Defense Strategy for the United States''. The purpose of the commission is to examine and make recommendations with respect to national defense strategy for the United States.

(b) COMPOSITION.—

(1) MEMBERSHIP.—The commission shall be composed of 12 members appointed as follows:

(A) Three members appointed by the chair of the Committee on Armed Services of the House of Representatives.

(B) Three members appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(C) Three members appointed by the chair of the Committee on Armed Services of the Senate.

(D) Three members appointed by the ranking minority member of the Committee on Armed Services of the Senate.

(2) CHAIR; VICE CHAIR.—

(A) CHAIR.—The chair of the Committee on Armed Services of the House of Representative and the chair of the Committee on Armed Services of the Senate shall jointly designate one member of the commission to serve as chair of the commission.

(B) VICE CHAIR.—The ranking minority member of the Committee on Armed Services of the House of Representative and the ranking minority member of the Committee on Armed Services of the Senate shall jointly designate one member of the commission to serve as vice chair of the commission.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the commission. Any vacancy in the commission shall be filled in the same manner as the original appointment.

(c) DUTIES.—

(1) REVIEW.—The commission shall review the current national defense strategy of the United States, including the assumptions, missions, force posture and capabilities, and strategic and military risks associated with the strategy.

(2) ASSESSMENT AND RECOMMENDATIONS.—The commission shall conduct a comprehensive assessment of the strategic environment, the size and shape of the force, the readiness of the force, the posture and capabilities of the force, the allocation of resources, and strategic and military risks to provide recommendations on national defense strategy for the United States.

(d) COOPERATION FROM GOVERNMENT.—

(1) COOPERATION.—In carrying out its duties, the commission shall receive the full and timely cooperation of the Secretary of Defense in providing the commission with analysis, briefings, and other information necessary for the fulfillment of its responsibilities.

(2) LIAISON.—The Secretary of Defense shall designate at least one officer or employee of the Department of Defense to serve as a liaison officer between the Department and the commission.

(e) REPORT.—

(1) FINAL REPORT.—Not later than December 1, 2017, the commission shall submit to the President, the Secretary of Defense, the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate a report on the commission's findings, conclusions, and recommendations. The report shall address, but not be limited to, each of the following:

(A) The strategic environment, including security challenges, and the national security interests of the United States.

(B) The military missions for which the Department of Defense should prepare and the force planning construct.

(C) The roles and missions of the Armed Forces to carry out those missions and the roles and capabilities provided by other United States Government agencies and by allies and international partners.

(D) The force size and shape, posture and capabilities, readiness, infrastructure, organization, personnel, and other elements of the defense program necessary to support the strategy.

(E) The resources necessary to support the strategy, including budget recommendations.

(F) The strategic and military risks associated with the strategy, including the relationships and tradeoffs between missions, risks, and resources.

(2) INTERIM BRIEFING.—Not later than June 1, 2017, the commission shall provide to the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate a briefing on the status of its review and assessment, and include a discussion of any interim recommendations.

(f) FUNDING.— Of the amounts authorized to be appropriated or otherwise made available pursuant to this Act to the Department of Defense, $5,000,000 is available to fund the activities of the commission.

(g) TERMINATION.—The commission shall terminate 6 months after the date on which it submits the report required by subsection (e).

SEC. 904. REFORM OF DEFENSE STRATEGIC AND POLICY GUIDANCE.

Subsection (g) of section 113 of title 10, United States Code, is amended to read as follows:

''(g) DEFENSE STRATEGIC AND POLICY GUIDANCE.—

''(1) DEFENSE STRATEGIC GUIDANCE.—The Secretary of Defense, with the advice and assistance of the Chairman of the Joint Chiefs of Staff, shall provide every four years to the heads of the military departments, the unified and specified combatant commands, all other Defense Agencies and Department of Defense Field Activities, and any other elements of the Department of Defense named in paragraphs (1) to (10) of section 111(b) of this title, written strategic guidance expressing the national defense strategy of the United States. The strategic guidance shall—

''(A) support the most recent national security strategy report of the President under section 108 of the National Security Act of 1947 (50 U.S.C. 3043);

''(B) be a mechanism for—

''(i) setting priorities for sizing and shaping the force, guiding the development and sustainment of capabilities, allocating resources, and adjusting the organization of the Department of Defense to respond to changes in the strategic environment;

''(ii) monitoring, assessing, and holding accountable agencies within the Department of Defense for the development of policies and programs that support the national defense strategy;

''(iii) integrating and supporting other national and related interagency security policies and strategies with other Department of Defense guidance, plans, and activities; and

''(iv) communicating such national defense strategy to the American public, Congress, relevant United States Government agencies, and allies and international partners;

''(C) provide a comprehensive discussion of—

''(i) the assumed strategic environment, including security challenges, and the assumed or defined prioritized national security interests and objectives of the United States;

''(ii) the prioritized military missions for which the Department of Defense must prepare and the assumed force planning scenarios and constructs;

''(iii) the roles and missions of the armed forces to carry out those missions, and the assumed roles and capabilities provided by other United States Government agencies and by allies and international partners;

''(iv) the force size and shape, posture, capabilities, readiness, infrastructure, organization, personnel, and other elements of the defense program necessary to support the strategy;

''(v) the resources necessary to support the strategy, including an estimated budget plan; and

''(vi) the strategic and military risks associated with the strategy, including the relationships and tradeoffs between missions, risks, and resources; and

''(D) include any additional or alternative views of the Chairman of the Joint Chiefs of Staff, including any military assessment of risks associated with the defense strategy.

''(2) POLICY GUIDANCE ON DEVELOPMENT OF FORCES.—In implementing the guidance in paragraph (1), the Secretary of Defense, with the advice and assistance of the Chairman of the Joint Chiefs of Staff, shall provide annually to the heads of the military departments, the unified and specified combatant commands, all other Defense Agencies and Department of Defense Field Activities, and any other elements of the Department of Defense named in paragraphs (1) to (10) of section 111(b) of this title, written policy guidance for the preparation and review of the program recommendations and budget proposals of their respective components to guide the development of forces. Such guidance shall include—

''(A) the prioritized national security interests and objectives;

''(B) the prioritized military missions of the Department of Defense, including the assumed force planning scenarios and constructs;

''(C) the force size and shape, posture, capabilities, readiness, infrastructure, organization, personnel, and other elements of the defense program necessary to support the strategy;

''(D) the resource levels projected to be available for the period of time for which such recommendations and proposals are to be effective; and

''(E) a discussion of any changes in the defense strategy and assumptions underpinning the strategy, as required by paragraph (1).

''(3) POLICY GUIDANCE ON CONTINGENCY PLANNING.—In implementing the guidance in paragraph (1), the Secretary of Defense, with the approval of the President and after consultation with the Chairman of the Joint Chiefs of Staff, shall provide, every two years or more frequently as needed, to the Chairman written policy guidance for the preparation and review of contingency plans, including plans for providing support to civil authorities in an incident of national significance or a catastrophic incident, for homeland defense, and for military support to civil authorities. Such guidance shall include guidance on the employment of forces,

including specific force levels and specific supporting resource levels projected to be available for the period of time for which such plans are to be effective.

''(4) SUBMISSION TO CONGRESS.—(A) Not later than February 15th in any calendar year in which any of the written guidance in paragraphs (1), (2), and (3) is required, the Secretary of Defense shall submit to the congressional defense committees a copy of such guidance developed under such paragraphs.

''(B) In addition, not later than February 15th in any calendar year in which the written guidance in paragraph (1) is required, the Secretary of Defense shall submit to the congressional defense committees a detailed summary of any classified aspects of the strategic guidance, including assumptions regarding the strategic environment; military missions; force planning scenarios and constructs; force size, shape, posture, capabilities, and readiness; and any additional or alternative views of the Chairman of the Joint Chiefs of Staff.''.

SEC. 905. REFORM OF THE NATIONAL MILITARY STRATEGY.

Paragraph (1) of section 153(b) of title 10, United States Code, is amended to read as follows:

''(1) NATIONAL MILITARY STRATEGY.—(A) The Chairman shall determine each even-numbered year whether to prepare a new National Military Strategy in accordance with this subparagraph or to update a strategy previously prepared in accordance with this subsection. The Chairman shall provide such National Military Strategy or update to the Secretary of Defense in time for transmittal to Congress pursuant to paragraph (3), including in time for inclusion of the report of the Secretary of Defense, if any, under paragraph (4).

''(B) Each National Military Strategy (or update) under this paragraph shall be based on a comprehensive review conducted by the Chairman in conjunction with the other members of the Joint Chiefs of Staff and the commanders of the unified and specified combatant commands. Each update shall address only those parts of the most recent National Military Strategy for which the Chairman determines, on the basis of this review, that a modification is needed.

''(C) Each National Military Strategy (or update) submitted under this paragraph shall describe how the military will support the objectives of the United States as articulated in—

''(i) the most recent National Security Strategy prescribed by the President pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 3043);

''(ii) the most recent annual report of the Secretary of Defense submitted to the President and Congress pursuant to section 113 of this title;

''(iii) the most recent defense strategic guidance provided by the Secretary of Defense pursuant to section 113 of this title; and

''(iv) any other national security or defense strategic guidance issued by the President or the Secretary of Defense.

''(D) At a minimum, each National Military Strategy (or update) submitted under this paragraph shall be a mechanism for—

''(i) developing military ends, ways, and means to support the objectives referred to in subparagraph (C);

''(ii) assessing strategic and military risks, and developing risk mitigation options;

''(iii) establishing a strategic framework for the development of operational and contingency plans;

''(iv) prioritizing joint force capabilities, capacities, and resources; and

''(v) establishing military guidance for the development of the joint force.''.

SEC. 906. MODIFICATION TO INDEPENDENT STUDY OF NATIONAL SECURITY STRATEGY FORMULATION PROCESS.

Section 1064(b)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 989) is amended—

(1) in subparagraph (D), by inserting '', including Congress,'' after ''Federal Government''; and

(2) by adding at the end the following new subparagraph:

''(E) The capabilities and limitations of the Department of Defense workforce responsible for conducting strategic planning, including recommendations for improving the workforce through training, education, and career management.''.

SEC. 907. TERM OF OFFICE FOR THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.

(a) AMENDMENTS.—Section 152(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''a term of two years'' and all that follows through the end and inserting the following: ''a term of four years, beginning on October 1 of a year that is three years following a year evenly divisible by four. The limitation of this paragraph on the length of term does not apply in time of war.''; and

(2) in paragraph (3), by striking ''exceeds six years'' and all that follows through the end and inserting the following: ''exceeds eight years. The limitation of this paragraph does not apply in time of war.''.

(b) DELAYED EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2019.

SEC. 908. RESPONSIBILITIES OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF RELATING TO OPERATIONS.

Section 153(a) of title 10, United States Code, is amended—

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

(2) by inserting after paragraph (3) the following new paragraph (4):

''(4) ADVICE ON OPERATIONS.—Advising—

''(A) the President and the Secretary of Defense on ongoing military operations; and

''(B) the Secretary on the allocation and transfer of forces among geographic and functional combatant commands, as necessary, to address transregional, multi-domain, and multi-functional threats.''.

SEC. 909. ASSIGNED FORCES WITHIN THE CONTINENTAL UNITED STATES.

Section 162(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by inserting after ''of this title'' the following: '', other forces within the continental United States that are directed by the Secretary of Defense to be assigned to a military department,''; and

(2) in paragraph (4), by inserting after ''unified combatant command'' the following: '', other than forces within the continental United States that are directed by the Secretary to be assigned to a military department,''.

SEC. 910. REDUCTION IN GENERAL OFFICER AND FLAG OFFICER GRADES AND POSITIONS.

(a) GRADE OF SERVICE OR FUNCTIONAL COMPONENT COMMANDER.—Section 164(e) of title 10, United States Code, is amended by adding after paragraph (4) the following new paragraph:

''(5) The grade of an officer serving as a commander of a service or functional component command under a commander of a combatant command shall be no higher than lieutenant general or vice admiral.''.

(b) DEFINITIONS.—Section 164 of such title is further amended by adding at the end the following new subsection:

''(h) DEFINITIONS.—For purposes of this section—

''(1) a service component command is subordinate to the commander of a unified command and consists of the service component commander and the service forces (such as individuals, units, detachments, and organizations, including the support forces), as assigned by the Secretary of Defense, that have been assigned to that combatant commander; and

''(2) a functional component command is a command normally, but not necessarily, composed of forces of two or more military departments which may be established across the range of military operations to perform particular operational missions that may be of short duration or may extend over a period of time.''.

(c) REDUCTION IN POSITIONS.—

(1) REDUCTION.—The Secretary of Defense shall reduce the total number of officers in the grade of general or admiral on active duty by five positions.

(2) REPORT.—The Secretary of Defense shall submit to the congressional defense committees a report on how the Department of Defense plans to implement the reductions required by paragraph (1), including how to balance and reduce the total number of general officers and flag officers in accordance with sections 525 and 526 of title 10, United States Code.

(d) TREATMENT OF CURRENT COMMANDERS.—An officer serving on the date of the enactment of this Act as a commander of a service or functional component command under a commander of a combatant command shall serve in that position until the appointment of another officer in accordance with the amendment made by subsection (a).

SEC. 911. ESTABLISHMENT OF UNIFIED COMBATANT COMMAND FOR CYBER OPERATIONS.

(a) ESTABLISHMENT OF CYBER COMMAND.—Chapter 6 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 169. Unified combatant command for cyber operations

''(a) ESTABLISHMENT.—With the advice and assistance of the Chairman of the Joint Chiefs of Staff, the President, through the Secretary of Defense, shall establish under section 161 of this title a unified combatant command for cyber operations forces (hereinafter in this section referred to as the 'cyber command'). The principal function of the command is to prepare cyber operations forces to carry out assigned missions.

''(b) ASSIGNMENT OF FORCES.—Unless otherwise directed by the Secretary of Defense, all active and reserve cyber operations forces of the armed forces stationed in the United States shall be assigned to the cyber command.

''(c) GRADE OF COMMANDER.—The commander of the cyber operations command shall hold the grade of general or, in the case of an officer of the Navy, admiral while serving in that position, without vacating his permanent grade. The commander of such command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position.

''(d) COMMAND OF ACTIVITY OR MISSION.—(1) Unless otherwise directed by the President or the Secretary of Defense, a cyber operations activity or mission shall be conducted in coordination with the command of the commander of the unified combatant command in whose geographic area the activity or mission is to be conducted.

''(2) The commander of the cyber command shall exercise command of a selected cyber operations mission if directed to do so by the President or the Secretary of Defense.

''(e) AUTHORITY OF COMBATANT COMMANDER.—(1) In addition to the authority prescribed in section 164(c) of this title, the commander of the cyber command shall be responsible for, and shall have the authority to conduct, all affairs of such command relating to cyber operations activities.

''(2) The commander of such command shall be responsible for, and shall have the authority to conduct, the following functions relating to cyber operations activities (whether or not relating to the cyber command):

''(A) Developing strategy, doctrine, and tactics.

''(B) Preparing and submitting to the Secretary of Defense program recommendations and

budget proposals for cyber operations forces and for other forces assigned to the cyber command.

''(C) Exercising authority, direction, and control over the expenditure of funds—

''(i) for forces assigned directly to the cyber command; and

''(ii) for cyber operations forces assigned to unified combatant commands other than the cyber command, with respect to all matters covered by section 807 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 114–92; 129 Stat. 886; 10 U.S.C. 2224 note) and, with respect to a matter not covered by such section, to the extent directed by the Secretary of Defense.

''(D) Training assigned forces.

''(E) Conducting specialized courses of instruction for commissioned and noncommissioned officers.

''(F) Validating requirements.

''(G) Establishing priorities for requirements.

''(H) Ensuring the interoperability of equipment and forces.

''(I) Formulating and submitting requirements for intelligence support.

''(J) Monitoring the promotions, assignments, retention, training, and professional military education of cyber operations forces officers.

''(3) The commander of the cyber command shall be responsible for—

''(A) ensuring the combat readiness of forces assigned to the cyber command; and

''(B) monitoring the preparedness to carry out assigned missions of cyber forces assigned to unified combatant commands other than the cyber command.

''(C) The staff of the commander shall include an inspector general who shall conduct internal audits and inspections of purchasing and contracting actions through the cyber operations command and such other inspector general functions as may be assigned.

''(f) INTELLIGENCE AND SPECIAL ACTIVITIES.—This section does not constitute authority to conduct any activity which, if carried out as an intelligence activity by the Department of Defense, would require a notice to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''169. Unified combatant command for cyber operations.''.

SEC. 912. REVISION OF REQUIREMENTS RELATING TO LENGTH OF JOINT DUTY ASSIGNMENTS.

(a) MINIMUM LENGTH OF ASSIGNMENT.—Section 664(a) of title 10, United States Code, is amended by striking ''assignment—'' and paragraphs (1) and (2) and inserting '' assignment shall not be less than two years.''.

(b) REPEAL OF REQUIREMENTS RELATING TO INITIAL ASSIGNMENT OF CERTAIN OFFICERS AND AVERAGE TOUR LENGTHS.—Section 664 of title 10, United States Code, is amended by striking subsections (c) and (e).

(c) EXCLUSIONS FROM TOUR LENGTH.—Section 664(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking in subparagraph (D) and inserting the following new subparagraph:

''(D) a qualifying reassignment from a joint duty assignment as prescribed by the Secretary of Defense by regulation.'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(d) FULL TOUR OF DUTY.—Section 664(f) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''prescribed in'' and inserting ''prescribed under'';

(2) by striking paragraphs (2) and (4);

(3) by redesignating paragraphs (3) and (5) as paragraphs (2) and (3), respectively; and

(4) by redesignating paragraph (6) as paragraph (4), and in that paragraph, by striking '', but not less than two years''.

(e) CONSTRUCTIVE CREDIT.—Section 664(h) of title 10, United States Code, is amended—

(1) by striking ''(1) The Secretary of Defense may accord'' and inserting ''The Secretary of Defense may award''; and

(2) by striking paragraph (2).

(f) CLERICAL AND CONFORMING AMENDMENTS.—Section 664 of title 10, United States Code, is further amended—

(1) by redesignating subsections (d), (f), (g), and (h) as subsections (c), (d), (e), and (f), respectively;

(2) in subsection (c), as redesignated, by striking ''subsection (f)(3)'' and inserting ''subsection (d)(2)'';

(3) in subsection (d), as redesignated, by striking ''subsection (g)'' and inserting ''subsection (e)'';

(4) in subsection (e), as redesignated, by striking '' subsection (f)(3)'' and inserting '' subsection (d)(2)''; and

(5) in subsection (f), as redesignated, by striking ''paragraphs (1), (2), and (4) of subsection (f)'' and inserting ''subsection (d)(1)''.

SEC. 913. REVISION OF DEFINITIONS USED FOR JOINT OFFICER MANAGEMENT.

(a) DEFINITION OF JOINT MATTERS.—Paragraph (1) of section 668(a) of title 10, United States Code, is amended to read as follows:

''(1) In this chapter, the term 'joint matters' means matters related to any of the following:

''(A) The development or achievement of strategic objectives through the synchronization, coordination, and organization of integrated forces in operations conducted across domains, such as land, sea, or air, in space, or in the information environment, including matters relating to any of the following:

''(i) National military strategy.

''(ii) Strategic planning and contingency planning.

''(iii) Command and control, intelligence, fires, movement and maneuver, protection or sustainment of operations under unified command.

''(iv) National security planning with other departments and agencies of the United States.

''(v) Combined operations with military forces of allied nations.

''(B) Acquisition matters conducted by members of the armed forces and covered under chapter 87 of this title involved in developing, testing, contracting, producing, or fielding of multi-service programs or systems.

''(C) Other matters designated in regulation by the Secretary of Defense in consultation with the Chairman of the Joint Chiefs of Staff.''.

(b) DEFINITION OF INTEGRATED FORCES.—Section 668(a)(2) of title 10, United States Code, is amended in the matter preceding subparagraph (A)—

(1) by striking ''integrated military forces'' and inserting ''integrated forces''; and

(2) by striking ''the planning or execution (or both) of operations involving'' and inserting ''achieving unified action with''.

(c) DEFINITION OF JOINT DUTY ASSIGNMENT.—Section 668(b)(1) of title 10, United States Code, is amended by striking subparagraph (A) and inserting the following new subparagraph:

''(A) shall be limited to assignments in which—

''(i) the preponderance of the duties of the officer involve joint matters and

''(ii) the officer gains significant experience in joint matters; and''.

(d) REPEAL OF DEFINITION OF CRITICAL OCCUPATIONAL SPECIALITY.—Section 668 of title 10, United States Code, is amended by striking subsection (d).

SEC. 914. INDEPENDENT ASSESSMENT OF COMBATANT COMMAND STRUCTURE.

(a) ASSESSMENT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity with appropriate expertise to conduct an assessment on combatant command structure, and to provide recommendations for improving the overall effectiveness of combatant command structures.

(b) ELEMENTS.—The assessment shall include an examination of the following:

(1) The evolution of combatant command requirements and resources over the last 15 years of conflict.

(2) The organization, composition, and size of combatant commands.

(3) The resources of combatant commands, including the degree to which combatant commands are adequately resourced and the degree to which combatant command requirements for forces are met.

(4) The benefits, drawbacks, and resource implications of eliminating, consolidating, or altering the structure of combatant commands.

(5) A comparison of combatant command structures with alternative structures, including Joint Task Force or task-organized forces below the combatant command level.

(c) REPORT.—Not later than March 1, 2017, the Secretary of Defense shall submit to the congressional defense committees a report on the findings and recommendations of the independent entity.

Subtitle B—Other Matters

SEC. 921. MODIFICATIONS TO CORROSION REPORT.

(a) MODIFICATIONS TO REPORT TO CONGRESS.—Section 2228(e)(1) of title 10, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by inserting after ''2009'' the following: ''and ending with the budget submitted on or before January 31, 2021'';

(2) by amending subparagraph (B) to read as follows:

''(B) The estimated composite return on investment achieved by implementing the strategy, and documented in the assessments by the Department of Defense of completed corrosion projects and activities.'';

(3) by amending subparagraph (D) to read as follows:

''(D) If the full amount of funding requirements is not requested in the budget, the reasons for not including the full amount and a description of the impact on readiness, logistics, and safety of not fully funding required corrosion prevention and mitigation activities''; and

(4) in subparagraph (F), by striking ''pilot''.

(b) REPORT TO DIRECTOR OF CORROSION POLICY AND OVERSIGHT.—Section 2228(e)(2) of such title is amended—

(1) by inserting ''(A)'' before ''Each report'';

(2) by striking ''a copy of'' and all that follows through the period and inserting ''a summary of the most recent report required by subparagraph (B)''; and

(3) by adding at the end the following new subparagraph:

''(B) Not later than December 31 of each year, through December 31, 2020, the corrosion control and prevention executive of a military department shall submit to the Director of Corrosion Policy and Oversight a report containing recommendations pertaining to the corrosion control and prevention program of the military department. Such report shall include recommendations for the funding levels necessary for the executive to carry out the duties of the executive under this section. The report required under this subparagraph shall—

''(i) provide a summary of key accomplishments, goals, and objectives of the corrosion control and prevention program of the military department; and

''(ii) include the performance measures used to ensure that the corrosion control and prevention program achieved the goals and objectives described in clause (i).''.

(c) CONFORMING REPEAL.—Section 903(b) of Public Law 110–417 (10 U.S.C. 2228 note) is amended by striking paragraph (5).

SEC. 922. AUTHORITY TO EMPLOY CIVILIAN FACULTY MEMBERS AT JOINT SPECIAL OPERATIONS UNIVERSITY.

Section 1595(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) The Joint Special Operations University.''.

SEC. 923. GUIDELINES FOR CONVERSION OF FUNCTIONS PERFORMED BY CIVILIAN OR CONTRACTOR PERSONNEL TO PERFORMANCE BY MILITARY PERSONNEL.

Section 129a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) GUIDELINES FOR PERFORMANCE OF CERTAIN FUNCTIONS BY MILITARY PERSONNEL.—(1) Except as provided in paragraph (2), no functions performed by civilian personnel or contractors may be converted to performance by military personnel unless—

''(A) there is a direct link between the functions to be performed and a military occupational specialty; and

''(B) the conversion to performance by military personnel is cost effective, based on Department of Defense instruction 7041.04 (or any successor administrative regulation, directive, or policy).

''(2) Paragraph (1) shall not apply to the following functions:

''(A) Functions required by law or regulation to be performed by military personnel.

''(B) Functions related to—

''(i) missions involving operation risks and combatant status under the Law of War;

''(ii) specialized collective and individual training requiring military-unique knowledge and skills based on recent operational experience;

''(iii) independent advice to senior civilian leadership in the Department of Defense requiring military-unique knowledge and skills based on recent operational experience; and

''(iv) command and control arrangements under chapter 47 of this title (the Uniform Code of Military Justice).''.

SEC. 924. PUBLIC RELEASE BY INSPECTORS GENERAL OF REPORTS OF MISCONDUCT.

(a) RELEASE OF INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE ADMINISTRATIVE MISCONDUCT REPORTS.—Section 141 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) Within 60 days after issuing a final report, the Inspector General of the Department of Defense shall publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and violations of policies of the Department of Defense, of members of the Senior Executive Service, individuals who are employed in positions of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations, or commissioned officers in the Armed Forces in pay grades O–6 promotable and above. In releasing the reports, the Inspector General shall ensure that information that would be protected under section 552 of title 5 (commonly known as the 'Freedom of Information Act'), section 552a of title 5 (commonly known as the 'Privacy Act of 1974'), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.''.

(b) RELEASE OF INSPECTOR GENERAL OF THE ARMY ADMINISTRATIVE MISCONDUCT REPORTS.—Section 3020 of such title is amended by adding at the end the following new subsection:

''(f) Within 60 days after issuing a final report, the Inspector General of the Army shall publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and violations of policies of the Department of Defense, of members of the Senior Executive Service, individuals who are employed in positions of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations, or commissioned officers in the Armed Forces in pay grades O–6 promotable and above. In releasing the reports, the Inspector General shall ensure that information that would be protected under section 552 of title 5 (commonly known as the 'Freedom of Information Act'), section 552a of title 5 (commonly known as the 'Privacy Act of 1974'), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.''.

(c) RELEASE OF NAVAL INSPECTOR GENERAL ADMINISTRATIVE MISCONDUCT REPORTS.—Section 5020 of such title is amended by adding at the end the following new subsection:

''(e) Within 60 days after issuing a final report, the Naval Inspector General shall publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and violations of policies of the Department of Defense, of members of the Senior Executive Service, individuals who are employed in positions of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations, or commissioned officers in the Armed Forces in pay grades O–6 promotable and above. In releasing the reports, the Naval Inspector General shall ensure that information that would be protected under section 552 of title 5 (commonly known as the 'Freedom of Information Act'), section 552a of title 5 (commonly known as the 'Privacy Act of 1974'), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.''.

(d) RELEASE OF INSPECTOR GENERAL OF THE AIR FORCE ADMINISTRATIVE MISCONDUCT REPORTS.—Section 8020 of such title is amended by adding at the end the following new subsection:

''(f) Within 60 days after issuing a final report, the Inspector General of the Air Force shall publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and violations of policies of the Department of Defense, of members of the Senior Executive Service, individuals who are employed in positions of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations, or commissioned officers in the Armed Forces in pay grades O–6 promotable and above. In releasing the reports, the Inspector General shall ensure that information that would be protected under section 552 of title 5 (commonly known as the 'Freedom of Information Act'), section 552a of title 5 (commonly known as the 'Privacy Act of 1974'), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.''.

SEC. 925. MODIFICATIONS TO REQUIREMENTS FOR ACCOUNTING FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES LISTED AS MISSING.

(a) LIMITATION OF DEFENSE POW/MIA ACCOUNTING AGENCY TO MISSING PERSONS FROM PAST CONFLICTS.—Section 1501(a) of title 10, United States Code, is amended—

(1) in paragraph (1)(A), by inserting ''from past conflicts'' after ''matters relating to missing persons'';

(2) in paragraph (2)—

(A) by striking subparagraph (A);

(B) by redesignating subparagraphs (B), (C), (D), (E), and (F) as subparagraphs (A), (B), (C), (D), and (E), respectively; and

(C) by inserting ''from past conflicts'' after ''missing persons'' each place it appears;

(3) in paragraph (4)—

(A) by striking ''for personal recovery (including search, rescue, escape, and evasion) and''; and

(B) by inserting ''from past conflicts'' after ''missing persons''; and

(4) by striking paragraph (5).

(b) ACTION UPON DISCOVERY OR RECEIPT OF INFORMATION.—Section 1505(c) of such title is amended by striking ''designated Agency Director'' in paragraphs (1), (2), and (3) and inserting ''Secretary of Defense''.

(c) DEFINITION OF ''ACCOUNTED FOR''.—Section 1513(3)(B) of such title is amended by inserting ''to the extent practicable'' after ''are recovered''.

Subtitle C—Department of the Navy and Marine Corps

SEC. 931. REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.

(a) REDESIGNATION OF MILITARY DEPARTMENT.—The military department designated as the Department of the Navy is redesignated as the Department of the Navy and Marine Corps.

(b) REDESIGNATION OF SECRETARY AND OTHER STATUTORY OFFICES.—

(1) SECRETARY.—The position of the Secretary of the Navy is redesignated as the Secretary of the Navy and Marine Corps.

(2) OTHER STATUTORY OFFICES.—The positions of the Under Secretary of the Navy, the four Assistant Secretaries of the Navy, and the General Counsel of the Department of the Navy are redesignated as the Under Secretary of the Navy and Marine Corps, the Assistant Secretaries of the Navy and Marine Corps, and the General Counsel of the Department of the Navy and Marine Corps, respectively.

SEC. 932. CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.

(a) DEFINITION OF ''MILITARY DEPARTMENT''.—Paragraph (8) of section 101(a) of title 10, United States Code, is amended to read as follows:

''(8) The term 'military department' means the Department of the Army, the Department of the Navy and Marine Corps, and the Department of the Air Force.''.

(b) ORGANIZATION OF DEPARTMENT.—The text of section 5011 of such title is amended to read as follows: ''The Department of the Navy and Marine Corps is separately organized under the Secretary of the Navy and Marine Corps.''.

(c) POSITION OF SECRETARY.—Section 5013(a)(1) of such title is amended by striking ''There is a Secretary of the Navy'' and inserting ''There is a Secretary of the Navy and Marine Corps''.

(d) CHAPTER HEADINGS.—

(1) The heading of chapter 503 of such title is amended to read as follows:

''CHAPTER 503—DEPARTMENT OF THE NAVY AND MARINE CORPS''.

(2) The heading of chapter 507 of such title is amended to read as follows:

''CHAPTER 507—COMPOSITION OF THE DEPARTMENT OF THE NAVY AND MARINE CORPS''.

(e) OTHER AMENDMENTS.—

(1) Title 10, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the Navy'' each place they appear other than as specified in subsections (a), (b), (c), and (d) (including in section headings, subsection captions, tables of chapters, and tables of sections) and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively, in each case with the matter inserted to be in the same typeface and typestyle as the matter stricken.

(2)(A) Sections 5013(f), 5014(b)(2), 5016(a), 5017(2), 5032(a), and 5042(a) of such title are amended by striking ''Assistant Secretaries of the Navy'' and inserting ''Assistant Secretaries of the Navy and Marine Corps''.

(B) The heading of section 5016 of such title, and the item relating to such section in the table of sections at the beginning of chapter 503 of such title, are each amended by inserting ''and Marine Corps'' after ''of the Navy'', with the matter inserted in each case to be in the same typeface and typestyle as the matter amended.

SEC. 933. OTHER PROVISIONS OF LAW AND OTHER REFERENCES.

(a) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the

Navy'' each place they appear and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively.

(b) OTHER REFERENCES.—Any reference in any law other than in title 10 or title 37, United States Code, or in any regulation, document, record, or other paper of the United States, to the Department of the Navy shall be considered to be a reference to the Department of the Navy and Marine Corps. Any such reference to an office specified in section 2(b) shall be considered to be a reference to that officer as redesignated by that section.

SEC. 934. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle shall take effect on the first day of the first month beginning more than 60 days after the date of the enactment of this Act.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2017 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $5,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. REQUIREMENT TO TRANSFER FUNDS FROM DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND TO THE TREASURY.

(a) TRANSFER REQUIRED.—During fiscal year 2017, the Secretary of Defense shall transfer, from amounts available in the Department of Defense Acquisition Workforce Development Fund from amounts credited to the Fund pursuant to section 1705(d)(2) of title 10, United States Code, $475,000,000 to the Secretary of the Treasury for deposit in the general fund of the Treasury.

(b) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to any other transfer authority contained in this Act.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF FOREIGN GOVERNMENTS.

Section 1033(a)(2) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), as most recently amended by section 1012 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 963), is further amended by striking ''September 30, 2017'' and inserting ''September 30, 2019''.

SEC. 1012. SECRETARY OF DEFENSE REVIEW OF CURRICULA AND PROGRAM STRUCTURES OF NATIONAL GUARD COUNTERDRUG SCHOOLS.

(a) IN GENERAL.—Section 901 of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469; 32 U.S.C. 112 note) is amended—

(1) by redesignating subsections (e) through (g) as subsections (f) through (h), respectively; and

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

''(e) CURRICULUM REVIEW.—The Secretary of Defense may review and approve the curriculum and program structure of each school established under this section.''.

(b) TECHNICAL AMENDMENT.—Subsection (d)(1) of such section is amended by striking ''section 112(b) of that title 32'' and inserting ''section 112(b) of title 32''.

SEC. 1013. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as most recently amended by section 1011(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 962), is further amended—

(1) in subsection (a), by striking ''2017'' and inserting ''2018''; and

(2) in subsection (c), by striking ''2017'' and inserting ''2018''.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. DEFINITION OF SHORT-TERM WORK WITH RESPECT TO OVERHAUL, REPAIR, OR MAINTENANCE OF NAVAL VESSELS.

Section 7299a(c)(4) of title 10, United States Code, is amended by striking ''six months'' and inserting ''10 months''.

SEC. 1022. WARRANTY REQUIREMENTS FOR SHIPBUILDING CONTRACTS.

(a) IN GENERAL.—Chapter 633 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 7318. Warranty requirements for shipbuilding contracts

''(a) REQUIREMENT.—A contracting officer for a contract for which funds are expended from the Shipbuilding and Conversion, Navy account shall require, as a condition of the contract, that the work performed under the contract is covered by a warranty for a period of at least one year.

''(b) WAIVER.—If the contracting officer for a contract covered by the requirement under subsection (a) determines that a limited liability of warranted work is in the best interest of the Government, the contracting officer may agree to limit the liability of the work performed under the contract to a level that the contracting officer determines is sufficient to protect the interests of the Government and in keeping with historical levels of warranted work on similar vessels.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''7318. Warranty requirements for shipbuilding contracts.''.

SEC. 1023. NATIONAL SEA-BASED DETERRENCE FUND.

(a) TRANSFER AUTHORITY.—Section 1022(b)(1) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3487), as amended by section 1022(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), is further amended by striking ''or 2017'' and inserting ''2017, or 2018''.

(b) AUTHORITY FOR MULTIYEAR PROCUREMENT OF CRITICAL COMPONENTS TO SUPPORT CONTINUOUS PRODUCTION.—Section 2218a of title 10, United States Code, is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

''(i) AUTHORITY FOR MULTIYEAR PROCUREMENT OF CRITICAL COMPONENTS TO SUPPORT CONTINUOUS PRODUCTION.—(1) To implement the continuous production of critical components, the Secretary of the Navy may use funds deposited in the Fund, in conjunction with funds appropriated for the procurement of other nuclear-powered vessels, to enter into one or more multiyear contracts (including economic ordering quantity contracts), for the procurement of critical contractor-furnished and Government-furnished components for national sea-based deterrence vessels. The authority under this subsection extends to the procurement of equivalent critical parts, components, systems, and subsystems common with and required for other nuclear-powered vessels.

''(2) Any contract entered into pursuant to paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose and that the total liability to the Government for the termination of the contract shall be limited to the total amount of funding obligated for the contract as of the date of the termination.''.

(c) DEFINITION OF NATIONAL SEA-BASED DETERRENCE VESSEL.—Subsection (k)(2) of such section, as redesignated by subsection (b), is amended—

(1) by striking ''any vessel'' and inserting ''any submersible vessel constructed or purchased after fiscal year 2016 that is''; and

(2) by inserting ''and'' before ''that carries''.

SEC. 1024. AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA-CLASS CRUISERS OR DOCK LANDING SHIPS.

(a) LIMITATION ON RETIREMENT OR INACTIVATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2017 may be obligated or expended—

(1) to retire, prepare to retire, or inactivate a cruiser or dock landing ship; or

(2) to place in a modernization status more than six cruisers and one dock landing ship identified in section 1026(a)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3490).

(b) HULL, MECHANICAL, AND ELECTRICAL MODERNIZATION.—Not more than 75 percent of the funds made available for the Office of the Secretary of Defense for fiscal year 2017 may be obligated until the Secretary of the Navy—

(1) enters into a contract for the modernization industrial period associated with four cruisers and one dock landing ship referred to in section 1026(a)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3490); and

(2) enters into a contract for the procurement of combat systems upgrades associated with six such cruisers and one such dock landing ship.

SEC. 1025. RESTRICTIONS ON THE OVERHAUL AND REPAIR OF VESSELS IN FOREIGN SHIPYARDS.

(a) IN GENERAL.—Section 7310(b)(1) of title 10, United States Code, is amended—

(1) by striking ''In the case'' and inserting ''(A) Except as provided in subparagraph (B), in the case'';

(2) by striking ''during the 15-month'' and all that follows through ''United States)'';

(3) by inserting before the period at the end the following: '', other than in the case of voyage repairs''; and

(4) by adding at the end the following new subparagraph:

''(B) The Secretary of the Navy may waive the application of subparagraph (A) to a contract award if the Secretary determines that the waiver is essential to the national security interests of the United States.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the later of the following dates:

(1) The date of the enactment of the National Defense Authorization Act for Fiscal Year 2018.

(2) October 1, 2017.

Subtitle D—Counterterrorism

SEC. 1031. FREQUENCY OF COUNTERTERRORISM OPERATIONS BRIEFINGS.

(a) IN GENERAL.—Subsection (a) of section 485 of title 10, United States Code is amended by striking ''quarterly'' and inserting ''monthly''.

*(b) SECTION HEADING.—The section heading for such section is amended by striking ''**Quarterly**'' and inserting ''**Monthly**''.*

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of such title is amended by striking the item relating to section 485 and inserting the following new item:

''485. Monthly counterterrorism operations briefings.''.

SEC. 1032. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA TO THE UNITED STATES.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2017, to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 1033. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2017, to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' has the meaning given that term in section 1034(f)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10 U.S. C. 801 note).

SEC. 1034. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE TO CERTAIN COUNTRIES OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2017, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of any country, or any entity within such country, as follows:

(1) Libya.

(2) Somalia.

(3) Syria.

(4) Yemen.

SEC. 1035. PROHIBITION ON USE OF FUNDS FOR REALIGNMENT OF FORCES AT OR CLOSURE OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense for fiscal year 2017 may be used—

(1) to close or abandon United States Naval Station, Guantanamo Bay, Cuba;

(2) to relinquish control of Guantanamo Bay to the Republic of Cuba; or

(3) to implement a material modification to the Treaty Between the United States of America and Cuba signed at Washington, D.C. on May 29, 1934, that constructively closes United States Naval Station, Guantanamo Bay.

SEC. 1036. MODIFICATION OF CONGRESSIONAL NOTIFICATION OF SENSITIVE MILITARY OPERATIONS.

Section 130f of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in the first sentence, by inserting ''no later than 48 hours'' after ''under this title''; and

(B) in the second sentence, by inserting ''and the National Defense Authorization Act for Fiscal Year 2017'' before the period at the end; and

(2) by striking subsection (d) and inserting the following:

''(d) SENSITIVE MILITARY OPERATION DEFINED.—In this section, the term 'sensitive military operation' means an operation—

''(1) conducted by the United States armed forces outside the United States, whether conducted by the United States acting alone or cooperatively;

''(2) conducted pursuant to—

''(A) the Authorization for the Use of Military Force (Public Law 107–40; 50 U.S.C. 1541); or

''(B) any other authority except—

''(i) a declaration of war; or

''(ii) a specific statutory authorization for the use of force other than the authorization referred to in subparagraph (A);

''(3) conducted outside a theater of major hostilities; and

''(4) that is either—

''(A) a lethal operation;

''(B) a capture operation; or

''(C) an activity of self-defense, collective self defense, or in defense of a foreign partner during a cooperative operation.''.

SEC. 1037. COMPREHENSIVE STRATEGY FOR DETENTION OF CERTAIN INDIVIDUALS.

(a) IN GENERAL.—Not later than July 19, 2017, the Secretary of Defense shall, in consultation with the Attorney General and the Director of National Intelligence, submit to the appropriate congressional committees a report setting forth the details of a comprehensive strategy for the detention of current and future individuals captured and held pursuant to the Authorization for Use of Military Force (Public Law 107–40) pending the end of hostilities.

(b) COMPREHENSIVE STRATEGY.—The comprehensive detention strategy required by subsection (a) shall contain the following:

(1) A policy and plan applicable to individuals lawfully detained under the effective control of the United States.

(2) A description of how intelligence information is currently gathered from individuals captured in theaters of combat operation.

(3) A plan for the disposition of individuals captured in the future.

(4) A description of how the United States will acquire intelligence information in the future.

(5) A plan for the disposition of individuals held pursuant to the Authorization for Use of Military Force who are currently detained at the United States Naval Base, Guantanamo Bay, Cuba.

(c) FORM.—The comprehensive detention strategy required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate; and

(3) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. EXPANDED AUTHORITY FOR TRANSPORTATION BY THE DEPARTMENT OF DEFENSE OF NON-DEPARTMENT OF DEFENSE PERSONNEL AND CARGO.

(a) TRANSPORTATION OF ALLIED AND CIVILIAN PERSONNEL AND CARGO.—Subsection (c) of section 2649 of title 10, United States Code, is amended—

(1) in the subsection heading, by striking ''PERSONNEL'' and inserting ''AND CIVILIAN PERSONNEL AND CARGO'';

(2) by striking ''Until January 6, 2016, when'' and inserting ''When''; and

(3) by striking ''allied forces or civilians'', and inserting ''allied and civilian personnel and cargo''.

(b) COMMERCIAL INSURANCE.—Such section is further amended by adding at the end the following new subsection:

''(d) COMMERCIAL INSURANCE.—The Secretary may enter into a contract or other arrangement with one or more commercial providers to make insurance products available to non-Department of Defense shippers using the Defense Transportation System to insure against the loss or damage of the shipper's cargo. Any such contract or arrangement shall provide that—

''(1) any insurance premium is collected by the commercial provider;

''(2) any claim for loss or damage is processed and paid by the commercial provider;

''(3) the commercial provider agrees to hold the United States harmless and waive any recourse against the United States for amounts paid to an insured as a result of a claim; and

''(4) the contract between the commercial provider and the insured shall contain a provision whereby the insured waives any claim against the United States for loss or damage that is within the scope of enumerated risks covered by the insurance product.''.

(c) CONFORMING CROSS-REFERENCE AMENDMENTS.—Subsection (b) of such section is amended by striking ''this section'' both places it appears and inserting ''subsection (a)''.

SEC. 1042. LIMITATION ON RETIREMENT, DEACTIVATION, OR DECOMMISSIONING OF MINE COUNTERMEASURES SHIPS.

Section 1090 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 111–92; 129 Stat. 1016) is amended by striking subsection (b) and inserting the following:

''(b) LIMITATION ON RETIREMENT OF MCM SHIPS.—

''(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of the Navy for fiscal year 2017 may be obligated or expended to retire, deactivate, decommission, to prepare to retire, deactivate, decommission, or to place in storage backup inventory or reduced operating status any MCM-1 class ship.

''(2) WAIVER AUTHORITY.—

''(A) IN GENERAL.—The Secretary of the Navy may waive the limitation under paragraph (1) with respect to any MCM-1 class ship if the Secretary provides to the congressional defense committees certification that the operational test

and evaluation for replacement capabilities for the ship is complete and such capabilities are available in sufficient quantities to ensure sufficient mine countermeasures capacity is available to meet requirements as set forth in the Join Strategic Capabilities Plan, the campaign plans of the combatant commanders, and the Navy's Force Structure Assessment.

''(B) REPORT.—The first time the Secretary of the Navy exercises the waiver authority under subparagraph (A), the Secretary shall submit to the congressional defense committees a report that includes—

''(i) the recommendations of the Secretary regarding MCM force structure;

''(ii) the recommendations of the Secretary regarding how to ensure the operational effectiveness of the surface MCM force through 2025 based on current capabilities and capacity, replacement schedules, and service life extensions or retirement schedules;

''(iii) an assessment of the MCM vessels, including the decommissioned MCM-1 and MCM-2 ships and the potential of such ships for reserve operating status; and

''(iv) an assessment of the Littoral Combat Ship MCM mission package increment one performance against the initial operational test and evaluation criteria.''.

SEC. 1043. EXTENSION OF AUTHORITY OF SECRETARY OF TRANSPORTATION TO ISSUE NON-PREMIUM AVIATION INSURANCE.

Section 44310(b) of title 49, United States Code, is amended by striking ''December 31, 2018'' and inserting ''December 31, 2019''.

SEC. 1044. EVALUATION OF NAVY ALTERNATE COMBINATION COVER AND UNISEX COMBINATION COVER.

(a) MANDATORY POSSESSION OR WEAR DATE.—The Secretary of the Navy shall change the mandatory possession or wear date of the alternate combination cover or the unisex combination cover from October 31, 2016, to October 31, 2020.

(b) EVALUATION AND REPORT.—The Secretary of the Navy may not implement or enforce any change to Navy female service dress uniforms until the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives a report on the evaluation of the Navy female service dress uniforms. Such evaluation shall include each of the following:

(1) An identification of the operational need addressed by the alternate combination cover or the unisex combination cover.

(2) An assessment of the individual cost of service dress uniform items to members of the Armed Forces as a percentage of their monthly pay.

(3) The composition of each uniform item's wear test group.

(4) An identification of the costs to the Navy and to individual members of the Armed Forces for uniform changes identified in the Navy administrative message 236/15 dated October 9, 2015.

(5) The opinions of female members of the Navy active and reserve components.

SEC. 1045. DEPARTMENT OF DEFENSE PROTECTION OF NATIONAL SECURITY SPECTRUM.

(a) EVALUATION.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly evaluate—

(1) the statutory and regulatory options available to the Secretary and the Chairman to protect critical test and training capability in the event of spectrum auctions affecting frequencies used by the Department of Defense; and

(2) the utility, effect, and limitation, if any, of section 1062 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 767).

(b) SUBMISSION.—Not later than 90 days after the date of the enactment of this Act, the Secretary and the Chairman shall submit to the congressional defense committees the evaluation under subsection (a), including any recommendations of the Secretary and the Chairman for additional statutory or regulatory options that would enhance the ability of the Secretary and the Chairman to protect national security equities.

SEC. 1046. TRANSPORTATION ON MILITARY AIRCRAFT ON A SPACE-AVAILABLE BASIS FOR MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES WITH DISABILITIES RATED AS TOTAL.

(a) AVAILABILITY OF TRANSPORTATION.—Section 2641b of title 10, United States Code, is amended—

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

(2) by inserting after subsection (e) the following new subsection (f):

''(f) SPECIAL PRIORITY FOR CERTAIN DISABLED VETERANS.—(1) The Secretary of Defense shall provide transportation on scheduled and unscheduled military flights within the continental United States and on scheduled overseas flights operated by the Air Mobility Command on a space-available basis for any member or former member of the armed forces with a disability rated as total on the same basis as such transportation is provided to members of the armed forces entitled to retired or retainer pay.

''(2) The transportation priority required by paragraph (1) for veterans described in such paragraph applies whether or not the Secretary establishes the travel program authorized by this section.

''(3) In this subsection, the term 'disability rated as total' has the meanings given that term in section 1414(e)(3) of this title.''.

(b) EFFECTIVE DATE.—Subsection (f) of section 2641b of title 10, United States Code, as added by subsection (a), shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act.

SEC. 1047. NATIONAL GUARD FLYOVERS OF PUBLIC EVENTS.

(a) STATEMENT OF POLICY.—It shall be the policy of the Department of Defense that flyovers of public events in support of community relations activities may only be flown as part of an approved training mission at no additional expense to the Federal Government.

(b) NATIONAL GUARD FLYOVER APPROVAL PROCESS.—The Adjutant General of a State in which an Army National Guard or Air National Guard unit is based will be the approval authority for all Air National Guard and Army National Guard flyovers in that State, including any request for a flyover in any civilian domain at a nonaviation related event.

(c) FLYOVER RECORD MAINTENANCE; REPORT.—

(1) RECORD MAINTENANCE.—The Secretary of Defense shall keep and maintain records of flyover requests and approvals in a publicly accessible database that is updated annually.

(2) GAO REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on flyovers and the process whereby flyover requests are made and evaluated, including—

(A) whether there is any cost to taxpayers associated with flyovers;

(B) whether there is any appreciable public relations or recruitment value that comes from flyovers; and

(C) the impact flyovers have to aviator training and readiness.

(d) FLYOVER DEFINED.—In this section, the term ''flyover'' means aviation support—

(1) in which a straight and level flight limited to one pass by a single military aircraft, or by a single formation of four or fewer military aircraft of the same type, from the same military department over a predetermined point on the ground at a specific time;

(2) that does not involve aerobatics or demonstrations; and

(3) uses bank angles of up to 90 degrees if required to improve the spectator visibility of the aircraft.

Subtitle F—Studies and Reports

SEC. 1061. TEMPORARY CONTINUATION OF CERTAIN DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS.

(a) EXCEPTIONS TO REPORTS TERMINATION PROVISION.—Section 1080 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) does not apply to any report required to be submitted to Congress by the Department of Defense, or by any officer, official, component, or element of the Department, pursuant to a provision of law specified in this section, notwithstanding the enactment of the reporting requirement by an annual national defense authorization Act or the inclusion of the report in the list of reports prepared by the Secretary of Defense pursuant to subsection (c) of such section 1080.

(b) FINAL TERMINATION DATE FOR SUBMITTAL OF EXEMPTED REPORTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), each report required pursuant to a provision of law specified in this section that is still required to be submitted to Congress as of January 31, 2021, shall no longer be required to be submitted to Congress after that date.

(2) REPORTS EXEMPTED FROM TERMINATION.—The termination dates specified in paragraph (1) and section 1080 of the National Defense Authorization Act for Fiscal Year 2016 do not apply to the following:

(A) The submission of the reports on the National Military Strategy and Risk Assessment under section 153(b)(3) of title 10, United States Code.

(B) The submission of the future-years defense program (including associated annexes) under section 221 of title 10, United States Code.

(C) The submission of the future-years mission budget for the military programs of the Department of Defense under section 221 of such title.

(D) The submission of audits of contracting compliance by the Inspector General of the Department of Defense under section 1601(b) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2533a note)

(c) REPORTS REQUIRED BY TITLE 10, UNITED STATES CODE.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following sections of title 10, United States Code:

(1) Section 127b(f), relating to a report on the administration of Department of Defense rewards program against international terrorism.

(2) Section 127d(d), relating to a report on provision of logistic support, supplies, and services to allied forces participating in combined operations.

(3) Section 139(h), relating to a report on operational test and evaluation activities of the Department of Defense, including the report component required by section 2399(g) on operational test and evaluation of defense acquisition programs.

(4) Section 139b(d), relating to a report on activities of the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation.

(5) Sections 153(c), relating to a report on the requirements of the combatant commands.

(6) Section 179(f), relating to reports and assessments regarding nuclear stockpile and stockpile stewardship program.

(7) Section 196(d), relating to a report on the strategic plan reflecting the needs of the Department of Defense with respect to test and evaluation facilities and resources.

(8) Section 229, relating to submission of budget information regarding Department of Defense programs for combating terrorism.

(9) Section 231, relating to submission of naval vessel construction plan and related certification.

(10) Section 238, relating to submission of a budget justification display regarding cyber mission forces.

(11) Section 401(d), relating to a report on the provision of humanitarian and civic assistance in conjunction with military operations.

(12) Section 494(b), relating to a report on the nuclear weapons stockpile of the United States.

(13) Section 526(j), relating to a report on general officer and flag officer numbers.

(14) Section 981(c), relating to a report on enlisted aide numbers.

(15) Section 1557(e), relating to a report on any failure to achieve timeliness standard for disposition of applications before Corrections Boards.

(16) Section 2011(e), relating to a report on training of special operations forces with friendly foreign forces.

(17) Section 2166(i), relating to a report on the activities of the Western Hemisphere Institute for Security Cooperation.

(18) Section 2218(h), relating to submission of budget requests for the National Defense Sealift Fund.

(19) Section 2228(e), relating to a report on the long-term strategy and related matters regarding reducing corrosion and its effects on military equipment and infrastructure.

(20) Section 2229a, relating to a report on the status of materiel in the prepositioned stocks.

(21) Section 2249c(c), relating to a report on the administration of the Regional Defense Combating Terrorism Fellowship Program.

(22) Section 2275, relating to reports on major satellite acquisition programs, including report updates under subsection (f) of such section.

(23) Section 2276(e), relating to a report on the funds, services, and equipment accepted and used in connection with commercial space launch cooperation.

(24) Section 2445b, relating to submission of budget justification documents regarding major automated information system programs and other major information technology investment programs.

(25) Section 2464(d), relating to a report on core depot-level maintenance and repair capabilities.

(26) Section 2466(d), relating to a report on expenditures for performance of depot-level maintenance and repair workloads.

(27) Section 2561(c), relating to a report on the use of humanitarian assistance for providing transportation of humanitarian relief and for other humanitarian purposes.

(28) Section 2684a(g), relating to a report on projects undertaken under agreements to limit encroachments and other constraints on military training, testing, and operations.

(29) Section 2687a, relating to reports on the status of overseas closures and realignments and master plans, expenditures from the Department of Defense Overseas Facility Investment Recovery Account, and agreement of settlement with host countries regarding the release of facility improvements made by the United States.

(30) Section 2711, relating to a report on defense environmental programs.

(31) Sections 2831(e) and 2884(b)(4), relating to reports on quarters for general or flag officers.

(32) Sections 2884(b) and (c), relating to reports on the Department of Defense Housing Funds, provision of a basic allowance for housing to members of the Armed Forces living in military privatized housing, plans for housing privatization activities, and the status of oversight and accountability measures for military housing privatization projects.

(33) Section 2912(d), relating to a statement of the energy cost savings available for obligation.

(34) Section 2925, relating to reports on Department of Defense energy management and operational energy.

(35) Section 4721(e), relating to submission of a budget request and related materials regarding Army National Military Cemeteries.

(36) Section 7310(c), relating to a report on repairs and maintenance performed on certain naval vessels in a foreign shipyard.

(37) Section 10541, relating to a report on equipment of the National Guard and other reserve components.

(38) Section 10543, relating to a component of the future-years defense program regarding National Guard and other reserve components equipment procurement and military construction funding and associated annexes and report.

(d) REPORTS REQUIRED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following sections of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291):

(1) Section 232(e) (10 U.S.C. 2358 note), relating to a report on the pilot program on assignment to the Defense Advanced Research Projects Agency of certain private sector personnel.

(2) Section 546(d) (10 U.S.C. 1561 note), relating to a report on activities of the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces.

(3) Section 1003 (10 U.S.C. 221 note), relating to reporting of balances carried forward by the Department of Defense at the end of each fiscal year.

(4) Section 1026(d) (128 Stat. 3490), relating to a report on the status of the modernization of Ticonderoga-class cruisers and dock landing ships.

(5) Section 1055 (128 Stat. 3498), relating to a report on the Air Force response to the recommendations of the National Commission on the Structure of the Air Force.

(6) Section 1204(b) (10 U.S.C. 2249e note), relating to a report on administration of section 2249e of title 10, United States Code.

(7) Section 1205(e) (128 Stat. 3537), relating to a report on the assessment of programs carried out under section 2282(f) of title 10, United States Code.

(8) Section 1206(e) (10 U.S.C. 2282 note), relating to a report on the training of security forces and associated security ministries of foreign countries to promote respect for the rule of law and human rights.

(9) Section 1207(d) (10 U.S.C. 2342 note), relating to a report on loan of personnel protection and personnel survivability equipment to military forces of foreign nations.

(10) Section 1211 (128 Stat. 3544), relating to a report on programs carried out by the Department of Defense to provide training, equipment, or other assistance or reimbursement to foreign security forces.

(11) Section 1225 (128 Stat. 3550), relating to a report on enhancing security and stability in Afghanistan.

(12) Section 1245 (128 Stat. 3566), relating to a report on military and security developments involving the Russian Federation.

(13) Section 2821(a)(3) (10 U.S.C. 2687 note), relating to notice of any adjustment to the funding limitation on implementation of the Record of Decision for the relocation of Marine Corps forces to Guam.

(e) REPORTS REQUIRED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following sections of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66):

(1) Section 704(e) (10 U.S.C. 1074 note), relating to a report on the pilot program on investigational treatment of members of the Armed Forces for traumatic brain injury and post-traumatic stress disorder.

(2) Sections 713(f), (g), and (h) (10 U.S.C. 1071 note), relating to providing a financial summary of efforts to develop interoperable electronic health records, updates on the progress of data sharing, and information on executive committee activities.

(f) REPORTS REQUIRED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following sections of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239):

(1) Section 1009 (126 Stat. 1906), relating to a report on the use of funds in the Drug Interdiction and Counter-Drug Activities, Defense-wide account.

(2) Section 1023 (126 Stat. 1911), relating to a report on recidivism of individuals who have been detained at United States Naval Station, Guantanamo Bay, Cuba.

(g) REPORTS REQUIRED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following sections of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383):

(1) Section 123 (10 U.S.C. 167 note), relating to a report on use of combat mission requirements funds.

(2) Section 1631(d) (10 U.S.C. 1561 note), relating to a report on sexual assaults involving members of the Armed Forces and improvement to sexual assault prevention and response program.

(h) REPORTS REQUIRED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following sections of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84):

(1) Section 711(d) (10 U.S.C. 1071 note), relating to a report on the comprehensive policy on pain management by the Military Health Care System.

(2) Section 1003(b) (10 U.S.C. 2222 note), relating to a report on implementation by the Department of Defense of the Financial Improvement and Audit Readiness Plan.

(3) Section 1245 (123 Stat. 2542), relating to a report on military power of Iran.

(i) REPORTS REQUIRED BY OTHER LAWS.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following provisions of law:

(1) Section 717(c) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 10 U.S.C. 1073 note), relating to a report on TRICARE Program effectiveness.

(2) Section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 113 note), relating to a report on military and security developments involving the People's Republic of China.

(3) Section 1208(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086), relating to a report on the provision of support for special operations to combat terrorism.

(4) Section 1405(d) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 801 note), relating to a report on any modification made to the procedures for status review of detainees outside the United States.

(5) Section 1017(e) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 2631 note), relating to a report regarding overhaul, repair, and maintenance performed on certain vessels in the United States.

(6) Section 1034(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 309), relating to a report on the provision of support for non-Federal development and testing of material for chemical agent defense.

(7) Section 1236 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1641), relating to a report on military and security developments involving the Democratic People's Republic of Korea.

(8) Section 103A(b)(3) of the Sikes Act (16 U.S.C. 670c–1(b)(3)), relating to a report on the

disposition of certain appropriated funds provided under cooperative and interagency agreements for land management on installations.

(9) Section 1511(h) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(h)), relating to a report on the financial and other affairs of the Armed Forces Retirement Home.

(10) Section 901(f) of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469; 32 U.S.C. 112 note), as added by section 1008 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239), relating to a report on the activities of the National Guard counterdrug schools.

(11) Section 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5), relating to a report on the requirements of the National Defense Stockpile.

(12) Sections 1412(i) and (j) of the National Defense Authorization Act, 1986 (50 U.S.C. 1521), as amended by section 1421 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383), relating to reports on destruction of existing stockpile of lethal chemical agents and munitions, including implementation by the United States of its chemical weapons destruction obligations under the Chemical Weapons Convention.

(13) Section 1703 of the National Defense Authorization Act for Fiscal Year 1994 (50 U.S.C. 1523), relating to a report on chemical and biological warfare defense.

(14) Section 234 of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. 2367), relating to a report on acquisition of technology relating to weapons of mass destruction and their threat.

(15) Section 105A(b) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20308(b)), as added by section 586 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84), relating to a report on effectiveness of activities and utilization of certain procedures under Federal Voting Assistance Program.

(j) CONFORMING AMENDMENT.—Section 1080(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) is amended—

(1) by striking ''on the date that is two years after the date of the enactment of this Act'' and inserting ''November 25, 2017''; and

(2) by striking ''effective''.

SEC. 1062. MATTERS FOR INCLUSION IN REPORT ON DESIGNATION OF COUNTRIES FOR WHICH REWARDS MAY BE PAID UNDER DEPARTMENT OF DEFENSE REWARDS PROGRAM.

Section 127b(h) of title 10, United States Code, is amended—

(1) in paragraph (2), by inserting ''and justification'' after ''reason''; and

(2) by amending paragraph (3) to read as follows:

''(3) An estimate of the amount or value of the rewards to be paid as monetary payment or payment-in-kind under this section.''.

SEC. 1063. CONGRESSIONAL NOTIFICATION OF BIOLOGICAL SELECT AGENT AND TOXIN THEFT, LOSS, OR RELEASE INVOLVING THE DEPARTMENT OF DEFENSE.

(a) NOTIFICATION REQUIREMENT.—Not later than 15 days after notice of any theft, loss, or release of a biological select agent or toxin involving the Department of Defense is provided to the Centers for Disease Control and Prevention or the Animal and Plant Health Inspection Service, as specified by section 331.19 of part 7 of the Code of Federal Regulations, the Secretary of Defense shall provide to the congressional defense committees notice of such theft, loss, or release.

(b) ELEMENTS.—Notice of a theft, loss, or release of a biological select agent or toxin under subsection (a) shall include each of the following:

(1) The name of the agent or toxin and any identifying information, including the strain or other relevant characterization information.

(2) An estimate of the quantity of the agent or toxin stolen, lost, or released.

(3) The location or facility from which the theft, loss, or release occurred.

(4) In the case of a release, any hazards posed by the release and the number of individuals potentially exposed to the agent or toxin.

(5) Actions taken to respond to the theft, loss, or release.

SEC. 1064. REPORT ON SERVICE-PROVIDED SUPPORT TO UNITED STATES SPECIAL OPERATIONS FORCES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a written report on common service support contributed from each of the military services toward special operations forces. Such report shall include—

(1) detailed information about the resources allocated by each military service for combat support, combat service support, and base operating support for special operations forces; and

(2) an assessment of the specific effects that future manpower and force structure changes are likely to have on the capability of each of the military services to provide common service support to special operations forces.

(b) ANNUAL UPDATES.—For each of fiscal years 2018 through 2020, the Secretary of Defense shall submit to the congressional defense committees an update to the report required under subsection (a).

(c) FORM OF REPORT.—The report required under subsection (a) and each update provided under subsection (b) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1065. REPORT ON CITIZEN SECURITY RESPONSIBILITIES IN THE NORTHERN TRIANGLE OF CENTRAL AMERICA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly prepare and submit to the appropriate congressional committees a report on military units that have been assigned to policing or citizen security responsibilities in Guatemala, Honduras, and El Salvador.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include each of the following:

(1) The following information, as of the date of the enactment of this Act, with respect to military units assigned to policing or citizen security responsibilities in each of Guatemala, Honduras, and El Salvador:

(A) The proportion of individuals in each such country's military who participate in policing or citizen security activities relative to the total number of individuals in that country's military.

(B) Of the military units assigned to policing or citizen security responsibilities, the types of units conducting police activities.

(C) The role of the Department of Defense and the Department of State in training individuals for purposes of participation in such military units.

(D) The number of individuals who participated in such military units who received training by the Department of Defense, and the types of training they received.

(2) Any other information that the Secretary of Defense or the Secretary of State determines to be necessary to help better understand the relationships of the militaries of Guatemala, Honduras, and El Salvador to public security in such countries.

(3) A description of the plan of the United States to assist the militaries of Guatemala, Honduras, and El Salvador to carry out their responsibilities in a manner that adheres to democratic principles.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) PUBLIC AVAILABILITY.—The unclassified matter of the report required by subsection (a) shall be posted on a publicly available Internet website of the Department of Defense and a publicly available Internet website of the Department of State.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 1066. REPORT ON COUNTERPROLIFERATION ACTIVITIES AND PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a biennial report on the counterproliferation activities and programs of the Department of Defense. The Secretary shall submit the first such report by not later than May 1, 2017.

(b) MATTERS INCLUDED.—Each report required under subsection (a) shall include each of the following:

(1) A complete list and assessment of existing and proposed capabilities and technologies for support of United States nonproliferation policy and counterproliferation policy, with regard to—

(A) interdiction;

(B) elimination;

(C) threat reduction cooperation;

(D) passive defenses;

(E) security cooperation and partner activities;

(F) offensive operations;

(G) active defenses; and

(H) weapons of mass destruction consequence management.

(2) For the existing and proposed capabilities and technologies identified under paragraph (1), an identification of goals, a description of ongoing efforts, and recommendations for further enhancements.

(3) A complete description of requirements and priorities for the development and deployment of highly effective capabilities and technologies, including identifying areas for capability enhancement and deficiencies in existing capabilities and technologies.

(4) A comprehensive discussion of the near-term, mid-term, and long-term programmatic options for meeting requirements and eliminating deficiencies, including the annual funding requirements and completion dates established for each such option.

(5) An outline of interagency activities and initiatives.

(6) Any other matters the Secretary considers appropriate.

(c) FORMS OF REPORT.—Each report under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) TERMINATION OF REQUIREMENT.—No report shall be required to be submitted under this section after January 31, 2021.

SEC. 1067. INCLUSION OF BALLISTIC MISSILE DEFENSE INFORMATION IN ANNUAL REPORT ON REQUIREMENTS OF COMBATANT COMMANDS.

(a) IN GENERAL.—Paragraph (2)(A) of section 153(c) of title 10, United States Code, is amended by inserting before the period the following: '', including the integrated priorities list requirements for ballistic missile defense by the geographic combatant commands and the prioritized capabilities list for ballistic missile defense developed by the Commander of the United States Strategic Command''.

(b) REPORT DURATION.—Paragraph (1) of such section is amended by striking ''At or about'' and inserting ''During the period preceding January 31, 2021, at or about''.

SEC. 1068. REVIEWS BY DEPARTMENT OF DEFENSE CONCERNING NATIONAL SECURITY USE OF SPECTRUM.

(a) REVIEW AND REPORT TO THE CONGRESSIONAL DEFENSE COMMITTEES.—Not later than one year after the date of the enactment of this Act, and every two years thereafter until January 31, 2021, the Secretary of Defense and the

Chairman of the Joint Chiefs of Staff shall submit to the congressional defense committees a report containing the results of a comprehensive review conducted by the Secretary and the Chairman of all uses by the Department of Defense of spectrum. Such review shall include the use of spectrum in military plans, training, test, and in military capabilities that are in development or have been fielded for any known or potential impacts of sharing or repurposing of spectrum used or allocated to be used by the Department of Defense that may be reallocated or shared pursuant to a spectrum auction, sharing arrangement, or other arrangement, or that is otherwise identified as part of the 10-year plan developed by the National Telecommunications and Information Administration, and whether there are known or possible mitigations in the event of reallocation or sharing that they recommend, including exclusion zones, equipment modifications, development or procurement of new technology, or any other mitigation they believe will protect Department of Defense use of such spectrum, including projected or estimated potential costs of the same, and whether such costs will be borne out of Defense of Defense total obligation authority.

(b) CERTIFICATION.—At the time of the submission of the report required under subsection (a), the Secretary and the Chairman shall both certify that they understand any potential impacts to Department of Defense use of spectrum that could result from a spectrum auction, reallocation, or sharing arrangement as of that date, and submit such certification to the congressional defense committees.

(c) REPORT OF NON-CONCURRENCE OR VETO.—The Secretary of Defense shall notify the congressional defense committees as to whether the Secretary has not concurred with or otherwise objected to the most recent version of the 10-year plan developed by the National Telecommunications and Information Administration not later than 30 days after the date of such non-concurrence or other objection.

(d) FUNDING WITHHELD.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff may not obligate more than 95 percent of the funding authorized to be appropriated to the Department of Defense for fiscal year 2017 for operation and maintenance for headquarters operations before the date that is 30 days after the date on which the report required by subsection (a) and the certification required under subsection (b) are submitted to the congressional defense committees.

SEC. 1069. ANNUAL REPORT ON PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS FOR THE NON-FEDERALIZED NATIONAL GUARD TO SUPPORT CIVILIAN AUTHORITIES IN PREVENTION AND RESPONSE TO DOMESTIC DISASTERS.

(a) ANNUAL REPORT REQUIRED.—Section 10504 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''REPORT.—'' and inserting ''REPORT ON STATE OF THE NATIONAL GUARD.—(1)'';

(2) by striking ''(b) SUBMISSION OF REPORT TO CONGRESS.—'' and inserting ''(2)'';

(3) by striking ''annual report of the Chief of the National Guard Bureau'' and inserting ''annual report required by paragraph (1)''; and

(4) by adding at the end the following new subsection (b):

''(b) ANNUAL REPORT ON NON-FEDERALIZED SERVICE NATIONAL GUARD PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS.—(1) Not later than January 31 of each of calendar years 2017 through 2021, the Chief of the National Guard Bureau shall submit to the congressional defense committees and the officials specified in paragraph (5) a report setting forth the personnel, training, and equipment required by the National Guard during the next fiscal year to carry out its mission, while not Federalized, to provide prevention, protection mitigation, response, and recovery activities in support of civilian authorities in connection with natural and man-made disasters.

''(2) To determine the annual personnel, training, and equipment requirements of the National Guard referred to in paragraph (1), the Chief of the National Guard Bureau shall take into account, at a minimum, the following:

''(A) Core civilian capabilities gaps for the prevention, protection, mitigation, response, and recovery activities in connection with natural and man-made disasters, as collected by the Department of Homeland Security from the States.

''(B) Threat and hazard identifications and risk assessments of the Department of Defense, the Department of Homeland Security, and the States.

''(3) Personnel, training, and equipment requirements shall be collected from the States, validated by the Chief of the National Guard Bureau, and be categorized in the report required by paragraph (1) by each of the following:

''(A) Emergency support functions of the National Response Framework.

''(B) Federal Emergency Management Agency regions.

''(4) The annual report required by paragraph (1) shall be prepared in consultation with the chief executive of each State, other appropriate civilian authorities, and the Council of Governors.

''(5) In addition to the congressional defense committees, the annual report required by paragraph (1) shall be submitted to the following officials:

''(A) The Secretary of Defense.

''(B) The Secretary of Homeland Security.

''(C) The Council of Governors.

''(D) The Secretary of the Army.

''(E) The Secretary of the Air Force.

''(F) The Commander of the United States Northern Command.

''(G) The Commander of the United States Cyber Command.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 10504. Chief of the National Guard Bureau: annual reports''.

(2) TABLE OF CONTENTS.—The table of sections at the beginning of chapter 1011 of title 10, United States Code, is amended by striking the item relating to section 10504 and inserting the following new section:

''10504. Chief of the National Guard Bureau: annual reports.''.

Subtitle G—Other Matters

SEC. 1081. TECHNICAL AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 130h is amended by striking ''subsection (a) and (b)'' both places it appears and inserting ''subsections (a) and (b)''.

(2) Section 187(a)(2)(C) is amended by striking ''Acquisition, Logistics, and Technology'' and inserting ''Acquisition, Technology, and Logistics''.

(3) Section 196(c)(1)(A)(ii) is amended by striking ''section 139(i)'' and inserting ''section 139(j)''.

(4) Subsection (b)(1)(B) of section 1415, to be added by section 633(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 848), is amended by adding a period at the end of clause (ii).

(5) Section 1705(g)(1) is amended by striking ''of of'' and inserting ''of''.

(6) Section 2222 is amended—

(A) in subsection (d)(1)(B), by inserting ''to'' before ''eliminate'';

(B) in subsection (g)(1)(E) by inserting ''the system'' before ''is in compliance''; and

(C) in subsection (i)(5), by striking ''PROGRAM'' in the heading.

(b) AMENDMENTS RELATED TO ELIMINATION OF TITLE 50 APPENDIX.—

(1) MILITARY SELECTIVE SERVICE ACT CITATION CHANGES.—

(A) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(i) Section 101(d)(6)(B)(v) is amended by striking ''(50 U.S.C. App. 460(b)(2))'' and inserting ''(50 U.S.C. 3809(b)(2))''.

(ii) Section 513(c) is amended—

(I) by striking ''(50 U.S.C. App. 451 et seq.)'' and inserting ''(50 U.S.C. 3801 et seq.)''; and

(II) by inserting ''(50 U.S.C. 3806(c)(2)(A))'' after ''of that Act''.

(iii) Section 523(b)(7) is amended by striking ''(50 U.S.C. App. 460(b)(2))'' and inserting ''(50 U.S.C. 3809(b)(2))''.

(iv) Section 651(a) is amended by striking ''(50 U.S.C. App. 456(d)(1))'' and inserting ''(50 U.S.C. 3806(d)(1))''.

(v) Section 671(c)(1) is amended by striking ''(50 U.S.C. App. 454(a))'' and inserting ''(50 U.S.C. 3803(a))''.

(vi) Section 1475(a)(5)(B) is amended by striking ''(50 U.S.C. App. 451 et seq.)'' and inserting ''(50 U.S.C. 3801 et seq.)''.

(vii) Section 12103 is amended—

(I) in subsections (b) and (d), by striking ''(50 U.S.C. App. 451 et seq.)'' both places it appears and inserting ''(50 U.S.C. 3801 et seq.)''; and

(II) in subsection (d), by striking ''section 6(c)(2)(A)(ii) and (iii) of such Act'' and inserting ''clauses (ii) and (iii) of section 6(c)(2)(A) of such Act (50 U.S.C. 3806(c)(2)(A))''.

(viii) Section 12104(a) is amended by striking ''(50 U.S.C. App. 451 et seq.)'' both places it appears and inserting ''(50 U.S.C. 3801 et seq.)''.

(ix) Section 12208(a) is amended by striking ''(50 U.S.C. App. 451 et seq.)'' both places it appears and inserting ''(50 U.S.C. 3801 et seq.)''.

(B) TITLE 37, UNITED STATES CODE.—Section 209(a)(1) of title 37, United States Code is amended by striking ''(50 U.S.C. App. 456(d)(1))'' and inserting ''(50 U.S.C. 3806(d)(1))''.

(2) SERVICEMEMBERS CIVIL RELIEF ACT CITATION CHANGES.—Title 10, United States Code, is amended as follows:

(A) Section 987 is amended—

(i) in subsection (e)(2), by inserting ''(50 U.S.C. 3901 et seq.)'' before the semicolon; and

(ii) in subsection (g), by striking ''(50 U.S.C. App. 527)'' and inserting ''(50 U.S.C. 3937)''.

(B) Section 1408(b)(1)(D) is amended by striking ''(50 U.S.C. App. 501 et seq.)'' and inserting ''(50 U.S.C. 3901 et seq.)''.

(3) EXPORT ADMINISTRATION ACT OF 1979 CITATION CHANGES.—Title 10, United States Code, is amended as follows:

(A) Section 130(a) is amended by striking ''(50 U.S.C. App. 2401–2420)'' and inserting ''(50 U.S.C. 4601 et seq.)''.

(B) Section 2249a(a)(1) is amended by striking ''(50 U.S.C. App. 2405(j)(1)(A))'' and inserting ''(50 U.S.C. 4605(j)(1)(A))''.

(C) Section 2327 is amended—

(i) in subsection (a), by striking ''(50 U.S.C. App. 2405(j)(1)(A))'' and inserting ''(50 U.S.C. 4605(j)(1)(A))''; and

(ii) in subsection (b)(2), by striking ''(50 U.S.C. App. 2405(j)(1)(A))'' and inserting ''(50 U.S.C. 4605(j)(1)(A))''.

(D) Section 2410i(a) is amended by striking ''(50 U.S.C. App. 2402(5)(A))'' and inserting ''(50 U.S.C. 4602(5)(A))''.

(E) Section 7430(e) is amended by striking ''(50 U.S.C. App. 2401 et seq.)'' and inserting ''(50 U.S.C. 4601 et seq.)''.

(4) DEFENSE PRODUCTION ACT OF 1950 CITATION CHANGES.—Title 10, United States Code, is amended as follows:

(A) Section 139c of title 10, United States Code, is amended—

(i) in subsection (b)—

(I) in paragraph (11), by striking ''(50 U.S.C. App. 2171)'' and inserting ''(50 U.S.C. 4567)''; and

(II) in paragraph (12)—

(aa) by striking ''(50 U.S.C. App. 2062(b))'' and inserting ''(50 U.S.C. 4502(b))''; and

(bb) by striking ''(50 U.S.C. App. 2061 et seq.)'' and inserting ''(50 U.S.C. 4501 et seq.)''; and

(ii) in subsection (c), by striking ''(50 U.S.C. App. 2170(k))'' and inserting ''(50 U.S.C. 4565(k))''.

(B) Section 2537(c) is amended by striking ''(50 U.S.C. App. 2170(a))'' and inserting ''(50 U.S.C. 4565(a))''.

(C) Section 9511(6) is amended by striking ''(50 U.S.C. App. 2071)'' and inserting ''(50 U.S.C. 4511)''.

(D) Section 9513(e) is amended by striking ''(50 U.S.C. App. 2071)'' and inserting ''(50 U.S.C. 4511)''.

(5) MERCHANT SHIP SALES ACT OF 1946 CITATION CHANGES.—Section 2218 of title 10, United States Code, is amended—

(A) in subsection (c)(1)(E), by striking ''(50 U.S.C. App. 1744)'' and inserting ''(50 U.S.C. 4405)''; and

(B) in subsection (k)(3)(B), by striking ''(50 U.S.C. App. 1744)'' and inserting ''(50 U.S.C. 4405)''.

(c) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016.—Effective as of November 25, 2015, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) is amended as follows:

(1) Section 563(a) is amended by striking ''Section 5(c)(5)'' and inserting ''Section 5(c)(2)''.

(2) Section 883(a)(2) (129 Stat. 947) is amended by striking ''such chapter'' and inserting ''chapter 131 of such title''.

(3) Section 883 (129 Stat. 942) is amended by adding at the end the following new subsection:

''(f) CONFORMING AMENDMENTS.—

''(1) Effective on the effective date specified in subsection (a)(1) of section 901 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3462; 10 U.S.C. 132a note), section 2222 of title 10, United States Code, is amended—

''(A) by striking 'Deputy Chief Management Officer of the Department of Defense' each place it appears in subsections (c)(2), (e)(1), (g)(2)(A), (g)(2)(B)(ii), and (i)(5)(B) and inserting 'Under Secretary of Defense for Business Management and Information'; and

''(B) by striking 'Deputy Chief Management Officer' in subsection (f)(1) and inserting 'Under Secretary of Defense for Business Management and Information'.

''(2) The second paragraph (3) of section 901(k) of such Act (Public Law 113–291; 128 Stat. 3468; 10 U.S.C. 2222 note) is repealed.''.

(4) Section 1079(a) is amended to read as follows:

''(a) ANNUAL REPORT ON PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.—Section 2374a of title 10, United States Code, is amended—

''(1) by striking subsection (f); and

''(2) by redesignating subsection (g) as subsection (f).''.

(5) Section 1086(f)(11)(A) is amended by striking ''Not later than\ one year'' and inserting ''Not later than one year''.

(d) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

SEC. 1082. MODIFICATION TO SUPPORT FOR NON-FEDERAL DEVELOPMENT AND TESTING OF MATERIAL FOR CHEMICAL AGENT DEFENSE.

Section 1034 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended—

(1) in subsection (d)—

(A) by striking ''report on the use of the authority under subsection (a)'' and all that follows and inserting ''report that includes—''

''(A) a description of—

''(i) each use of the authority under subsection (a); and

''(ii) for each such use, the specific material made available and to whom it was made available; and

''(B) a description of—

''(i) any instance in which the Department of Defense made available to a State, a unit of local government, or a private entity any biological select agent or toxin for the development or testing of any biodefense technology; and

''(ii) for each such instance, the specific material made available and to whom it was made available.''; and

(B) by adding at the end the following new paragraph:

''(3) The requirement to submit a report under paragraph (1) shall terminate on January 31, 2021.''; and

(2) in subsection (e), by striking ''this section'' and all that follows and inserting ''this section:''

''(1) The terms 'precursor', 'protective purposes', and 'toxic chemical' have the meanings given those terms in the convention referred to in subsection (c), in paragraph 2, paragraph 9(b), and paragraph 1, respectively, of article II of that convention.

''(2) The term 'biological select agent or toxin' means any agent or toxin identified under any of the following:

''(A) Section 331.3 of title 7, Code of Federal Regulations.

''(B) Section 121.3 or section 121.4 of title 9, Code of Federal Regulations.

''(C) Section 73.3 or section 73.4 of title 42, Code of Federal Regulations.''.

SEC. 1083. INCREASE IN MAXIMUM AMOUNT AVAILABLE FOR EQUIPMENT, SERVICES, AND SUPPLIES PROVIDED FOR HUMANITARIAN DEMINING ASSISTANCE.

Section 407(c)(3) of title 10, United States Code, is amended by striking ''$10,000,000'' and inserting ''$15,000,000''.

SEC. 1084. LIQUIDATION OF UNPAID CREDITS ACCRUED AS A RESULT OF TRANSACTIONS UNDER A CROSS-SERVICING AGREEMENT.

(a) LIQUIDATION OF UNPAID CREDITS.—Section 2345 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c)(1) Any credits of the United States accrued as a result of the provision of logistic support, supplies, and services under the authority of this subchapter that remain unliquidated more than 18 months after the date of delivery of the logistic support, supplies, or services may, at the option of the Secretary of Defense, with the concurrence of the Secretary of State, be liquidated by offsetting the credits against any amount owed by the Department of Defense, pursuant to a transaction or transactions concluded under the authority of this subchapter, to the government or international organization to which the logistic support, supplies, or services were provided by the United States.

''(2) The amount of any credits offset pursuant to paragraph (1) shall be credited as specified in section 2346 of this title as if it were a receipt of the United States.''.

(b) EFFECTIVE DATE.—Subsection (c) of section 2345 of title 10, United States Code, as added by subsection (a), shall apply with respect to credits accrued by the United States that—

(1) were accrued prior to, and remain unpaid as of, the date of the enactment of this Act; or

(2) are accrued after the date of the enactment of this Act.

SEC. 1085. CLARIFICATION OF CONTRACTS COVERED BY AIRLIFT SERVICE PROVISION.

Section 9516 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) CONTRACT FOR AIRLIFT SERVICE DEFINED.—In this section, the term 'contract for airlift service' means—

''(1) a contract with the Department of Defense for airlift service;

''(2) any contract with the Department of Defense other than a contract described in paragraph (1), if transportation services are used in the performance of the contract; or

''(3) any subcontract (at any tier) under a contract described in paragraph (1) or (2) if the subcontract is for airlift service or if transportation services are used in the performance of the subcontract.''.

SEC. 1086. NATIONAL BIODEFENSE STRATEGY.

(a) STRATEGY AND IMPLEMENTATION PLAN REQUIRED.—The Secretary of Defense, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Agriculture shall jointly develop a national biodefense strategy and associated implementation plan, which shall include a review and assessment of biodefense policies, practices, programs and initiatives. Such Secretaries shall review and, as appropriate, revise the strategy biennially.

(b) ELEMENTS.—The strategy and associated implementation plan required under subsection (a) shall include each of the following:

(1) An inventory and assessment of all existing strategies, plans, policies, laws, and interagency agreements related to biodefense, including prevention, deterrence, preparedness, detection, response, attribution, recovery, and mitigation.

(2) A description of the biological threats, including biological warfare, bioterrorism, naturally occurring infectious diseases, and accidental exposures.

(3) A description of the current programs, efforts, or activities of the United States Government with respect to preventing the acquisition, proliferation, and use of a biological weapon, preventing an accidental or naturally occurring biological outbreak, and mitigating the effects of a biological epidemic.

(4) A description of the roles and responsibilities of the Executive Agencies, including internal and external coordination procedures, in identifying and sharing information related to, warning of, and protection against, acts of terrorism using biological agents and weapons and accidental or naturally occurring biological outbreaks.

(5) An articulation of related or required interagency capabilities and whole-of-Government activities required to support the national biodefense strategy.

(6) Recommendations for strengthening and improving the current biodefense capabilities, authorities, and command structures of the United States Government.

(7) Recommendations for improving and formalizing interagency coordination and support mechanisms with respect to providing a robust national biodefense.

(8) Any other matters the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Agriculture determine necessary.

(c) SUBMITTAL TO CONGRESS.—Not later than 275 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Agriculture shall submit to the appropriate congressional committees the strategy and associated implementation plan required by subsection (a). The strategy and implementation plan shall be submitted in unclassified form, but may include a classified annex.

(d) BRIEFINGS.—Not later than March 1, 2017, and annually thereafter until March 1, 2019, the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Agriculture shall provide to the Committee on Armed Services of the House of Representatives, the Committee on Energy and Commerce of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the

Committee on Agriculture of the House of Representatives a joint briefing on the strategy developed under subsection (a) and the status of the implementation of such strategy.

(e) GAO REVIEW.—Not later than 180 days after the date of the submittal of the strategy and implementation plan under subsection (c), the Comptroller General of the United States shall conduct a review of the strategy and implementation plan to analyze gaps and resources mapped against the requirements of the National Biodefense Strategy and existing United States biodefense policy documents.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

(3) The Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(4) The Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 1087. GLOBAL CULTURAL KNOWLEDGE NETWORK.

(a) PROGRAM AUTHORIZED.—The Secretary of the Army shall carry out a program to support the socio-cultural understanding needs of the Department of the Army, to be known as the Global Cultural Knowledge Network.

(b) GOALS.—The Global Cultural Knowledge Network shall support the following goals:

(1) Provide socio-cultural analysis support to any unit deployed, or preparing to deploy, to an exercise or operation in the assigned region of responsibility of the unit being supported.

(2) Make recommendations or support policy development to increase the social science expertise of military and civilian personnel of the Department of the Army.

(3) Provide reimbursable support to other military departments or Federal agencies if requested through an operational needs request process.

(c) ELEMENTS OF THE PROGRAM.—The Global Cultural Knowledge Network shall include the following elements:

(1) A center in the continental United States (referred to in this section as a ''reach-back center'') to support requests for information and analysis.

(2) Outreach to academic institutions and other Federal agencies involved in social science research to increase the network of resources for the reach-back center.

(3) Training with operational units during annual training exercises or during pre-deployment training.

(4) The training, contracting, and human resources capacity to rapidly respond to contingencies in which social science expertise is requested by operational commanders through an operational needs request process.

(d) DIRECTIVE REQUIRED.—The Secretary of the Army shall issue a directive within one year after the date of the enactment of this Act for the governance of the Global Cultural Knowledge Network, including oversight and process controls for auditing the activities of personnel of the Network, the employment of the Global Cultural Knowledge Network by operation forces, and processes for requesting support by operational Army units and other Department of Defense and Federal entities.

(e) PROHIBITION ON DEPLOYMENTS UNDER GLOBAL CULTURAL KNOWLEDGE NETWORK.—

(1) PROHIBITION.—The Secretary of the Army may not deploy social scientists in a conflict zone.

(2) WAIVER.—The Secretary of the Army may waive the prohibition in paragraph (1) if the Secretary submits, at least 10 days before the deployment, to the Committees on Armed Services of the House of Representatives and the Senate—

(A) notice of the waiver; and

(B) a certification that there is a compelling national security interest for the deployment or there will be a benefit to the safety and welfare of members of the Armed Forces from the deployment.

(3) ELEMENTS OF WAIVER NOTICE.—A waiver notice under this subsection also shall include the following:

(A) The operational unit, or units, requesting support, including the location or locations where the social scientists are to be deployed.

(B) The number of Global Cultural Knowledge Network personnel to be deployed and the anticipated duration of such deployments.

(C) The anticipated resource needs for such deployment.

SEC. 1088. MODIFICATION OF REQUIREMENTS RELATING TO MANAGEMENT OF MILITARY TECHNICIANS.

(a) CONVERSION OF CERTAIN MILITARY TECHNICIAN (DUAL STATUS) POSITIONS.—Subsection (a) of section 1053 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 981; 10 U.S.C. 10216 note) is amended—

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

''(1) IN GENERAL.—By not later than October 1, 2017, the Secretary of Defense shall convert not fewer than 20 percent of all military technician positions to positions filled by individuals who are employed under section 3101 of title 5, United States Code, or section 1601 of title 10, United States Code, or serving under section 328 of title 32, United States Code, and are not military technicians. The positions to be converted are described in paragraph (2).'';

(2) in paragraph (2), by striking ''in the report'' and all that follows and inserting ''by the Army Reserve, the Air Force Reserve, the National Guard Bureau, and the State adjutants general in the course of reviewing all military technician positions for purposes of implementing this section.''; and

(3) in paragraph (3), by striking ''may fill'' and inserting ''shall fill''.

(b) CONVERSION OF ARMY RESERVE, AIR FORCE RESERVE, AND NATIONAL GUARD NON-DUAL STATUS POSITIONS.—Subsection (e) of section 10217 of title 10, United States Code, is amended is amended to read as follows:

''(e) CONVERSION OF POSITIONS.—(1) No individual may be newly hired or employed, or rehired or reemployed, as a non-dual status technician for purposes of this section after September 30, 2017.

''(2) On October 1, 2017, the Secretary of Defense shall convert all non-dual status technicians to positions filled by individuals who are employed under section 3101 of title 5 or section 1601 of this title and are not military technicians.

''(3) In the case of a position converted under paragraph (2) for which there is an incumbent employee on October 1, 2017, the Secretary shall fill that position, as converted, with the incumbent employee without regard to any requirement concerning competition or competitive hiring procedures.

''(4) Any individual newly hired or employed, or rehired or employed, to a position required to be filled by reason of paragraph (1) shall an individual employed in such position under section 3101 of title 5 or section 1601 of this title.''.

(c) REPORT ON CONVERSION OF MILITARY TECHNICIAN POSITIONS TO PERSONNEL PERFORMING ACTIVE GUARD AND RESERVE DUTY.—

(1) IN GENERAL.—Not later than March 1, 2017, the Secretary of Defense, shall in consultation with the Chief of the National Guard Bureau, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of converting any remaining military technicians (dual status) to personnel performing active Guard and Reserve duty under section 328 of title 32, United States Code, or other applicable provisions of law. The report shall include the following:

(A) An analysis of the fully-burdened costs of the conversion taking into account the new modernized military retirement system.

(B) An assessment of the ratio of members of the Armed Forces performing active Guard and Reserve duty and civilian employees of the Department of Defense under title 5, United States Code, required to best contribute to the readiness of the National Guard and the Reserves.

(2) ACTIVE GUARD AND RESERVE DUTY DEFINED.—In this subsection, the term ''active Guard and Reserve duty'' has the meaning given that term in section 101(d)(6) of title 10, United States Code.

SEC. 1089. SENSE OF CONGRESS REGARDING CONNECTICUT'S SUBMARINE CENTURY.

(a) FINDINGS.—Congress makes the following findings:

(1) On March 2, 1867, Congress enacted a naval appropriations Act that authorized the Secretary of the Navy to ''receive and accept a deed of gift, when offered by the State of Connecticut, of a tract of land with not less than one mile of shore front on the Thames River near New London, Connecticut, to be held by the United States for naval purposes''.

(2) The people of Connecticut and the towns and cities in the southeastern region of Connecticut subsequently gifted land to establish a military installation to fulfil the Nation's need for a naval facility on the Atlantic coast.

(3) On April 11, 1868, the Navy accepted the deed of gift of land from Connecticut to establish a naval yard and storage depot along the eastern shore of the Thames River in Groton, Connecticut;

(4) Between 1868 and 1912, the New London Navy Yard supported a diverse range of missions, including berthing inactive Civil War era ironclad warships and serving as a coaling station for refueling naval ships traveling in New England waters.

(5) Congress rejected the Navy's proposal to close New London Navy Yard in 1912, following an impassioned effort by Congressman Edwin W. Higgins, who stated that ''this action proposed is not only unjust but unreasonable and unsound as a military proposition''.

(6) The outbreak of World War I and the enemy use of submarines to sink allied military and civilian ships in the Atlantic sparked a new focus on developing submarine capabilities in the United States.

(7) October 18, 1915, marked the arrival at the New London Navy Yard of the submarines G–1, G–2, and G–4 under the care of the tender U.S.S. OZARK, soon followed by the arrival of submarines E–1, D–1, and D–3 under the care of the tender U.S.S. TONOPAH, and on November 1, 1915, the arrival of the first ship built as a submarine tender, the U.S.S. FULTON (AS–1).

(8) On June 21, 1916, Commander Yeates Stirling assumed the command of the newly designated Naval Submarine Base New London, the New London Submarine Flotilla, and the Submarine School;

(9) In the 100 years since the arrival of the first submarines to the base, Naval Submarine Base New London has grown to occupy more than 680 acres along the east side of the Thames River, with more than 160 major facilities, 15 nuclear submarines, and more than 70 tenant commands and activities, including the Submarine Learning Center, Naval Submarine School, the Naval Submarine Medical Research Laboratory, the Naval Undersea Medical Institute, and the newly established Undersea Warfighting Development Center.

(10) In addition to being the site of the first submarine base in the United States, Connecticut was home to the foremost submarine manufacturers of the time, the Lake Torpedo

Boat Company in Bridgeport and the Electric Boat Company in Groton, which later became General Dynamics Electric Boat.

(11) General Dynamics Electric Boat, its talented workforce, and its Connecticut-based and nationwide network of suppliers have delivered more than 200 submarines from its current location in Groton, Connecticut, including the first nuclear-powered submarine, the U.S.S. NAUTILUS (SSN 571), and nearly half of the nuclear submarines ever built by the United States.

(12) The Submarine Force Library and Museum, located adjacent to Naval Submarine Base New London in Groton, Connecticut, is the only submarine museum operated by the United States Navy and today serves as the primary repository for artifacts, documents, and photographs relating to the bold and courageous history of the Submarine Force and highlights as its core exhibit the Historic Ship NAUTILUS (SSN 571) following her retirement from service.

(13) Reflecting the close ties between Connecticut and the Navy that began with the gift of land that established the base, the State of Connecticut has set aside $40,000,000 in funding for critical infrastructure investments to support the mission of the base, including construction of a new dive locker building, expansion of the Submarine Learning Center, and modernization of energy infrastructure.

(14) On September 29, 2015, Connecticut Governor Dannel Malloy designated October 2015 through October 2016 as Connecticut's Submarine Century, a year-long observance that celebrates 100 years of submarine activity in Connecticut, including the Town of Groton's distinction as the Submarine Capital of the World, to coincide with the centennial anniversary of the establishment of Naval Submarine Base New London and the Naval Submarine School.

(15) Whereas Naval Submarine Base New London still proudly proclaims its motto of ''The First and Finest''.

(16) Congressman Higgins' statement before Congress in 1912 that ''Connecticut stands ready, as she always has, to bear her part of the burdens of the national defense'' remains true today.

(b) SENSE OF CONGRESS.—Congress—

(1) commends the longstanding dedication and contribution to the Navy and submarine force by the people of Connecticut, both through the initial deed of gift that established what would become Naval Submarine Base New London and through their ongoing commitment to support the mission of the base and the Navy personnel assigned to it;

(2) honors the submariners who have trained and served at Naval Submarine Base New London throughout its history in support of the Nation's security and undersea superiority;

(3) recognizes the contribution of the industry and workforce of Connecticut in designing, building, and sustaining the Navy's submarine fleet; and

(4) encourages the recognition of Connecticut's Submarine Century by Congress, the Navy, and the American people by honoring the contribution of the people of Connecticut to the defense of the United States and the important role of the submarine force in safeguarding the security of the United States for more than a century.

SEC. 1090. LNG PERMITTING CERTAINTY AND TRANSPARENCY.

(a) ACTION ON APPLICATIONS.—

(1) DECISION DEADLINE.—For proposals that must also obtain authorization from the Federal Energy Regulatory Commission or the United States Maritime Administration to site, construct, expand, or operate LNG export facilities, the Department of Energy shall issue a final decision on any application for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) not later than 30 days after the later of—

(A) the conclusion of the review to site, construct, expand, or operate the LNG facilities required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(B) the date of enactment of this Act.

(2) CONCLUSION OF REVIEW.—For purposes of paragraph (1), review required by the National Environmental Policy Act of 1969 shall be considered concluded—

(A) for a project requiring an Environmental Impact Statement, 30 days after publication of a Final Environmental Impact Statement;

(B) for a project for which an Environmental Assessment has been prepared, 30 days after publication by the Department of Energy of a Finding of No Significant Impact; and

(C) upon a determination by the lead agency that an application is eligible for a categorical exclusion pursuant National Environmental Policy Act of 1969 implementing regulations.

(3) JUDICIAL ACTION.—(A) The United States Court of Appeals for the circuit in which the export facility will be located pursuant to an application described in paragraph (1) shall have original jurisdiction over any civil action for the review of—

(i) an order issued by the Department of Energy with respect to such application; or

(ii) the Department of Energy's failure to issue a final decision on such application.

(B) If the Court in a civil action described in subparagraph (A) finds that the Department of Energy has failed to issue a final decision on the application as required under paragraph (1), the Court shall order the Department of Energy to issue such final decision not later than 30 days after the Court's order.

(C) The Court shall set any civil action brought under this paragraph for expedited consideration and shall set the matter on the docket as soon as practical after the filing date of the initial pleading.

(b) PUBLIC DISCLOSURE OF 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.—As a condition for approval of any authorization to export LNG, the Secretary of Energy shall require the applicant to publicly disclose the specific destination or destinations of any such authorized LNG exports.''.

SEC. 1091. SENSE OF CONGRESS REGARDING THE REPORTING OF THE MV–22 MISHAP IN MARANA, ARIZONA, ON APRIL 8, 2000.

It is the sense of Congress that—

(1) in the report accompanying H.R. 1735 of the 114th Congress (House Report 114–102), the Committee on Armed Services of the House of Representatives encouraged the Secretary of Defense to ''publicly clarify the causes of the MV-22 mishap at Marana Northwest Regional Airport, Arizona, in a way consistent with the results of all investigations as soon as possible'';

(2) the Deputy Secretary of Defense Robert O. Work did an excellent job reviewing the investigations of such mishap and concluded that there was a misrepresentation of facts by the media which incorrectly identified pilot error as the cause of the mishap which the Deputy Secretary publicly made known in March 2016; and

(3) Congress is grateful for the successful conclusion to this tragic situation.

SEC. 1092. TRANSFER OF SURPLUS FIREARMS TO CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY.

(a) IN GENERAL.—Section 40728(h) of title 36, United States Code, is amended—

(1) by striking ''(1) Subject to paragraph (2), the Secretary may transfer'' and inserting ''The Secretary shall transfer'';

(2) by striking ''The Secretary shall determine a reasonable schedule for the transfer of such surplus pistols.''; and

(3) by striking paragraph (2).

(b) PILOT PROGRAM.—Section 1087 of National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1012) is amended—

(1) in subsection (b)(1)—

(A) by striking ''may'' each place it appears and inserting ''shall''; and

(B) by striking ''not more than 10,000''; and

(2) by striking subsection (c).

SEC. 1093. SENSE OF CONGRESS REGARDING THE IMPORTANCE OF PANAMA CITY, FLORIDA, TO THE HISTORY AND FUTURE OF THE ARMED FORCES.

(a) FINDINGS.—Congress makes the following findings:

(1) On December 6, 1941—one day before the attack on Pearl Harbor—the War Department established Tyndall Field as an Army Air Force gunnery school in Panama City, Florida.

(2) Tyndall Field was named in honor of native Floridian Lieutenant Francis B. Tyndall, who received the U.S. Air Force flying ace designation for his service in the First World War.

(3) Tyndall Field became an important center for aerial gunnery training during the Second World War, hosting training missions using aircraft including A–33, 0–47, AT-6, Martin B-26 Marauders, and B–17 bombers.

(4) On January 13, 1948, Tyndall Field became Tyndall Air Force Base and was an active site for air training and defense throughout the Cold War.

(5) Tyndall AFB is now home to the First Air Force as well as the 325th Fighter Wing Headquarters and their F–22 Raptors.

(6) The 325th Fighter Wing has been instrumental to national security at such crucial junctures as the Cuban Missile Crisis, throughout the Cold War, and more recently in intercepting unidentified aircraft and supporting anti-smuggling efforts.

(7) On July 20, 1945, the Navy Mine Countermeasure Station was established in Panama City.

(8) The Navy Mine Countermeasure Station developed into the Naval Support Activity Panama City (NSAPC), which has faithfully carried out its mission since its inception and continues to support the crucial efforts and important research of tenant command organizations such as the Naval Surface Warfare Center: Panama City Division (NSWC PCD) and the Navy Experimental Diving Unit (NEDU).

(9) Research performed at NSWC PCD has been integral to equipping the Navy with the personnel and technology necessary to maintaining its status as the world's greatest and most technologically advanced.

(10) NSWC PCD's newest facility, the Littoral Warfare Research Facility, is one of the Navy's major research, development, test, and evaluation laboratories and where standards for weapons integration on Littoral Combat Ships are often developed.

(11) NEDU is a global hub of research, development, and testing for undersea operations.

(12) During the Second World War, the Wainwright Shipyard in Panama City built over 100 vessels for the war effort and employed over 15,000 people.

(13) Panama City's shipbuilding legacy continues as home to one of today's most prolific domestic shipbuilders, Eastern Shipbuilding.

(14) The Department of Defense is the largest employer in Panama City, where many of the residents and their relatives have proudly served in the Armed Forces for generations.

(b) SENSE OF CONGRESS.—Congress—

(1) commends the longstanding dedication and contribution to the Armed Forces by the people of Panama City, both through the legacy of naval shipbuilding and through their ongoing commitment to support the mission of Panama City's military installations and the personnel assigned to them;

(2) honors the members of the Armed Forces who have trained and served at the several military installations in and around Panama City;

(3) recognizes the contribution of the industry and workforce of Panama City to naval shipbuilding; and

(4) encourages the recognition of the importance of Panama City to the history of the

Armed Forces by Congress, the Air Force, the Navy, and the American people by honoring the contribution of the people of Panama City to the defense of the United States.

SEC. 1094. PROTECTIONS RELATING TO CIVIL RIGHTS AND DISABILITIES.

Any branch or agency of the Federal Government shall, with respect to any religious corporation, religious association, religious educational institution, or religious society that is a recipient of or offeror for a Federal Government contract, subcontract, grant, purchase order, or cooperative agreement, provide protections and exemptions consistent with sections 702(a) and 703(e)(2) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-1(a) and 42 U.S.C. 2000e-2(e)(2)) and section 103(d) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12113(d)).

SEC. 1095. NONAPPLICABILITY OF CERTAIN EXECUTIVE ORDER TO DEPARTMENT OF DEFENSE AND NATIONAL NUCLEAR SECURITY ADMINISTRATION.

The provisions of Executive Order 13673 and any implementing rules or regulations shall not apply to the acquisition, contracting, contract administration, source selection, or any other activities of the Department of Defense or the National Nuclear Security Administration. The Secretary of Defense and the Administrator for Nuclear Security may not issue, or be required to comply with, any policy, guidance, or rules to carry out such executive order or otherwise implement any provision of such executive order or any related implementation rules or regulations.

SEC. 1096. DETERMINATION AND DISCLOSURE OF TRANSPORTATION COSTS INCURRED BY SECRETARY OF DEFENSE FOR CONGRESSIONAL TRIPS OUTSIDE THE UNITED STATES.

(a) DETERMINATION AND DISCLOSURE OF COSTS BY SECRETARY.—In the case of a trip taken by a Member, officer, or employee of the House of Representatives or Senate in carrying out official duties outside the United States for which the Department of Defense provides transportation, the Secretary of Defense shall—

(1) determine the cost of the transportation provided with respect to the Member, officer, or employee; and

(2) provide the Member, officer, or employee with a written statement of the cost not later than 10 days after completion of the trip involved.

(b) INCLUSION OF INFORMATION IN TRAVEL REPORTS.—Any Member, officer, or employee of the House of Representatives or Senate who takes a trip to which subsection (a) applies shall include the information contained in the written statement provided to the Member, officer, or employee under subsection (a)(2) with respect to the trip in any report that the Member, officer, or employee is required to file with respect to the trip under any provision of law and under any provision of the Rules of the House of Representatives or the Standing Rules of the Senate (as the case may be).

(c) EXCEPTIONS.—This section does not apply with respect to any trip the sole purpose of which is to visit one or more United States military installations or to visit United States military personnel in a war zone (or both).

(d) DEFINITIONS.—In this section:

(1) MEMBER.—The term ''Member'', with respect to the House of Representatives, includes a Delegate or Resident Commissioner to the Congress.

(2) UNITED STATES.—The term ''United States'' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, and any other territory or possession of the United States.

(e) EFFECTIVE DATE.—This section shall apply with respect to trips taken on or after the date of the enactment of this Act, except that this section does not apply with respect to any trip which began prior to such date.

SEC. 1097. WAIVER OF CERTAIN POLYGRAPH EXAMINATION REQUIREMENTS.

The Secretary of Homeland Security, acting through the Commissioner of U.S. Customs and Border Protection, may waive the polygraph examination requirement under section 3 of the Anti-Border Corruption Act of 2010 (Public Law 111–376) for any applicant who—

(1) the Commissioner determines is suitable for employment;

(2) holds a current, active Top Secret clearance and is able to access sensitive compartmented information;

(3) has a current single scope background investigation;

(4) was not granted any waivers to obtain the clearance; and

(5) is a veteran (as such term is defined in section 2108 or 2109a of title 5, United States Code).

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. TEMPORARY DIRECT HIRE AUTHORITY FOR DOMESTIC DEFENSE INDUSTRIAL BASE FACILITIES AND THE MAJOR RANGE AND TEST FACILITIES BASE.

(a) AUTHORITY.—During fiscal years 2017 and 2018, the Secretary of Defense may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title, qualified candidates to positions in the competitive service at any defense industrial base facility or the Major Range and Test Facilities Base.

(b) REPORT.—Not later than 60 days after the end of fiscal year 2018, the Secretary of Defense shall submit a report to the Committees on Armed Services of the House of Representatives and the Senate on the use of the authority provided under subsection (a). Such report shall include the total number of individuals appointed under such authority and the effectiveness of such authority in fulfilling the manpower needs of the defense industrial base facilities or the Major Range and Test Facilities Base.

(c) DEFINITION.—In this section, the term ''defense industrial base facility'' means any Department of Defense depot, arsenal, or shipyard located within the United States.

SEC. 1102. TEMPORARY PERSONNEL FLEXIBILITIES FOR DOMESTIC DEFENSE INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE CIVILIAN PERSONNEL.

(a) IN GENERAL.—Notwithstanding chapter 33 of title 5, United States Code, or any other provision of law relating to the examination, certification, and appointment of individuals in the competitive service, during fiscal years 2017 and 2018, an employee of a defense industrial base facility or the Major Range and Test Facilities Base serving under a time-limited appointment in the competitive service is eligible to compete for a permanent appointment in the competitive service at (A) any such facility, Base, or any other component of the Department of Defense when such facility, Base, or component (as the case may be) is accepting applications from individuals within the facility, Base, or component's workforce under merit promotion procedures, or (B) any agency when the agency is accepting applications from individuals outside its own workforce under merit promotion procedures of the applicable agency, if—

(1) the employee was appointed initially under open, competitive examination under subchapter I of chapter 33 of such title to the time-limited appointment;

(2) the employee has served under 1 or more time-limited appointments by a defense industrial base facility or the Major Range and Test Facilities Base for a period or periods totaling more than 24 months without a break of 2 or more years; and

(3) the employee's performance has been at an acceptable level of performance throughout the period or periods (as the case may be) referred to in paragraph (2).

(b) WAIVER OF AGE REQUIREMENT.—In determining the eligibility of a time-limited employee under this section to be examined for or appointed in the competitive service, the Office of Personnel Management or other examining agency shall waive requirements as to age, unless the requirement is essential to the performance of the duties of the position.

(c) STATUS.—An individual appointed under this section—

(1) becomes a career-conditional employee, unless the employee has otherwise completed the service requirements for career tenure; and

(2) acquires competitive status upon appointment.

(d) FORMER EMPLOYEES.—A former employee of a defense industrial base facility or the Major Range and Test Facilities Base who served under a time-limited appointment and who otherwise meets the requirements of this section shall be deemed a time-limited employee for purposes of this section if—

(1) such employee applies for a position covered by this section within the period of 2 years after the most recent date of separation; and

(2) such employee's most recent separation was for reasons other than misconduct or performance.

(e) DEFINITION.—In this section, the term ''defense industrial base facility'' means any Department of Defense depot, arsenal, or shipyard located within the United States.

SEC. 1103. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and as most recently amended by section 1102 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1022), is further amended by striking ''2017'' and inserting ''2018''.

SEC. 1104. ADVANCE PAYMENTS FOR EMPLOYEES RELOCATING WITHIN THE UNITED STATES AND ITS TERRITORIES.

(a) IN GENERAL.—Subsection (a) of section 5524a of title 5, United States Code, is amended—

(1) by striking ''(a) The head'' and inserting ''(a)(1) The head''; and

(2) by adding at the end the following:

''(2) The head of each agency may provide for the advance payment of basic pay, covering not more than 6 pay periods, to an employee who is assigned to a position in the agency that is located—

''(A) outside of the employee's commuting area; and

''(B) in the United States, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, or any territory or possession of the United States.''.

(b) CONFORMING AMENDMENTS.—Subsection (b) of such section is amended—

(1) in paragraph (1), by inserting ''or assigned'' after ''appointed''; and

(2) in paragraph (2)(B)—

(A) by inserting ''or assignment'' after ''appointment''; and

(B) by inserting ''or assigned'' after ''appointed''.

(c) CLERICAL AMENDMENTS.—

*(1) SECTION HEADING.—The heading of such section is amended by inserting ''**and employees relocating within the United States and its territories**'' after ''**appointees**''.*

(2) TABLE OF SECTIONS.—The item relating to such section in the table of sections of chapter 55 of such title is amended to read as follows:

''5524a. Advance payments for new appointees and employees relocating within the United States and its territories.''.

SEC. 1105. PERMANENT AUTHORITY FOR ALTERNATIVE PERSONNEL PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL.

(a) PERMANENT AUTHORITY AND CODIFICATION.—Chapter 81 of title 10, United States Code, is amended by inserting after section 1589 a new section 1590 consisting of—

(1) a heading as follows:

"§ 1590. Alternative personnel program for scientific and technical personnel"; and

(2) a text consisting of the text of subsection (a), (b), (c), and (d) of section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 5 U.S.C. 3104 note).

(b) CONFORMING AMENDMENTS.—Section 1590 of title 10, United States Code, as added by subsection (a), is amended—

(1) in subsection (a)—

(A) by striking ''During the program period specified in subsection (e)(1), the'' and inserting ''The''; and

(B) by striking ''of experimental use of'' and inserting ''to use'';

(2) in subsection (b)—

(A) by striking '', United States Code,'' in paragraph (1); and

(B) by striking ''United States Code,'' in paragraph (2); and

(3) in subsection (d), by striking '', United States Code'' in paragraphs (2) and (3) each place it appears.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of such title is amended by inserting after the item relating to section 1589 the following new item:

''1590. Alternative personnel program for scientific and technical personnel.''.

(d) CONFORMING REPEAL.—Section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 5 U.S.C. 3104 note) is repealed.

SEC. 1106. MODIFICATION TO INFORMATION TECHNOLOGY PERSONNEL EXCHANGE PROGRAM.

Section 1110 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 5 U.S.C. 3702 note) is amended—

*(1) in the section heading, by inserting ''**cyber and**'' before ''**information**'';*

(2) in subsections (a)(1)(A), (a)(1)(C), and (g)(2), by inserting ''cyber operations or'' before ''information'';

(3) in subsection (g)(1), by inserting ''to or'' before ''from''; and

(4) in subsection (h), by striking ''10'' and inserting ''50''.

SEC. 1107. TREATMENT OF CERTAIN LOCALITIES FOR CALCULATION OF PER DIEM ALLOWANCES.

(a) IN GENERAL.—Pursuant to section 5707 of title 5, United States Code, the Administrator of General Services shall prescribe such regulations as are necessary to provide that, with respect to per diem rates for Ohio, the locality described as Dayton/Fairborn and the locality described as Cincinnati are considered 1 locality for purposes of establishing per diem allowance or maximum amount of reimbursement under section 5702(a)(2) of such title.

(b) EFFECTIVE DATE.—The adjustment of the treatment of localities described under subsection (a) shall be effective on the same date as the application of the first recalculation of per diem allowances by the Administrator that occurs after the date of enactment of this Act.

SEC. 1108. ELIGIBILITY OF EMPLOYEES IN A TIME-LIMITED APPOINTMENT TO COMPETE FOR A PERMANENT APPOINTMENT AT ANY FEDERAL AGENCY.

Section 9602 of title 5, United States Code, is amended—

(1) in subsection (a) by striking ''any land management agency or any other agency (as defined in section 101 of title 31) under the internal merit promotion procedures of the applicable agency'' and inserting ''such land management agency when such agency is accepting applications from individuals within the agency's workforce under merit promotion procedures, or any agency, including a land management agency, when the agency is accepting applications from individuals outside its own workforce under the merit promotion procedures of the applicable agency''; and

(2) in subsection (d) by inserting ''of the agency from which the former employee was most recently separated'' after ''deemed a time-limited employee''.

SEC. 1109. LIMITATION ON ADMINISTRATIVE LEAVE.

(a) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

"§ 6330. Limitation on administrative leave

''(a) IN GENERAL.—During any calendar year, an employee may not be placed on administrative leave, or any other paid non-duty status without charge to leave, for more than 14 total days for reasons relating to misconduct or performance. After an employee has been placed on administrative leave for 14 days, the employing agency shall return the employee to duty status, utilizing telework if available, and assign the employee to duties if such employee is not a threat to safety, the agency mission, or Government property.

''(b) EXTENDED ADMINISTRATIVE LEAVE.—

''(1) IN GENERAL.—If an agency finds that an employee is a threat to safety, the agency mission, or Government property and upon the expiration of the 14-day period described in subsection (a), an agency head may place the employee on extended administrative leave for additional periods of not more than 30 days each.

''(2) REPORT.—For any additional period of 30 days granted to the employee after the initial 30-day extension, the agency head shall submit to the Committee on Oversight and Government Reform in the House of Representatives, the agency's authorizing committees of jurisdiction of the House of Representatives and the Senate, and the Committee on Homeland Security and Governmental Affairs of the Senate a report, not later than 5 business days after granting the additional period, containing—

''(A) title, position, office or agency subcomponent, job series, pay grade, and salary of the employee on administrative leave;

''(B) a description of the work duties of the employee;

''(C) the reason the employee is on administrative leave;

''(D) an explanation as to why the employee is a threat to safety, the agency mission, or Government property;

''(E) an explanation as to why the employee is not able to telework or be reassigned to another position within the agency;

''(F) in the case of a pending related investigation of the employee—

''(i) the status of such investigation; and

''(ii) the certification described in subsection (c)(1); and

''(G) in the case of a completed related investigation of the employee—

''(i) the results of such investigation; and

''(ii) the reason that the employee remains on administrative leave.

''(c) EXTENSION PENDING RELATED INVESTIGATION.—

''(1) IN GENERAL.—If an employee is under a related investigation by an investigative entity at the time an additional period described under subsection (b)(2) is granted and, in the opinion of the investigative entity, additional time is needed to complete the investigation, such entity shall certify to the applicable agency that such additional time is needed and include in the certification an estimate of the length of such additional time.

''(2) LIMITATION.—The head of an agency may not grant an additional period of administrative leave described under subsection (b)(2) to an employee on or after the date that is 30 days after the completion of a related investigation by an investigative entity.

''(d) DEFINITIONS.—In this section, the following definitions apply:

''(1) INVESTIGATIVE ENTITY.—The term 'investigative entity' means an internal investigative unit of the agency granting administrative leave, the Office of Inspector General, the Office of the Attorney General, or the Office of Special Counsel.

''(2) RELATED INVESTIGATION.—The term 'related investigation' means an investigation that pertains to the underlying reasons an employee was placed on administrative leave.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall begin to apply 90 days after the date of enactment of this Act.

(c) RULES OF CONSTRUCTION.—Nothing in the amendment made by subsection (a) shall be construed to—

(1) supersede the provisions of chapter 75 of title 5, United States Code; or

(2) limit the number of days that an employee may be placed on administrative leave, or any other paid non-duty status without charge to leave, for reasons unrelated to misconduct or performance.

(d) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by adding after the item relating to section 6329 the following new item:

''6330. Limitation on administrative leave.''.

SEC. 1110. RECORD OF INVESTIGATION OF PERSONNEL ACTION IN SEPARATED EMPLOYEE'S OFFICIAL PERSONNEL FILE.

(a) IN GENERAL.—Subchapter I of chapter 33 of title 5, United States Code, is amended by inserting after section 3321 the following:

"§ 3322. Voluntary separation before resolution of personnel investigation

''(a) With respect to any employee occupying a position in the competitive service or the excepted service who is the subject of a personnel investigation and resigns from Government employment prior to the resolution of such investigation, the head of the agency from which such employee so resigns shall, if an adverse finding was made with respect to such employee pursuant to such investigation, make a permanent notation in the employee's official personnel record file. The head shall make such notation not later than 40 days after the date of the resolution of such investigation.

''(b) Prior to making a permanent notation in an employee's official personnel record file under subsection (a), the head of the agency shall—

''(1) notify the employee in writing within 5 days of the resolution of the investigation and provide such employee a copy of the adverse finding and any supporting documentation;

''(2) provide the employee with a reasonable time, but not less than 30 days, to respond in writing and to furnish affidavits and other documentary evidence to show why the adverse finding was unfounded (a summary of which shall be included in any notation made to the employee's personnel file under subsection (d)); and

''(3) provide a written decision and the specific reasons therefore to the employee at the earliest practicable date.

''(c) An employee is entitled to appeal the decision of the head of the agency to make a permanent notation under subsection (a) to the Merit Systems Protection Board under section 7701.

''(d)(1) If an employee files an appeal with the Merit Systems Protection Board pursuant to subsection (c), the agency head shall make a notation in the employee's official personnel record file indicating that an appeal disputing the notation is pending not later than 2 weeks after the date on which such appeal was filed.

''(2) If the head of the agency is the prevailing party on appeal, not later than 2 weeks after the date that the Board issues the appeal decision, the head of the agency shall remove the notation made under paragraph (1) from the employee's official personnel record file.

''(3) If the employee is the prevailing party on appeal, not later than 2 weeks after the date that the Board issues the appeal decision, the head of the agency shall remove the notation made under paragraph (1) and the notation of an adverse finding made under subsection (a) from the employee's official personnel record file.

''(e) In this section, the term 'personnel investigation' includes—

''(1) an investigation by an Inspector General; and

''(2) an adverse personnel action as a result of performance, misconduct, or for such cause as will promote the efficiency of the service under chapter 43 or chapter 75.''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to any employee described in section 3322 of title 5, United States Code, (as added by such subsection) who leaves the service after the date of enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections of subchapter I of chapter 33 of title 5, United States Code, is amended by inserting after the item relating to section 3321 the following:

''3322. Voluntary separation before resolution of personnel investigation.''.

SEC. 1111. REVIEW OF OFFICIAL PERSONNEL FILE OF FORMER FEDERAL EMPLOYEES BEFORE REHIRING.

(a) IN GENERAL.—Subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

''§ 3330e. Review of official personnel file of former Federal employees before rehiring

''(a) If a former Government employee is a candidate for a position within the competitive service or the excepted service, prior to making any determination with respect to the appointment or reinstatement of such employee to such position, the appointing authority shall review and consider the information relating to such employee's former period or periods of service in such employee's official personnel record file.

''(b) In subsection (a), the term 'former Government employee' means an individual whose most recent position with the Government prior to becoming a candidate as described under subsection (a) was within the competitive service or the excepted service.

''(c) The Office of Personnel Management shall prescribe regulations to carry out the purpose of this section.''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to any former Government employee (as described in section 3330e of title 5, United States Code, as added by such subsection) appointed or reinstated on or after the date that is 180 days after the date of enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections of subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

''3330e. Review of official personnel file of former Federal employees before rehiring.''.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. ONE-YEAR EXTENSION OF LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING CERTAIN UNITED STATES MILITARY OPERATIONS.

Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 394), as most recently amended by section 1201 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1035), is further amended—

(1) in subsection (a), by striking ''fiscal year 2016'' and inserting ''fiscal year 2017'';

(2) in subsection (d), by striking ''during the period beginning on October 1, 2015, and ending on December 31, 2016'' and inserting ''during the period beginning on October 1, 2016, and ending on December 31, 2017''; and

(3) in subsection (e)(1), by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

SEC. 1202. EXTENSION OF AUTHORITY FOR TRAINING OF GENERAL PURPOSE FORCES OF THE UNITED STATES ARMED FORCES WITH MILITARY AND OTHER SECURITY FORCES OF FRIENDLY FOREIGN COUNTRIES.

Section 1203(h) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 894; 10 U.S.C. 2011 note) is amended by striking ''September 30, 2017'' and inserting ''December 31, 2019''.

SEC. 1203. MODIFICATION AND EXTENSION OF AUTHORITY TO CONDUCT ACTIVITIES TO ENHANCE THE CAPABILITY OF FOREIGN COUNTRIES TO RESPOND TO INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION.

(a) LIMITATION ON AVAILABILITY OF AUTHORITY FOR OTHER COUNTRIES.—Subsection (b) of section 1204 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 896; 10 U.S.C. 401 note) is amended by striking ''of the Secretary's intention'' and inserting ''not later than 48 hours after the Secretary makes a determination''.

(b) AVAILABILITY OF FUNDS.—Subsection (d)(1) of such section is amended to read as follows:

''(1) FUNDS AVAILABLE.—Of the funds authorized to be appropriated for the Department of Defense for Operation and Maintenance, Defense-wide, and available for the Defense Threat Reduction Agency for a fiscal year, not more than $20,000,000 may be made available for assistance under this section for such fiscal year.''.

(c) NOTICE TO CONGRESS ON CERTAIN ASSISTANCE.—Subsection (e) of such section, as amended by section 1202 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3530), is further amended—

(1) by striking ''If the amount'' and inserting ''If the Secretary of Defense determines that the amount'';

(2) by striking ''the Secretary of Defense shall notify'' and inserting ''the Secretary shall notify''; and

(3) by striking ''of that fact'' and inserting ''of such determination not later than 48 hours after making the determination''.

(d) EXPIRATION.—Subsection (h) of such section, as amended by section 1273 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1076), is further amended by striking ''September 30, 2019'' and inserting ''September 30, 2020''.

(e) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to assistance authorized to be provided under subsection (a) of section 1204 of the National Defense Authorization Act for Fiscal Year 2014 on or after such date of enactment.

SEC. 1204. EXTENSION OF AUTHORITY FOR SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

Subsection (h) of section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086), as most recently amended by section 1208(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541), is further amended by striking ''2017'' and inserting ''2020''.

SEC. 1205. MODIFICATION AND CODIFICATION OF REPORTING REQUIREMENTS RELATING TO SECURITY COOPERATION AUTHORITIES.

(a) ANNUAL REPORT REQUIRED.—Subsection (a) of section 1211 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3544) is amended—

(1) by striking ''BIENNIAL'' and all that follows through ''the Secretary of Defense'' and inserting ''ANNUAL REPORT REQUIRED.—Not later than January 31 of each year through January 31, 2021, the Secretary of Defense'';

(2) by striking ''congressional defense committees'' and inserting ''appropriate congressional committees'';

(3) by striking ''security assistance'' and inserting ''assistance''; and

(4) by striking ''the two fiscal years'' and inserting ''the fiscal year''.

(b) ELEMENTS OF REPORT.—Subsection (b) of such section is amended—

(1) in paragraph (1), by inserting '', duration,'' after ''purpose'';

(2) in paragraph (2), by striking ''The cost'' and inserting ''The cost and expenditures'';

(3) by adding at the end the following:

''(4) For each foreign country in which the training, equipment, or other assistance or reimbursement was provided, a description of the extent of participation, if any, by the military forces and security forces or other government organizations of such foreign country.

''(5) The number of members of the Armed Forces involved in providing such training, equipment, or assistance and a description of the military benefits for such members involved in providing such training, equipment or assistance.

''(6) A summary, by authority, of the activities carried out under each authority specified in subsection (c).''.

(c) MODIFICATION TO SPECIFIED AUTHORITIES.—Subsection (c) of such section is amended—

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

''(1) Sections 256, 263, 271, 272, 273, 281, 284, 285, 286, and 287.''.

(2) by striking paragraphs (4), (5), (7), and (11);

(3) by redesignating paragraphs (6), (8), (9), (10), and (12) through (17) as paragraphs (4) through (13), respectively;

(4) by adding at the end the following:

''(14) Section 401, relating to humanitarian and civic assistance provided in conjunction with military operations.

''(15) Section 1206 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 (128 Stat. 3538; 10 U.S.C. 2282 note), relating to authority to conduct human rights training of security forces and associated security ministries of foreign countries.

''(16) Section 1534 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 (128 Stat. 3616), relating to the Counterterrorism Partnerships Fund.

''(17) Section 1203 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 894; 10 U.S.C. 2011 note), relating to training of general purpose forces of the United States Armed Forces with military and other security forces of friendly foreign countries.''; and

(5) by striking ''of title 10, United States Code'' each place it appears.

(d) FORM.—Subsection (e) of such section is amended by adding ''that may also include other sensitive information'' after ''annex''.

(e) CODIFICATION OF SECTION 1211 OF FY 2015 NDAA.—

(1) CODIFICATION.—Chapter 11 of title 10, United States Code, as amended by section 1261 of this Act, is further amended by inserting after section 251 a new section 252 consisting of—

(A) a heading as follows:

"§ 252. Annual report on programs carried out by the Department of Defense to provide training, equipment, or other assistance or reimbursement to foreign security forces"; and

(B) a text consisting of the text of subsections (a) through (e) of section 1211 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3544), as amended by subsections (a) through (d) of this section.

(2) CONFORMING REPEAL.—Section 1211 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3544), as amended by subsections (a) through (d) of this section, is repealed.

(f) REPEAL OF OTHER REPORTING REQUIREMENTS.—

(1) ANNUAL REPORT ON HUMANITARIAN AND CIVIC ASSISTANCE ACTIVITIES.—Section 401 of title 10, United States Code, is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(2) SEMI-ANNUAL REPORTS ON COUNTERTERRORISM PARTNERSHIPS FUND.—Section 1534 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3616) is amended—

(A) by striking subsection (g); and

(B) by redesignating subsection (h) as subsection (g).

(3) ANNUAL REPORT ON USE OF AUTHORITY TO TRAIN GENERAL PURPOSE FORCES OF THE UNITED STATES ARMED FORCES WITH MILITARY AND OTHER SECURITY FORCES OF FRIENDLY FOREIGN COUNTRIES.—Section 1203 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 894; 10 U.S.C. 2011 note) is amended—

(A) in subsection (a)(1), by striking ''subsection (f)'' and inserting ''subsection (e)'';

(B) by striking subsection (e); and

(C) by redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g), respectively.

(4) ANNUAL REPORT ON USE OF AUTHORITY FOR NATIONAL GUARD STATE PARTNERSHIP PROGRAM.—Section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 897; 32 U.S.C. 107 note) is amended—

(A) by striking subsection (f); and

(B) by redesignating subsection (g), subsection (h), the second subsection (h), and subsection (i) as subsections (f), (g), (h), and (i), respectively.

SEC. 1206. INDEPENDENT ASSESSMENT OF DEPARTMENT OF DEFENSE SECURITY COOPERATION PROGRAMS.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall enter into an agreement with a federally funded research and development center, or another appropriate independent entity, with expertise in security cooperation to conduct an assessment of the Strategic Framework for Department of Defense Security Cooperation.

(2) ELEMENTS.—The assessment under paragraph (1) shall include the following:

(A) An assessment of each of the elements of the Strategic Framework for Department of Defense Security Cooperation, as directed by section 1202 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1036; 10 U.S.C. 113 note).

(B) An assessment of the extent to which security cooperation programs, individually and in combination, as identified in the Comptroller General Inventory of Department of Defense Security Cooperation Programs directed in the committee report (H. Rept. 114–102) accompanying the National Defense Authorization Act for Fiscal Year 2016, and any other relevant studies, contribute to the strategic goals, primary objectives, priorities, and desired end-states of Department of Defense security cooperation programs.

(C) Any other matters the entity that conducts the assessment considers appropriate.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than November 1, 2017, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report that includes the assessment under subsection (a) and any other matters the Secretary considers appropriate.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1211. EXTENSION AND MODIFICATION OF COMMANDERS' EMERGENCY RESPONSE PROGRAM.

(a) EXTENSION.—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619), as most recently amended by section 1211 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1042), is further amended—

(1) in subsection (a)—

(A) by striking ''During fiscal year 2016'' and inserting ''During the period beginning on October 1, 2016, and ending on December 31, 2017''; and

(B) by striking ''in such fiscal year'' and inserting ''in such period'';

(2) in subsection (b), by striking ''fiscal year 2016'' and inserting ''fiscal year 2017''; and

(3) in subsection (f), by striking ''in fiscal year 2016'' and inserting ''during the period beginning on October 1, 2016, and ending on December 31, 2017''.

(b) AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS IN IRAQ.—

(1) IN GENERAL.—During the period beginning on October 1, 2016, and ending on December 31, 2017, amounts available pursuant to section 1201 of the National Defense Authorization Act for Fiscal Year 2012, as amended by this section, shall also be available for ex gratia payments for damage, personal injury, or death that is incident to combat operations of the Armed Forces in Iraq.

(2) NOTICE AND WAIT.—The authority in this subsection may not be used until 30 days after the date on which the Secretary of Defense submits to the congressional defense committees a report setting forth the following:

(A) The amount that will be used for payments pursuant to this subsection.

(B) The manner in which claims for payments shall be verified.

(C) The officers or officials who shall be authorized to approve claims for payments.

(D) The manner in which payments shall be made.

(3) LIMITATION ON AMOUNT AVAILABLE.—The total amount of payments made pursuant to this subsection during the period beginning on October 1, 2016, and ending on December 31, 2017, may not exceed $5,000,000.

(4) AUTHORITIES APPLICABLE TO PAYMENT.—Any payment made pursuant to this subsection shall be made in accordance with the authorities and limitations in section 8121 of the Department of Defense Appropriations Act, 2015 (division C of Public Law 113–235), other than subsection (h) of such section.

(5) CONSTRUCTION WITH RESTRICTION ON AMOUNT OF PAYMENTS.—For purposes of the application of subsection (e) of such section 1201, as so amended, to any payment pursuant to this subsection, such payment shall be deemed to be a project described by such subsection (e).

SEC. 1212. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1212 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1043), is further amended by striking ''fiscal year 2016'' and inserting ''the period beginning on October 1, 2016, and ending on December 31, 2017,''.

(b) LIMITATION ON AMOUNTS AVAILABLE.—Subsection (d)(1) of such section, as so amended, is further amended—

(1) in the second sentence, by striking ''during fiscal year 2016 may not exceed $1,160,000,000'' and inserting ''during the period beginning on October 1, 2016, and ending on December 31, 2017, may not exceed $1,100,000,000'' ; and

(2) in the third sentence, by striking ''fiscal year 2016'' and inserting ''the period beginning on October 1, 2016, and ending on December 31, 2017,''.

(c) EXTENSION OF NOTICE REQUIREMENT RELATING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 393), as most recently amended by section 1212(c) of the National Defense Authorization Act for Fiscal Year 2016 (129 Stat. 1043), is further amended by striking ''September 30, 2016'' and inserting ''December 31, 2017''.

(d) EXTENSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Section 1227(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2001), as most recently amended by section 1212(d) of the National Defense Authorization Act for Fiscal Year 2016 (129 Stat. 1043), is further amended by striking ''for fiscal year 2016 or any prior fiscal year'' and inserting ''for any period prior to December 31, 2017''.

(e) ADDITIONAL LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Of the total amount of reimbursements and support authorized for Pakistan during the period beginning on October 1, 2016, and ending on December 31, 2017, pursuant to the third sentence of section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as amended by subsection (b)(2)), $450,000,000 shall not be eligible for the waiver under section 1227(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 2001) unless the Secretary of Defense certifies to the congressional defense committees that—

(1) Pakistan continues to conduct military operations in North Waziristan that are contributing to significantly disrupting the safe haven and freedom of movement of the Haqqani Network in Pakistan;

(2) Pakistan has taken steps to demonstrate its commitment to prevent the Haqqani Network from using North Waziristan as a safe haven; and

(3) the Government of Pakistan actively coordinates with the Government of Afghanistan to restrict the movement of militants, such as the Haqqani Network, along the Afghanistan-Pakistan border.

SEC. 1213. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

Section 801(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399), as most recently amended by section 1214 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1045), is further amended by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

SEC. 1214. EXTENSION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.

(a) EXTENSION.—Subsection (h) of section 1222 of the National Defense Authorization Act for

Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1992), as most recently amended by section 1215 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1045), is further amended by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

(b) QUARTERLY REPORTS.—Subsection (f)(1) of such section, as so amended, is further amended by striking ''March 31, 2017'' and inserting ''March 31, 2018''.

(c) EXCESS DEFENSE ARTICLES.—Subsection (i)(2) of such section, as so amended, is further amended by striking '',, 2015, and 2016'' each place it appears and inserting '', 2015, 2016, and 2017''.

SEC. 1215. SENSE OF CONGRESS ON UNITED STATES POLICY AND STRATEGY IN AFGHANISTAN.

(a) FINDINGS.—Congress finds the following:

(1) The United States continues to have vital national security interests in ensuring that Afghanistan is a stable, sovereign country.

(2) President Obama signed a Strategic Partnership Agreement and a Bilateral Security Agreement with the President of the Islamic Republic of Afghanistan, which commits the United States to the long-term security of, and defense cooperation with, the Government of Afghanistan and designates Afghanistan as a ''major non-NATO ally''.

(3) The unity government in Afghanistan, led by President Ghani and Chief Executive Abdullah, should be applauded for their continued leadership and commitment to Afghanistan's stability and security.

(4) Stability and security in Afghanistan reinforces stability and security in the region.

(5) The best long-term guarantor of stability and security in Afghanistan is a stable unity government and a capable Afghan National Defense and Security Forces (ANDSF).

(6) The President's current policy is to draw down from 9,800 to 5,500 United States troops by January 1, 2017. As the recent commander in Afghanistan, General John Campbell, testified to the Senate Armed Services Committee, ''the 5,500 [U.S. troops] plan was developed primarily around counterterrorism. There's very limited train-advise-and-assist...in those numbers. To continue to build on the Afghan Security Forces, the gaps and seams in aviation, logistics, intelligence...we'd have to make some adjustments to that number.''.

(7) The President's policy of limiting the number of United States troops that the commander can employ in Afghanistan is hindering the effectiveness of the United States mission therein.

(8) Further, at the current policy of 9,800 United States troops, the new commander of Operation Resolute Support in Afghanistan, General John ''Mick'' Nicholson, agreed in testimony with the Senate Armed Services Committee that the security situation in Afghanistan has been deteriorating rather than improving.

(9) General John Campbell also stated ''. . .Afghan shortfalls will persist beyond 2016. Capability gaps still exist in fixed and rotary-wing aviation, combined arms operations, intelligence collection and dissemination, and maintenance.''.

(10) General John Campbell further stated ''I have the authority to protect coalition members against any insurgents. . .to attack the Taliban just because they're Taliban, I do not have that authority.''.

(11) The Taliban have made territorial gains and are holding terrain in key geographic areas in Afghanistan, including in Helmand Province.

(12) The Taliban held the city of Kunduz, Afghanistan, which is the first time the Taliban have held a major city in Afghanistan in 14 years.

(13) The Haqqani Network, a designated foreign terrorist organization aligned with the Taliban, is the most lethal group on the battlefield in Afghanistan, and continues to provide safe haven to al-Qaeda.

(14) The Islamic State of Iraq and the Levant (ISIL) has established an affiliate in Afghanistan.

(15) Since the death of the Taliban's leader, Mullah Mohammad Omar, and the ascendance of Mullah Akhtar Mansoor and Saraj Haqqani, head of the Haqqani Network, to Taliban leadership, the Taliban have not engaged in political reconciliation negotiations with the Government of Afghanistan.

(16) The President has the statutory, legal authority to strike the Taliban and the Haqqani Network.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should authorize at least 9,800 United States troops to continue the train, advise, and assist and counterterrorism missions in Afghanistan after 2016;

(2) the President should provide the United States commander in Afghanistan with the authority to unilaterally strike the Taliban and the Haqqani Network;

(3) the President should provide additional resources to strike the Islamic State of Iraq and the Levant (ISIL) in Afghanistan;

(4) the President should provide the United States commander in Afghanistan the authority to conduct the train, advise, and assist mission below the corps level of the Afghan National Defense and Security Forces (ANDSF);

(5) the United States should provide United States Armed Forces lift and close air support to ANDSF units until the ANDSF has a fully capable, organic lift and close air support capability and capacity;

(6) the United States should provide monetary and advisory support for 352,000 ANDSF personnel and 30,000 Afghan Local Police, including intelligence, surveillance, and reconnaissance support, through 2018;

(7) it should continue to be a top priority to provide United States Armed Forces deployed to Afghanistan with necessary medical, force protection, and combat search and rescue support; and

(8) United States military personnel who are tasked with the mission of providing combat search and rescue support, casualty evacuation, and medical support should not be counted as part of any force management level limitation on the number of United States ground forces in Afghanistan.

SEC. 1216. SPECIAL IMMIGRANT STATUS FOR CERTAIN AFGHANS.

(a) ALIENS DESCRIBED.—Section 602(b)(2)(A)(ii)(I) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended to read as follows:

''(I)(aa) by, or on behalf of, the United States Government, in the case of an application for Chief of Mission approval submitted before May 31, 2016; or

''(bb) in the case of an application for Chief of Mission approval submitted on or after May 31, 2016, in a capacity that required the alien—

''(AA) to serve as an interpreter or translator for United States military personnel in Afghanistan while traveling off-base with such personnel; or

''(BB) to perform sensitive and trusted activities for United States military personnel stationed in Afghanistan; or''.

(b) NUMERICAL LIMITATIONS.—Clauses (i) and (ii) of section 602(b)(3)(F) of such Act are each amended by striking ''December 31, 2016;'' and inserting ''December 31, 2017;''.

(c) REPORT.—Section 602(b)(14) of such Act is amended—

(1) by striking ''Not later than 60 days after the date of the enactment of this paragraph,'' and inserting ''Not later than December 31, 2016, and annually thereafter through January 31, 2021,''; and

(2) in subparagraph (A)(i), by striking ''under this section;'' and inserting ''under subclause (I) or (II)(bb) of paragraph (2)(A)(ii);''.

Subtitle C—Matters Relating to Syria and Iraq

SEC. 1221. MODIFICATION AND EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.

(a) IN GENERAL.—Subsection (a) of section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541) is amended by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

(b) REPROGRAMMING REQUIREMENT.—Subsection (f) of such section, as amended by section 1225(e) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1055), is further amended—

(1) in paragraph (1), by striking ''December 31, 2016'' and inserting ''December 31, 2017''; and

(2) by adding at the end the following:

''(3) CERTIFICATION ACCOMPANYING REPROGRAMMING REQUESTS.—Each request under paragraph (1) shall include a certification of the Secretary of Defense that—

''(A) a required number and type of United States Armed Forces have been deployed to support the strategy for Syria required under section 1225(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1054) and to support a plan to retake and hold Raqqa, Syria; and

''(B) a required number and type of United States Armed Forces have been deployed to support the elements of the Syrian opposition and other Syrian groups and individuals that are to be trained and equipped under this section to ensure that such elements, groups, and individuals are able to defend themselves from attacks by the Islamic State of Iraq and the Levant (ISIL) and Government of Syria forces consistent with the purposes set forth in subsection (a).''.

SEC. 1222. MODIFICATION AND EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND THE LEVANT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it should be the policy of the United States to support, within the framework of the Iraqi Constitution, the Iraqi Kurdish Peshmerga, the Iraqi Security Forces, and Sunni tribal forces in the fight against the Islamic State of Iraq and the Levant;

(2) recognizing the important role of the Iraqi Kurdish Peshmerga within the military campaign against ISIL in Iraq, the United States should provide arms, training, and appropriate equipment directly to the Kurdistan Regional Government; and

(3) efforts should be made to ensure transparency and oversight mechanisms are in place for oversight of United States assistance to combat waste, fraud, and abuse.

(b) AUTHORITY.—Subsection (a) of section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3559) is amended by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

(c) FUNDING.—Subsection (g) of such section, as amended by section 1223 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1049), is further amended—

(1) by striking the first sentence and inserting the following: ''Of the amounts authorized to be appropriated in the National Defense Authorization Act for Fiscal Year 2017 for Overseas Contingency Operations in title XV for fiscal year 2017, there are authorized to be appropriated $680,000,000 to carry out this section.''; and

(2) by striking the second sentence.

(d) SUBMISSION OF PLAN REQUIREMENT.—Subsection (k) of such section is amended to read as follows:

''(k) SUBMISSION OF PLAN REQUIREMENT.—Not more than 75 percent of the funds authorized to be appropriated under this section may be obligated or expended until not earlier than 15 days after the date on which the Secretary of Defense, in coordination with the Secretary of State, submits to the appropriate congressional committees a plan to re-take Mosul, Iraq from the Islamic State of Iraq and the Levant (ISIL) and to hold Mosul, Iraq.''.

(e) BRIEFING AND AUTHORITY TO ASSIST DIRECTLY CERTAIN COVERED GROUPS.—Subsection (l) of such section, as so amended, is further amended—

(1) in the subsection heading, by striking ''ASSESSMENT'' and inserting ''BRIEFING'';

(2) in paragraph (1)—

(A) in the paragraph heading, by striking ''ASSESSMENT'' and inserting ''BRIEFING'';

(B) in subparagraph (A)—

(i) by striking ''National Defense Authorization Act for Fiscal Year 2016'' and inserting ''National Defense Authorization Act for Fiscal Year 2017''; and

(ii) by striking ''submit to the appropriate congressional committees an assessment of'' and inserting ''provide to the appropriate congressional committees a briefing that includes an assessment of'';

(C) in subparagraph (C)—

(i) by striking ''submit to the appropriate congressional committees an update of'' and inserting ''provide to the appropriate congressional committees a briefing that includes an update of''; and

(ii) by striking ''the assessment is submitted'' and inserting ''the briefing is provided''; and

(D) by striking subparagraph (D);

(3) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking ''If the President'' and all that follows through ''the Secretary of Defense'' and inserting ''Of the funds authorized to be appropriated under this section, $50,000,000 shall be available to the Secretary of Defense'';

(ii) by striking ''is authorized'';

(iii) by striking ''assistance'' and inserting ''stipends and sustainment''; and

(iv) by adding at the end the following: ''Of the funds made available to carry out this subparagraph, not less than 33 percent shall be available for stipends and sustainment for the group described in subparagraph (D)(i).''.

(B) in subparagraph (C)—

(i) in the heading, by striking ''COST-SHARING'' and inserting ''SUBMISSION OF PLAN''; and

(ii) by striking ''cost-sharing'' and inserting ''submission of plan''; and

(C) in subparagraph (D) to read as follows:

''(D) COVERED GROUPS.—The groups described in this subparagraph are the following groups that are directly engaged in the campaign for Mosul, Iraq:

''(i) The Iraqi Kurdish Peshmerga.

''(ii) Sunni tribal security forces, or other local security forces, with a national security mission.''.

(f) PROHIBITION ON ASSISTANCE AND REPORT ON EQUIPMENT OR SUPPLIES TRANSFERRED TO OR ACQUIRED BY VIOLENT EXTREMIST ORGANIZATIONS.—

(1) PROHIBITION.—Assistance authorized under section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3559), as so amended, may not be provided to the Government of Iraq after the date that is 90 days after the date of the enactment of this Act unless the Secretary of Defense certifies to the appropriate congressional committees, after the date of the enactment of this Act, that the Government of Iraq has taken such actions as may be reasonably necessary to safeguard against such assistance being transferred to or acquired by violent extremist organizations.

(2) BRIEFING.—

(A) BRIEFING REQUIRED.—Not later than 30 days after the date on which the Secretary of Defense makes any determination that equipment or supplies provided pursuant to section 1236(a) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3559), as so amended, have been transferred to or acquired by a violent extremist organization, the Secretary shall provide to the appropriate congressional committees a briefing that contains a description of the determination of the Secretary and the transfer to or acquisition by the violent extremist organization.

(B) ELEMENTS.—Each briefing under paragraph (1) shall include, with respect to the transfer covered by the report, the following:

(i) An assessment of the type and quantity of equipment or supplies transferred to the violent extremist organization.

(ii) A description of the criteria used to determine that the organization is a violent extremist organization.

(iii) A description, if known, of how the equipment or supplies were transferred to or acquired by the violent extremist organization.

(iv) If the equipment or supplies are determined to remain under the current control of the violent extremist organization, a description of the organization, including its relationship, if any, to the security forces of the Government of Iraq.

(v) A description of the end use monitoring or other policies and procedures in place in order to prevent equipment or supplies to be transferred to or acquired by violent extremist organizations.

(3) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(i) the congressional defense committees; and

(ii) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(B) VIOLENT EXTREMIST ORGANIZATION.—The term ''violent extremist organization'' means an organization that—

(i) is a foreign terrorist organization designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) or is associated with a foreign terrorist organization; or

(ii) is known to be under the command and control of, or is associated with, the Government of Iran.

SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) EXTENSION OF AUTHORITY.—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631; 10 U.S.C. 113 note), as most recently amended by section 1221 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1047), is further amended—

(1) by striking ''fiscal year 2016'' and inserting ''fiscal year 2017''; and

(2) by inserting '', Iraqi Border Police,'' after ''Iraqi Ministry of Defense''.

(b) AUTHORITY.—Subsection (a) of such section is amended by striking ''transition'' and inserting ''security''.

(c) AMOUNT AVAILABLE.—Such section, as so amended, is further amended—

(1) in subsection (c), by striking ''fiscal year 2016'' and inserting ''fiscal year 2017''; and

(2) in subsection (d), by striking ''fiscal year 2016'' and inserting ''fiscal year 2017''.

SEC. 1224. REPORT ON PREVENTION OF FUTURE TERRORIST ORGANIZATIONS IN IRAQ AND SYRIA.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that describes the political, economic, and security conditions in Iraq and Syria that would be necessary and sufficient to prevent the formation of future terrorist organizations in Iraq and Syria that may present a danger to the United States, its allies, and the stability of Iraq, Syria, and the rest of the Middle East region.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(1) A detailed construct of the conditions that must be met for the Islamic State to be considered defeated and a successful conclusion to Operation Inherent Resolve achieved.

(2) A detailed explanation of the political, economic, and security conditions that would—

(A) provide reasonable confidence a new terrorist organization, including a successor to al Qaeda or Islamic State, or an unrelated organization, would not form in the region in the short and long term;

(B) decrease probability of terrorist attacks on the United States, its allies, and countries in the Middle East;

(C) eliminate safe havens for terrorist organizations in Syria and Iraq; and

(D) diminish refugee flows within and out of Iraq and Syria.

(3) A strategy for the United States and its allies and partners to facilitate those political, economic, and security conditions in the short and long term, including a description of—

(A) the posture, roles, and activities of the Department of Defense in Iraq and Syria and the region;

(B) the roles and responsibilities of United States' allies and regional partners; and

(C) the roles and responsibilities for other countries and groups in the region, including Kurds, Shia, and Sunni groups in Iraq and Syria, and Saudi Arabia and Iran.

(4) Any other matters the Secretary of Defense may determine to be appropriate.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex if necessary.

SEC. 1225. SEMIANNUAL REPORT ON INTEGRATION OF POLITICAL AND MILITARY STRATEGIES AGAINST ISIL.

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress, on a semiannual basis, a report on the political and military strategies to defeat the Islamic State in Iraq and the Levant.

(2) SUBMITTAL.— A report under paragraph (1) shall be submitted not later than June 15 each year, for the 6-month period ending on May 31 of such year, and not later than December 15 each year, for the 6-month period ending on November 30 of such year.

(3) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) MATTERS TO BE INCLUDED.—Each report required under subsection (a) shall include the following:

(1) Military strategy and objectives of the United States Department of Defense and coalition partners against the Islamic State in Iraq and the Levant (hereinafter in this section referred to as ''ISIL'');

(2) Political strategy and objectives of the United States Department of State and coalition partners to address the political roots underlying the growth of ISIL, including—

(A) a comprehensive political plan for achieving a transition plan, interim government, and free and fair internationally monitored elections after the end of the current government headed by Bashar al-Assad;

(B) a comprehensive political plan for Iraqi political reform and reconciliation between ethnic groups and political parties (including a plan for passage of national guard legislation, repeal of de-Baathification laws, and a plan for equitable petroleum revenue sharing with the Kurdistan Regional Government); and

(C) a critical assessment of the current size and structure of the Iraqi Security Forces (hereinafter in this section referred to as ''ISF'') including an assessment of—

(i) provincial and neighborhood militias and special counterterrorism units;

(ii) any changes in strength and mix of force structure within the ISF;

(iii) levels of recruitment, retention, and attrition within ISF forces; and

(iv) the operating budget of the ISF.

(c) REPORT BY COMPTROLLER GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a review of—

(1) the transparency and anti-fraud, internal controls and accounting, and other measures undertaken by the Government of Iraq for the ISF, including irregular forces, relating to cash transfers and other assistance provided through the Iraq Train and Equip Fund; and

(2) the financial management capacity and accountability of United States direct assistance with respect to all recipients of funding under the Iraq Train and Equip Fund.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

(e) SUNSET.—The requirements under this section shall expire on the date that is three years after the date of the enactment of this Act.

Subtitle D—Matters Relating to the Russian Federation

SEC. 1231. LIMITATION ON USE OF FUNDS TO APPROVE OR OTHERWISE PERMIT APPROVAL OF CERTAIN REQUESTS BY RUSSIAN FEDERATION UNDER OPEN SKIES TREATY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COVERED STATE PARTY.—The term ''covered state party'' means a foreign country that—

(A) is a state party to the Open Skies Treaty; and

(B) is a United States ally.

(3) OBSERVATION AIRCRAFT, OBSERVATION FLIGHT, AND SENSOR.—The terms ''observation aircraft'', ''observation flight'', and ''sensor'' have the meanings given such terms in Article II of the Open Skies Treaty.

(4) OPEN SKIES TREATY.—The term ''Open Skies Treaty'' means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

(b) LIMITATION.—None of the funds authorized to be appropriated or otherwise made available by this Act or any other Act for fiscal year 2017 or any subsequent fiscal year may be used to approve or otherwise permit the approval of a request by the Russian Federation to carry out an initial or exhibition observation flight or certification event of an observation aircraft on which is installed an upgraded sensor with infrared or synthetic aperture radar capability over the territory of the United States or over the territory of a covered state party under the Open Skies Treaty unless and until the Secretary of Defense, jointly with the Secretary of State, the Secretary of Energy, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Director of National Intelligence, and the commander of U.S. Strategic Command and the Commander of U.S. Northern Command in the case of a flight over the territory of the United States and the Commander of U.S. European Command in the case of other flights, submits to the appropriate congressional committees the following:

(1) CERTIFICATION.—A certification that—

(A) the Russian Federation—

(i) is taking no action that is inconsistent with the terms of the Open Skies Treaty;

(ii) is not exceeding the imagery limits set forth in the Treaty; and

(iii) is allowing overflights by covered state parties over all of Moscow, Chechnya, Abkhazia, South Ossetia, and Kaliningrad without restriction and without inconsistency to requirements under the Open Skies Treaty; and

(B) covered state parties have been notified and briefed on concerns of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) regarding upgraded sensors used under the Open Skies Treaty.

(2) REPORT.—A report on the Open Skies Treaty that includes the following:

(A) The annual costs to the United States associated with countermeasures to combat potential abuses of Russian flights carried out under the Open Skies Treaty over European and United States territories with a sensor described in paragraph (1)(B).

(B) A plan to replace the Open Skies Treaty architecture with a more robust sharing of overhead commercial imagery, consistent with United States national security, with covered state parties, excluding the Russian Federation.

(C) An evaluation by the Director of National Intelligence of matters concerning how an observation flight described in subparagraph (A) could implicate intelligence activities of the Russian Federation in the United States and United States counterintelligence activities and vulnerabilities.

(D) An assessment of how such information is used by the Russian Federation, for what purpose, and how the information fits into the Russian Federation's overall collection posture.

(c) NOTICE.—

(1) IN GENERAL.—Not later than 14 days after the completion of an observation flight over the United States, the Secretary of Defense, jointly with the Secretary of Energy, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall notify the appropriate congressional committees of such flight.

(2) CONTENTS.—Notice submitted for a flight pursuant to paragraph (1) shall include the following:

(A) A description of the flight path.

(B) An analysis of whether and the extent to which any United States critical infrastructure was the subject of image capture activities of such flight.

(C) An estimate for the mitigation costs imposed on the Department of Defense or other United States Government agencies by such flight.

(D) An assessment of how such information is used by the Russian Federation, for what purpose, and how the information fits into the Russian Federation's overall collection posture.

(d) ADDITIONAL LIMITATION.—

(1) IN GENERAL.—Not more than 65 percent of the funds authorized to be appropriated or otherwise made available by this Act or any other Act for fiscal year 2017 year may be used to carry out any activities to implement the Open Skies Treaty until the requirements described in paragraph (2) are met.

(2) REQUIREMENTS DESCRIBED.—The requirements described in this paragraph are the following:

(A) The Director of National Intelligence and the Director of the National Geospatial-Intelligence Agency jointly submit to the appropriate congressional committees a report on the following:

(i) Whether it is possible, consistent with United States national security interests, to provide enhanced access to United States commercial imagery or other United States capabilities, consistent with the protection of sources and methods and United States national security, to covered state parties that is qualitatively similar to that derived by flights over the territory of the United States or over the territory of a covered state party under the Open Skies Treaty, on a more timely basis.

(ii) What the cost would be to provide enhanced access to such commercial imagery or other capabilities as compared to the current imagery sharing through the Open Skies Treaty.

(iii) Whether any new agreements would be needed to provide enhanced access to such commercial imagery or other capabilities and what would be required to obtain such agreements.

(iv) Whether transitioning to such commercial imagery or other capabilities from the current imagery sharing through the Open Skies Treaty would reduce opportunities by the Russian Federation to exceed imagery limits and reduce utility for Russian intelligence collection against the United States or covered state parties.

(v) How such commercial imagery or other capabilities would compare to the current imagery sharing through the Open Skies Treaty.

(B) The Secretary of State, in consultation with the Director of the National Geospatial Intelligence Agency and the Secretary of Defense, submits to the appropriate congressional committees an unclassified report that—

(i) details the costs for implementation of the Open Skies Treaty, including—

(I) mitigation costs relating to national security; and

(II) aircraft, sensors, and related overhead and treaty implementation costs for covered state parties; and

(ii) describes the impact on contributions by covered state parties and relationships among covered state parties in the context of the Open Skies Treaty, the North Atlantic Treaty Organization, and any other venues for United States partnership dialogue and activity.

SEC. 1232. MILITARY RESPONSE OPTIONS TO RUSSIAN FEDERATION VIOLATION OF INF TREATY.

(a) IN GENERAL.—An amount equal to $10,000,000 of the amount authorized to be appropriated or otherwise made available to the Department of Defense for fiscal year 2017 to provide support services to the Executive Office of the President shall be withheld from obligation or expenditure until the Secretary of Defense—

(1) submits to the appropriate congressional committees the plan for the development of military capabilities as described in paragraph (1) of section 1243(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1062); and

(2) carries out the development of capabilities pursuant to such plan in accordance with the requirements described in paragraph (3) of such section.

(b) DEFINITION.—In this section, the term ''appropriate congressional committees'' has the meaning given such term in section 1243(e) of the National Defense Authorization Act for Fiscal Year 2016.

SEC. 1233. LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

(a) LIMITATION.—None of the funds authorized to be appropriated for fiscal year 2017 for the Department of Defense may be used for any bilateral military-to-military cooperation between the Governments of the United States and the Russian Federation until the Secretary of Defense, in coordination with the Secretary of State, certifies to the appropriate congressional committees that—

(1) the Russian Federation has ceased its occupation of Ukrainian territory and its aggressive activities that threaten the sovereignty and

territorial integrity of Ukraine and members of the North Atlantic Treaty Organization; and

(2) the Russian Federation is abiding by the terms of and taking steps in support of the Minsk Protocols regarding a ceasefire in eastern Ukraine.

(b) NONAPPLICABILITY.—The limitation in subsection (a) shall not apply to—

(1) any activities necessary to ensure the compliance of the United States with its obligations or the exercise of rights of the United States under any bilateral or multilateral arms control or nonproliferation agreement or any other treaty obligation of the United States; and

(2) any activities required to provide logistical or other support to the conduct of United States or North Atlantic Treaty Organization military operations in Afghanistan or the withdrawal from Afghanistan.

(c) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a) if the Secretary of Defense, in coordination with the Secretary of State—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees—

(A) a notification that the waiver is in the national security interest of the United States and a description of the national security interest covered by the waiver; and

(B) a report explaining why the Secretary of Defense cannot make the certification under subsection (a).

(d) EXCEPTION FOR CERTAIN MILITARY BASES.—The certification requirement specified in paragraph (1) of subsection (a) shall not apply to military bases of the Russian Federation in Ukraine's Crimean peninsula operating in accordance with its 1997 agreement on the Status and Conditions of the Black Sea Fleet Stationing on the Territory of Ukraine.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1234. STATEMENT OF POLICY ON UNITED STATES EFFORTS IN EUROPE TO REASSURE UNITED STATES PARTNERS AND ALLIES AND DETER AGGRESSION BY THE GOVERNMENT OF THE RUSSIAN FEDERATION.

(a) FINDINGS.—Congress makes the following findings:

(1) The Russian Federation, under the leadership of President Vladimir Putin, continues to demonstrate its intent to expand its sphere of influence and limit Western influence both regionally and globally.

(2) In March 2016, at a House Armed Services Committee hearing discussing worldwide threats, Major General James Marrs, Director for Intelligence in the Joint Staff stated, ''principally, what we are seeing in Russia. . .is just a breadth of capabilities from strategic systems to anti access area denial to even, I would say, a growing adeptness at operating sort of just short of traditional military conflict that is posing a significant challenge in the future''.

(3) In July 2015, Chairman of the Joint Chiefs of Staff, General Joseph Dunford, testified to the Senate Armed Services Committee, that ''Russia presents the greatest threat to our national security''. In November 2015, Secretary of Defense, Ashton Carter, discussed the need for ''adapting our operational posture and contingency plans. . .to deter Russia's aggression''.

(4) In February 2016, the Rand Corporation released its report, ''Reinforcing Deterrence on NATO's Eastern Flank'', concluding that at a maximum it would take Russian forces approximately 60 hours to reach the capitals of Estonia and Latvia, exhibiting the challenge to North Atlantic Treaty Organization (NATO) member countries of successfully defending such territory with its current posture and capability.

(5) In February 2016, the Center for Strategic and International Studies released its report, ''Evaluating U.S. Army Force Posture in Europe'', calling for increased pre-positioned sets of United States military equipment, increased rotational forces and associated enablers, increased logistics capabilities, and increased investment in combating unconventional warfare methods in Europe.

(6) In February 2016, the National Commission on the Future of the Army released its findings and recommendations, which included Recommendation 14 calling for stationing an Armored Brigade Combat Team Forward in Europe and Recommendation 15 calling for the conversion of Army Europe Aviation Headquarters to a warfighting mission command.

(7) In the National Defense Authorization Act for Fiscal Year 2015 (Public Law 114–92) and the National Defense Authorization Act for Fiscal Year 2016 (Public Law 113–291), Congress authorized approximately $1,800,000,000 for the European Reassurance Initiative to reassure allies through expanded United States military presence in Europe through rotational deployments of United States troops, bilateral and multilateral exercises, improved infrastructure, increased pre-positioned United States military equipment, and building partnership capacity.

(8) The budget of the President for fiscal year 2017 submitted to Congress under section 1105(a) of title 31, United States Code, includes $3,420,000,000 for the European Reassurance Initiative to begin the transition from primarily reassuring United States partners and allies to deterring the Russian Federation.

(9) The request encompasses a large increase of conventional resources, including additional rotational deployments of United States troops and pre-positioning an Armored Brigade Combat Team's worth of equipment into Europe.

(10) The request also includes increased funding for unconventional warfare resources, including cyber and special operations forces, as well as for intelligence and indicators and warning.

(b) STATEMENT OF POLICY.—

(1) IN GENERAL.—It is the policy of the United States to reassure United States partners and allies in Europe and to work with United States partners and allies to deter aggression by the Government of the Russian Federation in order to enhance regional and global security and stability.

(2) CONDUCT OF POLICY.—The policy described in paragraph (1) shall, among other things, be carried out through a comprehensive defense strategy and guidance to outline the future path of defense resources and capabilities in the European theater. Such strategy and guidance shall include—

(A) use and expansion of conventional methods, including increased United States presence, pre-positioning of United States military equipment, increased infrastructure, and building partnership capacity in Europe;

(B) emphasis on developing capabilities for countering unconventional methods of warfare, including cyber warfare, economic warfare, information operations, and intelligence operations; and

(C) encouraging security assistance and capabilities of partners and allies, including NATO member countries.

SEC. 1235. MODIFICATION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Subsection (a) of section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068) is amended—

(1) by striking ''Of the amounts'' and all that follows through ''the Secretary of Defense'' and inserting ''The Secretary of Defense''; and

(2) by inserting ''is authorized'' before ''to provide''.

(b) AVAILABILITY OF FUNDS.—Subsection (c) of such section is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

(3) in paragraph (1) (as so redesignated)—

(A) by striking ''paragraph (3)'' and inserting ''paragraph (2)''; and

(B) by striking ''pursuant to subsection (a)'' and inserting ''to carry out this section for a fiscal year''; and

(4) in paragraph (2) (as so redesignated)—

(A) by striking ''paragraph (2)'' and inserting ''paragraph (1)''; and

(B) by striking ''commencing on the date that is six months after the date of the enactment of this Act''.

SEC. 1236. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Defense may be obligated or expended to implement any activity that recognizes the sovereignty of the Russian Federation over Crimea.

(b) WAIVER.—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the restriction on the obligation or expenditure of funds required by subsection (a) if the Secretary—

(1) determines that to do so is in the national security interest of the United States; and

(2) submits to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a notification of the waiver at the time the waiver is invoked.

SEC. 1237. MODIFICATION AND EXTENSION OF REPORT ON MILITARY ASSISTANCE TO UKRAINE.

(a) FINDINGS.—Congress makes the following findings:

(1) Ukraine's border is 6,995 kilometers long, including 1,974 kilometers of controlled border with the Russian Federation, 195 kilometers of an administrative line with Crimea, and 409 kilometers of border in the east that is currently uncontrolled.

(2) Since the beginning of the Russian-Ukrainian conflict in 2014, 64 Ukrainian border guards have been killed and another 391 have been wounded.

(3) Implementation of the Minsk Agreement, signed in February 2015, requires the State Border Guard Service of Ukraine to reestablish border checkpoints in currently uncontrolled territory and to monitor the border to verify full implementation of the Agreement.

(4) Ukraine is developing engineering and technical systems to strengthen the controlled border between Ukraine and the Russian Federation, Ukrainian maritime borders, and areas adjacent to the uncontrolled territory and occupied Crimea.

(5) Russian unmanned aerial vehicles are being used to support Russian-backed separatist artillery fire against Ukrainian forces.

(6) Due to a lack of resources and equipment, Ukraine lacks an effective early warning network to warn of any new aggression on the border.

(7) Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068) calls for the United States to provide to Ukraine critical training and equipment to enhance the capabilities of the military and other security forces of Ukraine to defend against further aggression from the Russian Federation and Russian-backed separatists.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should continue to support the Government of Ukraine's efforts to provide and maintain security in Ukraine;

(2) the State Border Guard Service of Ukraine needs sufficient equipment and technical assistance to defend and monitor Ukraine's borders and to fully implement the Minsk Agreement; and

(3) the Department of Defense should continue its work with the Ukrainian military, Ukrainian National Guard, and Ukrainian State Border Guard Service to strengthen Ukraine's defenses and defend its borders against aggressive actions.

(c) MODIFICATION AND EXTENSION OF REPORT ON MILITARY ASSISTANCE TO UKRAINE.—

(1) CONGRESSIONAL COMMITTEES.—Subsection (b) of section 1275 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3591) is amended by inserting ''and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives'' after ''congressional defense committees''.

(2) ELEMENTS.—Subsection (c) of such section is amended by adding at the end the following:

''(8) A description of the extent to which the Department of Defense has provided security assistance to the Government of Ukraine for the purposes of protecting and monitoring the borders of Ukraine.''.

(3) EXTENSION.—Subsection (e) of such section, as amended by section 1250(g) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1070), is further amended by striking ''December 31, 2017'' and inserting ''December 31, 2019''.

SEC. 1238. ADDITIONAL MATTERS IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

(a) ADDITIONAL MATTERS.—Subsection (b) of section 1245 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3566), as amended by section 1248(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1066), is further amended—

(1) by redesignating paragraph (18) as paragraph (19); and

(2) by inserting after paragraph (17) the following:

''(18) The current state of Russia's foreign military deployments, which shall include the following:

''(A) For each such deployment, the estimated number of forces, types of capabilities to include advanced weapons, length of deployment, and where possible identifying basing agreements.

''(B) The following information with respect to such deployments to be disaggregated on a country-by-country basis:

''(i) The number of Russian military personnel, including combat troops, military trainers, combat enabling capabilities and border security agents, deployed to the country with the consent of the national or local government. Such information should include the length of the basing arrangements and the strategic importance of the location.

''(ii) The number of such Russian military personnel deployed in areas where Russian forces entered the country by force or are otherwise deployed over the objections of the national or local government.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to reports submitted under section 1245 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 after that date.

Subtitle E—Other Matters

SEC. 1241. SENSE OF CONGRESS ON MALIGN ACTIVITIES OF THE GOVERNMENT OF IRAN.

(a) FINDINGS.—Congress finds that the Government of Iran continues to conduct provocative, malign activities in the region, including—

(1) the launch of the Shahab-3 medium-range ballistic missile and Qiam-1 short-range ballistic missiles;

(2) the intent to launch the Simorgh Space-Launch Vehicle (SLV) as stated by Lieutenant General Vincent Stewart in testimony to the House Armed Services Committee: ''Iran stated publicly it intends to launch the Simorgh (SLV), which would be capable of intercontinental ballistic missile (ICBM) range.'';

(3) the detention of United States service members, which the Secretary of Defense, Ashton Carter, described in testimony to the House Armed Services Committee as ''unprofessional'' and ''outrageous'';

(4) the support of foreign terrorist organizations designated by the Department of State, such as Lebanese Hezbollah and Kata'ib Hizbollah;

(5) the support of the Assad regime in Syria;

(6) the support of Shia militias in Iraq that have been directly responsible for the deaths of United States service members; and

(7) the support of the Houthi rebels in Yemen in contravention to the internationally-recognized, legitimate Government of Yemen.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Joint Comprehensive Plan of Action (JCPOA) does not address the totality of the malign activities of the Government of Iran, including ballistic missile launches, support for designated foreign terrorist organizations, or other proxies conducting malign activities in the region and globally;

(2) the United States should increase its efforts to counter the continued expansion of malign activities of the Government of Iran in the Middle East;

(3) the United States should ensure that it has robust, enduring military posture and capabilities forward deployed in the Arabian Gulf region to deter Iranian aggression and respond to Iranian aggression, if necessary; and

(4) the United States should strengthen ballistic missile defense capabilities and increase security assistance to United States partners and allies in the region.

SEC. 1242. MODIFICATION OF ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

(a) ANNUAL REPORT.—Subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 781; 10 U.S.C. 113 note) is amended by striking ''March 1 each year'' and inserting ''January 31 of each year through January 31, 2021''.

(b) MATTERS TO BE INCLUDED.—Subsection (b) of such section, as most recently amended by section 1252(a) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3571), is further amended by adding at the end the following:

''(21) A summary of the order of battle of the People's Liberation Army, including anti-ship ballistic missiles, theater ballistic missiles, and land attack cruise missile inventory.''.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to reports required to be submitted under subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 on or after that date.

SEC. 1243. SENSE OF CONGRESS ON TRILATERAL COOPERATION BETWEEN JAPAN, SOUTH KOREA, AND THE UNITED STATES.

(a) FINDINGS.—Congress finds the following:

(1) Japan and the Republic of Korea (South Korea) are both treaty allies and critically important security partners of the United States.

(2) Japan and South Korea confront a range of shared challenges to their national security and to stability in the Asia-Pacific region, including the multitude of threats posed by the Democratic People's Republic of Korea (North Korea).

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should continue to support trilateral cooperation with Japan and South Korea;

(2) the United States should continue to support defense cooperation between Japan and South Korea on the full range of issues related to North Korea and to other security challenges in the Asia-Pacific region; and

(3) the United States should seek to facilitate closer security cooperation with and between Japan and South Korea on—

(A) non-proliferation;

(B) cyber security;

(C) maritime security;

(D) security technology and capability development; and

(E) other areas of mutual security benefit.

SEC. 1244. SENSE OF CONGRESS ON COOPERATION BETWEEN SINGAPORE AND THE UNITED STATES.

(a) FINDINGS.—Congress finds the following:

(1) 2016 is the 50th year of relations between the United States and the Republic of Singapore.

(2) The United States and Singapore signed an enhanced defense cooperation agreement on December 7, 2015.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should continue to conduct bilateral cooperation and support the strategic partnership with Singapore to promote peace and stability in the Asia-Pacific region;

(2) the United States welcomes the signing of the enhanced Defense Cooperation Agreement with Singapore and should expand bilateral training and cooperation on security issues, including maritime security, cyber security, countering violent extremism, humanitarian assistance, and disaster relief;

(3) the United States should continue efforts with Singapore to address transnational issues and strengthen regional and multilateral institutions that promote security cooperation based on internationally accepted rules and norms; and

(4) the United States should improve joint interoperability and security collaboration with Singapore to enhance capabilities to maintain regional stability.

SEC. 1245. MONITORING AND EVALUATION OF OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Of the amounts authorized to be appropriated by this Act for Overseas Humanitarian, Disaster, and Civic Aid, the Secretary of Defense is authorized to use up to 5 percent of such amounts to conduct monitoring and evaluation of programs that are funded using such amounts during fiscal year 2017.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on mechanisms to evaluate the programs conducted pursuant to the authorities listed in subsection (a).

(c) DEFINITION.—In subsection (b), the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1246. ENHANCEMENT OF INTERAGENCY SUPPORT DURING CONTINGENCY OPERATIONS AND TRANSITION PERIODS.

(a) AUTHORITY.—The Secretary of Defense and the Secretary of State may enter into an agreement under which each Secretary may provide covered support, supplies, and services on a

reimbursement basis, or by exchange of covered support, supplies, and services, to the other Secretary during a contingency operation and related transition period for up to two years following the end of such contingency operation.

(b) AGREEMENT.—An agreement entered into under this section shall be in writing and shall include the following terms:

(1) The price charged by a supplying agency shall be the direct costs that such agency incurred by providing the covered support, supplies, or services to the requesting agency under this section.

(2) Credits and liabilities of the agencies accrued as a result of acquisitions and transfers of covered support, supplies, and services under this section shall be liquidated not less often than once every 3 months by direct payment to the agency supplying such support, supplies, or services by the agency receiving such support, supplies, or services.

(3) Exchange entitlements accrued as a result of acquisitions and transfers of covered support, supplies, and services under this section shall be satisfied within 12 months after the date of the delivery of the covered support, supplies, or services. Exchange entitlements not so satisfied shall be immediately liquidated by direct payment to the agency supplying such covered support, supplies, or services.

(c) EFFECT OF OBLIGATION AND AVAILABILITY OF FUNDS.—An order placed by an agency pursuant to an agreement under this section is deemed to be an obligation in the same manner that a similar order placed under a contract with, or a contract for similar goods or services awarded to, a private contractor is an obligation. Appropriations remain available to pay an obligation to the servicing agency in the same manner as appropriations remain available to pay an obligation to a private contractor.

(d) DEFINITIONS.—In this section:

(1) COVERED SUPPORT, SUPPLIES, AND SERVICES.—The term ''covered support, supplies, and services'' means food, billeting, transportation (including airlift), petroleum, oils, lubricants, communications services, medical services, ammunition, base operations support, use of facilities, spare parts and components, repair and maintenance services, and calibration services.

(2) CONTINGENCY OPERATION.—The term ''contingency operation'' has the meaning given that term in section 101(a)(13) of title 10, United States Code.

(e) CREDITING OF RECEIPTS.—Any receipt as a result of an agreement entered into under this section shall be credited, at the option of the Secretary of Defense with respect to the Department of Defense and the Secretary of State with respect to the Department of State, to—

(1) the appropriation, fund, or account used in incurring the obligation; or

(2) an appropriate appropriation, fund, or account currently available for the purposes for which the expenditures were made.

(f) NOTIFICATION.—Not later than 30 days after the end of a fiscal year in which covered support, supplies, and services are provided or exchanged pursuant to an agreement under this section, the Secretary of Defense and the Secretary of State shall jointly submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification that contains a copy of such agreement and a description of such covered support, supplies, and services.

(g) SUNSET.—The authority to enter into an agreement under this section shall terminate at the close of December 31, 2018.

SEC. 1247. TWO-YEAR EXTENSION AND MODIFICATION OF AUTHORIZATION OF NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

(a) EXTENSION OF AUTHORITY.—Subsection (h) of section 943 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4579), as most recently amended by section 1271 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1075), is further amended by striking ''2018'' and inserting ''2020''.

(b) MODIFICATION TO AUTHORIZED ACTIVITIES.—Subsection (c) of such section is amended by inserting '', or other individuals, as determined by the Secretary of Defense, with respect to already established non-conventional assisted recovery capabilities'' before the period at the end of the first sentence.

SEC. 1248. AUTHORITY TO DESTROY CERTAIN SPECIFIED WORLD WAR II-ERA UNITED STATES-ORIGIN CHEMICAL MUNITIONS LOCATED ON SAN JOSE ISLAND, REPUBLIC OF PANAMA.

(a) AUTHORITY.—

(1) IN GENERAL.—Subject to subsection (b), the Secretary of Defense may destroy the chemical munitions described in subsection (c).

(2) EX GRATIA ACTION.—The action authorized by this section is ''ex gratia'' on the part of the United States, as the term ''ex gratia'' is used in section 321 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 10 U.S.C. 2701 note).

(3) CONSULTATION BETWEEN SECRETARY OF DEFENSE AND SECRETARY OF STATE.—The Secretary of Defense and the Secretary of State shall consult and develop any arrangements with the Republic of Panama with respect to this section.

(b) CONDITIONS.—The Secretary of Defense may exercise the authority under subsection (a) only if the Republic of Panama has—

(1) revised the declaration of the Republic of Panama under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction to indicate that the chemical munitions described in subsection (c) are ''old chemical weapons'' rather than ''abandoned chemical weapons''; and

(2) affirmed, in writing, that it understands (A) that the United States intends only to destroy the munitions described in subsections (c) and (d), and (B) that the United States is not legally obligated and does not intend to destroy any other munitions, munitions constituents, and associated debris that may be located on San Jose Island as a result of research, development, and testing activities conducted on San Jose Island during the period of 1943 through 1947.

(c) CHEMICAL MUNITIONS.—The chemical munitions described in this subsection are the eight United States-origin chemical munitions located on San Jose Island, Republic of Panama, that were identified in the 2002 Final Inspection Report of the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons.

(d) LIMITED INCIDENTAL AUTHORITY TO DESTROY OTHER MUNITIONS.—In exercising the authority under subsection (a), the Secretary of Defense may destroy other munitions located on San Jose Island, Republic of Panama, but only to the extent essential and required to reach and destroy the chemical munitions described in subsection (c).

(e) SOURCE OF FUNDS.—Of the amounts authorized to be appropriated by this Act, the Secretary of Defense may use up to $30,000,000 from amounts made available for Chemical Agents and Munitions Destruction, Defense to carry out the authority in subsection (a).

(f) SUNSET.—The authority under subsection (a) shall terminate on the date that is three years after the date of the enactment of this Act.

SEC. 1249. STRATEGY FOR UNITED STATES DEFENSE INTERESTS IN AFRICA.

(a) REQUIRED REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that contains the strategy for United States defense interests in Africa.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall address the following:

(1) United States national security interests in Africa, including an assessment of threats to global and regional United States national security interests emanating from the continent.

(2) United States defense objectives in Africa.

(3) Courses of action to accomplish United States defense objectives in Africa, including those conducted in cooperation with other Federal agencies.

(4) Measures to improve coordination between United States Africa Command and other combatant commands to achieve unity of effort to counter threats that cross combatant command boundaries.

(5) Department of Defense capabilities and resources required to achieve defense objectives in Africa, and the mitigation plan to address any gaps in such capabilities or resources that affect the implementation of the strategy required by subsection (a).

(6) Security cooperation initiatives to advance defense objectives in Africa.

(7) Any other matters the Secretary of Defense determines to be appropriate.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex if necessary.

SEC. 1250. UNITED STATES-ISRAEL DIRECTED ENERGY COOPERATION.

(a) AUTHORITY TO ESTABLISH DIRECTED ENERGY CAPABILITIES PROGRAM WITH ISRAEL.—

(1) IN GENERAL.—The Secretary of Defense, upon the request of the Ministry of Defense of Israel, and with the concurrence of the Secretary of State, may carry out research, development, test, and evaluation activities, on a joint basis with Israel, to establish directed energy capabilities to detect and defeat ballistic missiles, cruise missiles, unmanned aerial vehicles, mortars, and improvised explosive devices that threaten the United States, deployed forces of the United States, or Israel. Any activities carried out pursuant to such authority shall be conducted in a manner that appropriately protects sensitive information and the national security interests of the United States and Israel.

(2) REPORT.—The activities described in paragraph (1) may be carried out after the Secretary of Defense submits to the appropriate committees of Congress a report setting forth the following:

(A) A memorandum of agreement between the United States and Israel regarding sharing of research and development costs for the capabilities described in paragraph (1), and any supporting documents.

(B) A certification that the memorandum of agreement—

(i) requires sharing of costs of projects, including in-kind support, between the United States and Israel;

(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

(iii) requires the United States Government to receive semiannual reports on expenditure of funds, if any, by the Government of Israel, including a description of what the funds have been used for, when funds were expended, and an identification of entities that expended the funds.

(3) ANNUAL LIMITATION ON AMOUNT.—The amount of support provided under this subsection in any year may not exceed $25,000,000.

(b) LEAD AGENCY.—The Secretary of Defense shall designate the Missile Defense Agency as the appropriate research and development entity and as the lead agency of the Department of Defense in carrying out this section.

(c) SEMIANNUAL REPORTS.—The Secretary of Defense shall submit to the appropriate committees of Congress on a semiannual basis a report that contains a copy of the most recent semiannual report provided by the Government of Israel to the Department of Defense pursuant to subsection (a)(2)(B)(iii).

(d) SUNSET.—The authority in this section to carry out activities described in subsection (a) shall expire on December 31, 2018.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1251. SENSE OF CONGRESS ON SUPPORT FOR ESTONIA, LATVIA, AND LITHUANIA.

(a) FINDINGS.—Congress finds the following:

(1) The Baltic States of Estonia, Latvia, and Lithuania are highly valued allies of the United States, and they have repeatedly demonstrated their commitment to advancing our mutual interests as well as those of the NATO Alliance.

(2) Operation Atlantic Resolve is a series of exercises and coordinating efforts demonstrating the United States' commitment to its European partners and allies, including the Baltic States of Estonia, Latvia, and Lithuania, with the shared goal of peace and stability in the region. Operation Atlantic Resolve strengthens communication and understanding, and is an important effort to deter Russian aggression in the region.

(3) Through Operation Atlantic Resolve, the European Reassurance Initiative undertakes exercises, training, and rotational presence necessary to reassure and integrate our allies, including the Baltic States, into a common defense framework.

(4) All three Baltic States contributed to the NATO-led International Security Assistance Force in Afghanistan, sending disproportionate numbers of troops and operating with few caveats. The Baltic States continue to engage in Operation Resolute Support in Afghanistan.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its support for the principle of collective defense in Article 5 of the North Atlantic Treaty for our NATO allies, including Estonia, Latvia, and Lithuania;

(2) supports the sovereignty, independence, territorial integrity, and inviolability of Estonia, Latvia, and Lithuania as well as their internationally recognized borders, and expresses concerns over increasingly aggressive military maneuvering by the Russian Federation near their borders and airspace;

(3) expresses concern over and condemns subversive and destabilizing activities by the Russian Federation within the Baltic States; and

(4) encourages the Administration to further enhance defense cooperation efforts with Estonia, Latvia, and Lithuania and supports the efforts of their Governments to provide for the defense of their people and sovereign territory.

SEC. 1252. SENSE OF CONGRESS ON SUPPORT FOR GEORGIA.

(a) FINDINGS.—Congress finds the following:

(1) Georgia is a valued friend of the United States and has repeatedly demonstrated its commitment to advancing the mutual interests of both countries, including the deployment of Georgian forces as part of the NATO-led International Security Assistance Force (ISAF) in Afghanistan and the Multi-National Force in Iraq.

(2) The European Reassurance Initiative builds the partnership capacity of Georgia so it can work more closely with the United States and NATO, as well as provide for its own defense.

(3) In addition to the European Reassurance Initiative, Georgia's participation in the NATO initiative Partnership for Peace is paramount to interoperability with the United States and NATO, and establishing a more peaceful environment in the region.

(4) Despite the losses suffered, as a NATO partner of ISAF, Georgia is engaged in the Resolute Support Mission in Afghanistan with the second largest contingent on the ground.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms United States support for Georgia's sovereignty and territorial integrity within its internationally-recognized borders, and does not recognize the independence of the Abkhazia and South Ossetia regions currently occupied by the Russian Federation; and

(2) supports continued cooperation between the United States and Georgia and the efforts of the Government of Georgia to provide for the defense of its people and sovereign territory.

SEC. 1253. MODIFICATION OF ANNUAL REPORT ON MILITARY POWER OF IRAN.

(a) IN GENERAL.—Subsection (b)(3) of section 1245 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2542) is amended—

(1) by redesignating subparagraphs (E) through (G) as subparagraphs (G) through (I), respectively; and

(2) by inserting after subparagraph (D) the following:

''(E) an estimate of Iran's military cyber capabilities, including persons and entities operating on behalf of Iran, and any information on those persons or entities responsible for targeting United States critical infrastructure or United States persons or entities;

''(F) information on Iranian military and security organizations responsible for detaining members of the United States Armed Forces or interfering in United States military operations;''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to reports required to be submitted under section 1245 of the National Defense Authorization Act for Fiscal Year 2010 on or after such date of enactment.

SEC. 1254. SENSE OF CONGRESS ON SENIOR MILITARY EXCHANGES BETWEEN THE UNITED STATES AND TAIWAN.

(a) IN GENERAL.—It is the sense of Congress that the Secretary of Defense should conduct a program of senior military exchanges between the United States and Taiwan that have the objective of improving military-to-military relations and defense cooperation between the United States and Taiwan.

(b) ADMINISTRATION OF PROGRAM.—It is the sense of Congress that the program described in subsection (a)—

(1) should be conducted at least once each calendar year; and

(2) should be conducted in both the United States and Taiwan.

(c) DEFINITIONS.—In this section:

(1) SENIOR MILITARY EXCHANGE.—The term ''senior military exchange'' means an activity, exercise, professional education event, or observation opportunity in which senior military officers and senior defense officials participate.

(2) SENIOR MILITARY OFFICER.—The term ''senior military officer'' means a general or flag officer on active duty in the armed forces.

(3) SENIOR DEFENSE OFFICIAL.—The term ''senior defense official'', with respect to the Department of Defense, means a civilian official at the level of Assistant Secretary of Defense or above.

SEC. 1255. QUARTERLY REPORT ON FREEDOM OF NAVIGATION OPERATIONS.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 130i. Quarterly report on freedom of navigation operations

''(a) REPORT REQUIRED.—Not later than 30 days after the end of each fiscal quarter, the Secretary of Defense shall submit to the congressional defense committees a report on any excessive territorial claims of foreign countries that were challenged by freedom of navigation operations and flights carried out by the armed forces during such fiscal quarter.

''(b) ELEMENTS.—The report under subsection (a) shall include, with respect to each operation described in such subsection, the following:

''(1) The date of the operation.

''(2) The class of ship or type of aircraft that conducted the operation.

''(3) The geographic location of the operation.

''(4) Identification of the foreign country that made the excessive territorial claim challenged by the operation.

''(5) A description of the excessive territorial claim that was challenged by the operation.

''(c) SUNSET.—This section shall terminate on September 30, 2018.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130h the following new item:

''130i. Quarterly report on freedom of navigation operations.''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act and shall apply with respect to fiscal quarters beginning after such date.

Subtitle F—Codification and Consolidation of Department of Defense Security Cooperation Authorities

SEC. 1261. ENACTMENT OF NEW CHAPTER FOR DEPARTMENT OF DEFENSE SECURITY COOPERATION AUTHORITIES AND TRANSFER OF CERTAIN AUTHORITIES TO NEW CHAPTER.

(a) STATUTORY CODIFICATION.—Chapter 11 of part I of subtitle A of title 10, United States Code, is amended to read as follows:

''CHAPTER 11—SECURITY COOPERATION

''SUBCHAPTER I—GENERAL MATTERS

''Sec.

''251. Definitions.

''252. Annual report on programs carried out by the Department of Defense to provide training, equipment, or other assistance or reimbursement to foreign security forces.

''SUBCHAPTER II—MILITARY-TO-MILITARY ENGAGEMENTS

''256. Authority for non-reciprocal exchanges of defense personnel between the United States and foreign countries.

''257. Bilateral or regional cooperation programs: awards and mementos to recognize superior noncombat achievements or performance.

''SUBCHAPTER III—TRAINING WITH FOREIGN FORCES

''263. Participation of developing countries in combined exercises: payment of incremental expenses.

''SUBCHAPTER IV—SUPPORT FOR OPERATIONS AND CAPACITY BUILDING

''271. Allied forces participating in combined operations: authority to provide logistic support, supplies, and services.

''272. Authority to build the capacity of foreign security forces.

''273. Friendly foreign countries; international and regional organizations: defense institution capacity building.

''SUBCHAPTER V—EDUCATIONAL AND TRAINING ACTIVITIES

''281. Regional Centers for Security Studies.

''282. Western Hemisphere Institute for Security Cooperation.

''283. Participation in multinational military centers of excellence.

''284. Distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability with the armed forces.

''285. Aviation Leadership Program.
''286. Inter-American Air Forces Academy.
''287. Inter-European Air Forces Academy.

''SUBCHAPTER VI—LIMITATIONS ON USE OF DEPARTMENT OF DEFENSE FUNDS

''293. Prohibition on providing financial assistance to terrorist countries.
''294. Prohibition on use of funds for assistance to units of foreign security forces that have committed a gross violation of human rights.

"Subchapter I—General Matters

"SEC. 251. DEFINITIONS.

''In this chapter:

''(1) The terms 'appropriate congressional committees' and 'appropriate committees of Congress' mean the following:

''(A) The congressional defense committees.

''(B) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

''(2) The term 'small-scale construction' means, with respect to a project, construction at a total cost not to exceed $750,000 for the project.

"Subchapter II—Military-to-Military Engagements

"Subchapter III—Training With Foreign Forces

"Subchapter IV—Support for Operations and Capacity Building

"Subchapter V—Educational and Training Activities

"Subchapter VI—Limitations on Use of Department of Defense Funds".

(b) CODIFICATION OF SECTION 1207 OF FY 2010 NDAA.—

(1) CODIFICATION.—Chapter 11 of title 10, United States Code, as amended by subsection (a), is further amended by inserting after the heading of subchapter II a new section 256 consisting of—

(A) a heading as follows:

"§256. Authority for non-reciprocal exchanges of defense personnel between the United States and foreign countries"; and

(B) a text consisting of the text of section 1207 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 168 note).

(2) REPEAL OF REPORTING REQUIREMENT.—Section 256 of title 10, United States Code, as added by paragraph (1), is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(3) CONFORMING REPEAL.—Section 1207 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 168 note) is repealed.

(c) TRANSFER OF SECTION 1051b.—Section 1051b of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after section 256, as inserted by subsection (b), and redesignated as section 257.

(d) TRANSFER OF SECTION 2010.—Section 2010 of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after the heading of subchapter III, and redesignated as section 263.

(e) TRANSFER OF SECTION 127d.—Section 127d of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after the heading of subchapter IV, and redesignated as section 271.

(f) TRANSFER OF SECTION 2282.—Section 2282 of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after section 271, as transferred and redesignated by subsection (e), and redesignated as section 272.

(g) CODIFICATION OF SECTION 1081 OF FY 2012 NDAA.—

(1) CODIFICATION.—Chapter 11 of title 10, United States Code, as amended by subsection (a), is amended by inserting after section 272, as transferred and redesignated by subsection (f), a new section 273 consisting of—

(A) a heading as follows:

"§273. Friendly foreign countries; international and regional organizations: defense institution capacity building"; and

(B) a text consisting of the text of subsections (a) through (d) of section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 168 note).

(2) EXTENSION OF AUTHORITY.—Subsection (c)(1) of section 273 of title 10, United States Code, as added by paragraph (1), is amended by striking ''at the close of December 31, 2017'' and inserting ''on December 31, 2019''.

(3) CONFORMING REPEAL.—Section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 168 note) is repealed.

(h) TRANSFER OF SECTION 184 AND CODIFICATION OF RELATED PROVISIONS.—

(1) TRANSFER.—Section 184 of title 10, United States Code, is transferred to chapter 11 of title 10, United States Code, as amended by subsection (a), inserted after the heading of subchapter V, and redesignated as section 281.

(2) CODIFICATION OF REIMBURSEMENT-RELATED PROVISIONS.—Subsection (f)(3) of section 281 of title 10, United States Code, as transferred and redesignated by paragraph (1), is amended—

(A) by inserting ''(A)'' after ''(3)''; and

(B) by adding at the end the following new subparagraph:

''(B)(i) In fiscal years 2017 through 2019, the Secretary of Defense may, with the concurrence of the Secretary of State, waive reimbursement otherwise required under this subsection of the costs of activities of Regional Centers under this section for personnel of nongovernmental and international organizations who participate in activities of the Regional Centers that enhance cooperation of nongovernmental organizations and international organizations with United States forces if the Secretary of Defense determines that attendance of such personnel without reimbursement is in the national security interests of the United States.

''(ii) The amount of reimbursement that may be waived under clause (i) in any fiscal year may not exceed $1,000,000.''.

(3) CODIFICATION OF PROVISIONS RELATING TO SPECIFIC CENTERS.—Section 281 of title 10, United States Code, as transferred and redesignated by paragraph (1), is amended by adding at the end the following new subsections:

''(h) AUTHORITIES SPECIFIC TO MARSHALL CENTER.—(1) The Secretary of Defense may authorize participation by a European or Eurasian country in programs of the George C. Marshall European Center for Security Studies (in this subsection referred to as the 'Marshall Center') if the Secretary determines, after consultation with the Secretary of State, that such participation is in the national interest of the United States.

''(2)(A) In the case of any person invited to serve without compensation on the Marshall Center Board of Visitors, the Secretary of Defense may waive any requirement for financial disclosure that would otherwise apply to that person solely by reason of service on such Board.

''(B) A member of the Marshall Center Board of Visitors may not be required to register as an agent of a foreign government solely by reason of service as a member of the Board.

''(C) Notwithstanding section 219 of title 18, a non-United States citizen may serve on the Marshall Center Board of Visitors even though registered as a foreign agent.

''(3)(A) The Secretary of Defense may waive reimbursement of the costs of conferences, seminars, courses of instruction, or similar educational activities of the Marshall Center for military officers and civilian officials from states located in Europe or the territory of the former Soviet Union if the Secretary determines that attendance by such personnel without reimbursement is in the national security interest of the United States.

''(B) Costs for which reimbursement is waived pursuant to subparagraph (A) shall be paid from appropriations available for the Center.

''(i) AUTHORITIES SPECIFIC TO INOUYE CENTER.—(1) The Secretary of Defense may waive reimbursement of the cost of conferences, seminars, courses of instruction, or similar educational activities of the Daniel K. Inouye Asia-Pacific Center for Security Studies for military officers and civilian officials of foreign countries if the Secretary determines that attendance by such personnel, without reimbursement, is in the national security interest of the United States.

''(2) Costs for which reimbursement is waived pursuant to paragraph (1) shall be paid from appropriations available for the Center.''.

(4) CONFORMING REPEALS.—The following provisions of law are repealed:

(A) Section 941(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 184 note).

(B) Section 1065 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 113 note).

(C) Section 1306 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 113 note).

(D) Section 8073 of the Department of Defense Appropriations Act, 2003 (Public Law 107–248; 10 U.S.C. prec. 2161 note).

(i) TRANSFER OF SECTION 2166.—

(1) TRANSFER.—Section 2166 of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after section 281, as transferred, redesignated, and amended by subsection (h), and redesignated as section 282.

(2) STYLISTIC AMENDMENTS.—Section 282 of title 10, United States Code, as transferred and redesignated by paragraph (1), is amended by striking ''nations'' each place it appears in subsections (b) and (c) and inserting ''countries''.

(3) CROSS-REFERENCE.—Section 2612(a) of title 10, United States Code, is amended by striking ''section 2166(f)(4)'' and inserting ''section 282(f)(4)''.

(j) TRANSFER OF SECTION 2350M.—Section 2350m of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after section 282, as transferred and redesignated by subsection (i), and redesignated as section 283.

(k) TRANSFER OF SECTION 2249D.—

(1) TRANSFER.—Section 2249d of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after section 283, as transferred and redesignated by subsection (j), and redesignated as section 284.

(2) STYLISTIC AMENDMENTS.—Section 284 of title 10, United States Code, as transferred and redesignated by paragraph (1), is amended—

(A) by striking ''nations'' in subsections (a) and (d) and inserting ''countries''; and

(B) by striking subsection (g).

(l) CONSOLIDATION OF CHAPTER 905 AND SECTIONS 9381, 9382, AND 9383.—

(1) CONSOLIDATION.—Chapter 11 of title 10, United States Code, as amended by subsection (a), is further amended by inserting after section 284, as transferred and redesignated by subsection (k), the following new section:

"§285. Aviation leadership program

''(a) ESTABLISHMENT OF PROGRAM.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force may establish and maintain an Aviation Leadership Program to provide undergraduate pilot training and necessary related training to personnel of the air forces of friendly, developing foreign countries. Training under this section shall include language training and programs to promote better awareness and understanding of the

democratic institutions and social framework of the United States.

''(b) SUPPLIES AND CLOTHING.—(1) The Secretary of the Air Force may, under such conditions as the Secretary may prescribe, provide to a person receiving training under this section—

''(A) transportation incident to the training;

''(B) supplies and equipment to be used during the training;

''(C) flight clothing and other special clothing required for the training; and

''(D) billeting, food, and health services.

''(2) The Secretary of the Air Force may authorize such expenditures from the appropriations of the Air Force as the Secretary considers necessary for the efficient and effective maintenance of the Program in accordance with this section.

''(c) ALLOWANCES.—The Secretary of the Air Force may pay to a person receiving training under this section a living allowance at a rate to be prescribed by the Secretary, taking into account the amount of living allowances authorized for a member of the armed forces under similar circumstances.''.

(2) CONFORMING REPEAL.—Chapter 905 of title 10, United States Code, is repealed.

(m) TRANSFER OF SECTION 9415.—Section 9415 of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after section 285, as added by subsection (l), and redesignated as section 286.

(n) CODIFICATION OF SECTION 1268 OF FY 2015 NDAA.—

(1) CODIFICATION.—Chapter 11 of title 10, United States Code, as amended by subsection (a), is further amended by inserting after section 286, as transferred and redesignated by subsection (m), a new section 287 consisting of—

(A) a heading as follows:

''§ 287. Inter-European Air Forces Academy''; and

(B) a text consisting of the text of section 1268 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 9411 note).

(2) REPEAL OF REPORTING REQUIREMENT.—Section 287 of title 10, United States Code, as added by paragraph (1), is amended—

(A) by striking subsection (g); and

(B) by redesignating subsection (h) as subsection (g).

(3) CONFORMING REPEAL.—Section 1268 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 9411 note) is repealed.

(o) TRANSFER OF SECTIONS 2249A AND 2249E.—

(1) TRANSFER.—Sections 2249a and 2249e of title 10, United States Code, are transferred to chapter 11 of such title, as amended by subsection (a), inserted after the heading of subchapter VI, and redesignated as sections 293 and 294, respectively.

(2) CONFORMING AMENDMENT.—Section 294 of title 10, United States Code, as transferred and redesignated by paragraph (1), is amended by striking subsection (f).

(3) CROSS-REFERENCE.—Section 1204(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3533; 10 U.S.C. 2249e note) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''section 2249e of title 10, United States Code (as added by subsection (a))'' and inserting ''section 294 of title 10, United States Code''; and

(ii) in subparagraphs (D) and (E), by striking ''section 2249e of title 10, United States Code (as so added)'' and inserting ''section 294 of such title''; and

(B) in paragraph (3), by striking ''subsection (f) of section 2249e of title 10, United States Code (as so added)'' and inserting ''section 251(1) of such title''.

(p) CLERICAL AMENDMENTS.—Title 10, United States Code, is amended as follows:

(1) The tables of chapters at the beginning of subtitle A, and at the beginning of part I of subtitle A, are amended by striking the item relating to chapter 11 and inserting the following new item:

''11. Security cooperation ..... 251''.

(2) The table of sections at the beginning of chapter 3 is amended by striking the item relating to section 127d.

(3) The table of sections at the beginning of chapter 7 is amended by striking the item relating to section 184.

(4) The table of sections at the beginning of chapter 53 is amended by striking the item relating to section 1051b.

(5) The table of sections at the beginning of chapter 101 is amended by striking the item relating to section 2010.

(6) The table of sections at the beginning of chapter 108 is amended by striking the item relating to section 2166.

(7) The table of sections at the beginning of subchapter I of chapter 134 is amended by striking the items relating to sections 2249a, 2249d, and 2249e.

(8) The table of sections at the beginning of chapter 136 is amended by striking the item relating to section 2282.

(9) The table of sections at the beginning of subchapter II of chapter 138 is amended by striking the item relating to section 2350m.

(10) The tables of chapters at the beginning of subtitle D, and at the beginning of part III of subtitle D, are amended by striking the item relating to chapter 905.

(11) The table of sections at the beginning of chapter 907 is amended by striking the item relating to section 9415.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) FISCAL YEAR 2017 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—In this title, the term ''fiscal year 2017 Cooperative Threat Reduction funds'' means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711).

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2017, 2018, and 2019.

SEC. 1302. FUNDING ALLOCATIONS.

(a) IN GENERAL.—Of the $325,604,000 authorized to be appropriated to the Department of Defense for fiscal year 2017 in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $11,791,000.

(2) For chemical weapons destruction, $2,942,000.

(3) For global nuclear security, $16,899,000.

(4) For cooperative biological engagement, $213,984,000.

(5) For proliferation prevention, $50,709,000, of which—

(A) $4,000,000 may be obligated for purposes relating to nuclear nonproliferation assisted or caused by additive manufacture technology (commonly referred to as ''3D printing'');

(B) $4,000,000 may be obligated for monitoring the ''proliferation pathways'' under the Joint Comprehensive Plan of Action;

(C) $4, 000,000 may be obligated for enhancing law enforcement cooperation and intelligence sharing; and

(D) $4,000,000 may be obligated for the Proliferation Security Initiative under subtitle B of title XVIII of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 2911 et seq.).

(6) For threat reduction engagement, $2,000,000.

(7) For activities designated as Other Assessments/Administrative Costs, $27,279,000.

(b) MODIFICATIONS TO CERTAIN REQUIREMENTS.—The Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3701 et seq.) is amended as follows:

(1) Section 1321(g)(1) (50 U.S.C. 3711(g)(1)) is amended by striking ''15 days'' and inserting ''45 days''.

(2) Section 1322(b) (50 U.S.C. 3712(b)) is amended—

(A) by striking ''At the time at which'' and inserting ''Not later than 15 days before the date on which'';

(B) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(C) in paragraph (2), by striking the period and inserting ''; and''; and

(D) by adding at the end the following new paragraph:

''(3) a discussion of—

''(A) whether authorities other than the authority under this section are available to the Secretaries to perform such project or activity to meet the threats or goals identified under subsection (a)(1); and

''(B) if such other authorities exist, why the Secretaries were not able to use such authorities for such project or activity.''.

(3) Section 1323(b)(3) (50 U.S.C. 3713(b)(3)) is amended by striking ''at the time at which'' and inserting ''not later than seven days before the date on which''.

(4) Section 1324 (50 U.S.C. 3714) is amended—

(A) in subsection (a)(1)(C), by striking ''15 days'' and inserting ''45 days''; and

(B) in subsection (b)(3), by striking ''15 days'' and inserting ''45 days''.

(c) JOINT COMPREHENSIVE PLAN OF ACTION DEFINED.—In this section, the term ''Joint Comprehensive Plan of Action'' means the Joint Comprehensive Plan of Action, signed at Vienna July 14, 2015, by Iran and by the People's Republic of China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the High Representative of the European Union for Foreign Affairs and Security Policy, and all implementing materials and agreements related to the Joint Comprehensive Plan of Action, and transmitted by the President to Congress on July 19, 2015, pursuant to section 135(a) of the Atomic Energy Act of 1954, as amended by the Iran Nuclear Agreement Review Act of 2015 (Public Law 114–17; 129 Stat. 201).

SEC. 1303. LIMITATION ON AVAILABILITY OF FUNDS FOR COOPERATIVE THREAT REDUCTION IN PEOPLE'S REPUBLIC OF CHINA.

The Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3701 et seq.) is amended by inserting after section 1334 the following new section:

''SEC. 1335. LIMITATION ON AVAILABILITY OF FUNDS FOR COOPERATIVE THREAT REDUCTION ACTIVITIES IN PEOPLE'S REPUBLIC OF CHINA.

''(a) QUARTERLY INSTALLMENTS.—In carrying out activities under the Program in the People's Republic of China, the Secretary of Defense shall ensure that Cooperative Threat Reduction funds for such activities are obligated or expended in quarterly installments.

''(b) QUARTERLY CERTIFICATIONS.—

''(1) LIMITATION.—The Secretary of Defense may not obligate or expend any Cooperative Threat Reduction funds for activities in the People's Republic of China during a quarter unless the Secretary submits to the congressional

defense committees and the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate the certification under paragraph (2) with respect to such quarter.

''(2) SUBMISSION.—On a quarterly basis, the Secretary shall submit to the committees specified in paragraph (1) a certification, made in concurrence with the Secretary of State, of the following:

''(A) China has taken material steps to—

''(i) disrupt the proliferation activities of Li Fangwei (also known as Karl Lee, or any other alias known by the United States); and

''(ii) arrest Li Fangwei pursuant the indictment charged in the United States District Court for the Southern District of New York on April 29, 2014.

''(B) China has not proliferated to any nonnuclear weapons state, or any nuclear weapons state in violation of the Treaty on the Non-Proliferation of Nuclear Weapons, any item that contributes to a ballistic missile or nuclear weapons delivery system.

''(3) COVERAGE.—The first notification made under paragraph (2) shall cover the preceding 12-month period before the date of such notification. Each subsequent notification shall cover the quarter preceding the date of such notification.''.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1406. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

SEC. 1407. NATIONAL SEA-BASED DETERRENCE FUND.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the National Sea-Based Deterrence Fund as specified in the funding table in section 4501.

Subtitle B—National Defense Stockpile

SEC. 1411. AUTHORITY TO DISPOSE OF CERTAIN MATERIALS FROM AND TO ACQUIRE ADDITIONAL MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.

(a) DISPOSAL AUTHORITY.—Pursuant to section 5(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d(b)), the National Defense Stockpile Manager may dispose of the following materials contained in the National Defense Stockpile in the following quantities:

(1) 27 short tons of beryllium.

(2) 111,149 short tons of chromium, ferroalloy.

(3) 2,973 short tons of chromium metal.

(4) 8,380 troy ounces of platinum.

(5) 275,741 pounds of contained tungsten metal powder.

(6) 12,433,796 pounds of contained tungsten ores and concentrates.

(b) ACQUISITION AUTHORITY.—

(1) AUTHORITY.—Using funds available in the National Defense Stockpile Transaction Fund, the National Defense Stockpile Manager may acquire the following materials determined to be strategic and critical materials required to meet the defense, industrial, and essential civilian needs of the United States:

(A) High modulus and high strength carbon fibers.

(B) Tantalum.

(C) Germanium.

(D) Tungsten rhenium metal.

(E) Boron carbide powder.

(F) Europium.

(G) Silicon carbide fiber.

(2) AMOUNT OF AUTHORITY.—The National Defense Stockpile Manager may use up to $55,000,0000 in the National Defense Stockpile Transaction Fund for acquisition of the materials specified paragraph (1).

(3) FISCAL YEAR LIMITATION.—The authority under paragraph (1) is available for purchases during fiscal year 2017 through fiscal year 2021.

SEC. 1412. REVISIONS TO THE STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) MATERIALS CONSTITUTING THE NATIONAL DEFENSE STOCKPILE.—Section 4 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98c) is amended—

(1) in subsection (b), by striking ''required for'' and inserting ''suitable for transfer to or disposal through''; and

(2) in subsection (c)—

(A) by striking ''(1)'' and all that follows through ''(2)''; and

(B) by striking ''this subsection'' and inserting ''subsection (b)''.

(b) QUALIFICATION OF DOMESTIC SOURCES.—Section 15(a) of such Act (50 U.S.C. 98h- 6(a)) is amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(3) by qualifying existing domestic facilities and domestically produced strategic and critical materials to meet the requirements of defense and essential civilian industries in times of national emergencies when existing domestic sources of supply are either insufficient or vulnerable to single points of failure; and

''(4) by contracting with domestic facilities to recycle strategic and critical materials, thereby increasing domestic supplies when those materials would otherwise be insufficient to support defense and essential civilian industries in times of national emergencies.''.

Subtitle C—Other Matters

SEC. 1421. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated for section 506 and available for the Defense Health Program for operation and maintenance, $122,375,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

SEC. 1422. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2017 from the Armed Forces Retirement Home Trust Fund the sum of $64,300,000 for the operation of the Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE AND TREATMENT OF CERTAIN AUTHORIZATIONS OF APPROPRIATIONS.

(a) PURPOSE.—The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2017 to provide additional funds—

(1) for overseas contingency operations being carried out by the Armed Forces; and

(2) pursuant to sections 1502, 1503, 1504, 1505, and 1507 for expenses, not otherwise provided for, for procurement, research, development, test, and evaluation, operation and maintenance, military personnel, and defense-wide drug interdiction and counter-drug activities, as specified in the funding tables in sections 4103, 4203, 4303, 4403, and 4503.

(b) SUPPORT OF BASE BUDGET REQUIREMENTS; TREATMENT.—Funds identified in subsection (a)(2) are being authorized to be appropriated in support of base budget requirements as requested by the President for fiscal year 2017 pursuant to section 1105(a) of title 31, United States Code. The Director of the Office of Management and Budget shall apportion the funds identified in such subsection to the Department of Defense without restriction, limitation, or constraint on the execution of such funds in support of base requirements, including any restriction, limitation, or constraint imposed by, or described in, the document entitled ''Criteria for War/Overseas Contingency Operations Funding Requests'' transmitted by the Director to the Department of Defense on September 9, 2010, or any successor or related guidance.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2017 for procurement accounts for the Army, the Navy and the Marine

Corps, the Air Force, and Defense-wide activities, as specified in—

(1) the funding table in section 4102; or

(2) the funding table in section 4103.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Department of Defense for research, development, test, and evaluation, as specified in—

(1) the funding table in section 4202; or

(2) the funding table in section 4203.

SEC. 1504. OPERATION AND MAINTENANCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in—

(1) the funding table in section 4302, or

(2) the funding table in section 4303.

(b) PERIOD OF AVAILABILITY.—Amounts specified in the funding table in section 4302 shall remain available for obligation only until April 30, 2017, at a rate for operations as provided in the Department of Defense Appropriations Act, 2016 (division C of Public Law 114–113).

SEC. 1505. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in—

(1) the funding table in section 4402; or

(2) the funding table in section 4403.

(b) PERIOD OF AVAILABILITY.—Amounts specified in the funding table in section 4402 shall remain available for obligation only until April 30, 2017, at a rate for operations as provided in the Department of Defense Appropriations Act, 2016 (division C of Public Law 114–113).

SEC. 1506. WORKING CAPITAL FUNDS.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

(b) PERIOD OF AVAILABILITY.—Amounts specified in the funding table in section 4502 for providing capital for working capital and revolving funds shall remain available for obligation only until April 30, 2017, at a rate for operations as provided in the Department of Defense Appropriations Act, 2016 (division C of Public Law 114–113).

SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in—

(1) the funding table in section 4502; or

(2) the funding table in section 4503.

SEC. 1508. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE HEALTH PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

(b) PERIOD OF AVAILABILITY.—Amounts specified in the funding table in section 4502 for the Defense Health Program shall remain available for obligation only until April 30, 2017, at a rate for operations as provided in the Department of Defense Appropriations Act, 2016 (division C of Public Law 114–113).

SEC. 1510. COUNTERTERRORISM PARTNERSHIPS FUND.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for the Counterterrorism Partnerships Fund, as specified in the funding table in section 4502.

(b) DURATION OF AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available for obligation through September 30, 2018.

Subtitle B—Financial Matters

SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2017 between any such authorizations for that fiscal year (or any subdivisions thereof).

(2) EFFECT OF TRANSFER.—Amounts of authorizations transferred under this subsection shall be merged with and be available for the same purposes as the authorization to which transferred.

(3) LIMITATIONS.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $4,500,000,000.

(4) EXCEPTION.—In the case of the authorizations of appropriations contained in sections 1502, 1503, 1504, 1505, and 1507 that are provided for the purpose specified in section 1501(a)(2), the transfer authority provided under section 1001, rather than the transfer authority provided by this subsection, shall apply to any transfer of amounts of such authorizations.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations, Reports, and Other Matters

SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.

(a) IN GENERAL.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund during the period beginning on the date of the enactment of this Act and ending on December 31, 2017, shall be subject to the conditions contained in subsections (b) through (f) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(b) ALLOCATION OF FUNDS.—

(1) IN GENERAL.—Of the funds available to the Department of Defense for the Afghan Security Forces Fund for fiscal year 2017, it is the goal that $25,000,000 shall be used for—

(A) the recruitment, integration, retention, training, and treatment of women in the Afghan National Security Forces; and

(B) the recruitment, training, and contracting of female security personnel for future elections.

(2) TYPES OF PROGRAMS AND ACTIVITIES.—Such programs and activities may include—

(A) efforts to recruit women into the Afghan National Security Forces, including the special operations forces;

(B) programs and activities of the Afghan Ministry of Defense Directorate of Human Rights and Gender Integration and the Afghan Ministry of Interior Office of Human Rights, Gender and Child Rights;

(C) development and dissemination of gender and human rights educational and training materials and programs within the Afghan Ministry of Defense and the Afghan Ministry of Interior;

(D) efforts to address harassment and violence against women within the Afghan National Security Forces;

(E) improvements to infrastructure that address the requirements of women serving in the Afghan National Security Forces, including appropriate equipment for female security and police forces, and transportation for policewomen to their station;

(F) support for Afghanistan National Police Family Response Units; and

(G) security provisions for high-profile female police and army officers.

(c) REPORTING REQUIREMENT.—

(1) SEMI-ANNUAL REPORTS.—Not later than January 31 and July 31 of each year through January 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report summarizing the details of any obligation or transfer of funds from the Afghanistan Security Forces Fund during the preceding six-calendar month period.

(2) CONFORMING REPEALS.—(A) Section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424), is further amended by striking subsection (g).

(B) Section 1517 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2442) is amended by striking subsection (f).

SEC. 1532. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) USE AND TRANSFER OF FUNDS.—Subsection 1532(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1091) is amended by striking ''fiscal year 2016'' and inserting ''fiscal years 2016 and 2017''.

(b) EXTENSION OF INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS AUTHORITY.—Section 1532(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2057) is amended—

(1) in paragraph (1)—

(A) by striking ''for fiscal year 2013 and for fiscal year 2016,'' and inserting ''for fiscal years 2013, 2016, and 2017'';

(B) by inserting ''with the concurrence of the Secretary of State'' after ''may be available to the Secretary of Defense'';

(C) by striking ''of the Government of Pakistan'' and inserting ''of foreign governments''; and

(D) by striking ''from Pakistan to locations in Afghanistan'';

(2) in paragraph (2), by striking ''of the Government of Pakistan'' and inserting ''of foreign governments'';

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking ''the congressional defense committees'' and inserting ''Congress''; and

(B) in subparagraph (B)—

(i) by striking ''the Government of Pakistan'' and inserting ''foreign governments''; and

(ii) by striking ''from Pakistan to locations in Afghanistan''; and

(4) in paragraph (4), as most recently amended by section 1532(b)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public

Law 114–92; 129 Stat. 1091), by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

SEC. 1533. EXTENSION OF AUTHORITY TO USE JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND FOR TRAINING OF FOREIGN SECURITY FORCES TO DEFEAT IMPROVISED EXPLOSIVE DEVICES.

Section 1533(e) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1093) is amended by striking ''September 30, 2018'' and inserting ''September 30, 2020''.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1601. ROCKET PROPULSION SYSTEM TO REPLACE RD–180.

(a) USE OF FUNDS.—Section 1604 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3623; 10 U.S.C. 2273 note), as amended by section 1606 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1099), is further amended by striking subsection (d) and inserting the following new subsections:

''(d) USE OF FUNDS UNDER DEVELOPMENT PROGRAM.—

''(1) DEVELOPMENT OF ROCKET PROPULSION SYSTEM.—The funds described in paragraph (2)—

''(A) may be obligated or expended for—

''(i) the development of the rocket propulsion system to replace non-allied space launch engines pursuant to subsection (a); and

''(ii) the necessary interfaces to, or integration of, the rocket propulsion system with an existing or new launch vehicle; and

''(B) may not be obligated or expended to develop or procure a launch vehicle, an upper stage, a strap-on motor, or related infrastructure.

''(2) FUNDS DESCRIBED.—The funds described in this paragraph are the following:

''(A) Funds authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2017 or otherwise made available for fiscal year 2017 or any fiscal year thereafter for the Department of Defense for the development of the rocket propulsion system under subsection (a).

''(B) Funds authorized to be appropriated by this Act or the National Defense Authorization Act for Fiscal Year 2016 or otherwise made available for fiscal years 2015 or 2016 for the Department of Defense for the development of the rocket propulsion system under subsection (a) that are unobligated as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

''(3) OTHER PURPOSES.—The Secretary may obligate or expend not more than 25 percent of the funds described in paragraph (2) in any fiscal year for activities not authorized by paragraph (1)(A), including for developing a launch vehicle, an upper stage, a strap-on motor, or related infrastructure. The Secretary may exceed such limit in a fiscal year for such purposes if during such fiscal year—

''(A) the Secretary certifies to the appropriate congressional committees that, as of the date of the certification—

''(i) the development of the rocket propulsion system is being carried out pursuant to paragraph (1)(A) in a manner that ensures that the rocket propulsion system will meet each requirement under subsection (a)(2); and

''(ii) such obligation or expenditure will not negatively affect the development of the rocket propulsion system, including with respect to meeting such requirements; and

''(B) the reprogramming or transfer is carried out in accordance with established procedures for reprogramming or transfers, including with respect to presenting a request for a reprogramming of funds.

''(e) DEFINITIONS.—In this section:

''(1) The term 'appropriate congressional committees' means—

''(A) the congressional defense committees; and

''(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

''(2) The term 'rocket propulsion system' means, with respect to the development authorized by subsection (a), a main booster, first-stage rocket engine or motor. The term does not include a launch vehicle, an upper stage, a strap-on motor, or related infrastructure.''.

(b) RIGHTS TO INTELLECTUAL PROPERTY.—Subsection (a) of such section 1604 is amended by adding at the end the following new paragraph:

''(3) RIGHTS TO INTELLECTUAL PROPERTY.—In developing the system under paragraph (1), the Secretary shall acquire government purpose rights (or greater rights) in technical data, patents, and copyrights pertaining to such system. Such rights may be for the purpose of developing alternative sources of supply and manufacture in the event such alternative sources are necessary and in the best interest of the United States.''.

(c) LIMITATION.—Of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Office of the Secretary of the Air Force, not more than 90 percent may be obligated or expended until the date on which the Secretary of the Air Force certifies to the congressional defense committees that the Secretary has carried out the rocket propulsion system program under section 1604 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3623; 10 U.S.C. 2273 note) during fiscal years 2015 and 2016 as described in subsection (d)(1) of such section, as added by subsection (a).

SEC. 1602. EXCEPTION TO THE PROHIBITION ON CONTRACTING WITH RUSSIAN SUPPLIERS OF ROCKET ENGINES FOR THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

Section 1608 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3626; 10 U.S.C. 2271 note), as amended by section 1607 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1100), is further amended by striking subsection (c) and inserting the following new subsection:

''(c) EXCEPTION.—The prohibition in subsection (a) shall not apply to any of the following:

''(1) The placement of orders or the exercise of options under the contract numbered FA8811–13–C–0003 and awarded on December 18, 2013.

''(2) Contracts that are awarded for the procurement of property or services for space launch activities that include the use of a total of eighteen rocket engines designed or manufactured in the Russian Federation, in addition to Russian-designed or -manufactured engines to which paragraph (1) applies.''.

SEC. 1603. ANALYSIS OF ALTERNATIVES FOR WIDE-BAND COMMUNICATIONS.

Section 1611 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1103) is amended by striking subsection (b) and inserting the following new subsections:

''(b) SCOPE.—

''(1) STUDY GUIDANCE.—In conducting the analysis of alternatives under subsection (a), the Secretary shall develop study guidance that requires such analysis to include the full range of military and commercial satellite communications capabilities, acquisition processes, and service delivery models.

''(2) OTHER CONSIDERATIONS.—The Secretary shall ensure that—

''(A) any cost assessments of military or commercial satellite communications systems included in the analysis of alternatives conducted under subsection (a) include detailed full life-cycle costs, as applicable, including with respect to—

''(i) military personnel, military construction, military infrastructure operation, maintenance costs, and ground and user terminal impacts; and

''(ii) any other costs regarding military or commercial satellite communications systems the Secretary determines appropriate; and

''(B) such analysis identifies any considerations relating to the use of military versus commercial systems.

''(c) COMPTROLLER GENERAL REVIEW.—

''(1) SUBMISSION.—Upon completion of the analysis of alternatives conducted under subsection (a), the Secretary shall submit such analysis to the Comptroller General of the United States.

''(2) REVIEW.—Not later than 120 days after the date on which the Comptroller General receives the analysis of alternatives under paragraph (1), the Comptroller General shall submit to the congressional defense committees a review of the analysis.

''(3) MATTERS INCLUDED.—The review under paragraph (2) of the analysis of alternatives conducted under subsection (a) shall include the following:

''(A) Whether, and to what extent, the Secretary—

''(i) conducted such analysis using best practices;

''(ii) fully addressed the concerns of the acquisition, operational, and user communities; and

''(iii) complied with subsection (b).

''(B) A description of how the Secretary identified the requirements and assessed and addressed the cost, schedule, and risks posed for each alternative included in such analysis.

''(d) BRIEFINGS.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, and semiannually thereafter until the date on which the analysis of alternatives conducted under subsection (a) is completed, the Secretary shall provide the Committees on Armed Services of the House of Representatives and the Senate (and any other congressional defense committee upon request) a briefing on such analysis.''.

SEC. 1604. MODIFICATION TO PILOT PROGRAM FOR ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATION SERVICES.

Section 1605 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 2208 note), as amended by section 1612 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1103), is further amended by adding at the end the following new subsection:

''(e) IMPLEMENTATION OF GOALS.—In developing and carrying out the pilot program under subsection (a)(1), by not later than September 30, 2017, the Secretary shall take actions to begin the implementation of each goal specified in subsection (b).''.

SEC. 1605. SPACE-BASED ENVIRONMENTAL MONITORING.

(a) ROLES OF DOD AND NOAA.—

(1) MECHANISMS.—The Secretary of Defense and the Director of the National Oceanic and Atmospheric Administration shall jointly establish mechanisms to collaborate and coordinate in defining the roles and responsibilities of the Department of Defense and the National Oceanic and Atmospheric Administration to—

(A) carry out space-based environmental monitoring; and

(B) plan for future non-governmental space-based environmental monitoring capabilities.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) may be construed to authorize a joint

satellite program of the Department of Defense and the National Oceanic and Atmospheric Administration.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary and the Director shall jointly submit to the appropriate congressional committees a report on the mechanisms established under subsection (a)(1).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Committee on Science, Space, and Technology of the House of Representatives; and

(3) the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 1606. PROHIBITION ON USE OF CERTAIN NON-ALLIED POSITIONING, NAVIGATION, AND TIMING SYSTEMS.

(a) PROHIBITION.—During the period beginning not later than 60 days after the date of the enactment of this Act and ending on September 30, 2018, the Secretary of Defense shall ensure that the Armed Forces and each element of the Department of Defense do not use a non-allied positioning, navigation, and timing system or service provided by such a system.

(b) WAIVER.—The Secretary may waive the prohibition in subsection (a) if—

(1) the Secretary determines that the waiver is—

(A) in the national security interest of the United States; and

(B) necessary to mitigate exigent operational concerns;

(2) the Secretary notifies, in writing, the appropriate congressional committees of such waiver; and

(3) a period of 30 days has elapsed following the date of such notification.

(c) ASSESSMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence shall jointly submit to the appropriate congressional committees an assessment of the risks to national security and to the operations and plans of the Department of Defense from using a non-allied positioning, navigation, and timing system or service provided by such a system. Such assessment shall—

(1) address risks regarding—

(A) espionage, counterintelligence, and targeting;

(B) the use of the Global Positioning System by allies and partners of the United States and others; and

(C) harmful interference to the Global Positioning System; and

(2) include any other matters the Secretary, the Chairman, and the Director determine appropriate.

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term ''non-allied positioning, navigation, and timing system'' means any of the following systems:

(A) The Beidou system.

(B) The Glonass global navigation satellite system.

SEC. 1607. LIMITATION OF AVAILABILITY OF FUNDS FOR THE JOINT SPACE OPERATIONS CENTER MISSION SYSTEM.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for increment 3 of the Joint Space Operations Center Mission System, not more than 25 percent may be obligated or expended until the date on which the Secretary of the Air Force, in coordination with the Commander of the United States Strategic Command, submits to the congressional defense committees a report on such increment, including—

(1) an acquisition strategy for such increment;

(2) the requirements of such increment;

(3) the funding and schedule for such increment;

(4) the strategy for use of commercially available capabilities, as appropriate, relating to such increment to rapidly address warfighter requirements, including the market research and evaluation of such commercial capabilities; and

(5) the relationship of such increment with the other related activities and investments of the Department of Defense.

SEC. 1608. SPACE-BASED INFRARED SYSTEM AND ADVANCED EXTREMELY HIGH FREQUENCY PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) The recently completed analysis of alternatives for the space-based infrared system program identified the cost and capability trades of various alternatives, however the criteria and assessment for resilience and mission assurance was undefined.

(2) The analysis of alternatives for the advanced extremely high frequency program is ongoing.

(b) LIMITATION ON DEVELOPMENT AND ACQUISITION OF ALTERNATIVES.—

(1) LIMITATION.—Except as provided by paragraph (4), the Secretary of Defense may not develop or acquire an alternative to the space-based infrared system program of record or develop or acquire an alternative to the advanced extremely high frequency program of record until the date on which the Commander of the United States Strategic Command and the Director of the Space Security and Defense Program, in consultation with the Defense Intelligence Officer for Science and Technology of the Defense Intelligence Agency, jointly submit to the appropriate congressional committees the assessments described in paragraph (2) for the respective program.

(2) ASSESSMENT.—The assessments described in this paragraph are—

(A) an assessment of the resilience and mission assurance of each alternative to the space-based infrared system being considered by the Secretary of the Air Force; and

(B) an assessment of the resilience and mission assurance of each alternative to the advanced extremely high frequency program being considered by the Secretary of the Air Force.

(3) ELEMENTS.—An assessment described in paragraph (2) shall include, with respect to each alternative to the space-based infrared system program of record and each alternative to the advanced extremely high frequency program of record being considered by the Secretary of the Air Force, the following:

(A) The requirements for resilience and mission assurance.

(B) The criteria to measure such resilience and mission assurance.

(C) How the alternative affects—

(i) deterrence and full spectrum warfighting;

(ii) warfighter requirements and relative costs to include ground station and user terminals;

(iii) the potential order of battle of adversaries; and

(iv) the required capabilities of the broader space security and defense enterprise.

(4) EXCEPTION.—The limitation in paragraph (1) shall not apply to efforts to examine and develop technology insertion opportunities for the space-based infrared system program of record or the satellite communications programs of record.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) With respect to the submission of the assessment described in subparagraph (A) of subsection (b)(2), the—

(A) the congressional defense committees; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) With respect to the submission of the assessment described in subparagraph (B) of subsection (b)(2), the congressional defense committees.

SEC. 1609. PLANS ON TRANSFER OF ACQUISITION AND FUNDING AUTHORITY OF CERTAIN WEATHER MISSIONS TO NATIONAL RECONNAISSANCE OFFICE.

(a) LIMITATION.—

(1) IN GENERAL.—Of the funds authorized to be appropriated or otherwise made available for fiscal year 2017 for research, development, test, and evaluation, Air Force, for the weather satellite follow-on system, not more than 50 percent may be obligated or expended until the date on which the Secretary of the Air Force submits to the appropriate congressional committees the plan under paragraph (2).

(2) AIR FORCE PLAN.—The Secretary shall develop a plan for the Air Force to transfer, beginning with fiscal year 2018, the acquisition authority and the funding authority for covered space-based environmental monitoring missions from the Air Force to the National Reconnaissance Office, including a description of the amount of funds that would be necessary to be transferred from the Air Force to the National Reconnaissance Office during fiscal years 2018 through 2022 to carry out such plan.

(b) NRO PLAN.—

(1) IN GENERAL.—The Director of the National Reconnaissance Office shall develop a plan for the National Reconnaissance Office to address how to carry out covered space-based environmental monitoring missions. Such plan shall include—

(A) a description of the related national security requirements for such missions;

(B) a description of the appropriate manner to meet such requirements; and

(C) the amount of funds that would be necessary to be transferred from the Air Force to the National Reconnaissance Office during fiscal years 2018 through 2022 to carry out such plan.

(2) ACTIVITIES.—In developing the plan under paragraph (1), the Director may conduct pre-acquisition activities, including with respect to requests for information, analyses of alternatives, study contracts, modeling and simulation, and other activities the Director determines necessary to develop such plan.

(3) SUBMISSION.—Not later than the date on which the President submits to Congress the budget for fiscal year 2018 under section 1105(a) of title 31, United States Code, the Director shall submit to the appropriate congressional committees the plan under paragraph (1).

(c) INDEPENDENT COST ESTIMATE.—The Director of the Cost Assessment Improvement Group of the Office of the Director of National Intelligence, in coordination with the Director of Cost Assessment and Program Evaluation, shall certify to the appropriate congressional committees that the amounts of funds identified under subsections (a)(2) and (b)(1)(C) as being necessary to transfer are appropriate and include funding for positions and personnel to support program office costs.

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the Select Committee on Intelligence of the Senate.

(2) The term ''covered space-based environmental monitoring missions'' means the acquisition programs necessary to meet the national security requirements for cloud characterization and theater weather imagery.

SEC. 1610. PILOT PROGRAM ON COMMERCIAL WEATHER DATA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a pilot program to assess the viability of commercial satellite weather data to support requirements of the Department of Defense.

(b) COMMERCIAL WEATHER DATA.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Secretary of Defense to carry out the pilot program under subsection (a), not more than $3,000,000 may be obligated or expended to carry out such pilot program by purchasing and evaluating commercial weather data that meets the standards and specifications set by the Department of Defense.

(c) DURATION.—The Secretary may carry out the pilot program under subsection (a) for a period not exceeding one year.

(d) BRIEFINGS.—

(1) INTERIM BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate (and to any other congressional defense committee upon request) demonstrating how the Secretary plans to implement the pilot program under subsection (a).

(2) FINAL BRIEFING.—Not later than 90 days after the pilot program under subsection (a) is completed, the Secretary shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate (and to any other congressional defense committee upon request) on the utility, cost, and other considerations regarding the purchase of commercial satellite weather data to support the requirements of the Department of Defense.

SEC. 1611. ORGANIZATION AND MANAGEMENT OF NATIONAL SECURITY SPACE ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress finds the following:

(1) National security space capabilities are a vital element of the national defense of the United States.

(2) The advantages of the United States in national security space are now threatened to an unprecedented degree by growing and serious counterspace capabilities of potential foreign adversaries, and the space advantages of the United States must be protected.

(3) The Department of Defense has recognized the threat and has taken initial steps necessary to defend space, however the organization and management may not be strategically postured to fully address this changed domain of operations over the long term.

(4) The defense of space is currently a priority for the leaders of the Department, however the space mission is managed within competing priorities of each of the Armed Forces.

(5) Space elements provide critical capabilities to all of the Armed Forces in the joint fight, however the disparate activities throughout the Department have no single leader that is empowered to make decisions affecting the space forces of the Department.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, to modernize and fully address the growing threat to the national security space advantage of the United States, the Secretary of Defense must evaluate the range of options and take further action to strengthen the leadership, management, and organization of the national security space activities of the Department of Defense, including with respect to—

(1) unifying, integrating, and de-conflicting activities to provide for stronger prioritization, accountability, coherency, focus, strategy, and integration of the joint space program of the Department;

(2) streamlining decision-making, limiting unnecessary bureaucracy, and empowering the appropriate level of authority, while enabling effective oversight;

(3) maintaining the involvement of each of the Armed Forces and adapting the culture and improving the capabilities of the workforce to ensure the workforce has the appropriate training, experience, and tools to accomplish the mission; and

(4) reviewing authorities and preparing for a conflict that could extend to space.

(c) RECOMMENDATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Director of the Office of Management and Budget shall each separately submit to the appropriate congressional committees recommendations, in accordance with subsection (b), to strengthen the leadership, management, and organization of the Department of Defense with respect to the national security space activities of the Department.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1612. REVIEW OF CHARTER OF OPERATIONALLY RESPONSIVE SPACE PROGRAM OFFICE.

(a) REVIEW.—The Secretary of Defense shall conduct a review of charter of the Operationally Responsive Space Program Office established by section 2273a of title 10, United States Code (in this section referred to as the ''Office'').

(b) ELEMENTS.—The review under subsection (a) shall include the following:

(1) A review of the key operationally responsive space needs with respect to the warfighter and with respect to national security.

(2) How the Office could fit into the broader resilience and space security strategy of the Department of Defense.

(3) An assessment of the potential of the Office to focus on the reconstitution capabilities with small satellites using low-cost launch vehicles and existing infrastructure.

(4) An assessment of the potential of the Office to leverage existing or planned commercial capabilities.

(5) A review of the necessary workforce specialties and acquisition authorities of the Office.

(6) A review of the funding profile of the Office.

(7) A review of the organizational placement and reporting structure of the Office.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report containing the review under subsection (a), including any recommendations for legislative actions based on such review.

SEC. 1613. BACKUP AND COMPLEMENTARY POSITIONING, NAVIGATION, AND TIMING CAPABILITIES OF GLOBAL POSITIONING SYSTEM.

(a) STUDY.—

(1) IN GENERAL.—The covered Secretaries shall jointly conduct a study to assess and identify the technology-neutral requirements to backup and complement the positioning, navigation, and timing capabilities of the Global Positioning System for national security and critical infrastructure.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the covered Secretaries shall submit to the appropriate congressional committees a report on the study under paragraph (1). Such report shall include—

(A) with respect to the Department of each covered Secretary, the identification of the respective requirements to backup and complement the positioning, navigation, and timing capabilities of the Global Positioning System for national security and critical infrastructure;

(B) an analysis of alternatives to meet such requirements, including, at a minimum—

(i) an analysis of the viability of a public-private partnership to establish a complementary positioning, navigation, and timing system; and

(ii) an analysis of the viability of service level agreements to operate a complementary positioning, navigation, and timing system; and

(C) a plan and estimated costs, schedule, and system level technical considerations, including end user equipment and integration considerations, to meet such requirements.

(b) SINGLE DESIGNATED OFFICIAL.—Each covered Secretary shall designate a single senior official of the Department of the Secretary to act as the primary representative of such Department for purposes of conducting the study under subsection (a)(1).

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Science, Space, and Technology, the Committee on Transportation and Infrastructure, and the Committee on Homeland Security of the House of Representatives; and

(C) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) The term ''covered Secretaries'' means the Secretary of Defense, the Secretary of Transportation, and the Secretary of Homeland Security.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

SEC. 1621. LIMITATION ON AVAILABILITY OF FUNDS FOR INTELLIGENCE MANAGEMENT.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for operation and maintenance, Defense-wide, for intelligence management, not more than 95 percent may be obligated or expended until the date on which the Under Secretary of Defense for Intelligence submits to the appropriate congressional committees the reports on counterintelligence activities described in any classified annex accompanying this Act.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1622. LIMITATIONS ON AVAILABILITY OF FUNDS FOR UNITED STATES CENTRAL COMMAND INTELLIGENCE FUSION CENTER.

(a) LIMITATIONS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Intelligence Fusion Center of the United States Central Command—

(1) 25 percent may not be obligated or expended until—

(A) the Commander of the United States Central Command submits to the appropriate congressional committees the report under subsection (b); and

(B) a period of 15 days has elapsed following the date of such submission; and

(2) 25 percent may not be obligated or expended until—

(A) the Commander submits to such committees the report under subsection (c); and

(B) a period of 15 days has elapsed following the date of such submission.

(b) REPORT ON PROCEDURES.—The Commander shall submit to the appropriate congressional committees a report on the steps taken by the Commander to formalize and disseminate procedures for establishing, staffing, and operating the Intelligence Fusion Center of the United States Central Command.

(c) REPORT ON IG FINDINGS.—The Commander shall submit to the appropriate congressional committees a report on the steps taken by the Commander to address the findings of the final report of the Inspector General of the Department of Defense regarding the processing of intelligence information by the Intelligence Directorate of the United States Central Command.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1623. LIMITATION ON AVAILABILITY OF FUNDS FOR JOINT INTELLIGENCE ANALYSIS COMPLEX.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for increased intelligence manpower positions for operation of the Joint Intelligence Analysis Complex at Royal Air Force Molesworth, United Kingdom, not more than 85 percent may be obligated or expended during fiscal year 2017 until the date on which the Secretary of Defense submits to the appropriate congressional committees the analysis under subsection (b)(1).

(b) ANALYSIS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit to the appropriate congressional committees a revised analysis of alternatives for the basing of a new Joint Intelligence Analysis Complex that is—

(A) based on the analysis of the operational requirements and costs of the United States; and

(B) informed by the findings of the report of the Comptroller General of the United States on the cost estimating and basing decision process of the Joint Intelligence Analysis Complex.

(2) REQUIREMENTS.—The analysis under paragraph (1) shall, at a minimum—

(A) be conducted in a manner that—

(i) uses best practices;

(ii) appropriately accounts for non-recurring and life cycle costs, including with respect to cost of living and projected growth in cost of living;

(iii) uses objective and measurable criteria for evaluating alternative locations against mission requirements; and

(iv) uses reasonable and verifiable assumptions;

(B) include the identification and assessments of—

(i) possible alternative locations for the Joint Intelligence Analysis Complex at existing military installations used by the United States; and

(ii) other possible cost-saving alternatives;

(C) evaluate alternative practices to minimize the number of support personnel required;

(D) evaluate alternatives to building a new facility, including modifying existing facilities and using prefabricated facilities; and

(E) evaluate the possibility of separating the European Command Intelligence Analytic Center, the Africa Command Intelligence Analytic Center, or the NATO Intelligence Fusion Center from the rest of the Joint Intelligence Analysis Complex at other viable locations.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

Subtitle C—Cyberspace-Related Matters

SEC. 1631. SPECIAL EMERGENCY PROCUREMENT AUTHORITY TO FACILITATE THE DEFENSE AGAINST OR RECOVERY FROM A CYBER ATTACK.

Section 1903(a)(2) of title 41, United States Code, is amended by inserting ''cyber,'' before ''nuclear,''.

SEC. 1632. CHANGE IN NAME OF NATIONAL DEFENSE UNIVERSITY'S INFORMATION RESOURCES MANAGEMENT COLLEGE TO COLLEGE OF INFORMATION AND CYBERSPACE.

Section 2165(b)(5) of title 10, United States Code, is amended by striking ''Information Resources Management College'' and inserting ''College of Information and Cyberspace''.

SEC. 1633. REQUIREMENT TO ENTER INTO AGREEMENTS RELATING TO USE OF CYBER OPPOSITION FORCES.

(a) REQUIREMENT FOR AGREEMENTS.—Not later than September 30, 2017, the Secretary of Defense shall enter into an agreement with each combatant command relating to the use of cyber opposition forces. Each agreement shall require the command—

(1) to support a high state of mission readiness in the command through the use of one or more cyber opposition forces in continuous exercises and other training activities as considered appropriate by the commander of the command; and

(2) in conducting such exercises and training activities, meet the standard required under subsection (b).

(b) JOINT STANDARD FOR CYBER OPPOSITION FORCES.—Not later than March 31, 2017, the Secretary of Defense shall issue a joint training and certification standard for use by all cyber opposition forces within the Department of Defense.

(c) BRIEFING REQUIRED.—Not later than September 30, 2017, the Secretary of Defense shall provide to the congressional defense committees a briefing on—

(1) a list of each combatant command that has entered into an agreement required by subsection (a);

(2) with respect to each such agreement—

(A) special conditions in the agreement placed on any cyber opposition force used by the command;

(B) the process for making decisions about deconfliction and risk mitigation of cyber opposition force activities in continuous exercises and training;

(C) identification of cyber opposition forces trained and certified to operate at the joint standard, as issued under subsection (b);

(D) identification of the annual exercises that will include participation of the cyber opposition forces;

(E) identification of any shortfalls in resources that may prevent annual exercises using cyber opposition forces; and

(3) any other matters the Secretary of Defense considers appropriate.

SEC. 1634. LIMITATION ON AVAILABILITY OF FUNDS FOR CRYPTOGRAPHIC SYSTEMS AND KEY MANAGEMENT INFRASTRUCTURE.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for cryptographic systems and key management infrastructure, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense, in consultation with the Director of the National Security Agency, submits to the appropriate congressional committees a report on the integration of the cryptographic modernization and key management infrastructure programs of the military departments, including a description of how the military departments have implemented stronger leadership, increased integration, and reduced redundancy with respect to such modernization and programs.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives.

Subtitle D—Nuclear Forces

SEC. 1641. IMPROVEMENTS TO COUNCIL ON OVERSIGHT OF NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

(a) RESPONSIBILITIES.—Subsection (d) of section 171a of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting before the period the following: '', and including with respect to the integrated tactical warning and attack assessment systems, processes, and enablers, and continuity of the governmental functions of the Department of Defense''; and

(2) in paragraph (2)(C), by inserting before the period the following: ''(including space system architectures and associated user terminals and ground segments)''.

(b) ENSURING CAPABILITIES.—Such section is further amended—

(1) by redesignating subsection (i) as subsection (k); and

(2) by inserting after subsection (h) the following new subsections:

''(i) REPORTS ON SPACE ARCHITECTURE DEVELOPMENT.—(1) Not less than 90 days before each of the dates on which a system described in paragraph (2) achieves Milestone A or Milestone B approval, the Under Secretary of Defense for Acquisitions, Technology, and Logistics shall submit to the congressional defense committees a report prepared by the Council detailing the implications of any changes to the architecture of such a system with respect to the systems, capabilities, and programs covered under subsection (d).

''(2) A system described in this paragraph is any of the following:

''(A) Advanced extremely high frequency satellites.

''(B) The space-based infrared system.

''(C) The integrated tactical warning and attack assessment system and its command and control system.

''(D) The enhanced polar system.

''(3) In this subsection, the terms 'Milestone A approval' and 'Milestone B approval' have the meanings given such terms in section 2366(e) of this title.

''(j) NOTIFICATION OF REDUCTION OF CERTAIN WARNING TIME.—(1) None of the funds authorized to be appropriated or otherwise made available to the Department of Defense for any fiscal year may be used to change any command, control, and communications system described in subsection (d)(1) in a manner that reduces the warning time provided to the national leadership of the United States with respect to a warning of a strategic missile attack on the United States unless—

''(A) the Secretary of Defense notifies the congressional defense committees of such proposed change and reduction; and

''(B) a period of one year elapses following the date of such notification.

''(2) Not later than March 1, 2017, and each year thereafter, the Council shall determine whether the integrated tactical warning and attack assessment system and its command and control system have met all warfighter requirements for operational availability, survivability, and endurability. If the Council determines that such systems have not met such requirements, the Secretary of Defense and the Chairman shall jointly submit to the congressional defense committees—

''(A) an explanation for such negative determination;

''(B) a description of the mitigations that are in place or being put in place as a result of such negative determination; and

''(C) the plan of the Secretary and the Chairman to ensure that the Council is able to make a positive determination in the following year.''.

(d) REPORTING REQUIREMENTS.—Subsection (e) of such section is amended by striking ''At the same time'' and all that follows through ''title 31,'' and inserting the following: ''During the period preceding January 31, 2021, at the same time each year that the budget of the President is submitted to Congress pursuant to section 1105(a) of title 31, and from time to time after such period at the discretion of the Council,''.

SEC. 1642. TREATMENT OF CERTAIN SENSITIVE INFORMATION BY STATE AND LOCAL GOVERNMENTS.

(a) SPECIAL NUCLEAR MATERIAL.—Section 128 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) Information that the Secretary prohibits to be disseminated pursuant to subsection (a) that is provided to a State or local government

shall remain under the control of the Department of Defense, and a State or local law authorizing or requiring a State or local government to disclose such information shall not apply to such information.''.

(b) CRITICAL INFRASTRUCTURE SECURITY INFORMATION.—Section 130e of such title is amended—

(1) by redesignating subsection (c) as subsection (f) and moving such subsection, as so redesignated, to appear after subsection (e); and

(2) by striking subsection (b) and inserting the following new subsections:

''(b) DESIGNATION OF DEPARTMENT OF DEFENSE CRITICAL INFRASTRUCTURE SECURITY INFORMATION.—In addition to any other authority or requirement regarding protection from dissemination of information, the Secretary may designate information as being Department of Defense critical infrastructure security information, including during the course of creating such information, to ensure that such information is not disseminated without authorization. Information so designated is subject to the determination process under subsection (a) to determine whether to exempt such information from disclosure described in such subsection.

''(c) INFORMATION PROVIDED TO STATE AND LOCAL GOVERNMENTS.—(1) Department of Defense critical infrastructure security information covered by a written determination under subsection (a) or designated under subsection (b) that is provided to a State or local government shall remain under the control of the Department of Defense.

''(2)(A) A State or local law authorizing or requiring a State or local government to disclose Department of Defense critical infrastructure security information that is covered by a written determination under subsection (a) shall not apply to such information.

''(B) If a person requests pursuant to a State or local law that a State or local government disclose information that is designated as Department of Defense critical infrastructure security information under subsection (b), the State or local government shall provide the Secretary an opportunity to carry out the determination process under subsection (a) to determine whether to exempt such information from disclosure pursuant to subparagraph (A).''.

(c) CONFORMING AMENDMENTS.—

*(1) SECTION 128.—Section 128 of such title is further amended in the section heading by striking ''**Physical**'' and inserting ''**Control and physical**''.*

(2) SECTION 130E.—Section 130e of such title is further amended—

*(A) by striking the section heading and inserting the following new section heading: ''**Control and protection of critical infrastructure security information**'';*

(B) in subsection (a), by striking the subsection heading and inserting the following new subsection heading; ''EXEMPTION FROM FREEDOM OF INFORMATION ACT.—'';

(C) in subsection (d), by striking the subsection heading and inserting the following new subsection heading: ''DELEGATION OF DETERMINATION AUTHORITY.—''; and

(D) in subsection (e), by striking the subsection heading and inserting the following new subsection heading: ''TRANSPARENCY OF DETERMINATIONS.—''.

(d) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 3 of such title is amended—

(1) by striking the item relating to section 128 and inserting the following new item:

''128. Control and physical protection of special nuclear material: limitation on dissemination of unclassified information.''; and

(2) by striking the item relating to section 130e and inserting the following new item:

''130e. Control and protection of critical infrastructure security information.''.

SEC. 1643. PROCUREMENT AUTHORITY FOR CERTAIN PARTS OF INTERCONTINENTAL BALLISTIC MISSILE FUZES.

(a) AVAILABILITY OF FUNDS.—Notwithstanding section 1502(a) of title 31, United States Code, of the amount authorized to be appropriated for fiscal year 2017 by section 101 and available for Missile Procurement, Air Force, as specified in the funding table in section 4101, $17,095,000 shall be available for the procurement of covered parts pursuant to contracts entered into under section 1645(a) of the Carl Levin and Howard P. ''Buck'' Mckeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3651).

(b) COVERED PARTS DEFINED.—In this section, the term ''covered parts'' means commercially available off-the-shelf items as defined in section 104 of title 41, United States Code.

SEC. 1644. PROHIBITION ON AVAILABILITY OF FUNDS FOR MOBILE VARIANT OF GROUND-BASED STRATEGIC DETERRENT MISSILE.

None of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2017 or 2018 may be obligated or expended to retain the option for, or develop, a mobile variant of the ground-based strategic deterrent missile.

SEC. 1645. LIMITATION ON AVAILABILITY OF FUNDS FOR EXTENSION OF NEW START TREATY.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 or any other fiscal year for the Department of Defense may be obligated or expended to extend the New START Treaty unless—

(1) the Chairman of the Joint Chiefs of Staff submits the report under subsection (b);

(2) the Director of National Intelligence submits the National Intelligence Estimate under subsection (c)(2); and

(3) a period of 180 days elapses following the submission of both the report and the National Intelligence Estimate.

(b) REPORT.—The Chairman of the Joint Chiefs of Staff shall submit to the appropriate congressional committees a report detailing the following:

(1) The impacts on the nuclear forces and force planning of the United States with respect to a State Party to the New START Treaty developing a capability to conduct a rapid reload of its ballistic missiles.

(2) Whether any State Party to the New START Treaty has significantly increased its upload capability with non-deployed nuclear warheads and the degree to which such developments impact crisis stability and the nuclear forces, force planning, use concepts, and deterrent strategy of the United States.

(3) The extent to which non-treaty-limited nuclear or strategic conventional systems pose a threat to the United States or the allies of the United States.

(4) The extent to which violations of arms control treaty and agreement obligations pose a risk to the national security of the United States and the allies of the United States, including the perpetuation of violations ongoing as of the date of the enactment of this Act, as well as potential further violations.

(5) The extent to which—

(A) the ''escalate-to-deescalate'' nuclear use doctrine of the Russian Federation is deterred under the current nuclear force structure, weapons capabilities, and declaratory policy of the United States; and

(B) deterring the implementation of such a doctrine has been integrated into the warplans of the United States.

(6) The status of the nuclear weapons, nuclear weapons infrastructure, and nuclear command and control modernization activities of the United States, and the impact such status has on plans to—

(A) implement the reduction of the nuclear weapons of the United States; or

(B) further reduce the numbers and types of such weapons.

(7) Whether, and if so, the reasons that, the New START Treaty, and the extension of the treaty as of the date of the report, is in the national security interests of the United States.

(c) NATIONAL INTELLIGENCE ESTIMATE.—

(1) PRODUCTION.—The Director of National Intelligence shall produce a National Intelligence Estimate on the following:

(A) The nuclear forces and doctrine of the Russian Federation.

(B) The nuclear weapons research and production capability of Russia.

(C) The compliance of Russia with respect to arms control obligations (including treaties, agreements, and other obligations).

(D) The doctrine of Russia with respect to targeting adversary critical infrastructure and the relationship between such doctrine and other Russian war planning, including, at a minimum, ''escalate-to-deescalate'' concepts.

(2) SUBMISSION.—The Director of National Intelligence shall submit. consistent with the protection of sources and methods, to the appropriate congressional committees the National Intelligence Estimate produced under paragraph (1).

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committees on Armed Services of the House of Representatives and the Senate;

(B) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate; and

(C) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

SEC. 1646. CONSOLIDATION OF NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS FUNCTIONS OF THE AIR FORCE.

(a) ROLE OF MAJOR COMMAND.—

(1) CONSOLIDATION.—Not later than March 31, 2017, the Secretary of the Air Force shall consolidate under a major command commanded by a single general officer the responsibility, authority, accountability, and resources for carrying out the nuclear command, control, and communications functions of the Air Force, including, at a minimum, with respect to the following:

(A) All terrestrial and aerial components of the nuclear command and control system that are survivable and endurable.

(B) All terrestrial and aerial components of the integrated tactical warning and attack assessment system that are survivable and endurable.

(2) OVERSIGHT AND BUDGET APPROVAL.—Not later than March 31, 2017, in addition to the responsibility, authority, accountability, and resources for carrying out the nuclear command, control, and communications functions of the Air Force provided to a commander of a major command under paragraph (1), the Secretary shall provide to the commander the responsibility, authority, accountability, and resources to—

(A) conduct oversight over all components of the nuclear command and control system and the integrated tactical warning and attack assessment system, regardless of the location or the endurability of such components; and

(B) approve or disapprove of any budgetary actions related to all components of the nuclear command and control system and the integrated tactical warning and attack assessment system, regardless of the location or the endurability of such components.

(b) REPORT.—Not later than January 15, 2017, the Secretary shall submit to the congressional

defense committees a report on the plans and actions taken by the Secretary to carry out subsection (a), including any guidance, directives, and orders that have been or will be issued by the Secretary, the Chief of Staff of the Air Force, or other elements of the Air Force to carry out subsection (a).

SEC. 1647. REPORT ON RUSSIAN AND CHINESE POLITICAL AND MILITARY LEADERSHIP SURVIVABILITY, COMMAND AND CONTROL, AND CONTINUITY OF GOVERNMENT PROGRAMS AND ACTIVITIES.

(a) REPORT.—Not later than January 15, 2017, the Director of National Intelligence shall submit to the appropriate congressional committees, consistent with the protection of sources and methods, a report on the leadership survivability, command and control, and continuity of government programs and activities with respect to the People's Republic of China and the Russian Federation, respectively. The report shall include the following:

(1) The goals and objectives of such programs and activities of each respective country.

(2) An assessment of how such programs and activities fit into the political and military doctrine and strategy of each respective country.

(3) An assessment of the size and scope of such activities, including the location and description of above-ground and underground facilities important to the political and military leadership survivability, command and control, and continuity of government programs and activities of each respective country.

(4) An identification of which facilities various senior political and military leaders of each respective country are expected to operate out of during crisis and wartime.

(5) A technical assessment of the political and military means and methods for command and control in wartime of each respective country.

(6) An identification of key officials and organizations of each respective country involved in managing and operating such facilities, programs and activities, including the command structure for each organization involved in such programs and activities.

(7) An assessment of how senior leaders of each respective country measure the effectiveness of such programs and activities.

(8) An estimate of the annual cost of such programs and activities.

(9) An assessment of the degree of enhanced survivability such programs and activities can be expected to provide in various military scenarios ranging from limited conventional conflict to strategic nuclear employment.

(10) An assessment of the type and extent of foreign assistance, if any, in such programs and activities.

(11) An assessment of the status and the effectiveness of the intelligence collection of the United States on such programs and capabilities, and any gaps in such collection.

(12) Any other matters the Director determines appropriate.

(b) COUNCIL ASSESSMENT.—Not later than 90 days after the date on which the Director submits the report under subsection (a), the Council on Oversight of the National Leadership Command, Control, and Communications System established by section 171a of title 10, United States Code, shall submit to the appropriate congressional committees an assessment of how the command, control, and communications systems for the national leadership of the People's Republic of China and the Russian Federation, respectively, compare to such system of the United States.

(c) STRATCOM.—Together with the assessment submitted under subsection (b), the Commander of the United States Strategic Command shall submit to the appropriate congressional committees the views of the Commander on the report under subsection (a), including a detailed description for how the leadership survivability, command and control, and continuity of government programs and activities of the People's Republic of China and the Russian Federation, respectively, are considered in the plans and options under the responsibility of the Commander under the unified command plan.

(d) FORMS.—Each report or assessment submitted under this section may be submitted in unclassified form, but may include a classified annex.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1648. SENSE OF CONGRESS ON IMPORTANCE OF INDEPENDENT NUCLEAR DETERRENT OF UNITED KINGDOM.

It is the sense of Congress that—

(1) the United States believes that the independent nuclear deterrent and decision-making of the United Kingdom provides a crucial contribution to international stability, the North Atlantic Treaty Organization alliance, and the national security of the United States;

(2) nuclear deterrence is and will continue to be the highest priority mission of the Department of Defense and the United States benefits when the closest ally of the United States clearly and unequivocally sets similar priorities;

(3) the United States sees the nuclear deterrent of the United Kingdom as central to trans-Atlantic security and to the commitment of the United Kingdom to NATO to spend two percent of gross domestic product on defense;

(4) the commitment of the United Kingdom to maintain a continuous at-sea deterrence posture today and in the future complements the deterrent capabilities of the United States and provides a credible ''second center of decision making'' which ensures potential attackers cannot discount the solidarity of the mutual relationship of the United States and the United Kingdom;

(5) the United States Navy must execute the Ohio-class replacement submarine program on time and within budget, seeking efficiencies and cost savings wherever possible, to ensure that the program delivers a Common Missile Compartment, the Trident II (D5) Strategic Weapon System, and associated equipment and production capabilities, that support the successful development and deployment of the Vanguard-successor submarines of the United Kingdom; and

(6) the close technical collaboration, especially expert mutual scientific peer review, provides valuable resilience and cost effectiveness to the respective deterrence programs of the United States and the United Kingdom.

Subtitle E—Missile Defense Programs

SEC. 1651. EXTENSIONS OF PROHIBITIONS RELATING TO MISSILE DEFENSE INFORMATION AND SYSTEMS.

(a) PROHIBITION ON INTEGRATION OF CERTAIN MISSILE DEFENSE SYSTEMS.—

(1) IN GENERAL.—Section 130h of title 10, United States Code, is amended—

(A) by redesignating subsection (d) as subsection (e);

(B) by inserting after subsection (c) the following new subsection (d):

''(d) INTEGRATION.—None of the funds authorized to be appropriated or otherwise made available for any fiscal year for the Department of Defense may be obligated or expended to integrate a missile defense system of the Russian Federation or a missile defense system of the People's Republic of China into any missile defense system of the United States.''; and

*(C) by striking the section heading and inserting the following: ''**Prohibitions relating to missile defense information and systems**''.*

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of title 10, United States Code, is amended by striking the item relating to section 130h and inserting the following new item:

''130h. Prohibitions relating to missile defense information and systems.''.

(3) CONFORMING REPEALS.—Sections 1672 and 1673 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1130) are repealed.

(b) EXTENSION OF SUNSET.—Section 130h(e) of title 10, United States Code, as redesignated by subsection (a)(1), is amended to read as follows:

''(e) SUNSET.—The prohibitions in subsections (a), (b), and (d) shall expire on January 1, 2027.''.

SEC. 1652. REVIEW OF THE MISSILE DEFEAT POLICY AND STRATEGY OF THE UNITED STATES.

(a) NEW REVIEW.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly conduct a new review of the missile defeat capability, policy, and strategy of the United States, with respect to—

(1) left- and right-of-launch ballistic missile defense for—

(A) both regional and homeland purposes; and

(B) the full range of active, passive, kinetic, and nonkinetic defense measures across the full spectrum of land-, air-, sea-, and space-based platforms;

(2) the integration of offensive and defensive forces for the defeat of ballistic missiles, including against weapons initially deployed on ballistic missiles, such as hypersonic glide vehicles; and

(3) cruise missile defense of the homeland.

(b) ELEMENTS.—The review under subsection (a) shall address the following:

(1) The missile defeat policy, strategy, and objectives of the United States in relation to the national security strategy of the United States and the military strategy of the United States.

(2) The role of deterrence in the missile defeat policy and strategy of the United States.

(3) The missile defeat posture, capability, and force structure of the United States.

(4) With respect to both the five- and ten-year periods beginning on the date of the review, the planned and desired end-state of the missile defeat programs of the United States, including regarding the integration and interoperability of such programs with the joint forces and the integration and interoperability of such programs with allies, and specific benchmarks, milestones, and key steps required to reach such end-states.

(5) The organization, discharge, and oversight of acquisition for the missile defeat programs of the United States.

(6) The roles and responsibilities of the Office of the Secretary of Defense, Defense Agencies, combatant commands, the Joint Chiefs of Staff, and the military departments in such programs and the process for ensuring accountability of each stakeholder.

(7) The process for determining requirements for missile defeat capabilities under such programs, including input from the joint military requirements process.

(8) The process for determining the force structure and inventory objectives for such programs.

(9) Standards for the military utility, operational effectiveness, suitability, and survivability of the missile defeat systems of the United States.

(10) The method in which resources for the missile defeat mission are planned, programmed, and budgeted within the Department of Defense.

(11) The near-term and long-term costs and cost effectiveness of such programs.

(12) The options for affecting the offense-defense cost curve.

(13) Accountability, transparency, and oversight with respect to such programs.

(14) The role of international cooperation on missile defeat in the missile defeat policy and strategy of the United States and the plans,

policies, and requirements for integration and interoperability of missile defeat capability with allies.

(15) Options for enhancing and making routine the codevelopment of missile defeat capabilities with allies of the United States in the near-term and far-term.

(16) Declaratory policy governing the employment of missile defeat capabilities and the military options and plans and employment options of such capabilities.

(17) The role of multi-mission defense and other assets of the United States, including space and terrestrial sensors and plans to achieve multi-mission capability in current, planned, and other future assets and acquisition programs.

(18) The indications and warning required to meet the missile defeat strategy and objectives of the United States described in paragraph (1) and the key enablers and programs to achieve such indications and warning.

(19) The impact of the mobility, countermeasures, and denial and deception capabilities of adversaries on the indications and warning described in paragraph (16) and the consequences of such impact for the missile defeat capability, objectives, and military options of the United States and the plans of the combatant commanders.

(20) Any other matters the Secretary determines relevant.

(c) REPORTS.—

(1) RESULTS.—Not later than January 31, 2018, the Secretary shall submit to the congressional defense committees a report setting forth the results of the review under subsection (a).

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(3) ANNUAL IMPLEMENTATION UPDATES.—During the five-year period beginning on the date of the submission of the report under paragraph (1), the Director of Cost Assessment and Program Evaluation shall submit to the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the congressional defense committees annual status updates detailing the progress of the Secretary in implementing the missile defeat strategy of the United States.

(4) THREAT REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report containing an unclassified summary, consistent with the protection of intelligence sources and methods, of—

(A) as of the date of the report, the ballistic and cruise missile threat to the United States, deployed forces of the United States, and friends and allies of the United States from short-, medium-, intermediate-, and long-range nuclear and non-nuclear ballistic and cruise missile threats; and

(B) an assessment of such threat in 2026.

(d) NOTIFICATION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 or any fiscal year thereafter for the Secretary of Defense may be obligated or expended to change the nonstandard acquisition processes and responsibilities described in paragraph (2) until—

(A) the Secretary notifies the congressional defense committees of such proposed change; and

(B) a period of 180 days has elapsed following the date of such notification.

(2) NON-STANDARD ACQUISITION PROCESSES AND RESPONSIBILITIES DESCRIBED.—The non-standard acquisition processes and responsibilities described in this paragraph are such processes and responsibilities described in—

(A) the memorandum of the Secretary of Defense titled ''Missile Defense Program Direction'' signed on January 2, 2002; and

(B) Department of Defense Directive 5134.09, as in effect on the date of the enactment of this Act.

(e) DESIGNATION REQUIRED.—

(1) AUTHORITY.—Not later than March 31, 2018, the Secretary of Defense shall designate a military department or Defense Agency with acquisition authority with respect to—

(A) the capability to defend the homeland from cruise missiles; and

(B) left-of-launch ballistic missile defeat capability.

(2) VALIDATION.—In making such designation under paragraph (1), the Secretary shall include a description of the manner in which the military requirements for such capabilities will be validated.

SEC. 1653. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM AND ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND COPRODUCTION.

(a) IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.—

(1) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by section 101 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $62,000,000 may be provided to the Government of Israel to procure Tamir interceptors for the Iron Dome short-range rocket defense system, as specified in the funding table in division D, through coproduction of such interceptors in the United States by industry of the United States.

(2) CONDITIONS.—

(A) AGREEMENT.—Funds described in paragraph (1) for the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, subject to an amended bilateral international agreement for coproduction for Tamir interceptors. In negotiations by the Missile Defense Agency and the Missile Defense Organization of the Government of Israel regarding such production, the goal of the United States is to maximize opportunities for coproduction of the Tamir interceptors described in paragraph (1) in the United States by industry of the United States.

(B) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology, and Logistics shall jointly submit to the appropriate congressional committees—

(i) a certification that the bilateral international agreement specified in subparagraph (A) is being implemented as provided in such bilateral international agreement; and

(ii) an assessment detailing any risks relating to the implementation of such bilateral international agreement.

(b) COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND COPRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2017 for procurement, Defense-wide, and available for the Missile Defense Agency—

(A) not more than $150,000,000 may be provided to the Government of Israel to procure the David's Sling Weapon System, including for coproduction of parts and components in the United States by United States industry; and

(B) not more than $120,000,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for coproduction of parts and components in the United States by United States industry.

(2) CERTIFICATION.—

(A) CRITERIA.—Except as provided by paragraph (3), the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the appropriate congressional committees a certification that—

(i) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreements for the David's Sling Weapon System and the Arrow 3 Upper Tier Development Program, respectively;

(ii) funds specified in subparagraphs (A) and (B) of paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel for such respective systems or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(iii) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(I) in accordance with clause (iv), the terms of coproduction of parts and components of such respective systems on the basis of the greatest practicable coproduction of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitization expenses to the costs needed for coproduction;

(II) complete transparency on the requirement of Israel for the number of interceptors and batteries of such respective systems that will be procured, including with respect to the procurement plans, acquisition strategy, and funding profiles of Israel;

(III) technical milestones for coproduction of parts and components and procurement of such respective systems; and

(IV) joint approval processes for third-party sales of such respective systems and the components of such respective systems;

(iv) the level of coproduction described in clause (iii)(I) for the Arrow 3 and David's Sling Weapon System is not less than 50 percent; and

(v) such funds may not be obligated or expended to cover costs related to any delays, including delays with respect to exchanging technical data or specifications.

(B) NUMBER.—In carrying out subparagraph (A), the Under Secretary may submit—

(i) one certification covering both the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(ii) separate certifications for each such respective system.

(C) TIMING.—The Under Secretary shall submit to the congressional defense committees the certification under subparagraph (A) by not later than 60 days before the funds specified in paragraph (1) for the respective system covered by the certification are provided to the Government of Israel.

(3) WAIVER.—The Under Secretary may waive the certification required by paragraph (2) if the Under Secretary certifies to the appropriate congressional committees that the Under Secretary has received sufficient data from the Government of Israel to demonstrate—

(A) the funds specified in subparagraphs (A) and (B) of paragraph (1) are provided to Israel solely for funding the procurement of long-lead components in accordance with a production plan, including a funding profile detailing Israeli contributions for production, including long-lead production, of either David's Sling Weapon System or the Arrow 3 Upper Tier Interceptor Program;

(B) such long-lead components have successfully completed knowledge points, technical milestones, and production readiness reviews; and

(C) the long-lead procurement will be conducted in a manner that maximizes coproduction in the United States without incurring additional nonrecurring engineering activity or cost.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 1654. MAXIMIZING AEGIS ASHORE CAPABILITY.

(a) ANTI-AIR WARFARE CAPABILITY OF AEGIS ASHORE SITES.—

(1) EVALUATION.—The Secretary of Defense shall conduct a complete evaluation of the optimal anti-air warfare capability—

(A) for each current Aegis Ashore site by not later than 180 days after the date of the enactment of this Act; and

(B) as part of any future deployment by the United States of an Aegis Ashore site after the date of such enactment.

(2) ASSESSMENTS INCLUDED.—Each evaluation under paragraph (1) shall include an assessment of the potential deployment of enhanced sea sparrow missiles, standard missile block 2 missiles, standard missile block 6 missiles, or the SeaRAM missile system.

(3) CONSISTENCY WITH ANNEX.—The Secretary shall carry out this subsection consistent with any classified annex accompanying this Act.

(b) AEGIS ASHORE CAPABILITY EVALUATION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional defense committees an evaluation of each of the following:

(1) The ballistic missile and air threat against the continental United States and the efficacy (including with respect to cost, ideal and optimal deployment locations, and potential deployment schedule) of deploying one or more Aegis Ashore sites and Aegis Ashore components for the ballistic and cruise missile defense of the continental United States.

(2) The ballistic missile and air threat against the Armed Forces on Guam and the efficacy (including with respect to cost and schedule) of deploying an Aegis Ashore site on Guam.

(c) AEGIS ASHORE SITE ON THE PACIFIC MISSILE RANGE FACILITY.—

(1) LIMITATION.—The Secretary of Defense may not reduce the manning levels or test capability, as such levels and capability existed on January 1, 2015, of the Aegis Ashore site at the Pacific Missile Range Facility in Hawaii, including by putting such site into a ''cold'' or ''stand by'' status.

(2) ENVIRONMENTAL IMPACT STATEMENT.—

(A) Not later than 60 days after the date on which the Director of the Missile Defense Agency submits to the congressional defense committees the report under section 1689(b)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1144), the Director shall notify such committees on whether the preferred alternative for fielding a medium range ballistic missile defense sensor for the defense of Hawaii identified by such report would require an update to the environmental impact statement required for constructing the Aegis Ashore site at the Pacific Missile Range Facility.

(B) If the Director determines that an updated environmental impact statement, a new environmental impact statement, or another action is required or recommended pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. et seq.), the Director shall commence such action by not later than 60 days after the date on which the Director makes the notification under subparagraph (A).

(3) EVALUATION.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional defense committees an evaluation of the ballistic missile and air threat against Hawaii (including with respect to threats to the Armed Forces and installations located in Hawaii) and the efficacy (including with respect to cost and potential alternatives) of—

(A) making the Aegis Ashore site at the Pacific Missile Range Facility operational;

(B) deploying the preferred alternative for fielding a medium range ballistic missile defense sensor for the defense of Hawaii described in paragraph (2)(A); and

(C) any other alternative the Secretary and the Chairman determine appropriate.

(d) FORMS.—The evaluations submitted under subsections (b) and (c)(3) shall each be submitted in unclassified form, but may each include a classified annex.

SEC. 1655. TECHNICAL AUTHORITY FOR INTEGRATED AIR AND MISSILE DEFENSE ACTIVITIES AND PROGRAMS.

(a) AUTHORITY.—

(1) IN GENERAL.—The Director of the Missile Defense Agency is the technical authority of the Department of Defense for integrated air and missile defense activities and programs, including joint engineering and integration efforts for such activities and programs, including with respect to defining and controlling the interfaces of such activities and programs and the allocation of technical requirements for such activities and programs.

(2) DETAILEES.—

(A) In carrying out the technical authority under paragraph (1), the Director may seek to have staff detailed to the Missile Defense Agency from the Joint Functional Component Command for Integrated Missile Defense and the Joint Integrated Air and Missile Defense Organization in a number the Director determines necessary in accordance with subparagraph (B).

(B) In detailing staff under subparagraph (A) to carry out the technical authority under paragraph (1), the total number of staff, including detailees, of the Missile Defense Agency who carry out such authority may not exceed the number that is twice the number of such staff carrying out such authority as of January 1, 2016.

(b) ASSESSMENTS AND PLANS.—

(1) BIENNIAL SUBMISSION.—Not later than January 31, 2017, and biennially thereafter through 2021, the Director shall submit to the congressional defense committees an assessment of the state of integration and interoperability of the integrated air and missile defense capabilities of the Department of Defense.

(2) ELEMENTS.—Each assessment under paragraph (1) shall include the following:

(A) Identification of any gaps in the integration and interoperability of the integrated air and missile defense capabilities of the Department.

(B) A description of the options to improve such capabilities and remediate such gaps.

(C) A plan to carry out such improvements and remediations, including milestones and costs for such plan.

(3) FORM.—Each assessment under paragraph (1) shall be submitted in classified form unless the Director determines that submitting such assessment in unclassified form is useful and expedient.

SEC. 1656. DEVELOPMENT AND RESEARCH OF NON-TERRESTRIAL MISSILE DEFENSE LAYER.

(a) DEVELOPMENT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of the Missile Defense Agency, with the support of federally funded research and development centers with subject matter expertise, shall commence the planning for concept definition, design, research, development, engineering evaluation, and test of a space-based ballistic missile intercept and defeat layer to the ballistic missile defense system that—

(A) shall provide defense options to ballistic missiles and re-entry vehicles, independent of adversary country size and threat trajectory; and

(B) may provide a boost-phase missile defense capability, as well as additional defensive options against direct ascent anti-satellite weapons, hypersonic boost glide vehicles, and maneuvering re-entry vehicles.

(2) ACTIVITIES.—The planning activities authorized under paragraph (1) shall include, at a minimum, the following:

(A) The initiation of formal steps for potential integration into the ballistic missile defense system architecture.

(B) Mature planning for early proof of concept component demonstrations.

(C) Draft operation concepts in the context of a multi-layer architecture.

(D) Identification of proof of concept vendor sources for demo components and subassemblies.

(E) The development of multi-year technology and risk reduction investment plan.

(F) The commencement of the development of a proof of concept master program phasing schedule.

(G) Identification of proof of concept long lead items.

(H) Initiation of requests for proposals from industry with significant commercial, civil, and national security space experience, including for space launch services.

(I) Mature options for an aggressive but low-risk acquisition strategy.

(b) SPACE TEST BED.—Not later than 60 days after the date of the enactment of this Act, the Director shall commence planning for research, development, test, and evaluation activities with respect to a space test bed for a missile interceptor capability.

(c) BUDGET SUBMISSIONS.—The Director shall submit with the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2018 a detailed budget and development plan, irrespective of planned budgetary total obligation authority, for the activities described in subsections (a) and (b), assuming initial demonstration, on-orbit, of such the capabilities described in such subsections by 2025.

SEC. 1657. HYPERSONIC BOOST GLIDE VEHICLE DEFENSE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall establish a program of record in the ballistic missile defense system to develop and field a defensive system to defeat hypersonic boost-glide and maneuvering ballistic missiles. Such defense system may be a new system, a modification of an existing system, or developed by integrating existing systems.

(2) CODEVELOPMENT.— In developing the program of record for the defensive system under paragraph (1), the Director shall consider opportunities for codevelopment, including through financial support, with allies and partners of the United States.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the headquarters operations of the Under Secretary of Defense for Policy and the headquarters operations of the Under Secretary of Defense for Acquisition, Technology, and Logistics, $25,000,000 may not be obligated or expended for each such headquarters operations until—

(1) the Director certifies to the congressional defense committees that the Director has established the program of record under paragraph (1) of subsection (a), including a discussion of—

(A) the options for codevelopment considered by the Director under paragraph (2) of such subsection;

(B) such options the Director has assessed; and

(C) such options the Director recommends be pursued in the program of record; and

(2) the Chairman of the Joint Chiefs of Staff submits to the congressional defense committees a report on the military capability or capabilities and capability gaps relating to the threat posed by hypersonic boost-glide and maneuvering ballistic missiles to the United States, the forces of the United States, and the allies of the United States; and

(3) a period of 30 days has elapsed following the date on which the congressional defense committees has received both the certification and the report.

(c) REPORT ON MTCR.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the implications for the Missile Technology Control Regime regarding the development of a defensive system, including with respect to partnering with allies and partners of the United States, to counter hypersonic boost-glide and maneuvering ballistic missiles.

(d) PLAN.—Not later than 30 days after the date on which the budget of the President for fiscal year 2018 is submitted to Congress under section 1105 of title 31, Unites States Code, the Director shall submit to the congressional defense committees a plan to field the defensive system under paragraph (1) of subsection (a) by 2021, including—

(1) a schedule of required ground, flight, and intercept tests; and

(2) the estimated budget for such plan, including a budget with codevelopment described in paragraph (2) of such subsection and a budget without such codevelopment, required for each year beginning with fiscal year 2018.

SEC. 1658. LIMITATION ON AVAILABILITY OF FUNDS FOR PATRIOT LOWER TIER AIR AND MISSILE DEFENSE CAPABILITY OF THE ARMY.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Patriot lower tier air and missile defense capability of the Army, not more than 50 percent may be obligated or expended until each of the following occurs:

(1) The Director of the Missile Defense Agency certifies to the congressional defense committees that such capability, upon the completion of the modernization process addressed by the analysis of alternatives regarding such capability, will be fully interoperable with the ballistic missile defense system and other air and missile defense capabilities deployed and planned to be deployed by the United States.

(2) The Chairman of the Joint Chiefs of Staff certifies to the congressional defense committees that such capability, upon the completion of the modernization process addressed by the analysis of alternatives regarding such capability, will meet—

(A) the desired attributes for modularity sought by the geographic combatant commands; and

(B) the validated and objective warfighter requirements for air and missile defense capability.

(3) The Chief of Staff of the Army, in coordination with the Secretary of the Army, submits to the congressional defense committees—

(A) a determination as to whether the requirements of the lower tier air and missile defense program are appropriate for acquisition through the Army Rapid Capabilities Office, and if the determination is that such requirements are not so appropriate, an evaluation of why;

(B) the terms of the competition planned for the lower tier air and missile defense program to ensure fair competition for all competitors; and

(C) either—

(i) certification that—

(I) the requirements of the lower tier air and missile defense program can only be met through a multi-year development and acquisition program, rather than through more expedient modification of existing or demonstrated capabilities of the Department of Defense; and

(II) the lower tier air and missile defense acquisition program as designed as of the date of the certification will provide the most rapid deployment of a modernized capability to the warfighter at reasonable risk levels (as compared to systems with similar amounts of complexity and technological readiness); or

(ii) a revised acquisition strategy for the lower tier air and missile defense acquisition program, including a schedule to carry out such strategy.

(4) If the Chief of Staff of the Army submits the revised acquisition strategy under paragraph (3)(C)(ii), a period of 30 days has elapsed following the date of such submission.

SEC. 1659. LIMITATION ON AVAILABILITY OF FUNDS FOR CONVENTIONAL PROMPT GLOBAL STRIKE WEAPONS SYSTEM.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for research, development, test, and evaluation, Defense-wide, for the conventional prompt global strike weapons system, not more than 75 percent may be obligated or expended until the date on which the Chairman of the Joint Chiefs of Staff, in consultation with the Commander of the United States European Command, the Commander of the United States Pacific Command, and the Commander of the United States Strategic Command, submits to the congressional defense committees a report on—

(1) whether there are warfighter requirements or integrated priorities list submitted needs for a limited operational conventional prompt strike capability; and

(2) whether the program plan and schedule proposed by the program office in the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics supports such requirements and integrated priorities lists submissions.

SEC. 1660. PILOT PROGRAM ON LOSS OF UNCLASSIFIED, CONTROLLED TECHNICAL INFORMATION.

(a) PILOT PROGRAM.—Beginning not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall carry out a pilot program to implement improvements to the data protection options in the programs of the Missile Defense Agency (including the contractors of the Agency), particularly with respect to unclassified, controlled technical information and controlled unclassified information.

(b) PRIORITY.—In carrying out the pilot program under subsection (a), the Director shall give priority to implementing data protection options that are used by the private sector and have been proven successful.

(c) DURATION.—The Director shall carry out the pilot program under subsection (a) for not more than a 5-year period.

(d) NOTIFICATION.—Not later than 30 days before the date on which the Director commences the pilot program under subsection (a), the Director shall notify the congressional defense committees, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Government Affairs of the Senate of—

(1) the data protection options that the Director is considering to implement under the pilot program and the potential costs of such options; and

(2) such option that is the preferred option of the Director.

(e) DATA PROTECTION OPTIONS.—In this section, the term ''data protection options'' means actions to improve processes, practices, and systems that relate to the safeguarding, hygiene, and data protection of information.

SEC. 1661. REVIEW OF MISSILE DEFENSE AGENCY BUDGET SUBMISSIONS FOR GROUND-BASED MIDCOURSE DEFENSE AND EVALUATION OF ALTERNATIVE GROUND-BASED INTERCEPTOR DEPLOYMENTS.

(a) BUDGET SUFFICIENCY.—

(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of Cost Assessment and Program Evaluation shall submit to the congressional defense committees a report on the ground-based midcourse defense system.

(2) ELEMENTS.—The report under paragraph (1) shall include an evaluation of each of the following:

(A) The modernization requirements for the ground-based midcourse system, including all command and control, ground systems, sensors and sensor interfaces, boosters and kill vehicles, and integration of known future systems and components.

(B) The obsolescence of such systems and components.

(C) The industrial base requirements relating to the ground-based midcourse system.

(D) The extent to which the estimated levels of annual funding included in the most recent budget and the future-years defense program submitted under section 221 of this title fully fund the requirements under clause (i).

(3) UPDATES.—Not later than 30 days after the date on which each budget is submitted through January 31, 2021, the Director shall submit to the congressional defense committees an update to the report under paragraph (1).

(4) CERTIFICATION.—Not later than 60 days after the date on which each budget is submitted through January 31, 2021, the Commander of the United States Northern Command shall certify to the congressional defense committees that the most recent defense budget materials include a sufficient level of funding for the ground-based midcourse defense system to modernize the system to remain paced ahead of the developing limited ballistic missile threat to the homeland, including from an accidental or unauthorized ballistic missile attack.

(b) EVALUATION OF TRANSPORTABLE GROUND-BASED INTERCEPTOR.—Not later than 180 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on transportable ground-based interceptors. Such report shall detail the views of the Director regarding—

(1) the cost that is unconstrained by current projected budget levels for the Missile Defense Agency (including a detailed program development production and deployment cost and schedule for the earliest technically possible deployment), the associated manning, and the comparative cost (including as compared to developing a fixed ground-based interceptor site), technical readiness, and feasibility of a transportable ground-based interceptor as a means to deploy additional ground-based interceptors for the defense of the United States and the operational value of a transportable ground-based interceptor for the defense of the homeland against a limited ballistic missile attack, including from accidental or unauthorized ballistic missile launch;

(2) the type and number of flight and or intercept tests that would be required to validate the capability and compatibility of a transportable ground-based interceptor in the ballistic missile defense system;

(3) the enabling capabilities, and the cost of such capabilities, to support such a system;

(4) any safety consideration of a transportable ground-based interceptor; and

(5) other matters that the Director determines pertinent to such a system.

(c) FORM.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section, the terms ''budget'' and ''defense budget materials'' have the meanings given those terms in section 231 of title 10, United States Code.

SEC. 1662. DECLARATORY POLICY, CONCEPT OF OPERATIONS, AND EMPLOYMENT GUIDELINES FOR LEFT-OF-LAUNCH CAPABILITY.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff

shall jointly submit to the congressional defense committees the following:

(1) Both the classified and unclassified declaratory policy of the United States regarding the use of the left-of-launch capability of the United States against potential targets and how the Secretary and the Chairman intend to ensure that such capability is a deterrent to attacks by adversaries.

(2) Both the classified and unclassified concept of operations for the use of such capability across and between the combatant commands.

(3) Both the classified and unclassified employment strategy, plans, and options for such capability.

SEC. 1663. PROCUREMENT OF MEDIUM-RANGE DISCRIMINATION RADAR TO IMPROVE HOMELAND MISSILE DEFENSE.

(a) The Director of the Missile Defense Agency shall issue a request for proposals for such radar by not later than October 1, 2017.

(b) The Director shall plan to procure a medium-range discrimination radar or equivalent sensor for a location the Director determines will improve homeland missile defense for the defense of Hawaii from the limited ballistic missile threat (including accidental or unauthorized launch) and plan for such radar to be fielded by not later than December 31, 2021.

SEC. 1664. SEMIANNUAL NOTIFICATIONS ON MISSILE DEFENSE TESTS AND COSTS.

(a) NOTIFICATIONS.—Not less than once every 180-day period beginning 90 days after the date of the enactment of this Act and ending on January 31, 2021, the Director of the Missile Defense Agency shall submit to the congressional defense committees a notification on—

(1) the outcome of each planned flight test, including intercept tests, occurring during the period covered by the notification; and

(2) flight tests, including intercept tests, planned to occur after the date of the notification.

(b) ELEMENTS.—Each notification shall include the following:

(1) With respect to each test described in subsection (a)(1)—

(A) the cost;

(B) any changes made to the scope or objectives of the test, or future tests, and an explanation for such changes;

(C) in the event of a failure of the test or a decision to delay or cancel the test—

(i) the reasons such test did not succeed or occur;

(ii) the funds expended on such attempted test; and

(iii) in the case of a test failure or cancelled test that is the result of contractor performance, the contractor liability, if appropriate, as compared to the cost of such test and potential retest; and

(D) the plan to conduct a retest, if necessary, and an estimate of the cost of such retest.

(2) With respect to each test described in subsection (a)(2)—

(A) any changes made to the scope of the test;

(B) whether the test was to occur earlier but was delayed; and

(C) an explanation for any such changes or delays.

(3) The status of any open failure review boards or any failure review boards completed during the period covered by the notification.

(c) FORM.—Each notification submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1665. NATIONAL MISSILE DEFENSE POLICY.

(a) POLICY.—It is the policy of the United States to maintain and improve a robust layered missile defense system capable of defending the territory of the United States, allies, deployed forces, and capabilities against the developing and increasingly complex ballistic missile threat with funding subject to the annual authorization of appropriations and the annual appropriation of funds for National Missile Defense.

(b) CONFORMING REPEAL.—Section 2 of the National Missile Defense Act of 1999 (Public Law 106–38; 10 U.S.C. 2431 note) is repealed.

SEC. 1666. SENSE OF CONGRESS ON INITIAL OPERATING CAPABILITY OF PHASE 2 OF EUROPEAN PHASED ADAPTIVE APPROACH TO MISSILE DEFENSE.

(a) FINDINGS.—Congress finds the following:

(1) President Obama, during his announcement of the European Phased Adaptive Approach on September 17, 2009, stated, ''This approach is based on an assessment of the Iranian missile threat,'' and ''the best way to responsibly advance our security and the security of our allies is to deploy a missile defense system that best responds to the threats we face and that utilizes technology that is both proven and cost-effective.''.

(2) The 2010 Ballistic Missile Defense review stated that ''The [European] Phased Adaptive Approach utilizes existing and proven capabilities to meet current threats and then will improve upon these capabilities over time by integrating new technology.''.

(3) Secretary of Defense Leon Panetta, during a speech in Brussels on October 5, 2011, stated, ''The United States is fully committed to building a missile defense capability for the full coverage and protection of all our NATO European populations, their territory and their forces against the growing threat posed by ballistic missiles.''.

(4) Secretary of Defense Chuck Hagel, during a press conference on March 15, 2013, stated, ''The missile deployments the United States is making in phases one through three of the European Phased Adaptive Approach, including sites in Romania and Poland, will still be able to provide coverage of all European NATO territory as planned by 2018.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States is committed to the defense of deployed members of the Armed Forces of the United States and to the defense of the European allies of the Unites States by increasing the ballistic missile defense capability of the North Atlantic Treaty Organization (in this section referred to as ''NATO'');

(2) phase 2 of the European Phased Adaptive Approach will provide NATO with a substantial increase in ballistic missile defense capability since NATO declared Interim Ballistic Missile Defense Capability at the Chicago Summit in 2012, and such phase consists of—

(A) Aegis Ashore in Romania;

(B) four Aegis ballistic missile defense capable ships homeported at Rota, Spain; and

(C) a more capable SM–3 interceptor;

(3) NATO is moving forward with the modernization of the defense capabilities of NATO that is responsive to 21st century threats to the territory and populations of member states of NATO;

(4) the member states of NATO recognize the importance of this contribution, which sends a clear signal that NATO will not allow potential adversaries to threaten the use of ballistic missile strikes to coerce NATO or deter NATO from responding to aggression against the interests of NATO; and

(5) phase 2 of the European Phased Adaptive Approach is ready for 24-hour-a-day, seven-day-a-week operation, with proven military systems and command and control capability, and should be so declared at the July 2016 NATO Summit in Warsaw, Poland.

Subtitle F—Other Matters

SEC. 1671. PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, as amended by section 1255, is further amended by adding at the end the following new section:

''§ 130j. Protection of certain facilities and assets from unmanned aircraft

''(a) AUTHORITY.—The Secretary of Defense may take, and may authorize the armed forces to take, such actions described in subsection (b)(1) that are necessary to mitigate the threat of an unmanned aircraft system or unmanned aircraft that poses an imminent threat (as defined by the Secretary of Defense, in coordination with the Secretary of Transportation) to the safety or security of a covered facility or asset.

''(b) ACTIONS DESCRIBED.—(1) The actions described in this paragraph are the following:

''(A) Disrupt control of the unmanned aircraft system or unmanned aircraft.

''(B) Seize and exercise control of the unmanned aircraft system or unmanned aircraft.

''(C) Seize or otherwise confiscate the unmanned aircraft system or unmanned aircraft.

''(D) Use reasonable force to disable or destroy the unmanned aircraft system or unmanned aircraft.

''(2) The Secretary of Defense shall develop the actions described in paragraph (1) in coordination with the Secretary of Transportation, consistent with the protection of information regarding sensitive defense capabilities.

''(c) FORFEITURE.—(1) Any unmanned aircraft system or unmanned aircraft described in subsection (a) shall be subject to seizure and forfeiture to the United States.

''(2) The Secretary of Defense may prescribe regulations to establish reasonable exceptions to paragraph (1), including in cases where—

''(A) the operator of the unmanned aircraft system or unmanned aircraft obtained the control and possession of such system or aircraft illegally; or

''(B) the operator of the unmanned aircraft system or unmanned aircraft is an employee of a common carrier acting in manner described in subsection (a) without the knowledge of the common carrier.

''(d) REGULATIONS.—The Secretary of Defense and the Secretary of Transportation shall prescribe regulations and issue guidance in the respective areas of each Secretary to carry out this section.

''(e) DEFINITIONS.—In this section:

''(1) The term 'covered facility or asset' means any facility or asset that is—

''(A) identified by the Secretary of Defense for purposes of this section;

''(B) located in the United States (including the territories and possessions of the United States); and

''(C) relating to—

''(i) the nuclear deterrence mission of the Department of Defense, including with respect to nuclear command and control, integrated tactical warning and attack assessment, and continuity of government;

''(ii) the missile defense mission of the Department; or

''(iii) the national security space mission of the Department.

''(2) The terms 'unmanned aircraft' and 'unmanned aircraft system' have the meaning given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130i, as added by section 1255, the following new item:

''130j. Protection of certain facilities and assets from unmanned aircraft.''.

SEC. 1672. IMPROVEMENT OF COORDINATION BY DEPARTMENT OF DEFENSE OF ELECTROMAGNETIC SPECTRUM USAGE.

Not later than December 31, 2016, the Secretary of Defense shall submit to the congressional defense committees a report evaluating whether establishing an intra-departmental council in the Department of Defense on the use electromagnetic spectrum by the Department would improve coordination within the Department on—

(1) the use of such spectrum;

(2) the acquisition cycle with respect to such spectrum;

(3) training by the Armed Forces, including with respect to electronic and cyber warfare; and

(4) other purposes the Secretary considers useful.

TITLE XVII—DEPARTMENT OF DEFENSE ACQUISITION AGILITY

SEC. 1701. MODULAR OPEN SYSTEM APPROACH IN DEVELOPMENT OF MAJOR WEAPON SYSTEMS.

(a) IN GENERAL.—Part IV of subtitle A of title 10, United States Code, is amended by inserting after chapter 144A the following new chapter:

"CHAPTER 144B—WEAPON SYSTEMS DEVELOPMENT AND RELATED MATTERS

"Subchapter Sec.
"I. Modular Open System Approach in Development of Weapon Systems ... 2446a
"II. Development, Prototyping, and Deployment of Weapon System Components and Technology 2447a
"III. Cost, Schedule, and Performance of Major Defense Acquisition Programs 2448a

''SUBCHAPTER I—MODULAR OPEN SYSTEM APPROACH IN DEVELOPMENT OF WEAPON SYSTEMS

''Sec.
''2446a. Requirement for modular open system approach in major defense acquisition programs; definitions.
''2446b. Requirement to address modular open system approach in program capabilities development and acquisition weapon system design.
''2446c. Requirements relating to availability of major system interfaces and support for modular open system approach.
''2446d. Requirement to include modular open system approach in Selected Acquisition Reports.

"§ 2446a. Requirement for modular open system approach in major defense acquisition programs; definitions

''(a) MODULAR OPEN SYSTEM APPROACH REQUIREMENT.—A major defense acquisition program initiated after January 1, 2019, shall be designed and developed, to the maximum extent practicable, with a modular open system approach to enable incremental development.

''(b) DEFINITIONS.—In this chapter:

''(1) The term 'modular open system approach' means, with respect to a major defense acquisition program, an integrated business and technical strategy that—

''(A) employs a modular design that uses major system interfaces between a major system platform and a major system component or between major system components;

''(B) is subjected to verification to ensure major system interfaces comply with, if available and suitable, widely supported and consensus-based standards;

''(C) uses a system architecture that allows severable major system components at the appropriate level to be incrementally added, removed, or replaced throughout the life cycle of a major system platform to afford opportunities for enhanced competition and innovation while yielding—

''(i) significant cost savings or avoidance;

''(ii) schedule reduction;

''(iii) opportunities for technical upgrades;

''(iv) increased interoperability; or

''(v) other benefits during the sustainment phase of a major weapon system; and

''(D) complies with the technical data rights set forth in section 2320 of this title.

''(2) The term 'major system platform' means the highest level structure of a major weapon system that is not physically mounted or installed onto a higher level structure and on which a major system component can be physically mounted or installed.

''(3) The term 'major system component'—

''(A) means a high level subsystem or assembly, including hardware, software, or an integrated assembly of both, that can be mounted or installed on a major system platform through well-defined major system interfaces; and

''(B) includes a subsystem or assembly that is likely to have additional capability requirements, is likely to change because of evolving technology or threat, is needed for interoperability, facilitates incremental deployment of capabilities, or is expected to be replaced by another major system component.

''(4) The term 'major system interface' means a shared boundary between a major system platform and a major system component or between major system components, defined by various physical, logical, and functional characteristics, such as electrical, mechanical, fluidic, optical, radio frequency, data, networking, or software elements.

''(5) The term 'program capability document' means, with respect to a major defense acquisition program, a document that specifies capability requirements for the program, such as a capability development document or a capability production document.

''(6) The terms 'program cost target' and 'fielding target' have the meanings provided in section 2448a(a) of this title.

''(7) The term 'major defense acquisition program' has the meaning provided in section 2430 of this title.

''(8) The term 'major weapon system' has the meaning provided in section 2379(f) of this title.

"§ 2446b. Requirement to address modular open system approach in program capabilities development and acquisition weapon system design

''(a) PROGRAM CAPABILITY DOCUMENT.—A program capability document for a major defense acquisition program shall identify and characterize—

''(1) the extent to which requirements for system performance are likely to evolve during the life cycle of the system because of evolving technology, threat, or interoperability needs; and

''(2) for requirements that are expected to evolve, the minimum acceptable capability that is necessary for initial operating capability of the major defense acquisition program.

''(b) ANALYSIS OF ALTERNATIVES.—The Director of Cost Assessment and Performance Evaluation, in formulating study guidance for analyses of alternatives for major defense acquisition programs and performing such analyses under section 139a(d)(4) of this title, shall ensure that any such analysis for a major defense acquisition program includes consideration of evolutionary acquisition, prototyping, and a modular open system approach.

''(c) ACQUISITION STRATEGY.—In the case of a major defense acquisition program that uses a modular open system approach, the acquisition strategy required under section 2431a of this title shall—

''(1) clearly describe the modular open system approach to be used for the program;

''(2) differentiate between the major system platform and major system components being developed under the program, as well as major system components developed outside the program that will be integrated into the major defense acquisition program;

''(3) clearly describe the evolution of major system components that are anticipated to be added, removed, or replaced in subsequent increments;

''(4) identify additional major system components that may be added later in the life cycle of the major system platform; and

''(5) clearly describe how intellectual property and related issues, such as technical data deliverables, that are necessary to support a modular open system approach, will be addressed.

''(d) REQUEST FOR PROPOSALS.—The milestone decision authority for a major defense acquisition program that uses a modular open system approach shall ensure that a request for proposals for the development or production phases of the program shall describe the modular open system approach and the minimum set of major system components that must be included in the design of the major defense acquisition program.

''(e) MILESTONE B.—A major defense acquisition program may not receive Milestone B approval under section 2366b of this title until the milestone decision authority determines in writing that—

''(1) in the case of a program that uses a modular open system approach—

''(A) the program incorporates clearly defined major system interfaces between the major system platform and major system components and between major system components;

''(B) such major system interfaces are consistent with the widely supported and consensus-based standards that exist at the time of the milestone decision, unless such standards are unavailable or unsuitable for particular major system interfaces; and

''(C) the Government has arranged to obtain appropriate and necessary intellectual property rights with respect to such major system interfaces upon completion of the development of the major system platform; or

''(2) in the case of a program that does not use a modular open system approach, that the use of a modular open system approach is not practicable.

"§ 2446c. Requirements relating to availability of major system interfaces and support for modular open system approach

''The Secretary of each military department shall—

''(1) coordinate with the other military departments, the defense agencies, defense and other private sector entities, national standards-setting organizations, and, when appropriate, with elements of the intelligence community with respect to the specification, identification, development, and maintenance of major system interfaces and standards for use in major system platforms, where practicable;

''(2) ensure that major system interfaces incorporate commercial standards and other widely supported consensus-based standards that are validated, published, and maintained by recognized standards organizations to the maximum extent practicable;

''(3) ensure that sufficient systems engineering and development expertise and resources are available to support the use of a modular open system approach in requirements development and acquisition program planning;

''(4) ensure that necessary planning, programming, and budgeting resources are provided to specify, identify, develop, and sustain the modular open system approach, associated major system interfaces, and any additional program activities necessary to sustain innovation and interoperability; and

''(5) ensure that adequate training in the use of a modular open system approach is provided to members of the requirements and acquisition workforce.

"§ 2446d. Requirement to include modular open system approach in Selected Acquisition Reports

''For each major defense acquisition program that receives Milestone B approval after January 1, 2019, a brief summary description of the key elements of the modular open system approach or, if a modular open system approach was not used, the rationale for not using such an approach, shall be submitted to the congressional defense committees with the first Selected Acquisition Report required under section 2432 of this title for the program.''.

(b) CLERICAL AMENDMENT.—The table of chapters for title 10, United States Code, is amended by adding after the item relating to chapter 144A the following new item:

"144B. Weapon Systems Development and Related Matters ..... 2446a".

(c) CONFORMING AMENDMENT.—Section 2366b(a)(3) of such title is amended—

(1) by striking ''and'' at the end of subparagraph (K); and

(2) by inserting after subparagraph (L) the following new subparagraph:

''(M) the requirements of section 2446b(e) of this title are met; and''.

(d) EFFECTIVE DATE.—Subchapter I of chapter 144B of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2016.

SEC. 1702. DEVELOPMENT, PROTOTYPING, AND DEPLOYMENT OF WEAPON SYSTEM COMPONENTS OR TECHNOLOGY.

(a) IN GENERAL.—Chapter 144B of title 10, United States Code, as added by section 1701, is further amended by adding at the end the following new subchapter:

''SUBCHAPTER II—DEVELOPMENT, PROTOTYPING, AND DEPLOYMENT OF WEAPON SYSTEM COMPONENTS OR TECHNOLOGY

''Sec.

''2447a. Technology development in the acquisition of major weapon systems.

''2447b. Weapon system component or technology prototype projects: display of budget information.

''2447c. Weapon system component or technology prototype projects: oversight.

''2447d. Requirements and limitations for weapon system component or technology prototype projects.

''2447e. Mechanisms to speed deployment of successful weapon system component or technology prototypes.

''2447f. Definition of weapon system component.

''§2447a. Technology development in the acquisition of major weapon systems

''Technology shall be developed in a major defense acquisition program that is initiated after January 1, 2019, only if the milestone decision authority for the program determines with a high degree of confidence that such development will not delay the fielding target of the program. If the milestone decision authority does not make such determination for a major system component being developed under the program, the milestone decision authority shall ensure that technology related to the major system component shall be sufficiently matured separate from the major defense acquisition program using the prototyping authorities of this section or other authorities, as appropriate.

''§2447b. Weapon system component or technology prototype projects: display of budget information

''(a) REQUIREMENTS FOR BUDGET DISPLAY.—In the defense budget materials for any fiscal year after fiscal year 2017, the Secretary of Defense shall, with respect to advanced component development and prototype activities (within the research, development, test, and evaluation budget), set forth the amounts requested for each of the following:

''(1) Acquisition programs of record.

''(2) Development, prototyping, and experimentation of weapon system components or other technologies separate from acquisition programs of record.

''(3) Other budget line items as determined by the Secretary of Defense.

''(b) ADDITIONAL REQUIREMENTS.—For purposes of subsection (a)(2), the amounts requested for development, prototyping, and experimentation of weapon system components or other technologies shall be—

''(1) structured into either capability, weapon system component, or technology portfolios that reflect the priority areas for prototype projects; and

''(2) justified with general descriptions of the types of capability areas and technologies being funded or expected to be funded during the fiscal year concerned.

''(c) DEFINITIONS.—In this section, the terms 'budget' and 'defense budget materials' have the meaning given those terms in section 234 of this title.

''§2447c. Weapon system component or technology prototype projects: oversight

''(a) ESTABLISHMENT.—The Secretary of each military department shall establish an oversight board or identify a similar group of senior advisors for managing prototype projects for weapon system components and other technologies and subsystems, including the use of funds for such projects, within the military department concerned.

''(b) MEMBERSHIP.—Each oversight board shall be comprised of senior officials with—

''(1) expertise in requirements; research, development, test, and evaluation; acquisition; or other relevant areas within the military department concerned;

''(2) awareness of technology development activities and opportunities in the Department of Defense, industry, and other sources; and

''(3) awareness of the component capability requirements of major weapon systems, including scheduling and fielding goals for such component capabilities.

''(c) FUNCTIONS.—The functions of each oversight board are as follows:

''(1) To issue a strategic plan every three years that prioritizes the capability and weapon system component portfolio areas for conducting prototype projects, based on assessments of high priority warfighter needs, capability gaps on existing major weapon systems, opportunities to incrementally integrate new components into major weapon systems, and technologies that are expected to be sufficiently mature to prototype within three years.

''(2) To annually recommend funding levels for weapon system component or technology development and prototype projects across capability or weapon system component portfolios.

''(3) To annually recommend to the service acquisition executive of the military department concerned specific weapon system component or technology development and prototype projects, subject to the requirements and limitations in section 2447d of this title.

''(4) To ensure projects are managed by experts within the Department of Defense who are knowledgeable in research, development, test, and evaluation and who are aware of opportunities for incremental deployment of component capabilities and other technologies to major weapon systems or directly to support warfighting capabilities.

''(5) To ensure projects are conducted in a manner that allows for appropriate experimentation and technology risk.

''(6) To ensure necessary technical, contracting, and financial management resources are available to support each project.

''(7) To submit to the congressional defense committees a semiannual notification that includes the following:

''(A) A description of each weapon system component or technology prototype project initiated during the preceding six months, including an explanation of each project and its required funding.

''(B) A description of the results achieved from weapon system component prototype and technology projects completed and tested during the preceding six months.

''§2447d. Requirements and limitations for weapon system component or technology prototype projects

''(a) LIMITATION ON PROTOTYPE PROJECT DURATION.—A prototype project shall be completed within three years of its initiation.

''(b) MERIT-BASED SELECTION PROCESS.—A prototype project shall be selected by the service acquisition executive of the military department concerned through a merit-based selection process that identifies the most promising and cost-effective prototypes that address a high priority warfighter need and are expected to be successfully demonstrated in a relevant environment.

''(c) TYPE OF TRANSACTION.—Prototype projects shall be funded through contracts, cooperative agreements, or other transactions.

''(d) FUNDING LIMIT.—(1) Each prototype project may not exceed a total amount of $10,000,000 (based on fiscal year 2017 constant dollars), unless—

''(A) the Secretary of the military department, or the Secretary's designee, approves a larger amount of funding for the project, not to exceed $50,000,000; and

''(B) the Secretary, or the Secretary's designee, submits to the congressional defense committees, within 30 days after approval of such funding for the project, a notification that includes—

''(i) a description of the project;

''(ii) expected funding for the project; and

''(iii) a statement of the anticipated outcome of the project.

''(2) The Secretary of Defense may adjust the amounts (and the base fiscal year) provided in paragraph (1) on the basis of Department of Defense escalation rates.

''§2447e. Mechanisms to speed deployment of successful weapon system component or technology prototypes

''(a) SELECTION OF RAPID FIELDING PROJECT FOR PRODUCTION.—A weapon system component or technology rapid fielding project may be selected by the service acquisition executive of the military department concerned for a follow-on production contract or other transaction without the use of competitive procedures, notwithstanding the requirements of section 2304 of this title, if—

''(1) a rapid fielding project addresses a high priority warfighter need;

''(2) competitive procedures were used for the selection of parties for participation in the rapid fielding project;

''(3) the participants in the project successfully completed the project provided for in the transaction; and

''(4) a prototype of the system to be procured in the rapid fielding project was demonstrated in a relevant environment.

''(b) SPECIAL TRANSFER AUTHORITY.—(1) The Secretary of a military department may transfer funds that remain available for obligation in procurement appropriation accounts of the military department to fund the low-rate initial production of the rapid fielding project until required funding for full-rate production can be submitted and approved through the regular budget process of the Department of Defense.

''(2) The funds transferred under this subsection to fund the low-rate initial production of a rapid fielding project shall be for a period not to exceed two years, the amount for such period may not exceed $50,000,000, and the special transfer authority provided in this subsection may not be used more than once to fund procurement of a particular new or upgraded system.

''(3) The special transfer authority provided in this subsection is in addition to any other transfer authority available to the Department of Defense.

''(c) NOTIFICATION TO CONGRESS.—Within 30 days after the service acquisition executive of a military department selects a weapon system component or technology rapid fielding project for a follow-on production contract or other transaction, the service acquisition executive shall notify the congressional defense committees of the selection and provide a brief description of the rapid fielding project.

''§2447f. Definition of weapon system component

''In this subchapter, the term 'weapon system component' has the meaning given the term 'major system component' in section 2446a of this title.''.

(b) EFFECTIVE DATE.—Subchapter II of chapter 144B of title 10, United States Code, as added

by subsection (a), shall take effect on October 1, 2016.

SEC. 1703. COST, SCHEDULE, AND PERFORMANCE OF MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) IN GENERAL.—Chapter 144B of title 10, United States Code, as added by section 1701, is amended by adding at the end the following new subchapter:

''SUBCHAPTER III—COST, SCHEDULE, AND PERFORMANCE OF MAJOR DEFENSE ACQUISITION PROGRAMS

''Sec.
''2448a. Program cost, fielding, and performance goals in planning major defense acquisition programs.
''2448b. Independent technical risk assessments.
''2448c. Adherence to requirements and thresholds in major defense acquisition programs.

''§ 2448a. Program cost, fielding, and performance goals in planning major defense acquisition programs

''(a) PROGRAM COST AND FIELDING TARGETS.—(1) Before a major defense acquisition program receives Milestone A approval or is otherwise initiated prior to Milestone B, the Secretary of Defense shall ensure, by establishing the goals described in paragraph (2), that—

''(A) the program will be affordable;

''(B) program planning anticipates evolution of capabilities to meet changing threats, technology insertion, and interoperability; and

''(C) the program will be fielded when needed.

''(2) The goals described in this paragraph are goals for—

''(A) the program acquisition unit cost (referred to in this section as the 'program cost target');

''(B) the date for initial operational capability (referred to in this section as the 'fielding target'); and

''(C) technology maturation, prototyping, and a modular open system approach to evolve system capabilities and improve interoperability.

''(b) CONSIDERATIONS.—In establishing goals under subsection (a) for the program, the Secretary of Defense shall consider each of the following:

''(1) The capability needs and timeframe specified in the initial capabilities document, opportunities for evolution of capabilities, and minimum acceptable capability increments.

''(2) Resources available to fund the development, production, and life cycle of the program, using a reasonable estimate of future defense budgets.

''(3) The number of end items expected to be procured under the program.

''(4) Trade-offs among cost, schedule, technical risk, and performance objectives identified in the analysis of alternatives required under section 2366a of this title.

''(5) The independent cost estimate established pursuant to section 2334(a)(6) of this title.

''(6) The independent technical risk assessment conducted or approved under section 2448b of this title.

''(c) DELEGATION.—The responsibilities of the Secretary of Defense in subsection (a) may be delegated only to the Deputy Secretary of Defense or the Under Secretary of Defense for Acquisition, Technology, and Logistics.

''(d) DEFINITIONS.—In this section:

''(1) The term 'program acquisition unit cost' has the meaning provided in section 2432(a) of this title.

''(2) The term 'initial capabilities document' has the meaning provided in section 2366a(d)(2) of this title.

''§ 2448b. Independent technical risk assessments

''(a) IN GENERAL.—With respect to a major defense acquisition program, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

''(1) before any decision to grant Milestone A approval for the program pursuant to section 2366a of this title, identify critical technologies that need to be matured in the program; and

''(2) before any decision to grant Milestone B approval for the program pursuant to section 2366b of this title, any decision to enter into low-rate initial production or full-rate production, or at any other time considered appropriate by the Under Secretary, conduct or approve an independent technical risk assessment for the program, including the identification of any critical technologies that have not been successfully demonstrated in a relevant environment.

''(b) CATEGORIZATION OF TECHNICAL RISK LEVELS.—The Under Secretary shall issue guidance and a framework for categorizing the degree of technical risk in a major defense acquisition program.

''§ 2448c. Adherence to requirements and thresholds in major defense acquisition programs

''(a) CAPABILITIES DETERMINATION.—The Secretary of the military department concerned shall ensure that the program capability document supporting a Milestone B or subsequent milestone for a major defense acquisition program may not be submitted to the Joint Requirements Oversight Council for approval until the Chief of the armed force concerned determines in writing that the requirements in the document are necessary and realistic in relation to the program cost and fielding targets established under section 2448a(a) of this title.

''(b) COMPLIANCE WITH TARGETS BEFORE MILESTONE B APPROVAL.—A major defense acquisition program may not receive Milestone B approval until the milestone decision authority for the program determines in writing that the estimated program acquisition unit cost and the estimated date for initial operational capability for the baseline description for the program (established under section 2435) do not exceed the program cost and fielding targets established under section 2448a(a) of this title. If such estimated cost is higher than the program cost target or if such estimated date is later than the fielding target, the milestone decision authority may request that the Secretary of Defense increase the program cost target or delay the fielding target, as applicable.''.

(b) EFFECTIVE DATE.—Subchapter III of chapter 144B of title 10, United States Code, as added by subsection (a), shall apply with respect to major defense acquisition programs that reach Milestone A after October 1, 2016.

(c) MODIFICATION OF MILESTONE DECISION AUTHORITY.—Effective October 1, 2016, subsection (d) of section 2430 of title 10, United States Code, as added by section 825(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 907), is amended—

(1) in paragraph (2)(A), by inserting ''subject to paragraph (5),'' before ''the Secretary determines''; and

(2) by adding at the end the following new paragraph:

''(5) The authority of the Secretary of Defense to designate an alternative milestone decision authority for a program with respect to which the Secretary determines that the program is addressing a joint requirement, as set forth in paragraph (2)(A), shall apply only for a major defense acquisition program that reaches Milestone A after October 1, 2016, and before October 1, 2019.''.

SEC. 1704. TRANSPARENCY IN MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REPORTS ON MILESTONE DECISION METRICS.—Subchapter III of chapter 144B of title 10, United States Code, as added by section 1703, is amended by adding at the end the following new section:

''§ 2448d. Reports on milestone decision metrics

''(a) REPORT ON MILESTONE A.—Not later than 15 days after granting Milestone A approval for a major defense acquisition program, the milestone decision authority for the program shall provide to the congressional defense committees and, in the case of intelligence or intelligence-related activities, the congressional intelligence committees a brief summary report that contains the following elements:

''(1) The program cost and fielding targets established by the Secretary of Defense under section 2448a(a) of this title.

''(2) The estimated cost and schedule for the program established by the military department concerned, including—

''(A) the dollar values estimated for the program acquisition unit cost and total life-cycle cost; and

''(B) the planned dates for each program milestone and initial operational capability.

''(3) The independent estimated cost for the program established pursuant to section 2334(a)(6) of this title, and any independent estimated schedule for the program, including—

''(A) the dollar values estimated for the program acquisition unit cost and total life-cycle cost; and

''(B) the planned dates for each program milestone and initial operational capability.

''(4) A summary of the technical risks associated with the program, as determined by the military department concerned, including identification of any critical technologies that need to be matured.

''(5) A summary of the independent technical risk assessment conducted or approved under section 2448b of this title, including identification of any critical technologies that need to be matured.

''(6) A summary of any sufficiency review conducted by the Director of Cost Assessment and Program Evaluation of the analysis of alternatives performed for the program (as referred to in section 2366a(b)(6) of this title).

''(7) Any other information the milestone decision authority considers relevant.

''(b) REPORT ON MILESTONE B.—Not later than 15 days after granting Milestone B approval for a major defense acquisition program, the milestone decision authority for the program shall provide to the congressional defense committees and, in the case of intelligence or intelligence-related activities, the congressional intelligence committees a brief summary report that contains the following elements:

''(1) The program cost and fielding targets established by the Secretary of Defense under section 2448a(a) of this title.

''(2) The estimated cost and schedule for the program established by the military department concerned, including—

''(A) the dollar values estimated for the program acquisition unit cost, average procurement unit cost, and total life-cycle cost; and

''(B) the planned dates for each program milestone, initial operational test and evaluation, and initial operational capability.

''(3) The independent estimated cost for the program established pursuant to section 2334(a)(6) of this title, and any independent estimated schedule for the program, including—

''(A) the dollar values estimated for the program acquisition unit cost, average procurement unit cost, and total life-cycle cost; and

''(B) the planned dates for each program milestone, initial operational test and evaluation, and initial operational capability.

''(4) A summary of the technical risks associated with the program, as determined by the military department concerned, including identification of any critical technologies that have not been successfully demonstrated in a relevant environment.

''(5) A summary of the independent technical risk assessment conducted or approved under

section 2448b of this title, including identification of any critical technologies that have not been successfully demonstrated in a relevant environment.

''(6) A statement of whether a modular open system approach is being used for the program.

''(7) Any other information the milestone decision authority considers relevant.

''(c) REPORT ON MILESTONE C.—Not later than 15 days after granting Milestone C approval for a major defense acquisition program, the milestone decision authority for the program shall provide to the congressional defense committees and, in the case of intelligence or intelligence-related activities, the congressional intelligence committees a brief summary report that contains the following:

''(1) The estimated cost and schedule for the program established by the military department concerned, including—

''(A) the dollar values estimated for the program acquisition unit cost, average procurement unit cost, and total life-cycle cost; and

''(B) the planned dates for initial operational test and evaluation and initial operational capability.

''(2) The independent estimated cost for the program established pursuant to section 2334(a)(6) of this title, and any independent estimated schedule for the program, including—

''(A) the dollar values estimated for the program acquisition unit cost, average procurement unit cost, and total life-cycle cost; and

''(B) the planned dates for initial operational test and evaluation and initial operational capability.

''(3) A summary of any production, manufacturing, and fielding risks associated with the program.

''(d) ADDITIONAL INFORMATION.—At the request of any of the congressional defense committees or, in the case of intelligence or intelligence-related activities, the congressional intelligence committees, the milestone decision authority shall submit to the committee further information or underlying documentation for the information in a report submitted under subsection (a), (b), or (c), including the independent cost and schedule estimates and the independent technical risk assessments referred to in those subsections.

''(e) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term 'congressional intelligence committees' has the meaning given that term in section 437(c) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

''2448d. Reports on milestone decision metrics.''.

SEC. 1705. AMENDMENTS RELATING TO TECHNICAL DATA RIGHTS.

(a) RIGHTS RELATING TO ITEM OR PROCESS DEVELOPED EXCLUSIVELY AT PRIVATE EXPENSE.—Subsection (a)(2)(C)(iii) of section 2320 of title 10, United States Code, is amended by inserting after ''or process data'' the following: '', including such data pertaining to a major system component''.

(b) RIGHTS RELATING TO INTERFACE OR MAJOR SYSTEM INTERFACE.—Subsection (a)(2) of section 2320 of such title is further amended—

(1) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (I), and (J), respectively;

(2) in subparagraph (B), by striking ''Except as provided in subparagraphs (C) and (D),'' and inserting ''Except as provided in subparagraphs (C), (D), and (E),'';

(3) in subparagraph (D)(i), by striking subclause (II) and inserting the following:

''(II) is a release, disclosure, or use of technical data pertaining to an interface between an item or process and other items or processes; or'';

(4) by inserting after subparagraph (D) the following new subparagraph (E):

''(E) Notwithstanding subparagraph (B), the United States shall have government purpose rights in technical data pertaining to a major system interface developed exclusively at private expense and used in a modular open system approach pursuant to section 2446a of this title.'';

(5) in subparagraph (F), as redesignated by paragraph (1), by striking ''In the case of'' and inserting ''Except as provided in subparagraphs (G) and (H), in the case of'';

(6) by inserting after subparagraph (F), as so redesignated, the following new subparagraphs (G) and (H):

''(G) Notwithstanding subparagraph (F), the United States shall have government purpose rights in technical data pertaining to an interface between an item or process and other items or processes that was developed in part with Federal funds and in part at private expense, except in any case in which the Secretary of Defense determines, on the basis of criteria established in the regulations, that negotiation of different rights in such technical data would be in the best interest of the United States.

''(H) Notwithstanding subparagraph (F), the United States shall have government purpose rights in technical data pertaining to a major system interface developed in part with Federal funds and in part at private expense and used in a modular open system approach pursuant to section 2446a of this title.''; and

(7) in subparagraph (J), as redesignated by paragraph (1), by striking ''provided under subparagraph (C) or (D),'' and inserting ''provided under subparagraph (C), (D), (E), or (H),''.

(c) AMENDMENT RELATING TO NEGOTIATED RIGHTS FOR ITEM OR PROCESS DEVELOPED WITH MIXED FUNDING.—Section (a)(2)(F) of section 2320 of such title, as redesignated by subsection (b)(1) of this section, is further amended by striking the period at the end of the first sentence in the matter preceding clause (i) and all that follows through ''establishment of any such negotiated rights shall'' and inserting ''and shall be based on negotiations between the United States and the contractor, except in any case in which the Secretary of Defense determines, on the basis of criteria established in the regulations, that negotiations would not be practicable. The establishment of such rights shall''.

(d) AMENDMENT RELATING TO DEFERRED ORDERING.—Subsection (b)(9) of section 2320 of such title is amended—

(1) by striking ''at any time'' and inserting '', until the date occurring six years after acceptance of the last item (other than technical data) under a contract or the date of contract termination, whichever is later,'';

(2) by striking ''or utilized in the performance of a contract'' and inserting ''in the performance of the contract''; and

(3) by striking clause (ii) of subparagraph (B) and inserting the following:

''(ii) is described in subparagraphs (D)(i)(II), (E), (G), and (H) of subsection (a)(2); and''.

(e) DEFINITIONS.—Section 2320 of such title is further amended—

(1) in subsection (f), by inserting ''COVERED GOVERNMENT SUPPORT CONTRACTOR DEFINED.—'' before ''In this section''; and

(2) by adding at the end the following new subsection:

''(g) ADDITIONAL DEFINITIONS.—In this section, the terms 'major system component', 'major system interface', and 'modular open system approach' have the meanings provided in section 2446a of this title.''.

(f) AMENDMENTS TO ADD CERTAIN HEADINGS FOR READABILITY.—Section 2320(a) of such title is further amended—

(1) in subparagraph (A) of paragraph (2), by inserting after ''(A)'' the following: ''DEVELOPMENT EXCLUSIVELY WITH FEDERAL FUNDS.—'';

(2) in subparagraph (B) of such paragraph, by inserting after ''(B)'' the following: ''DEVELOPMENT EXCLUSIVELY AT PRIVATE EXPENSE.—''; and

(3) in subparagraph (F) of such paragraph, as redesignated by subsection (b) of this section, by inserting after ''(F)'' the following: ''DEVELOPMENT IN PART WITH FEDERAL FUNDS AND IN PART AT PRIVATE EXPENSE.—''.

TITLE XVIII—MATTERS RELATING TO SMALL BUSINESS PROCUREMENT

Subtitle A—Improving Transparency and Clarity for Small Businesses

SEC. 1801. PLAIN LANGUAGE REWRITE OF REQUIREMENTS FOR SMALL BUSINESS PROCUREMENTS.

Section 15(a) of the Small Business Act (15 U.S.C. 644(a)) is amended to read as follows:

''(a) SMALL BUSINESS PROCUREMENTS.—

''(1) IN GENERAL.—For purposes of this Act, small business concerns shall receive any award or contract if such award or contract is, in the determination of the Administrator and the contracting agency, in the interest of—

''(A) maintaining or mobilizing the full productive capacity of the United States;

''(B) war or national defense programs; or

''(C) assuring that a fair proportion of the total purchase and contracts for goods and services of the Government in each industry category (as described under paragraph (2)) are awarded to small business concerns.

''(2) INDUSTRY CATEGORY DEFINED.—

''(A) IN GENERAL.—In this subsection, the term 'industry category' means a discrete group of similar goods and services, as determined by the Administrator in accordance with the North American Industry Classification System codes used to establish small business size standards, except that the Administrator shall limit an industry category to a greater extent than provided under the North American Industry Classification codes if the Administrator receives evidence indicating that further segmentation of the industry category is warranted—

''(i) due to special capital equipment needs;

''(ii) due to special labor requirements;

''(iii) due to special geographic requirements, except as provided in subparagraph (B);

''(iv) due to unique Federal buying patterns or requirements; or

''(v) to recognize a new industry.

''(B) EXCEPTION FOR GEOGRAPHIC REQUIREMENTS.—The Administrator may not further segment an industry category based on geographic requirements unless—

''(i) the Government typically designates the geographic area where work for contracts for goods or services is to be performed;

''(ii) Government purchases comprise the major portion of the entire domestic market for such goods or services; and

''(iii) it is unreasonable to expect competition from business concerns located outside of the general geographic area due to the fixed location of facilities, high mobilization costs, or similar economic factors.

''(3) DETERMINATIONS WITH RESPECT TO AWARDS OR CONTRACTS.—Determinations made pursuant to paragraph (1) may be made for individual awards or contracts, any part of an award or contract or task order, or for classes of awards or contracts or task orders.

''(4) INCREASING PRIME CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS CONCERNS.—

''(A) DESCRIPTION OF COVERED PROPOSED PROCUREMENTS.—The requirements of this paragraph shall apply to a proposed procurement that includes in its statement of work goods or services currently being supplied or performed by a small business concern and, as determined by the Administrator—

''(i) is in a quantity or of an estimated dollar value which makes the participation of a small business concern as a prime contractor unlikely;

''(ii) in the case of a proposed procurement for construction, if such proposed procurement seeks to bundle or consolidate discrete construction projects; or

''(iii) is a solicitation that involves an unnecessary or unjustified bundling of contract requirements.

''(B) NOTICE TO PROCUREMENT CENTER REPRESENTATIVES.—With respect to proposed procurements described in subparagraph (A), at least 30 days before issuing a solicitation and concurrent with other processing steps required before issuing the solicitation, the contracting agency shall provide a copy of the proposed procurement to the procurement center representative of the contracting agency (as described in subsection (l)) along with a statement explaining—

''(i) why the proposed procurement cannot be divided into reasonably small lots (not less than economic production runs) to permit offers on quantities less than the total requirement;

''(ii) why delivery schedules cannot be established on a realistic basis that will encourage the participation of small business concerns in a manner consistent with the actual requirements of the Government;

''(iii) why the proposed procurement cannot be offered to increase the likelihood of the participation of small business concerns;

''(iv) in the case of a proposed procurement for construction, why the proposed procurement cannot be offered as separate discrete projects; or

''(v) why the agency has determined that the bundling of contract requirements is necessary and justified.

''(C) ALTERNATIVES TO INCREASE PRIME CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS CONCERNS.—If the procurement center representative believes that the proposed procurement will make the participation of small business concerns as prime contractors unlikely, the procurement center representative, within 15 days after receiving the statement described in subparagraph (B), shall recommend to the contracting agency alternative procurement methods for increasing prime contracting opportunities for small business concerns.

''(D) FAILURE TO AGREE ON AN ALTERNATIVE PROCUREMENT METHOD.—If the procurement center representative and the contracting agency fail to agree on an alternative procurement method, the Administrator shall submit the matter to the head of the appropriate department or agency for a determination.

''(5) CONTRACTS FOR SALE OF GOVERNMENT PROPERTY.—With respect to a contract for the sale of Government property, small business concerns shall receive any such contract if, in the determination of the Administrator and the disposal agency, the award of such contract is in the interest of assuring that a fair proportion of the total sales of Government property be made to small business concerns.

''(6) SALE OF ELECTRICAL POWER OR OTHER PROPERTY.—Nothing in this subsection shall be construed to change any preferences or priorities established by law with respect to the sale of electrical power or other property by the Federal Government.

''(7) COSTS EXCEEDING FAIR MARKET PRICE.—A contract may not be awarded under this subsection if the cost of the contract to the awarding agency exceeds a fair market price.''.

SEC. 1802. IMPROVING REPORTING ON SMALL BUSINESS GOALS.

(a) IN GENERAL.—Section 15(h)(2)(E) of the Small Business Act (15 U.S.C. 644(h)(2)(E)) is amended—

(1) in clause (i)—

(A) in subclause (III), by striking ''and'' at the end; and

(B) by adding at the end the following new subclauses:

''(V) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns for purposes of the initial contract; and

''(VI) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;'';

(2) in clause (ii)—

(A) in subclause (IV), by striking ''and'' at the end; and

(B) by adding at the end the following new subclauses:

''(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by service-disabled veterans for purposes of the initial contract; and

''(VII) that were awarded using a procurement method that restricted competition to qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;'';

(3) in clause (iii)—

(A) in subclause (V), by striking ''and'' at the end; and

(B) by adding at the end the following new subclauses:

''(VII) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be qualified HUBZone small business concerns for purposes of the initial contract; and

''(VIII) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;'';

(4) in clause (iv)—

(A) in subclause (V), by striking ''and'' at the end; and

(B) by adding at the end the following new subclauses:

''(VII) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by socially and economically disadvantaged individuals for purposes of the initial contract; and

''(VIII) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by women, or a subset of any such concerns;'';

(5) in clause (v)—

(A) in subclause (IV), by striking ''and'' at the end;

(B) in subclause (V), by inserting ''and'' at the end; and

(C) by adding at the end the following new subclause:

''(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by an Indian tribe other than an Alaska Native Corporation for purposes of the initial contract;'';

(6) in clause (vi)—

(A) in subclause (IV), by striking ''and'' at the end;

(B) in subclause (V), by inserting ''and'' at the end; and

(C) by adding at the end the following new subclause:

''(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by a Native Hawaiian Organization for purposes of the initial contract;'';

(7) in clause (vii)—

(A) in subclause (IV), by striking ''and'' at the end; and

(B) by adding at the end the following new subclause:

''(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by an Alaska Native Corporation for purposes of the initial contract; and''; and

(8) in clause (viii)—

(A) in subclause (VII), by striking ''and'' at the end;

(B) in subclause (VIII), by striking ''and'' at the end; and

(C) by adding at the end the following new subclauses:

''(IX) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by women for purposes of the initial contract; and

''(X) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, or a subset of any such concerns; and''.

(b) EFFECTIVE DATE.—The Administrator of the Small Business Administration shall be required to report on the information required by sections 15(h)(2)(E)(i)(V), 15(h)(2)(E)(ii)(VI), 15(h)(2)(E)(iii)(VII), 15(h)(2)(E)(iv)(VII), 15(h)(2)(E)(v)(VI), 15(h)(2)(E)(vi)(VI), 15(h)(2)(E)(vii)(VI), and 15(h)(2)(E)(viii)(IX) only beginning on the date that the Federal Procurement Data System, System for Award Management or any new or successor system is able to report such data.

SEC. 1803. TRANSPARENCY IN SMALL BUSINESS GOALS.

Section 15(h)(3) of the Small Business Act (15 U.S.C. 644(h)(3)) is amended to read as follows::

''(3) PROCUREMENT DATA.—

''(A) FEDERAL PROCUREMENT DATA SYSTEM.—

''(i) IN GENERAL.—To assist in the implementation of this section, the Administrator shall have access to information collected through the Federal Procurement Data System, Federal Subcontracting Reporting System, or any new or successor system.

''(ii) GSA REPORT.—On the date that the Administrator makes available the report required by paragraph (2), the Administrator of the General Services Administration shall submit a report to the President and Congress, and to make available on a public Web site, a report in the same form and manner, and including the same information, as the report under paragraph (2). Such report shall include all procurements made for the period covered by the report and may not exclude any contract awarded.

''(B) AGENCY PROCUREMENT DATA SOURCES.—To assist in the implementation of this section, the head of each contracting agency shall provide, upon request of the Administrator, procurement information collected through agency data collection sources in existence at the time of the request. Contracting agencies shall not be required to establish new data collection systems to provide such data.''.

SEC. 1804. UNIFORMITY IN PROCUREMENT TERMINOLOGY.

(a) IN GENERAL.—Section 15(j)(1) of the Small Business Act (15 U.S.C. 644(j)(1)) is amended by striking ''greater than $2,500 but not greater than $100,000'' and inserting ''greater than the micro-purchase threshold, but not greater than the simplified acquisition threshold''.

(b) TECHNICAL AMENDMENT.—Section 3(m) of the Small Business Act (15 U.S.C. 632(m)) is amended to read as follows:

''(m) DEFINITIONS PERTAINING TO CONTRACTING.—In this Act:

''(1) PRIME CONTRACT.—The term 'prime contract' has the meaning given such term in section 8701(4) of title 41, United States Code.

''(2) PRIME CONTRACTOR.—The term 'prime contractor' has the meaning given such term in section 8701(5) of title 41, United States Code.

''(3) SIMPLIFIED ACQUISITION THRESHOLD.—The term 'simplified acquisition threshold' has the meaning given such term in section 134 of title 41, United States Code.

''(4) MICRO-PURCHASE THRESHOLD.—The term 'micro-purchase threshold' has the meaning given such term in section 1902(a) of title 41, United States Code.

''(5) TOTAL PURCHASE AND CONTRACTS FOR PROPERTY AND SERVICES.—The term 'total purchases and contracts for property and services' shall mean total number and total dollar amount of contracts and orders for property and services.''.

Subtitle B—Clarifying the Roles of Small Business Advocates

SEC. 1811. SCOPE OF REVIEW BY PROCUREMENT CENTER REPRESENTATIVES.

Section 15(l) of the Small Business Act (15 U.S.C. 644(l)) is amended by adding at the end the following:

''(9) SCOPE OF REVIEW.—The Administrator—

''(A) may not limit the scope of review by the Procurement Center Representative for any solicitation of a contract or task order without regard to whether the contract or task order or part of the contract or task order is set aside for small business concerns, whether 1 or more contract or task order awards are reserved for small business concerns under a multiple award contract, or whether or not the solicitation would result in a bundled or consolidated contract (as defined in subsection (s)) or a bundled or consolidated task order; and

''(B) may, unless the contracting agency requests a review, limit the scope of review by the Procurement Center Representative for any solicitation of a contract or task order if such procurement is conducted pursuant to section 22 of the Foreign Military Sales Act (22 U.S.C. 2762), is a humanitarian operation as defined in section 401(e) of title 10, United States Code, or is for a contingency operation, as defined in section 101(a)(13) of title 10, United States Code.''.

SEC. 1812. RESPONSIBILITIES OF COMMERCIAL MARKET REPRESENTATIVES.

Section 4(h) of the Small Business Act (as added by section 865 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92)) is amended to read as follows:

''(h) COMMERCIAL MARKET REPRESENTATIVES.—

''(1) DUTIES.—The principal duties of a Commercial Market Representative employed by the Administrator and reporting to the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36 (or the designee of such official) shall be to advance the policies established in section 8(d)(1) relating to subcontracting. Such duties shall include—

''(A) helping prime contractors to find small business concerns that are capable of performing subcontracts;

''(B) for contractors awarded contracts containing the clause described in section 8(d)(3), providing—

''(i) counseling on the contractor's responsibility to maximize subcontracting opportunities for small business concerns;

''(ii) instruction on methods and tools to identify potential subcontractors that are small business concerns; and

''(iii) assistance to increase awards to subcontractors that are small business concerns through visits, training, and reviews of past performance;

''(C) providing counseling on how a small business concern may promote its capacity to contractors awarded contracts containing the clause described in section 8(d)(3); and

''(D) conducting periodic reviews of contractors awarded contracts containing the clause described in section 8(d)(3) to assess compliance with subcontracting plans required under section 8(d)(6).

''(2) CERTIFICATION REQUIREMENTS.—

''(A) IN GENERAL.—Consistent with the requirements of subparagraph (B), a commercial market representative referred to in section 15(q)(3) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that a commercial market representative who was serving on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016 may continue to serve as a commercial market representative for a period of 5 years beginning on such date without such a certification.

''(B) DELAY OF CERTIFICATION REQUIREMENT.—

''(i) TIMING.—The certification described in subparagraph (A) is not required for any person serving as a commercial market representative until the date that is one calendar year after the date such person is appointed as a commercial market representative.

''(ii) APPLICATION.—The requirements of clause (i) shall be included in any initial job posting for the position of a commercial market representative and shall apply to any person appointed as a commercial market representative after November 25, 2015.''.

SEC. 1813. DUTIES OF THE OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION.

Section 15(k) of the Small Business Act (15 U.S.C. 644(k)), as amended by section 870 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), is amended—

(1) by striking ''section 8, 15 or 44'' and inserting ''section 8, 15, 31, 36, or 44'';

(2) by striking ''sections 8 and 15'' each place such term appears and inserting ''sections 8, 15, 31, 36, and 44'';

(3) in paragraph (10), by striking ''section 8(a)'' and inserting ''section 8, 15, 31, or 36'';

(4) in paragraph (17)(C), by striking the period at the end, and inserting ''; and'';

(5) by inserting after paragraph (17) the following new paragraph:

''(18) shall review summary data provided by purchase card issuers of purchases made by the agency greater than the micro-purchase threshold, and less than the simplified acquisition threshold to ensure that the purchases have been made in compliance with the provisions of this Act and have been properly recorded in the Federal Procurement Data System, if the method of payment is a purchase card issued by the Department of Defense pursuant to section 2784 of title 10, United States Code, or by the head of an executive agency pursuant to section 1909 of title 41, United States Code;''; and

(6) in paragraph (16)—

(A) in subparagraph (B), by striking ''and'' at the end; and

(B) by adding at the end the following new subparagraph:

''(D) any failure of the agency to comply with section 8, 15, 31, or 36;''.

SEC. 1814. IMPROVING CONTRACTOR COMPLIANCE.

(a) REQUIREMENTS FOR THE OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION.—Section 15(k) of the Small Business Act (15 U.S.C. 644(k)(8)), as amended by this Act, is further amended by inserting after paragraph (18) (as inserted by section 1813 of this Act) the following:

''(19) shall provide assistance to a small business concern awarded a contract or subcontract under this Act or under title 10 or title 41, United States Code, in finding resources for education and training on compliance with contracting regulations (including the Federal Acquisition Regulation) after award of such a contract or subcontract; and''.

(b) REQUIREMENTS UNDER THE MENTOR-PROTEGE PROGRAM OF THE DEPARTMENT OF DEFENSE.—Section 831(e)(1) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1607; 10 U.S.C. 2302 note) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by inserting at the end the following new subparagraph:

''(D) the assistance the mentor firm will provide to the protege firm in understanding contract regulations of the Federal Government and the Department of Defense (including the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement) after award of a subcontract under this section, if applicable.''.

(c) RESOURCES FOR SMALL BUSINESS CONCERNS.—Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following new subsection:

''(t) POST-AWARD COMPLIANCE RESOURCES.—The Administrator shall provide to small business development centers and entities participating in the Procurement Technical Assistance Cooperative Agreement Program under chapter 142 of title 10, United States Code, and shall make available on the website of the Administration, a list of resources for small business concerns seeking education and assistance on compliance with contracting regulations (including the Federal Acquisition Regulation) after award of a contract or subcontract.''.

(d) REQUIREMENTS FOR PROCUREMENT CENTER REPRESENTATIVES.—Section 15(l)(2) of the Small Business Act (15 U.S.C. 644(l)(2)) is amended—

(1) by redesignating subparagraph (I) as subparagraph (J);

(2) in subparagraph (H), by striking ''and'' at the end; and

(3) by inserting after subparagraph (H) the following new subparagraph:

''(I) assist small business concerns with finding resources for education and training on compliance with contracting regulations (including the Federal Acquisition Regulation) after award of a contract or subcontract; and''.

(e) REQUIREMENTS UNDER THE MENTOR-PROTEGE PROGRAM OF THE SMALL BUSINESS ADMINISTRATION.—Section 45(b)(3) of the Small Business Act (15 U.S.C. 657r(b)(3)) is amended by adding at the end the following new subparagraph:

''(K) The extent to which assistance with compliance with the requirements of contracting with the Federal Government after award of a contract or subcontract under this section.''.

SEC. 1815. RESPONSIBILITIES OF BUSINESS OPPORTUNITY SPECIALISTS.

Section 4(g) of the Small Business Act (as added by section 865 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92)) is amended to read as follows:

''(g) BUSINESS OPPORTUNITY SPECIALISTS.—

''(1) DUTIES.—The exclusive duties of a Business Opportunity Specialist employed by the Administrator and reporting to the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36 (or the designee of such official) shall be to implement sections 7, 8, and 45 and to complete other duties related to contracting programs under this Act. Such duties shall include—

''(A) with respect to small business concerns eligible to receive contracts and subcontracts pursuant to section 8(a)—

''(i) providing guidance, counseling, and referrals for assistance with technical, management, financial, or other matters that will improve the competitive viability of such concerns;

''(ii) identifying causes of success or failure of such concerns;

''(iii) providing comprehensive assessments of such concerns, including identifying the strengths and weaknesses of such concerns;

''(iv) monitoring and documenting compliance with the requirements of sections 7 and 8 and any regulations implementing those sections;

''(v) explaining the requirements of sections 7, 8, 15, 31, 36 and 45; and

''(vi) advising on compliance with contracting regulations (including the Federal Acquisition Regulation) after award of such a contract or subcontract;

''(B) reviewing and monitoring compliance with mentor-protege agreements under section 45;

''(C) representing the interests of the Administrator and small business concerns in the award, modification, and administration of contracts and subcontracts awarded pursuant to section 8(a); and

''(D) reporting fraud or abuse under section 7, 8, 15, 31, 36 or 45 or any regulations implementing such sections.

''(2) CERTIFICATION REQUIREMENTS.—

''(A) IN GENERAL.—Consistent with the requirements of subparagraph (B), a Business Opportunity Specialist described under section 7(j)(10)(D) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that a Business Opportunity Specialist who was serving on or before January 3, 2013, may continue to serve as a Business Opportunity Specialist for a period of 5 years beginning on such date without such a certification.

''(B) DELAY OF CERTIFICATION REQUIREMENT.—

''(i) TIMING.—The certification described in subparagraph (A) is not required for any person serving as a Business Opportunity Specialist until the date that is one calendar year after the date such person is appointed as a Business Opportunity Specialist.

''(ii) APPLICATION.—The requirements of clause (i) shall be included in any initial job posting for the position of a Business Opportunity Specialist and shall apply to any person appointed as a Business Opportunity Specialist after January 3, 2013''.

Subtitle C—Strengthening Opportunities for Competition in Subcontracting

SEC. 1821. GOOD FAITH IN SUBCONTRACTING.

(a) TRANSPARENCY IN SUBCONTRACTING GOALS.—Section 8(d)(9) of the Small Business Act (15 U.S.C. 637(d)(9)) is amended—

(1) by striking ''(9) The failure'' and inserting the following:

''(9) MATERIAL BREACH.—The failure'';

(2) in subparagraph (A), by striking ''or'' at the end;

(3) in subparagraph (B), by inserting ''or'' at the end;

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

''(C) assurances provided under paragraph (6)(E),''; and

(5) by moving the margins of subparagraphs (A) and (B), and the matter after subparagraph (C) (as inserted by paragraph (4)), 2 ems to the right.

(b) REVIEW OF SUBCONTRACTING PLANS.—Section 15(k) of the Small Business Act (15 U.S.C. 644(k)) is amended by inserting after paragraph (19) (as inserted by section 1814 of this Act) the following:

''(20) shall review all subcontracting plans required by section 8(d)(4) or 8(d)(5) to ensure that the plan provides maximum practicable opportunity for small business concerns to participate in the performance of the contract to which the plan applies.''.

(c) GOOD FAITH COMPLIANCE.—Not later than 270 days after the date of enactment of this title, the Administrator of the Small Business Administration shall provide examples of activities that would be considered a failure to make a good faith effort to comply with the requirements imposed on an entity (other than a small business concern as defined under section 3 of the Small Business Act (15 U.S.C. 632)) that is awarded a prime contract containing the clauses required under paragraph (4) or (5) of section 8(d) of the Small Business Act (15 U.S.C. 637(d)).

SEC. 1822. PILOT PROGRAM TO PROVIDE OPPORTUNITIES FOR QUALIFIED SUBCONTRACTORS TO OBTAIN PAST PERFORMANCE RATINGS.

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)), as amended by this Act, is further amended by adding at the end the following new paragraph:

''(18) PILOT PROGRAM PROVIDING PAST PERFORMANCE RATINGS FOR OTHER SMALL BUSINESS SUBCONTRACTORS.—

''(A) ESTABLISHMENT.—The Administrator shall establish a pilot program for a small business concern without a past performance rating as a prime contractor performing as a first tier subcontractor for a covered contract (as defined in paragraph 13(A)) to request a past performance rating in the system used by the Federal Government to monitor or record contractor past performance.

''(B) APPLICATION.—A small business concern described in subparagraph (A) shall submit an application to the appropriate official for a past performance rating. Such application shall include written evidence of the past performance factors for which the small business concern seeks a rating and a suggested rating.

''(C) DETERMINATION.—The appropriate official shall submit the application from the small business concern to the Office of Small and Disadvantaged Business Utilization for the covered contract and to the prime contractor for review. The Office of Small and Disadvantaged Business Utilization and the prime contractor shall, not later than 30 days after receipt of the application, submit to the appropriate official a response regarding the application.

''(i) AGREEMENT ON RATING.—If the Office of Small and Disadvantaged Business Utilization and the prime contractor agree on a past performance rating, or if either the Office of Small and Disadvantaged Business Utilization or the prime contractor fail to respond and the responding individual agrees with the rating of the applicant small business concern, the appropriate official shall enter the agreed-upon past performance rating in the system described in subparagraph (A).

''(ii) DISAGREEMENT ON RATING.—If the Office of Small and Disadvantaged Business Utilization and the prime contractor fail to respond within 30 days or if they disagree about the rating, or if either the Office of Small and Disadvantaged Business Utilization or the prime contractor fail to respond and the responding individual disagrees with the rating of the applicant small business concern, the Office of Small and Disadvantaged Business Utilization or the prime contractor shall submit a notice contesting the application to the appropriate official. The appropriate official shall follow the requirements of subparagraph (D).

''(D) PROCEDURE FOR RATING.—Not later than 14 calendar days after receipt of a notice under subparagraph (C)(ii), the appropriate official shall submit such notice to the applicant small business concern. Such concern may submit comments, rebuttals, or additional information relating to the past performance of such concern not later 14 calendar days after receipt of such notice. The appropriate official shall enter into the system described in subparagraph (A) a rating that is neither favorable nor unfavorable along with the initial application from the small business concern, the responses of the Office of Small and Disadvantaged Business Utilization and the prime contractor, and any additional information provided by the small business concern. A copy of the information submitted shall be provided to the contracting officer (or designee of such officer) for the covered contract.

''(E) USE OF INFORMATION.—A small business subcontractor may use a past performance rating given under this paragraph to establish its past performance for a prime contract.

''(F) DURATION.—The pilot program established under this paragraph shall terminate 3 years after the date on which the first small business concern receives a past performance rating for performance as a first tier subcontractor.

''(G) REPORT.—The Comptroller General of the United States shall begin an assessment of the pilot program 1 year after the establishment of such program. Not later than 6 months after beginning such assessment, the Comptroller General shall submit a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives, which shall include—

''(i) the number of small business concerns that have received past performance ratings under the pilot program;

''(ii) the number of applications in which the contracting officer (or designee) or the prime contractor contested the application of the small business concern;

''(iii) any suggestions or recommendations the Comptroller General or the small business concerns participating in the program have to address disputes between the small business concern, the contracting officer (or designee), and the prime contractor on past performance ratings;

''(iv) the number of small business concerns awarded prime contracts after receiving a past performance rating under this pilot; and

''(v) any suggestions or recommendation the Comptroller General has to improve the operation of the pilot program.

''(H) APPROPRIATE OFFICIAL DEFINED.—In this paragraph, the term 'appropriate official' means a Commercial Market Representative or other individual designated by the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36.''.

Subtitle D—Mentor-Protege Programs

SEC. 1831. AMENDMENTS TO THE MENTOR-PROTEGE PROGRAM OF THE DEPARTMENT OF DEFENSE.

Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1607; 10 U.S.C. 2302 note) is amended—

(1) in subsection (d)—

(A) by amending paragraph (1) to read as follows:

''(1) prior to the approval of that agreement, the Administrator of the Small Business Administration had made no finding of affiliation between the mentor firm and the protege firm;'';

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

''(2)(A) the Administrator of the Small Business Administration does not have a current finding of affiliation between the mentor firm and protege firm; or

''(B) the Secretary, after considering the regulations promulgated by the Administrator of the Small Business Administration regarding affiliation—

''(i) does not have reason to believe that the mentor firm affiliated with the protege firm; or

''(ii) has received a formal determination of no affiliation between the mentor firm and protege firm from the Administrator after having submitted a question of affiliation to the Administrator; and'';

(2) in subsection (n), by amending paragraph (9) to read as follows:

''(9) The term 'affiliation', with respect to a relationship between a mentor firm and a protege firm, means a relationship described under section 121.103 of title 13, Code of Federal Regulations (or any successor regulation).''; and

(3) in subsection (f)(6)—

(A) in subparagraph (B), by striking ''or'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(D) women's business centers described in section 29 of the Small Business Act (15 U.S.C. 656).''.

SEC. 1832. IMPROVING COOPERATION BETWEEN THE MENTOR-PROTEGE PROGRAMS OF THE SMALL BUSINESS ADMINISTRATION AND THE DEPARTMENT OF DEFENSE.

Section 45(b)(4) of the Small Business Act (15 U.S.C. 657r(b)(4)) is amended by striking subparagraph (A) and redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

Subtitle E—Women's Business Programs

SEC. 1841. OFFICE OF WOMEN'S BUSINESS OWNERSHIP.

Section 29(g) of the Small Business Act (15 U.S.C. 656(g)) is amended—

(1) in paragraph (2), by striking subparagraphs (B) and (C) and inserting the following:

''(B) RESPONSIBILITIES.—The responsibilities of the Assistant Administrator shall be to administer the programs and services of the Office of Women's Business Ownership.

''(C) DUTIES.—The Assistant Administrator shall perform the following functions with respect to the Office of Women's Business Ownership:

''(i) Recommend the annual administrative and program budgets of the Office and eligible entities receiving a grant under the Women's Business Center Program.

''(ii) Review the annual budgets submitted by each eligible entity receiving a grant under the Women's Business Center Program.

''(iii) Select applicants to receive grants to operate a women's business center after reviewing information required by this section, including the budget of each applicant.

''(iv) Collaborate with other Federal departments and agencies, State and local governments, not-for-profit organizations, and for-profit enterprises to maximize utilization of taxpayer dollars and reduce (or eliminate) any duplication among the programs overseen by the Office of Women's Business Ownership and those of other entities that provide similar services to women entrepreneurs.

''(v) Maintain a clearinghouse to provide for the dissemination and exchange of information between women's business centers.

''(vi) Serve as the vice chairperson of the Interagency Committee on Women's Business Enterprise and as the liaison for the National Women's Business Council.''; and

(2) by adding at the end the following:

''(3) MISSION.—The mission of the Office of Women's Business Ownership shall be to assist women entrepreneurs to start, grow, and compete in global markets by providing quality support with access to capital, access to markets, job creation, growth, and counseling by—

''(A) fostering participation of women entrepreneurs in the economy by overseeing a network of women's business centers throughout States and territories;

''(B) creating public-private partnerships to support women entrepreneurs and conduct outreach and education to startup and existing small business concerns owned and controlled by women; and

''(C) working with other programs overseen by the Administrator to ensure women are well-represented and being served and to identify gaps where participation by women could be increased.

''(4) ACCREDITATION PROGRAM.—

''(A) ESTABLISHMENT.—Not later than 270 days after the date of enactment of this paragraph, the Administrator shall establish standards for an accreditation program for accrediting eligible entities receiving a grant under this section.

''(B) TRANSITION PROVISION.—Before the date on which standards are established under subparagraph (A), the Administrator may not terminate a grant under this section absent evidence of fraud or other criminal misconduct by the recipient.

''(C) CONTRACTING AUTHORITY.—The Administrator may provide financial assistance, by contract or otherwise, to a relevant national women's business center representative association to provide assistance in establishing the standards required under subparagraph (A) or for carrying out an accreditation program pursuant to such standards.''.

SEC. 1842. WOMEN'S BUSINESS CENTER PROGRAM.

(a) DEFINITIONS.—Section 29(a) of the Small Business Act (15 U.S.C. 656(a)) is amended—

(1) by striking paragraph (4);

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following:

''(2) the term 'eligible entity' means—

''(A) an organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

''(B) a State, regional, or local economic development organization, so long as the organization certifies that grant funds received under this section will not be commingled with other funds;

''(C) an institution of higher education, unless such institution is currently receiving a grant under section 21;

''(D) a development, credit, or finance corporation chartered by a State, so long as the corporation certifies that grant funds received under this section will not be commingled with other funds; or

''(E) any combination of entities listed in subparagraphs (A) through (D);''; and

(4) by adding at the end the following:

''(5) the term 'women's business center' means the location at which counseling and training on the management, operations (including manufacturing, services, and retail), access to capital, international trade, Government procurement opportunities, and any other matter is needed to start, maintain, or expand a small business concern owned and controlled by women.''.

(b) AUTHORITY.—Section 29(b) of the Small Business Act (15 U.S.C. 656(b)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(2) by striking ''The Administration'' and all that follows through ''5-year projects'' and inserting the following:

''(1) IN GENERAL.—There is established a Women's Business Center Program under which the Administrator may provide a grant to any eligible entity to operate one or more women's business centers'';

(3) by striking ''The projects shall'' and inserting the following:

''(2) USE OF FUNDS.—The women's business centers shall be designed to provide counseling and training that meets the needs of women, especially socially or economically disadvantaged women, and shall''; and

(4) by adding at the end the following:

''(3) AMOUNT OF GRANTS.—

''(A) IN GENERAL.—The amount of a grant provided under this subsection to an eligible entity per project year shall be not more than $185,000 (as such amount is annually adjusted by the Administrator to reflect the change in inflation).

''(B) ADDITIONAL GRANTS.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), with respect to an eligible entity that has received $185,000 in grants under this subsection in a project year, the Administrator may award an additional grant under this subsection of up to $65,000 during such project year if the Administrator determines that the eligible entity—

''(I) agrees to obtain, after its application has been approved and notice of award has been issued, cash contributions from non-Federal sources of 1 non-Federal dollar for each Federal dollar;

''(II) is in good standing with the Women's Business Center Program; and

''(III) has met performance goals for the previous project year, if applicable.

''(ii) LIMITATIONS.—The Administrator may only award additional grants under clause (i)—

''(I) during the 3rd and 4th quarters of the fiscal year; and

''(II) from unobligated amounts made available to the Administrator to carry out this section.

''(4) NOTICE AND COMMENT REQUIRED.—The Administrator may only make a change to the standards by which an eligible entity obtains or maintains grants under this section, the standards for accreditation, or any other requirement for the operation of a women's business center if the Administrator first provides notice and the opportunity for public comment, as set forth in section 553(b) of title 5, United States Code, without regard to any exceptions provided for under such section.''.

(c) CONDITIONS OF PARTICIPATION.—Section 29(c) of the Small Business Act (15 U.S.C. 656(c)) is amended—

(1) in paragraph (1)—

(A) by striking ''the recipient organization'' and inserting ''an eligible entity''; and

(B) by striking ''financial assistance'' and inserting ''a grant'';

(2) in paragraph (3)—

(A) by striking ''financial assistance authorized pursuant to this section may be made by grant, contract, or cooperative agreement and'' and inserting ''grants authorized pursuant to this section''; and

(B) in the second sentence, by striking ''a recipient organization'' and inserting ''an eligible entity'';

(3) in paragraph (4)—

(A) by striking ''recipient of assistance'' and inserting ''eligible entity'';

(B) by striking ''during any project, it shall not be eligible thereafter'' and inserting ''during any project for 2 consecutive years, the eligible entity shall not be eligible at any time after that 2-year period'';

(C) by striking ''such organization'' and inserting ''the eligible entity''; and

(D) by striking ''the recipient'' and inserting ''the eligible entity''; and

(4) by adding at end the following:

''(5) SEPARATION OF PROJECT AND FUNDS.—An eligible entity shall—

''(A) carry out a project under this section separately from other projects, if any, of the eligible entity; and

''(B) separately maintain and account for any grants under this section.

''(6) EXAMINATION OF ELIGIBLE ENTITIES.—

''(A) REQUIRED SITE VISIT.—Each applicant, prior to receiving a grant under this section, shall have a site visit by an employee of the Administration, in order to ensure that the applicant has sufficient resources to provide the services for which the grant is being provided.

''(B) ANNUAL REVIEW.—An employee of the Administration shall—

''(i) conduct an annual review of the compliance of each eligible entity receiving a grant under this section with the grant agreement, including a financial examination; and

''(ii) provide such review to the eligible entity as required under subsection (l).

''(7) REMEDIATION OF PROBLEMS.—

''(A) PLAN OF ACTION.—If a review of an eligible entity under paragraph (6)(B) identifies any problems, the eligible entity shall, within 45 calendar days of receiving such review, provide the Assistant Administrator with a plan of action, including specific milestones, for correcting such problems.

''(B) PLAN OF ACTION REVIEW BY THE ASSISTANT ADMINISTRATOR.—The Assistant Administrator shall review each plan of action submitted under subparagraph (A) within 30 calendar days of receiving such plan and—

''(i) if the Assistant Administrator determines that such plan will bring the eligible entity into compliance with all the terms of the grant agreement, approve such plan;

''(ii) if the Assistant Administrator determines that such plan is inadequate to remedy the problems identified in the annual review to which the plan of action relates, the Assistant Administrator shall set forth such reasons in writing and provide such determination to the eligible entity within 15 calendar days of such determination.

''(C) AMENDMENT TO PLAN OF ACTION.—An eligible entity receiving a determination under subparagraph (B)(ii) shall have 30 calendar days from the receipt of the determination to amend the plan of action to satisfy the problems identified by the Assistant Administrator and resubmit such plan to the Assistant Administrator.

''(D) AMENDED PLAN REVIEW BY THE ASSISTANT ADMINISTRATOR.—Within 15 calendar days of the receipt of an amended plan of action under subparagraph (C), the Assistant Administrator shall either approve or reject such plan and provide such approval or rejection in writing to the eligible entity.

''(E) APPEAL OF ASSISTANT ADMINISTRATOR DETERMINATION.—

''(i) IN GENERAL.—If the Assistant Administrator rejects an amended plan under subparagraph (D), the eligible entity shall have the opportunity to appeal such decision to the Administrator, who may delegate such appeal to an appropriate officer of the Administration.

''(ii) OPPORTUNITY FOR EXPLANATION.—Any appeal described under clause (i) shall provide an opportunity for the eligible entity to provide, in writing, an explanation of why the eligible entity's plan remedies the problems identified in the annual review.

''(iii) NOTICE OF DETERMINATION.—The determination of the appeal shall be provided to the eligible entity, in writing, within 15 calendar days from the eligible entity's filing of the appeal.

''(iv) EFFECT OF FAILURE TO ACT.—If the Administrator fails to act on an appeal made under this subparagraph within the 15 calendar day period specified under clause (iii), the eligible entity's amended plan of action submitted under subparagraph (C) shall be deemed to be approved.

''(8) TERMINATION OF GRANT.—

''(A) IN GENERAL.—The Administrator shall require that, if an eligible entity fails to comply with a plan of action approved by the Assistant Administrator under paragraph (7)(B)(i) or an amended plan of action approved by the Assistant Administrator under paragraph (7)(D) or approved on appeal under paragraph (7)(E), the Assistant Administrator shall terminate the grant provided to the eligible entity under this section.

''(B) APPEAL OF TERMINATION.—An eligible entity that has a grant terminated under subparagraph (A) shall have the opportunity to challenge the termination on the record and after an opportunity for a hearing.

''(C) FINAL AGENCY ACTION.—The determination made pursuant to subparagraph (B) shall be considered final agency action for the purposes of chapter 7, title 5, United States Code.''.

(d) SUBMISSION OF 5-YEAR PLAN.—Section 29(e) of the Small Business Act (15 U.S.C. 656(e)) is amended—

(1) by striking ''applicant organization'' and inserting ''eligible entity'';

(2) by striking ''a recipient organization'' and inserting ''an eligible entity'';

(3) by striking ''financial assistance'' and inserting ''grants''; and

(4) by striking ''site''.

(e) APPLICATIONS AND CRITERIA FOR INITIAL GRANT.—Subsection (f) of section 29 of the Small Business Act (15 U.S.C. 656) is amended to read as follows:

''(f) APPLICATIONS AND CRITERIA FOR INITIAL GRANT.—

''(1) APPLICATION.—Each eligible entity desiring a grant under subsection (b) shall submit to the Administrator an application that contains—

''(A) a certification that the eligible entity—

''(i) has designated an executive director or program manager, who may be compensated using grant funds under subsection (b) or other sources, to manage the women's business center for which a grant under subsection (b) is sought;

''(ii) meets the accounting and reporting requirements established by the Director of the Office of Management and Budget;

''(B) information demonstrating that the eligible entity has the ability and resources to meet the needs of the market to be served by the women's business center, including the ability to obtain the non-Federal contribution required under subsection (c);

''(C) information relating to the assistance to be provided by the women's business center in the area in which the women's business center is located;

''(D) information demonstrating the experience and effectiveness of the eligible entity in—

''(i) conducting the services described under subsection (a)(5);

''(ii) providing training and services to a representative number of women who are socially or economically disadvantaged; and

''(iii) working with resource partners of the Administration and other entities, such as universities; and

''(E) a 5-year plan that describes the ability of the eligible entity to provide the services described under subsection (a)(3), including to a representative number of women who are socially or economically disadvantaged.

''(2) REVIEW AND APPROVAL OF APPLICATIONS FOR INITIAL GRANTS.—

''(A) REVIEW AND SELECTION OF ELIGIBLE ENTITIES.—

''(i) IN GENERAL.—The Administrator shall review applications to determine whether the applicant can meet obligations to perform the activities required by a grant under this section, including—

''(I) the experience of the applicant in conducting activities required by this section;

''(II) the amount of time needed for the applicant to commence operations should it be awarded a grant;

''(III) the capacity of the applicant to meet the accreditation standards established by the Administrator in a timely manner;

''(IV) the ability of the applicant to sustain operations for more than 5 years (including its ability to obtain sufficient non-Federal funds for that period); and

''(V) the location of the women's business center and its proximity to other grant recipients under this section.

''(ii) SELECTION CRITERIA.—

''(I) GUIDANCE.—The Administrator shall issue guidance (after providing an opportunity for notice and comment) to specify the criteria for review and selection of applicants under this subsection.

''(II) MODIFICATIONS PROHIBITED AFTER ANNOUNCEMENT.—With respect to a public announcement of any opportunity to be awarded a grant under this section made by the Administrator pursuant to subsection (l)(1), the Administrator may not modify guidance issued pursuant to subclause (I) with respect to such opportunity unless required to do so by an Act of Congress or an order of a Federal court.

''(III) RULE OF CONSTRUCTION.—Nothing in this clause may be construed as prohibiting the Administrator from modifying the guidance issued pursuant to subclause (I) (after providing an opportunity for notice and comment) as such guidance applies to an opportunity to be awarded a grant under this section that the Administrator has not yet publicly announced pursuant to subsection (l)(1).

''(B) RECORD RETENTION.—

''(i) IN GENERAL.—The Administrator shall maintain a copy of each application submitted under this subsection for not less than 5 years.

''(ii) PAPERWORK REDUCTION.—The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out clause (i).''.

(f) NOTIFICATION REQUIREMENTS UNDER THE WOMEN'S BUSINESS CENTER PROGRAM.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended by inserting after subsection (k) the following:

''(l) NOTIFICATION REQUIREMENTS UNDER THE WOMEN'S BUSINESS CENTER PROGRAM.—The Administrator shall provide—

''(1) a public announcement of any opportunity to be awarded grants under this section, and such announcement shall include the standards by which such award will be made, including the guidance issued pursuant to subsection (f)(2)(A)(ii);

''(2) the opportunity for any applicant for a grant under this section that failed to obtain such a grant a debriefing with the Assistant Administrator to review the reasons for the applicant's failure; and

''(3) with respect to any site visit or evaluation of an eligible entity receiving a grant under this section that is carried out by an officer or employee of the Administration (other than the Inspector General), a copy of the site visit report or evaluation, as applicable, within 30 calendar days of the completion of such vision or evaluation.''.

(g) CONTINUED FUNDING FOR CENTERS.—Section 29(m) of the Small Business Act (15 U.S.C. 656(m)) is amended—

(1) by striking paragraph (3) and inserting the following:

''(3) APPLICATION AND APPROVAL FOR CONTINUATION GRANTS.—

''(A) SOLICITATION OF APPLICATIONS.—The Administrator shall solicit applications and award continuation grants under this subsection for the first fiscal year beginning after the date of enactment of this paragraph, and every third fiscal year thereafter.

''(B) CONTENTS OF APPLICATION.—Each eligible entity desiring a grant under this subsection shall submit to the Administrator an application that contains—

''(i) a certification that the applicant—

''(I) is an eligible entity;

''(II) has designated an executive director or program manager to manage the women's business center operated by the applicant; and

''(III) as a condition of receiving a grant under this subsection, agrees—

''(aa) to receive a site visit as part of the final selection process, at the discretion of the Administrator; and

''(bb) to remedy any problem identified pursuant to the site visit under item (aa);

''(ii) information demonstrating that the applicant has the ability and resources to meet the needs of the market to be served by the women's business center for which a grant under this subsection is sought, including the ability to obtain the non-Federal contribution required under paragraph (4)(C);

''(iii) information relating to assistance to be provided by the women's business center in the geographic area served by the women's business center for which a grant under this subsection is sought;

''(iv) information demonstrating that the applicant has worked with resource partners of the Administration and other entities;

''(v) a 3-year plan that describes the services provided by the women's business center for which a grant under this subsection is sought—

''(I) to serve women who are business owners or potential business owners by conducting training and counseling activities; and

''(II) to provide training and services to a representative number of women who are socially or economically disadvantaged; and

''(vi) any additional information that the Administrator may reasonably require.

''(C) REVIEW AND APPROVAL OF APPLICATIONS FOR GRANTS.—

''(i) IN GENERAL.—The Administrator—

''(I) shall review each application submitted under subparagraph (B), based on the information described in such subparagraph and the criteria set forth under clause (ii) of this subparagraph; and

''(II) as part of the final selection process, may, at the discretion of the Administrator, conduct a site visit to each women's business center for which a grant under this subsection is sought, in particular to evaluate the women's business center using the selection criteria described in clause (ii)(II).

''(ii) SELECTION CRITERIA.—

''(I) IN GENERAL.—The Administrator shall evaluate applicants for grants under this subsection in accordance with selection criteria that are—

''(aa) established before the date on which applicants are required to submit the applications;

''(bb) stated in terms of relative importance; and

''(cc) publicly available and stated in each solicitation for applications for grants under this subsection made by the Administrator.

''(II) REQUIRED CRITERIA.—The selection criteria for a grant under this subsection shall include—

''(aa) the total number of entrepreneurs served by the applicant;

''(bb) the total number of new startup companies assisted by the applicant;

''(cc) the percentage of clients of the applicant that are socially or economically disadvantaged;

''(dd) the percentage of individuals in the community served by the applicant who are socially or economically disadvantaged;

''(ee) the successful accreditation of the applicant under the accreditation program developed under subsection (g)(5); and

''(ff) any additional criteria that the Administrator may reasonably require.

''(iii) CONDITIONS FOR CONTINUED FUNDING.—In determining whether to make a grant under this subsection, the Administrator—

''(I) shall consider the results of the most recent evaluation of the women's business center for which a grant under this subsection is sought, and, to a lesser extent, previous evaluations; and

''(II) may withhold a grant under this subsection, if the Administrator determines that the applicant has failed to provide the information required to be provided under this paragraph, or the information provided by the applicant is inadequate.

''(D) NOTIFICATION.—Not later than 60 calendar days after the date of each deadline to submit applications under this paragraph, the Administrator shall approve or deny each submitted application and notify the applicant for each such application of the approval or denial.

''(E) RECORD RETENTION.—

''(i) IN GENERAL.—The Administrator shall maintain a copy of each application submitted under this paragraph for not less than 5 years.

''(ii) PAPERWORK REDUCTION.—The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out clause (i).''; and

(2) by striking paragraph (5) and inserting the following:

''(5) AWARD TO PREVIOUS RECIPIENTS.—There shall be no limitation on the number of times the Administrator may award a grant to an applicant under this subsection.''.

(h) TECHNICAL AND CONFORMING AMENDMENTS.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(1) in subsection (h)(2), by striking ''to award a contract (as a sustainability grant) under subsection (l) or'';

(2) in subsection (j)(1), by striking ''The Administration'' and inserting ''Not later than November 1 of each year, the Administrator'';

(3) in subsection (k)—

(A) by striking paragraphs (1) and (4);

(B) by inserting before paragraph (2) the following:

''(1) IN GENERAL.—There are authorized to be appropriated to the Administration to carry out this section, to remain available until expended, $21,750,000 for each of fiscal years 2017 through 2020.''; and

(C) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) EXCEPTIONS.—Of the amount made available under this subsection for a fiscal year, the following amounts shall be available for selection panel costs, costs associated with maintaining an accreditation program, and post-award conference costs:

''(i) For the first fiscal year beginning after the date of the enactment of this subparagraph, 2.65 percent.

''(ii) For the second fiscal year beginning after the date of the enactment of this subparagraph and each fiscal year thereafter through fiscal year 2020, 2.5 percent.''; and

(4) in subsection (m)—

(A) in paragraph (2), by striking ''subsection (b) or (l)'' and inserting ''this subsection or subsection (b)''; and

(B) in paragraph (4)(D), by striking ''or subsection (l)''.

(i) EFFECT ON EXISTING GRANTS.—

(1) TERMS AND CONDITIONS.—A nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this title, shall continue to receive the grant under the terms and conditions in effect for the grant on the day before the date of enactment of this title, except that the nonprofit organization may not apply for a continuation of the grant under section 29(m)(5) of the Small Business Act (15 U.S.C. 656(m)(5)), as in effect on the day before the date of enactment of this title.

(2) LENGTH OF CONTINUATION GRANT.—The Administrator of the Small Business Administration may award a grant under section 29(m) of the Small Business Act to a nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this title, for the period—

(A) beginning on the day after the last day of the grant agreement under such section 29(m); and

(B) ending at the end of the third fiscal year beginning after the date of enactment of this title.

SEC. 1843. MATCHING REQUIREMENTS UNDER WOMEN'S BUSINESS CENTER PROGRAM.

Section 29(c) of the Small Business Act (15 U.S.C. 656(c)), as amended by this Act, is amended—

(1) in paragraph (1), by striking ''As a condition'' and inserting ''Subject to paragraph (6), as a condition''; and

(2) by adding at the end the following:

''(9) WAIVER OF NON-FEDERAL SHARE.—

''(A) IN GENERAL.—Upon request by an eligible entity, and in accordance with this paragraph, the Administrator may waive, in whole or in part, the requirement to obtain non-Federal funds under this subsection for counseling and training activities of the eligible entity carried out using a grant under this section for a fiscal year. The Administrator may not waive the requirement for an eligible entity to obtain non-Federal funds under this paragraph for more than a total of 2 consecutive fiscal years.

''(B) CONSIDERATIONS.—In determining whether to waive the requirement to obtain non-Federal funds under this paragraph, the Administrator shall consider—

''(i) the economic conditions affecting the eligible entity;

''(ii) the impact a waiver under this paragraph would have on the credibility of the Women's Business Center Program under this section;

''(iii) the demonstrated ability of the eligible entity to raise non-Federal funds; and

''(iv) the performance of the eligible entity.

''(C) LIMITATION.—The Administrator may not waive the requirement to obtain non-Federal funds under this paragraph if granting the waiver would undermine the credibility of the Women's Business Center Program.

''(10) SOLICITATION.—Notwithstanding any other provision of law, eligible entity may—

''(A) solicit cash and in-kind contributions from private individuals and entities to be used to carry out the activities of the eligible entity under the project conducted under this section; and

''(B) use amounts made available by the Administrator under this section for the cost of such solicitation and management of the contributions received.

''(11) EXCESS NON-FEDERAL DOLLARS.—The amount of non-Federal dollars obtained by an eligible entity that is above the amount that is required to be obtained by the eligible entity under this subsection shall not be subject to the requirements of part 200 of title 2, Code of Federal Regulations, or any successor thereto, if such amount of non-Federal dollars—

''(A) is not used as matching funds for purposes of implementing the Women's Business Center Program; and

''(B) was not obtained using funds from the Women's Business Center Program.''.

Subtitle F—SCORE Program

SEC. 1851. SCORE REAUTHORIZATION.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended—

(1) by redesignating subsection (j) as subsection (f); and

(2) by adding at the end the following:

''(g) SCORE PROGRAM.—There are authorized to be appropriated to the Administrator to carry out the SCORE program authorized by section 8(b)(1) such sums as are necessary for the Administrator to make grants or enter into cooperative agreements in a total amount that does not exceed $10,500,000 in each of fiscal years 2017 and 2018.''.

SEC. 1852. SCORE PROGRAM.

Section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(1) in subsection (b)(1)(B), by striking ''a Service Corps of Retired Executives (SCORE)'' and inserting ''the SCORE program described in subsection (c)''; and

(2) by striking subsection (c) and inserting the following:

''(c) SCORE PROGRAM.—

''(1) DEFINITION.—In this subsection:

''(A) SCORE ASSOCIATION.—The term 'SCORE Association' means the Service Corps of Retired Executives Association or any successor or other organization who receives a grant from the Administrator to operate the SCORE program under paragraph (2)(A).

''(B) SCORE PROGRAM.—The term 'SCORE program' means the SCORE program authorized by subsection (b)(1)(B).

''(2) MANAGEMENT AND VOLUNTEERS.—

''(A) IN GENERAL.—The Administrator shall provide a grant to the SCORE Association to manage the SCORE program.

''(B) VOLUNTEERS.—A volunteer participating in the SCORE program shall—

''(i) based on the business experience and knowledge of the volunteer—

''(I) provide at no cost to individuals who own, or aspire to own, small business concerns personal counseling, mentoring, and coaching relating to the process of starting, expanding, managing, buying, and selling a business; and

''(II) facilitate low-cost education workshops for individuals who own, or aspire to own, small business concerns; and

''(ii) as appropriate, use tools, resources, and expertise of other organizations to carry out the SCORE program.

''(3) PLANS AND GOALS.—The Administrator, in consultation with the SCORE Association, shall ensure that the SCORE program and each chapter of the SCORE program develop and implement plans and goals to more effectively and efficiently provide services to individuals in rural areas, economically disadvantaged communities, and other traditionally underserved communities, including plans for electronic initiatives, web-based initiatives, chapter expansion, partnerships, and the development of new skills by volunteers participating in the SCORE program.

''(4) ANNUAL REPORT.—The SCORE Association shall submit to the Administrator an annual report that contains—

''(A) the number of individuals counseled or trained under the SCORE program;

''(B) the number of hours of counseling provided under the SCORE program; and

''(C) to the extent possible—

''(i) the number of small business concerns formed with assistance from the SCORE program;

''(ii) the number of small business concerns expanded with assistance from the SCORE program; and

''(iii) the number of jobs created with assistance from the SCORE program.

''(5) PRIVACY REQUIREMENTS.—

''(A) IN GENERAL.—Neither the Administrator nor the SCORE Association may disclose the name, address, or telephone number of any individual or small business concern receiving assistance from the SCORE Association without the consent of such individual or small business concern, unless—

''(i) the Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

''(ii) the Administrator determines such a disclosure to be necessary for the purpose of conducting a financial audit of the SCORE program, in which case disclosure shall be limited to the information necessary for the audit.

''(B) ADMINISTRATOR USE OF INFORMATION.—This paragraph shall not—

''(i) restrict the access of the Administrator to program activity data; or

''(ii) prevent the Administrator from using client information to conduct client surveys.

''(C) STANDARDS.—

''(i) IN GENERAL.—The Administrator shall, after the opportunity for notice and comment, establish standards for—

''(I) disclosures with respect to financial audits under subparagraph (A)(ii); and

''(II) conducting client surveys, including standards for oversight of the surveys and for dissemination and use of client information.

''(ii) MAXIMUM PRIVACY PROTECTION.—The standards issued under this subparagraph shall, to the extent practicable, provide for the maximum amount of privacy protection.''.

Subtitle G—Miscellaneous Provisions

SEC. 1861. IMPROVING EDUCATION ON SMALL BUSINESS REGULATIONS.

(a) REGULATORY CHANGES AND TRAINING MATERIALS.—Section 15 of the Small Business Act (15 U.S.C. 644), as amended by this Act, is further amended by adding at the end the following new subsection:

''(u) REGULATORY CHANGES AND TRAINING MATERIALS.—Not less than annually, the Administrator shall provide to the Defense Acquisition University (established under section 1746 of title 10, United States Code), the Federal Acquisition Institute (established under section 1201 of title 41, United States Code), the individual responsible for mandatory training and education of the acquisition workforce of each agency (described under section 1703(f)(1)(C) of title 41, United States Code), small business development centers, and entities participating in the Procurement Technical Assistance Cooperative Agreement Program under chapter 142 of title 10, United States Code—

''(1) a list of all changes made in the prior year to regulations promulgated—

''(A) by the Administrator that affect Federal acquisition; and

''(B) by the Federal Acquisition Council that implement changes to this Act; and

''(2) any materials the Administrator has developed to explain, train, or assist Federal agencies or departments or small business concerns to comply with the regulations specified in paragraph (1).''.

(b) TRAINING TO BE UPDATED.—Upon receipt of information from the Administrator of the Small Business Administration pursuant to section 15(u) of the Small Business Act, the Defense Acquisition University (as under section 1746 of title 10, United States Code) and the Federal Acquisition Institute (established under section 1201 of title 41, United States Code) shall periodically update the training provided to the acquisition workforce.

SEC. 1862. PROTECTING TASK ORDER COMPETITION.

Section 4106(f) of title 41, United States Code, is amended by striking paragraph (3).

SEC. 1863. IMPROVEMENTS TO SIZE STANDARDS FOR SMALL AGRICULTURAL PRODUCERS.

(a) AMENDMENT TO DEFINITION OF AGRICULTURAL ENTERPRISES.—Paragraph (1) of section 18(b) of the Small Business Act (15 U.S.C. 647(b)(1)) is amended by striking ''businesses'' and inserting ''small business concerns''.

(b) EQUAL TREATMENT OF SMALL FARMS.—Paragraph (1) of section 3(a) of the Small Business Act (15 U.S.C. 632(a)(1)) is amended by striking ''operation: Provided,'' and all that follows through the period at the end and inserting ''operation.''.

(c) UPDATED SIZE STANDARDS.—Size standards established under subsection (a) are subject to the rolling review procedures established under section 1344(a) of the Small Business Jobs Act of 2010 (15 U.S.C. 632 note).

SEC. 1864. UNIFORMITY IN SERVICE-DISABLED VETERAN DEFINITIONS.

(a) SMALL BUSINESS DEFINITION OF SMALL BUSINESS CONCERN CONSOLIDATED.—Section 3(q) of the Small Business Act (15 U.S.C. 632(q)) is amended—

(1) by amending paragraph (2) to read as follows:

''(2) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—The term 'small business concern owned and controlled by service-disabled veterans' means any of the following:

''(A) A small business concern—

''(i) not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock (not including any stock owned by an ESOP) of which is owned by one or more service-disabled veterans; and

''(ii) the management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

''(B) A small business concern—

''(i) not less than 51 percent of which is owned by one or more service-disabled veterans with a disability that is rated by the Secretary of Veterans Affairs as a permanent and total disability who are unable to manage the daily business operations of such concern; or

''(ii) in the case of a publicly owned business, not less than 51 percent of the stock (not including any stock owned by an ESOP) of which is owned by one or more such veterans.

''(C)(i) During the time period described in clause (ii), a small business concern that was a small business concern described in subparagraph (A) or (B) immediately prior to the death of a service-disabled veteran who was the owner of the concern, the death of whom causes the concern to be less than 51 percent owned by one or more service-disabled veterans, if—

''(I) the surviving spouse of the deceased veteran acquires such veteran's ownership interest in such concern;

''(II) such veteran had a service-connected disability (as defined in section 101(16) of title 38, United States Code) rated as 100 percent disabling under the laws administered by the Secretary of Veterans Affairs or such veteran died as a result of a service-connected disability; and

''(III) immediately prior to the death of such veteran, and during the period described in clause (ii), the small business concern is included in the database described in section 8127(f) of title 38, United States Code.

''(ii) The time period described in this clause is the time period beginning on the date of the veteran's death and ending on the earlier of—

''(I) the date on which the surviving spouse remarries;

''(II) the date on which the surviving spouse relinquishes an ownership interest in the small business concern; or

''(III) the date that is 10 years after the date of the death of the veteran.''; and

(2) by adding at the end the following new paragraphs:

''(6) ESOP.—The term 'ESOP' has the meaning given the term 'employee stock ownership plan' in section 4975(e)(7) of the Internal Revenue Code of 1986 (26 U.S.C. 4975(e)(7)).

''(7) SURVIVING SPOUSE.—The term 'surviving spouse' has the meaning given such term in section 101(3) of title 38, United States Code.''.

(b) VETERANS AFFAIRS DEFINITION OF SMALL BUSINESS CONCERN CONSOLIDATED.—

(1) IN GENERAL.—Section 8127 of title 38, United States Code, is amended—

(A) by striking subsection (h) and redesignating subsections (i) through (l) as subsections (h) through (k), respectively; and

(B) in subsection (k), as so redesignated—

(i) by amending paragraph (2) to read as follows:

''(2) The term 'small business concern owned and controlled by veterans' has the meaning given that term under section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)).''; and

(ii) by adding at the end the following new paragraph:

''(3) The term 'small business concern owned and controlled by veterans with service-connected disabilities' has the meaning given the term 'small business concern owned and controlled by service-disabled veterans' under section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)).''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (b), by inserting ''or a small business concern owned and controlled by veterans with service-connected disabilities'' after ''a small business concern owned and controlled by veterans'';

(B) in subsection (c), by inserting ''or a small business concern owned and controlled by veterans with service-connected disabilities'' after ''a small business concern owned and controlled by veterans'';

(C) in subsection (d) by inserting ''or small business concerns owned and controlled by veterans with service-connected disabilities'' after ''small business concerns owned and controlled by veterans'' both places it appears; and

(D) in subsection (f)(1), by inserting '', small business concerns owned and controlled by veterans with service-connected disabilities,'' after ''small business concerns owned and controlled by veterans''.

(c) TECHNICAL CORRECTION.—Section 8(d)(3) of the Small Business Act (15 U.S.C. 637(d)(3)), is amended by adding at the end the following new subparagraph:

''(H) In this contract, the term 'small business concern owned and controlled by service-disabled veterans' has the meaning given that term in section 3(q).''.

(d) REGULATIONS RELATING TO DATABASE OF THE SECRETARY OF VETERANS AFFAIRS.—

(1) REQUIREMENT TO USE CERTAIN SMALL BUSINESS ADMINISTRATION REGULATIONS.—Section 8127(f)(4) of title 38, United States Code, is amended by striking ''verified'' and inserting ''verified, using regulations issued by the Administrator of the Small Business Administration with respect to the status of the concern as a small business concern and the ownership and control of such concern,''.

(2) PROHIBITION ON SECRETARY OF VETERANS AFFAIRS ISSUING CERTAIN REGULATIONS.—Section 8127(f) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(7) The Secretary may not issue regulations related to the status of a concern as a small business concern and the ownership and control of such small business concern.''.

(e) DELAYED EFFECTIVE DATE.—The amendments made by subsections (a), (b), (c), and (d) shall take effect on the date on which the Administrator of the Small Business Administration and the Secretary of Veterans Affairs jointly issue regulations implementing such sections.

(f) APPEALS OF INCLUSION IN DATABASE.—

(1) IN GENERAL.—Section 8127(f) of title 38, United States Code, as amended by this Act, is further amended by adding at the end the following new paragraph:

''(8)(A) If the Secretary does not verify a concern for inclusion in the database under this subsection based on the status of the concern as a small business concern or the ownership or control of the concern, the concern may appeal the denial of verification to the Office of Hearings and Appeals of the Small Business Administration (as established under section 5(i) of the Small Business Act). The decision of the Office of Hearings and Appeals shall be considered a final agency action.

''(B)(i) If an interested party challenges the inclusion in the database of a small business concern owned and controlled by veterans or a small business concern owned and controlled by veterans with service-connected disabilities based on the status of the concern as a small business concern or the ownership or control of the concern, the challenge shall be heard by the Office of Hearings and Appeals of the Small Business Administration as described in subparagraph (A). The decision of the Office of Hearings and Appeals shall be considered final agency action.

''(ii) In this subparagraph, the term 'interested party' means—

''(I) the Secretary; and

''(II) in the case of a small business concern that is awarded a contract, the contracting officer of the Department or another small business concern that submitted an offer for the contract that was awarded to the small business concern that submitted an offer under clause (i).

''(C) For each fiscal year, the Secretary shall reimburse the Administrator of the Small Business Administration in an amount necessary to cover any cost incurred by the Office of Hearings and Appeals of the Small Business Administration for actions taken by the Office under this paragraph. The Administrator is authorized to accept such reimbursement. The amount of any such reimbursement shall be determined jointly by the Secretary and the Administrator and shall be provided from fees collected by the Secretary under multiple-award schedule contracts. Any disagreement about the amount shall be resolved by the Director of the Office of Management and Budget.''.

(2) EFFECTIVE DATE.—Paragraph (8) of subsection (f) of title 38, United States Code, as added by paragraph (1), shall apply with respect to a verification decision made by the Secretary of Veterans Affairs on or after the date of the enactment of this title.

SEC. 1865. REQUIRED REPORTS PERTAINING TO CAPITAL PLANNING AND INVESTMENT CONTROL.

The Administrator of the Small Business Administration shall submit to the Senate Committee on Small Business and Entrepreneurship and the Committee on Small Business of the House of Representatives the information described in section 11302(c)(3)(B)(ii) of title 40, United States Code, within 10 days of transmittal to the Director.

SEC. 1866. OFFICE OF HEARINGS AND APPEALS.

(a) CLARIFICATION AS TO JURISDICTION.—Section 5(i)(1)(B) of the Small Business Act (15 U.S.C. 634(i)(1)(B)) is amended to read as follows:

''(B) JURISDICTION.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Office of Hearings and Appeals shall hear appeals of agency actions under or pursuant to this Act, the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.), title 13 of the Code of Federal Regulations, and such other matters as the Administrator may determine appropriate.

''(ii) EXCEPTION.—The Office of Hearings and Appeals shall not adjudicate disputes requiring a hearing on the record, except disputes pertaining to the small business programs described in this Act.''.

(b) NEW PROCEDURES FOR PETITIONS FOR RECONSIDERATION.—Section 3(a)(9) of the Small Business Act (15 U.S.C. 632(a)(9)) is amended by adding at the end the following:

''(E) PROCEDURES.—The Office of Hearings and Appeals shall begin accepting petitions for reconsideration described in subparagraph (A) upon the effective date of the procedures implementing this paragraph. Notwithstanding the provisions of subparagraph (B), petitions for reconsideration of size standards revised, modified, or established in a Federal Register final rule published between November 25, 2015 and the effective date of such procedures shall be considered timely if filed within 30 days of such effective date.''.

SEC. 1867. ISSUANCE OF GUIDANCE ON SMALL BUSINESS MATTERS.

Not later than 180 days after the date of enactment of this title, the Administrator of the Small Business Administration shall issue guidance pertaining to the amendments made by this Act to the Small Business Act by this title. The Administrator shall provide notice and opportunity for comment on such guidance for a period of not less than 60 days.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2017''.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2019; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2020.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2019; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2020 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII and title XXIX shall take effect on the later of—

(1) October 1, 2016; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation	Amount
Alaska	Fort Wainwright	$47,000,000
California	Concord	$12,600,000
Colorado	Fort Carson	$13,100,000
Georgia	Fort Gordon	$129,600,000
	Fort Stewart	$14,800,000
Hawaii	Fort Shafter	$40,000,000
Missouri	Fort Leonard Wood	$6,900,000
Texas	Fort Hood	$7,600,000
Utah	Camp Williams	$7,400,000
Virginia	Fort Belvoir	$23,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out the military construction project for the installations or locations outside the United States, and in the amount, set forth in the following table:

Army: Outside the United States

Country	Installation	Amount
Cuba	Guantanamo Bay	$33,000,000
Germany	East Camp Grafenwoehr	$22,000,000
	Garmisch	$9,600,000
	Wiesbaden Army Airfield	$19,200,000

SEC. 2102. FAMILY HOUSING.

(a)CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

State/Country	Installation	Units	Amount
Korea	Camp Humphreys	Family Housing New Construction	$297,000,000
	Camp Walker	Family Housing New Construction	$54,554,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $2,618,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 986) for Joint Base Lewis-McChord, Washington, for construction of an aircraft maintenance hangar at the installation, the Secretary of the Army may construct an aircraft washing apron.

SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (126 Stat. 2119) and extended by section 2107 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1148), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
Kansas	Fort Riley	Unmanned Aerial Vehicle Complex	$12,200,000
Virginia	Fort Belvoir	Secure Admin/Operations Facility	$172,200,000
Italy	Camp Ederle	Barracks	$36,000,000
Japan	Sagami	Vehicle Maintenance Shop	$18,000,000

SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (127 Stat. 986) shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2014 Project Authorizations

State	Installation or Location	Project	Amount
Maryland	Fort Detrick	Entry Control Point	$2,500,000
Kwajalein Atoll	Kwajalein	Pier	$63,000,000
Japan	Kyotango City	Company Operations Complex	$33,000,000

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	$48,355,000

***Navy: Inside the United States**—Continued*

State	Installation or Location	Amount
California	Coronado	$104,501,000
	Lemoore	$26,723,000
	Miramar	$193,600,000
	Seal Beach	$21,007,000
Florida	Eglin Air Force Base	$20,489,000
	Mayport	$66,000,000
	Pensacola	$53,000,000
Guam	Joint Region Marianas	$89,185,000
Hawaii	Barking Sands	$43,384,000
	Kaneohe Bay	$72,565,000
Maine	Kittery	$47,892,000
Maryland	Patuxent River	$40,576,000
Nevada	Fallon	$13,523,000
North Carolina	Camp Lejeune	$18,482,000
	Cherry Point Marine Corps Air Station	$12,515,000
South Carolina	Beaufort	$83,490,000
	Parris Island	$29,882,000
Washington	Bangor	$113,415,000
	Bremerton	$6,704,000
	Whidbey Island	$75,976,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Japan	Kadena Air Base	$26,489,000
	Sasebo	$16,420,000
Spain	Rota	$23,607,000
Worldwide Unspecified	Unspecified Worldwide Locations	$41,380,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Navy: Family Housing

Country	Installation	Units	Amount
Mariana Islands	Guam	Replace Andersen Housing PH 1	$78,815,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,149,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $11,047,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2201 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 989) for Pearl City, Hawaii, for construction of a water transmission line at that location, the Secretary of the Navy may construct a 591-meter (1,940-foot) long 16-inch diameter water transmission line as part of the network required to provide the main water supply to Joint Base Pearl Harbor-Hickam, Hawaii.

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (126 Stat. 2122) and extended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1151), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Camp Pendleton	Comm. Information Systems Ops Complex	$78,897,000
Greece	Souda Bay	Intermodal Access Road	$4,630,000
South Carolina	Beaufort	Recycling/Hazardous Waste Facility	$3,743,000

Navy: Extension of 2013 Project Authorizations—*Continued*

State/Country	Installation or Location	Project	Amount
Worldwide Unspecified	Various Worldwide Locations	BAMS Operational Facilities	$34,048,000

SEC. 2207. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (127 Stat. 989), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2014 Project Authorizations

State/Country	Installation or Location	Project	Amount
Hawaii	Kaneohe Bay	Aircraft Maintenance Hangar Upgrades	$31,820,000
	Pearl City	Water Transmission Line	$30,100,000
Maine	Bangor	NCTAMS VLF Commercial Power Connection	$13,800,000
Nevada	Fallon	Wastewater Treatment Plant	$11,334,000
Virginia	Quantico	Academic Instruction Facility TECOM Schools	$25,731,000
	Quantico	Fuller Road Improvements	$9,013,000

SEC. 2208. STATUS OF "NET NEGATIVE" POLICY REGARDING NAVY ACREAGE ON GUAM.

(a) REPORT ON STATUS.—

(1) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary of the Navy shall submit a report to the congressional defense committees regarding the status of the implementation of the ''net negative'' policy regarding the total number of acres of the real property controlled by the Department of the Navy on Guam, as described in subsection (b).

(2) CONTENTS.—The report required under paragraph (1) shall include the following information:

(A) A description of the real property controlled by the Navy on Guam which the Navy has transferred to the control of Guam after January 20, 2011, or which the Navy plans to transfer to the control of Guam, as well as a description of the specific legal authority under which the Navy has transferred or will transfer each such property.

(B) The methodology and process the Navy will use to determine the total number of acres of real property that the Navy will transfer or has transferred to the control of Guam as part of the ''net negative'' policy, and the date on which the Navy will transfer or has transferred control of any such property.

(C) A description of the real property controlled by the Navy on Guam which the Navy plans to retain under its control and the reasons for retaining such property, including a detailed explanation of the reasons for retaining any such property which has not been developed or for which no development has been proposed under the current installation master plans for major military installations (as described in section 2864 of title 10, United States Code).

(3) EXCLUSION OF CERTAIN PROPERTY.—In preparing and submitting the report under this subsection, the Secretary may not take into account any real property which has been identified prior to January 20, 2011, as property to be transferred to the Government of Guam under the Guam Excess Lands Act (Public Law 103–339) or the Guam Land Use Plan (GLUP) 1977, or pursuant to base realignment and closure authorized under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), whether or not the Navy transferred control of any such property to Guam at any time.

(b) POLICY DESCRIBED.—The ''net negative'' policy described in this section is the policy of the Secretary of the Navy, as expressed in the statement released by Under Secretary of the Navy on January 20, 2011, that the relocation of Marines to Guam occurring during 2011 will not cause the total number of acres of real property controlled by the Navy on Guam upon the completion of such relocation to exceed the total number of acres of real property controlled by the Navy on Guam prior to such relocation.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Clear Air Force Station	$20,000,000
	Eielson Air Force Base	$213,300,000
	Joint Base Elmendorf-Richardson	$29,000,000
Arizona	Luke Air Force Base	$20,000,000
California	Edwards Air Force Base	$24,000,000
Colorado	Buckley Air Force Base	$13,500,000
Delaware	Dover Air Force Base	$39,000,000
Florida	Eglin Air Force Base	$88,600,000
	Patrick Air Force Base	$13,500,000
Georgia	Moody Air Force Base	$30,900,000
Guam	Joint Region Marianas	$80,658,000
Kansas	McConnell Air Force Base	$19,800,000
Louisiana	Barksdale Air Force Base	$21,000,000
Maryland	Joint Base Andrews	$66,500,000
Massachusetts	Hanscom Air Force Base	$30,965,000
Montana	Malmstrom Air Force Base	$14,600,000
Nevada	Nellis Air Force Base	$10,600,000
New Mexico	Cannon Air Force Base	$21,000,000
	Holloman Air Force Base	$10,600,000
	Kirtland Air Force Base	$7,300,000
Ohio	Wright-Patterson Air Force Base	$12,600,000
Oklahoma	Altus Air Force Base	$11,600,000
	Tinker Air Force Base	$43,000,000
South Carolina	Joint Base Charleston	$17,000,000
Texas	Joint Base San Antonio	$67,300,000
Utah	Hill Air Force Base	$44,500,000
Virginia	Joint Base Langley-Eustis	$59,200,000
Washington	Fairchild Air Force Base	$27,000,000

***Air Force: Inside the United States**—Continued*

State	Installation or Location	Amount
Wyoming	*F.E. Warren Air Force Base*	*$5,550,000*

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amount, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Australia	*Darwin*	*$30,400,000*
Germany	*Ramstein Air Base*	*$13,437,000*
	Spangdahlem Air Base	*$43,465,000*
Japan	*Kadena Air Base*	*$19,815,000*
	Yokota Air Base	*$32,020,000*
Mariana Islands	*Unspecified Location*	*$9,000,000*
Turkey	*Incirlik Air Base*	*$13,449,000*
United Arab Emirates	*Al Dhafra*	*$35,400,000*
United Kingdom	*Croughton RAF*	*$16,500,000*

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,368,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $56,984,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1152) for Malmstrom Air Force Base, Montana, for construction of a Tactical Response Force Alert Facility at the installation, the Secretary of the Air Force may construct an emergency power generator system consistent with the Air Force's construction guidelines.

SEC. 2306. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2013 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (126 Stat. 2126) and extended by section 2309 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1155), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2013 Project Authorization

State/Country	Installation or Location	Project	Amount
Portugal	*Lajes Field*	*Sanitary Sewer Lift/Pump Station*	*$2,000,000*

SEC. 2307. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2014 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 985), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (127 Stat. 992), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2014 Project Authorizations

Country	Installation or Location	Project	Amount
Worldwide Unspecified (Italy)	*Aviano Air Base*	*Guardian Angel Operations Facility*	*$22,047,000*

SEC. 2308. RESTRICTION ON ACQUISITION OF PROPERTY IN NORTHERN MARIANA ISLANDS.

The Secretary of the Air Force may not use any of the amounts authorized to be appropriated under section 2304 to acquire property or interests in property at an unspecified location in the Commonwealth of the Northern Mariana Islands, as specified in the funding table set forth in section 2301(b) and the funding table in section 4601, until the congressional defense committees have received from the Secretary a report providing the following information:

(1) The specific location of the property or interest in property to be acquired.

(2) The total cost, scope, and location of the military construction projects and the acquisition of property or interests in property required to support the Secretary's proposed divert activities and exercises in the Commonwealth of the Northern Mariana Islands.

(3) An analysis of any alternative locations that the Secretary considered acquiring, including other locations or interests within the Commonwealth of the Northern Mariana Islands or the Freely Associated States. For purposes of this paragraph, the term ''Freely Associated States'' means the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alaska	Clear Air Force Station	$155,000,000
	Fort Greely	$9,560,000
	Joint Base Elmendorf-Richardson	$4,900,000
Arizona	Fort Huachuca	$4,493,000
California	Coronado	$175,412,000
	Travis Air Force Base	$26,500,000
Delaware	Dover Air Force Base	$44,115,000
Florida	Patrick Air Force Base	$10,100,000
Georgia	Fort Benning	$4,820,000
	Fort Gordon	$25,000,000
Maine	Portsmouth	$27,100,000
Maryland	Bethesda Naval Hospital	$510,000,000
	Fort Meade	$38,000,000
North Carolina	Camp Lejeune	$31,000,000
	Fort Bragg	$86,593,000
South Carolina	Joint Base Charleston	$17,000,000
Texas	Red River Army Depot	$44,700,000
	Sheppard Air Force Base	$91,910,000
Virginia	Pentagon	$20,216,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Diego Garcia	Diego Garcia	$30,000,000
Germany	Kaiserslautern	$45,221,000
Japan	Ikakuni	$6,664,000
	Kadena Air Base	$161,224,000
	Yokota Air Base	$113,731,000
Kwajalein	Kwajalein Atoll	$85,500,000
United Kingdom	Royal Air Force Croughton	$71,424,000
	Royal Air Force Lakenheath	$13,500,000
Wake Island	Wake Island	$11,670,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, in the amount set forth in the table:

Energy Conservation Projects: Inside the United States

State	Installation or Location	Amount
California	Edwards Air Force Base	$8,400,000
	Naval Base San Diego	$4,230,000
	Fort Hunter Liggett	$5,400,000
Colorado	Fort Carson	$5,000,000
	Schriever Air Force Base	$3,295,000
Florida	SUBASE Kings Bay NAS Jacksonville	$3,230,000
Guam	NAVBASE Guam	$8,540,000
Hawaii	NSAH Wahiawa Kunia Oahu	$14,890,000
Ohio	Wright Patterson Air Force Base	$14,400,000
Utah	Dugway Proving Ground	$7,500,000
	Tooele Army Depot	$8,200,000
Various Locations	Vqarious Locations	$28,088,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Outside the United States

Country	Installation or Location	Amount
Cuba	Guantanamo Bay	$6,080,000
Diego Garcia	NSF Diego Garcia	$17,010,000
Japan	Kadena Air Base	$4,007,000
	Misawa Air Base	$5,315,000
Spain	Rota	$3,710,000
Various Locations	Various Locations	$2,705,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization in the table in section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 996), for Royal Air Force Lakenheath, United Kingdom, for construction of a high school, the Secretary of Defense may construct a combined middle/high school.

SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (126 Stat. 2127), as amended by section 2406(a) of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1160), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
Japan	Camp Zama	Renovate Zama High School	$13,273,000
Pennsylvania	New Cumberland	Replace Reservoir	$4,300,000

SEC. 2406. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (127 Stat. 995), shall remain in effect until October 1, 2017 or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2014 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Brawley	SOF Desert Warfare Training Center	$23,095,000
Germany	Kaiserslautern	Replace Kaiserslautern Elementary School	$49,907,000
	Ramstein Air Base	Replace Ramstein High School	$98,762,000
Hawaii	Joint Base Pearl Harbor-Hickam	DISA Pacific Facility Upgrade	$2,615,000
Massachusetts	Hanscom Air Force Base	Replace Hanscom Primary School	$36,213,000
United Kindgom	RAF Lakenheath	Replace Lakenheath High School	$69,638,000
Virginia	MCB Quantico	Replace Quantico Middle/High School	$40,586,000
	Pentagon	PFPA Support Operations Center	$14,800,000
	Pentagon	Raven Rock Administrative Facility Upgrade	$32,000,000
	Pentagon	Boundary Channel Access Control Point	$6,700,000

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State	Location	Amount
Colorado	Fort Carson	$16,500,000

***Army National Guard**—Continued*

State	Location	Amount
Hawaii	Hilo	$31,000,000
Iowa	Davenport	$23,000,000
Kansas	Fort Leavenworth	$29,000,000
New Hampshire	Hooksett	$11,000,000
	Rochester	$8,900,000
Oklahoma	Ardmore	$22,000,000
Pennsylvania	Fort Indiantown Gap	$20,000,000
	York	$9,300,000
Rhode Island	East Greenwich	$20,000,000
Utah	Camp Williams	$37,000,000
Wyoming	Camp Guernsey	$31,000,000
	Laramie	$21,000,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
Arizona	Phoenix	$30,000,000
California	Barstow	$29,000,000
	Camp Parks	$19,000,000
	Fort Hunter Liggett	$21,500,000
Virginia	Dublin	$6,000,000
Washington	Joint Base Lewis-McChord	$27,500,000
Wisconsin	Fort McCoy	$11,400,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Louisiana	New Orleans	$11,207,000
New York	Brooklyn	$1,964,000
	Syracuse	$13,229,000
Texas	Galveston	$8,414,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Connecticut	Bradley IAP	$6,300,000
Florida	Jacksonville IAP	$9,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	$11,000,000
Iowa	Sioux Gateway Airport	$12,600,000
Maryland	Joint Base Andrews	$5,000,000
Minnesota	Duluth IAP	$7,600,000
New Hampshire	Pease International Trade Port	$1,500,000
North Carolina	Charlotte/Douglas IAP	$50,600,000
Ohio	Toledo Express Airport	$6,000,000
South Carolina	McEntire ANGS	$8,400,000
Texas	Ellington Field	$4,500,000
Vermont	Burlington IAP	$4,500,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
Guam	Anderson Air Force Base	$5,200,000
Massachusetts	Westover Air Reserve Base	$9,200,000
North Carolina	Seymour Johnson Air Force Base	$97,950,000
Pennsylvania	Pittsburgh IAP	$85,000,000
Utah	Hill Air Force Base	$3,050,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

Subtitle B—Other Matters

SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1001) for Bullville, New York, for construction of a new Army Reserve Center at that location, the Secretary of the Army may add to or alter the existing Army Reserve Center at Bullville, New York.

SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in the table in section 2603 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3689) for Pittsburgh, Pennsylvania, for construction of a Reserve Training Center at that location, the Secretary of the Navy may acquire approximately 8.5 acres (370,260 square feet) of adjacent land, obtain necessary interest in land, and construct road improvements and associated supporting facilities to provide required access to the Reserve Training Center.

SEC. 2613. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.

In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1163) for MacDill Air Force Base, Florida, for construction of an Army Reserve Center/Aviation Support Facility at that location, the Secretary of the Army may relocate and construct replacement skeet and grenade launcher ranges necessary to clear the site for the new Army Reserve facilities.

SEC. 2614. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2013 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2603 of that Act (126 Stat. 2135) and extended by section 2614 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114-92; 129 Stat. 1166), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

National Guard and Reserve: Extension of 2013 Project Authorization

State	Installation or Location	Project	Amount
Iowa	Fort Des Moines	Joint Reserve Center	$19,162,000

SEC. 2615. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in sections 2602, 2603, 2604, and 2605 of that Act (127 Stat. 1001, 1002), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

National Guard and Reserve: Extension of 2014 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Parks	Army Reserve Center	$17,500,000
	March Air Force Base	NOSC Moreno Valley Reserve Training Center	$11,086,000
Florida	Homestead ARB	Entry Control Complex	$9,800,000
Maryland	Fort Meade	175th Network Warfare Squadron Facility	$4,000,000
	Martin State Airport	Cyber/ISR Facility	$8,000,000
New York	Bullville	Army Reserve Center	$14,500,000

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2140)), as specified in the funding table in section 4601.

SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round. Nothing in the previous sentence shall be construed to affect the authority of the Secretary of Defense to comply with any requirement under law, or with any request of a congressional defense committee, to conduct an analysis, study, or report of the infrastructure needs of the Department of Defense, including the infrastructure inventory required to be prepared under section 2815(a)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1175).

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing

SEC. 2801. MODIFICATION OF CRITERIA FOR TREATMENT OF LABORATORY REVITALIZATION PROJECTS AS MINOR MILITARY CONSTRUCTION PROJECTS.

(a) INCREASE IN THRESHOLD.—Section 2805(d) of title 10, United States Code, is amended by striking ''$4,000,000'' each place it appears in paragraph (1)(A), (1)(B), and (2) and inserting ''$6,000,000''.

(b) NOTICE REQUIREMENTS.—Section 2805(d) of such title is amended—

(1) by striking the second sentence of paragraph (2); and

(2) by amending paragraph (3) to read as follows:

''(3) If the Secretary concerned makes a decision to carry out an unspecified minor military construction project to which this subsection applies, the Secretary concerned shall notify in writing the appropriate committees of Congress of that decision, of the justification for the project, and of the estimated cost of the project. The project may then be carried out only after the end of the 21-day period beginning on the date the notification is received by the committees or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.''.

(c) REPEAL OF SUNSET.—Section 2805(d) of such title is amended by striking paragraph (5).

SEC. 2802. CLASSIFICATION OF FACILITY CONVERSION PROJECTS AS REPAIR PROJECTS.

Subsection (e) of section 2811 of title 10, United States Code, is amended to read as follows:

''(e) REPAIR PROJECT DEFINED.—In this section, the term 'repair project' means a project—

''(1) to restore a real property facility, system, or component to such a condition that it may effectively be used for its designated functional purpose; or

''(2) to convert a real property facility, system, or component to a new functional purpose without increasing its external dimensions.''.

SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

(a) EXTENSION OF AUTHORITY.—Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2802 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. XXXX), is amended—

(1) in paragraph (1), by striking ''December 31, 2016'' and inserting ''December 31, 2017''; and

(2) in paragraph (2), by striking ''fiscal year 2017'' and inserting ''fiscal year 2018''.

(b) LIMITATION ON USE OF AUTHORITY.—Subsection (c)(1) of such section is amended—

(1) by striking ''October 1, 2015'' and inserting ''October 1, 2016'';

(2) by striking ''December 31, 2016'' and inserting ''December 31, 2017''; and

(3) by striking ''fiscal year 2017'' and inserting ''fiscal year 2018''.

SEC. 2804. EXTENSION OF TEMPORARY AUTHORITY FOR ACCEPTANCE AND USE OF CONTRIBUTIONS FOR CERTAIN CONSTRUCTION, MAINTENANCE, AND REPAIR PROJECTS MUTUALLY BENEFICIAL TO THE DEPARTMENT OF DEFENSE AND KUWAIT MILITARY FORCES.

Section 2804(f) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1171; 10 U.S.C. 2350j note) is amended by striking ''September 30, 2020'' and inserting ''September 30, 2025''.

SEC. 2805. NOTICE AND REPORTING REQUIREMENTS FOR ENERGY CONSERVATION CONSTRUCTION PROJECTS.

(a) CONTENTS OF NOTIFICATIONS.—

(1) CONTENTS.—Section 2914(b) of title 10, United States Code, is amended by striking the period at the end of the first sentence and inserting the following: '', and shall include in the notification the justification and current cost estimate for the project, the expected savings to investment ratio and simple payback estimates, and the project's measurement and validation plan and costs.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to notifications provided during fiscal year 2017 or any succeeding fiscal year.

(b) ANNUAL REPORT.—Section 2914 of such title is amended by adding at the end the following new subsection:

''(c) ANNUAL REPORT.—Not later than 90 days after the end of each fiscal year (beginning with fiscal year 2017), the Secretary of Defense shall submit to the appropriate committees of Congress a report on the status of the projects carried out under this section (including completed projects), and shall include in the report with respect to each such project the following information:

''(1) The title, location, and a brief description of the scope of work.

''(2) The original cost estimate and expected savings to investment ratio and simple payback estimates, and the original measurement and validation plan and costs.

''(3) The most recent cost estimate and expected savings to investment ratio and simple payback estimates, and the most recent version of the measurement and validation plan and costs.

''(4) Such other information as the Secretary considers appropriate.''.

SEC. 2806. ADDITIONAL ENTITIES ELIGIBLE FOR PARTICIPATION IN DEFENSE LABORATORY MODERNIZATION PILOT PROGRAM.

Section 2803(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1169; 10 U.S.C. 2358 note) is amended by adding by adding at the end the following:

''(4) A Department of Defense research, development, test, and evaluation facility that is not designated as a Science and Technology Reinvention Laboratory, but nonetheless is involved with developmental test and evaluation.''.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. CONGRESSIONAL NOTIFICATION FOR IN-KIND CONTRIBUTIONS FOR OVERSEAS MILITARY CONSTRUCTION PROJECTS.

(a) NOTIFICATION REQUIREMENT.—Subsection (f) of section 2687a of title 10, United States Code, is amended to read as follows:

''(f) CONGRESSIONAL OVERSIGHT OF PAYMENT IN-KIND AND IN-KIND CONTRIBUTIONS FOR OVERSEAS PROJECTS.—(1) In the event the Secretary of Defense accepts a military construction project to be built for Department of Defense personnel outside the United States as a payment-in-kind or an in-kind contribution required by a bilateral agreement with a host country, the Secretary of Defense shall submit to the congressional defense committees a written notification at least 30 days before the initiation date for any such military construction project.

''(2) A notification under paragraph (1) with respect to a proposed military construction project shall include the following:

''(A) The requirements for, and purpose and description of, the proposed project.

''(B) The cost of the proposed project.

''(C) The scope of the proposed project.

''(D) The schedule for the proposed project.

''(E) Such other details as the Secretary considers relevant.''.

(b) CONFORMING AMENDMENT.—Section 2802 of such title is amended by striking subsection (d).

(c) REPEAL.—Section 2803 of the Carl Levin and Howard ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3696) is repealed, and the provisions of law amended by subsections (a) and (b) of that section shall be restored as if such section had not been enacted into law.

SEC. 2812. PROHIBITION ON USE OF MILITARY INSTALLATIONS TO HOUSE UNACCOMPANIED ALIEN CHILDREN.

(a) PROHIBITION.—A military installation may not be used to house any unaccompanied alien child.

(b) DEFINITIONS.—In this section:

(1) The term ''military installation'' has the meaning given that term in section 2801(c)(4) of title 10, United States Code, but does not include an installation located outside of the United States.

(2) The term ''unaccompanied alien child'' has the meaning given such term in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)).

SEC. 2813. ALLOTMENT OF SPACE AND PROVISION OF SERVICES TO WIC OFFICES OPERATING ON MILITARY INSTALLATIONS.

(a) ALLOTMENT OF SPACE AND PROVISION OF SERVICES AUTHORIZED.—Chapter 152 of title 10, United States Code, is amended by inserting after section 2566 the following new section:

''§ 2567. Space and services: provision to WIC offices

''(a) ALLOTMENT OF SPACE AND PROVISION OF SERVICES AUTHORIZED.—Upon application by a WIC office, the Secretary of a military department may allot space on a military installation under the jurisdiction of the Secretary to the WIC office without charge for rent or services if the Secretary determines that—

''(1) the WIC office provides or will provide services solely to members of the armed forces assigned to the installation, civilian employees of the Department of Defense employed at the installation, or dependents of such members or employees;

''(2) space is available on the installation;

''(3) operation of the WIC office will not hinder military mission requirements; and

''(4) the security situation at the installation permits the presence of a non-Federal entity on the installation.

''(b) DEFINITIONS.—In this section:

''(1) The term 'services' includes the provision of lighting, heating, cooling, and electricity.

''(2) The term 'WIC office' means a local agency (as defined in subsection (b)(6) of section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786)) that participates in the special supplemental nutrition program for women, infants, and children under such section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 152 of title 10, United States Code, is amended by inserting after the item relating to section 2566 the following new item:

''2567. Space and services: provision to WIC offices''.

SEC. 2814. SENSE OF CONGRESS REGARDING NEED TO CONSULT WITH STATE AND LOCAL OFFICIALS PRIOR TO ACQUISITIONS OF REAL PROPERTY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, prior to acquiring real property in a State for use of the Department of Defense (including through purchase, lease, or any other arrangement), the Secretary of Defense or the Secretary of the military department concerned should consult with the chief executive of the State and representatives of units of local government with jurisdiction over the property, with the goal of resolving potential conflicts regarding the use of the property before such conflicts arise.

(b) STATE DEFINED.—In this section, the term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

SEC. 2815. SENSE OF CONGRESS REGARDING INCLUSION OF STORMWATER SYSTEMS AND COMPONENTS WITHIN THE MEANING OF "WASTEWATER SYSTEM" UNDER THE DEPARTMENT OF DEFENSE AUTHORITY FOR CONVEYANCE OF UTILITY SYSTEMS.

It is the sense of Congress that the reference to a system for the collection or treatment of wastewater in the definition of ''utility system'' in section 2688 of title 10, United States Code, which authorizes the Department of Defense to convey utility systems, includes stormwater systems and components.

SEC. 2816. ASSESSMENT OF PUBLIC SCHOOLS ON DEPARTMENT OF DEFENSE INSTALLATIONS.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes an update of the July 2011 assessment on the condition and capacity of elementary and secondary public schools on military installations, including consideration for—

(1) schools that have had changes in their condition or capacity since the original assessment; and

(2) schools that may have been inadvertently omitted from the original assessment.

Subtitle C—Provision Related to Asia-Pacific Military Realignment

SEC. 2821. LIMITED EXCEPTIONS TO RESTRICTION ON DEVELOPMENT OF PUBLIC INFRASTRUCTURE IN CONNECTION WITH REALIGNMENT OF MARINE CORPS FORCES IN ASIA-PACIFIC REGION.

(a) REVISION.—Notwithstanding section 2821(b) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3701), the Secretary of Defense may proceed with a public infrastructure project on Guam which is described in subsection (b) if—

(1) the project was identified in the report prepared by the Secretary of Defense under section 2822(d)(2) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1017); and

(2) amounts have been appropriated or made available to be expended by the Department of Defense for the project.

(b) PROJECTS DESCRIBED.—A project described in this subsection is any of the following:

(1) A project intended to improve water and wastewater systems.

(2) A project intended to improve curation of archeological and cultural artifacts.

(3) A project intended to improve the control and containment of public health threats.

(c) REPEAL OF SUPERSEDED LAW.—Section 2821 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1177) is repealed.

Subtitle D—Land Conveyances

SEC. 2831. LAND CONVEYANCES, HIGH FREQUENCY ACTIVE AURORAL RESEARCH PROGRAM FACILITY AND ADJACENT PROPERTY, GAKONA, ALASKA.

(a) CONVEYANCES AUTHORIZED.—

(1) CONVEYANCE TO UNIVERSITY OF ALASKA.—The Secretary of the Air Force may convey to the University of Alaska (in this section referred to as the ''University'') all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 1,158 acres near the Gulkana Village, Alaska, which were purchased by the Secretary of the Air Force from Ahtna, Incorporated, in January 1989, contain a High Frequency Active Auroral Research Program facility, and comprise a portion of the property more particularly described in subsection (b), for the purpose of permitting the University to use the conveyed property for public purposes.

(2) CONVEYANCE TO ALASKA NATIVE CORPORATION.—The Secretary of the Air Force may convey to the Ahtna, Incorporated, (in this section referred to as ''Ahtna''), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4,259 acres near Gulkana Village, Alaska, which were purchased by the Secretary of the Air Force from Ahtna, Incorporated, in January 1989 and comprise the portion of the property more particularly described in subsection (b) that does not contain the High Frequency Active Auroral Research Program facility. The property to be conveyed under this paragraph does not include any of the property authorized for conveyance to the University under paragraph (1).

(b) PROPERTY DESCRIBED.—Subject to the property exclusions specified in subsection (c), the real property authorized for conveyance under subsection (a) consists of portions of sections within township 7 north, range 1 east; township 7 north, range 2 east; township 8 north, range 1 east; and township 8 north, range 2 east; Copper River Meridian, Chitina Recording District, Third Judicial District, State of Alaska, as follows:

(1) Township 7 north, range 1 east:

(A) Section 1.

(B) E½, S½NW¼, SW¼ of section 2.

(C) S½SE¼, NE¼SE¼ of section 3.

(D) E½ of section 10.

(E) Sections 11 and 12.

(F) That portion of N½, N½S½ of section 13, excluding all lands lying southerly and easterly of the Glenn Highway right-of-way.

(G) N½, N½S½ of section 14.

(H) NE¼, NE¼SE¼ of section 15.

(2) Township 7 north, range 2 east:

(A) W½ of section 6.

(B) NW¼ of section 7, and the portion of N½SW¼ and NW¼SE¼ of such section lying northerly of the Glenn Highway right-of-way.

(3) Township 8 north, range 1 east:

(A) SE¼SE¼ of section 35.

(B) E½, SW¼, SE¼NW¼ of section 36.

(4) Township 8 north, range 2 east:

(A) W½ of section 31.

(c) EXCLUSION OF CERTAIN PROPERTY.—The real property authorized for conveyance under subsection (a) may not include the following:

(1) Public easements reserved pursuant to section 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(b)), as described in the Warranty Deed from Ahtna, Incorporated, to the United States, dated March 1, 1990, recorded in Book 31, pages 665 through 668 in the Chitina Recording District, Third Judicial District, Alaska.

(2) Easement for an existing trail as described in the such Warranty Deed from Ahtna, Incorporated, to the United States.

(3) The subsurface estate.

(d) CONSIDERATION.—

(1) CONVEYANCE TO UNIVERSITY.—As consideration for the conveyance of property under subsection (a)(1), the University shall provide the United States with consideration in an amount that is acceptable to the Secretary of the Air Force, whether in the form of cash payment, in-kind consideration, or a combination thereof.

(2) CONVEYANCE TO AHTNA.—As consideration for the conveyance of property under subsection (a)(2), Ahtna shall provide the United States with consideration in an amount that is acceptable to the Secretary, whether in the form of cash payment, in-kind consideration, a land exchange under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq), or a combination thereof.

(3) TREATMENT OF CASH CONSIDERATION RECEIVED.—Any cash payment received by the Secretary as consideration for a conveyance under subsection (a) shall be deposited in the special account in the Treasury established under subsection (b) of section 572 of title 40, United States Code, and shall be available in accordance with paragraph (5)(B) of such subsection.

(e) REVERSIONARY INTEREST.—If the Secretary of the Air Force determines at any time that the real property conveyed under subsection (a)(1) is not being used by the University in accordance with the purposes of the conveyance specified in such subsection, all right, title, and interest in and to the land, including any improvements thereto, shall revert, at the option of the Secretary, to and become the property of the United States, and the United States shall have the right of immediate entry onto such land. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(f) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force shall require the recipient of real property under this section to cover all costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance of that property, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the recipient.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out a conveyance under this section shall be credited and made available to the Secretary as provided in section 2695(c) of title 10, United States Code.

(g) CONVEYANCE AGREEMENT.—The conveyance of property under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Air Force and the recipient of the property, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2832. LAND CONVEYANCE, CAMPION AIR FORCE RADAR STATION, GALENA, ALASKA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the Town of Galena, Alaska (in this section referred to as the ''Town''), all right, title, and interest of the United States in and to public land, including improvements thereon, at the former Campion Air Force Station, Alaska, as further described in subsection (b), for the purpose of permitting the Town to use the conveyed property for public purposes. The conveyance under this subsection is subject to valid existing rights.

(b) DESCRIPTION OF PROPERTY.—The land to be conveyed under subsection (a) consists of up to approximately 1,300 acres of the remaining land withdrawn under Public Land Order No. 843 of June 24, 1952, and Public Land Order No. 1405 of April 4, 1957, for use by the Secretary of the Air Force as the former Campion Air Force Station. The portions of the former Air Force Station that are not authorized to be conveyed under subsection (a) are those portions that are subject to environmental land use restrictions or are currently undergoing environmental remediation by the Secretary of the Air Force.

(c) MAP AND LEGAL DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary of the Air Force, in consultation with the Secretary of the Interior, shall finalize a map and the legal description of the land to be conveyed under subsection (a). The Secretary of the Air Force may correct any minor errors in the map or the legal description. The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) REVERSIONARY INTEREST.—If the Secretary of the Air Force determines at any time that the land conveyed under subsection (a) is not being used in accordance with the purposes of the

conveyance specified in such subsection, all right, title, and interest in and to the land, including any improvements thereto, shall revert, at the option of the Secretary, to and become the property of the United States, and the United States shall have the right of immediate entry onto such land. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(e) CONVEYANCE AGREEMENT.—The conveyance of land under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Air Force, after consulting with the Secretary of the Interior, and the Town, including such additional terms and conditions as the Secretary of the Air Force, after consulting with the Secretary of the Interior, considers appropriate to protect the interests of the United States.

(f) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force shall require the Town to cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary of the Air Force and by the Secretary of the Interior, or to reimburse the appropriate Secretary for such costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the appropriate Secretary shall refund the excess amount to the Town.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary of the Air Force or by the Secretary of the Interior to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the appropriate Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(g) SUPERSEDENCE OF PUBLIC LAND ORDERS.—Public Land Order Nos. 843 and 1405 are hereby superseded, but only insofar as the orders affect the lands conveyed to the Town under subsection (a).

SEC. 2833. EXCHANGE OF PROPERTY INTERESTS, SAN DIEGO UNIFIED PORT DISTRICT, CALIFORNIA.

(a) EXCHANGE OF PROPERTY INTERESTS AUTHORIZED.—

(1) INTERESTS TO BE CONVEYED.—The Secretary of the Navy (hereafter referred to as the ''Secretary'') may convey to the San Diego Unified Port District (hereafter referred to as the ''District'') all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon and, without limitation, any leasehold interests of the United States therein, consisting of approximately 0.33 acres and identified as Parcel No. 4 on District Drawing No. 018–107 (April 2013). This parcel contains 48 parking spaces central to the mission conducted on the site of the Navy's leasehold interest at 1220 Pacific Highway, San Diego, California.

(2) INTERESTS TO BE ACQUIRED.—In exchange for the property interests described in paragraph (1), the Secretary may accept from the District property interests of equal value and similar utility, as determined by the Secretary, located within immediate proximity to the property described in paragraph (1), that provide the rights to an equivalent number of parking spaces of equal value (subject to subsection (c)(1)).

(b) ENCUMBRANCES.—

(1) NO ACCEPTANCE OF PROPERTY WITH ENCUMBRANCES PRECLUDING USE AS PARKING SPACES.—In an exchange of property interests under subsection (a), the Secretary may not accept any property under subsection (a)(2) unless the property is free of encumbrances that would preclude the Department of the Navy from using the property for parking spaces, as determined under paragraph (2).

(2) DETERMINATION OF FREEDOM FROM ENCUMBRANCES.—For purposes of paragraph (1), a property shall be considered to be free of encumbrances that would preclude the Department of the Navy from using the property for parking spaces if—

(A) the District guarantees and certifies that the property is free of such encumbrances under its own authority to preclude the use of the property for parking spaces; and

(B) the District obtains guarantees and certifications from appropriate entities of the State and units of local government that the property is free of any such encumbrances that may be in place pursuant to the Tidelands Trust, the North Embarcadero Visionary Plan, the Downtown Community Plan, or any other law, regulation, plan or document.

(c) EQUALIZATION.—

(1) TRANSFER OF RIGHTS TO ADDITIONAL PARKING SPACES.—If the value of the property interests described in subsection (a)(1) is greater than the value of the property interests and rights to parking spaces described in subsection (a)(2), the values shall be equalized by the transfer to the Secretary of rights to additional parking spaces.

(2) NO AUTHORIZATION OF CASH EQUALIZATION PAYMENTS FROM SECRETARY.—If the value of the property interests and parking rights described in subsection (a)(2) are greater than the value of the property interests described in subsection (a)(1), the Secretary may not make a cash equalization payment to equalize the values.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the District to cover all costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the exchange of property interests under this section, including survey costs, costs related to environmental documentation, real estate due diligence such as appraisals and any other administrative costs related to the exchange of property interests. If amounts are collected from the District in advance of the Secretary incurring the actual costs and the amount collected exceeds the costs actually incurred by the Secretary to carry out the exchange of property interests, the Secretary shall refund the excess amount to the District.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the exchange of property interests. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property interests to be exchanged under this section shall be determined by surveys satisfactory to the Secretary.

(f) CONVEYANCE AGREEMENT.—The exchange of property interests under this section shall be accomplished using a lease, lease amendment, or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary and the District, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2834. RELEASE OF PROPERTY INTERESTS RETAINED IN CONNECTION WITH LAND CONVEYANCE, EGLIN AIR FORCE BASE, FLORIDA.

(a) RELEASE OF EXCEPTIONS, LIMITATIONS, AND CONDITIONS IN DEEDS.—With respect to approximately 126 acres of real property in Okaloosa County, Florida, more particularly described in subsection (b), which were conveyed by the United States to the Air Force Enlisted Mens' Widows and Dependents Home Foundation, Incorporated (''Air Force Enlisted Village''), the Secretary of the Air Force may release any and all exceptions, limitations, and conditions specified by the United States in the deeds conveying such real property.

(b) PROPERTY DESCRIBED.—The real property subject to subsection (a) was part of Eglin Air Force, Florida, and consists of all parcels conveyed in exchange for fair market value cash payment by the Air Force Enlisted Village pursuant to section 809(c) of the Military Construction Authorization Act, 1979 (Public Law 95–356; 92 Stat. 587), as amended by section 2826 of the Military Construction Authorization Act, 1989 (Public Law 100–456; 102 Stat. 2123) and section 2861 of the Military Construction Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2223).

(c) INSTRUMENT OF RELEASE AND DESCRIPTION OF PROPERTY.—The Secretary may execute and record in the appropriate office a deed of release, amended deed, or other appropriate instrument reflecting the release of exceptions, limitations, and conditions under subsection (a).

(d) PAYMENT OF ADMINISTRATIVE COSTS.—

(1) PAYMENT REQUIRED.—The Secretary may require the Air Force Enlisted Village to pay for any costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the release under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the release. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the release, the Secretary shall refund the excess amount to the Air Force Enlisted Village.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release under subsection (a) shall be credited and made available to the Secretary as provided in section 2695(c) of title 10, United States Code.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the release of exceptions, limitations, and conditions under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2835. LAND EXCHANGE, FORT HOOD, TEXAS.

(a) EXCHANGE AUTHORIZED.—The Secretary of the Army may convey to the City of Copperas Cove, Texas (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 437 acres at Fort Hood, Texas, for the purpose of permitting the City to improve arterial transportation routes in the vicinity of Fort Hood and to promote economic development in the area of the City and Fort Hood.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall convey to the Secretary of the Army all right, title, and interest of the City in and to one or more parcels of real property that are acceptable to the Secretary. The fair market value of the real property acquired by the Secretary under this subsection shall be at least equal to the fair market value of the real property conveyed under subsection (a), as determined by appraisals acceptable to the Secretary.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be exchanged under this section shall be determined by surveys satisfactory to the Secretary of the Army.

(d) PAYMENT OF COSTS OF CONVEYANCES.—

(1) PAYMENT REQUIRED.—The Secretary of the Army shall require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyances under this section, including survey costs related to the conveyances. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyances, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyances under this section shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyances. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) ADDITIONAL TERM AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2836. LAND CONVEYANCE, P-36 WAREHOUSE, COLBERN UNITED STATES ARMY RESERVE CENTER, LAREDO, TEXAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army (in this section referred to as the ''Secretary'') may convey, without consideration, to the Laredo Community College (in this section referred to as the ''LCC'') all right, title, and interest of the United States in and to the approximately 725 sq. ft. Historic Building, P-36 Warehouse, including any improvements thereon, at Colbern United States Army Reserve Center, Laredo, TX, for the purposes of educational use and historic preservation.

(b) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the LCC to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the LCC in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the LCC.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(d) REVERSIONARY INTEREST.—

(1) REVERSION.—If the Secretary determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in subsection (a), all right, title, and interest in and to such property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such property. A determination by the Secretary under this paragraph shall be made on the record after an opportunity for a hearing.

(2) PAYMENT OF CONSIDERATION IN LIEU OF REVERSION.—In lieu of exercising the right of reversion retained under paragraph (1) with respect to the property conveyed under subsection (a), the Secretary may require the LCC to pay to the United States an amount equal to the fair market value of the property conveyed, as determined by the Secretary.

(3) TREATMENT OF CASH CONSIDERATION.—Any cash payment received by the United States under paragraph (2) shall be deposited in the special account in the Treasury established under subsection (b) of section 572 of title 40, United States Code, and shall be available in accordance with paragraph (5)(B) of such subsection.

(e) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) COMPLIANCE WITH ENVIRONMENTAL LAWS.—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

SEC. 2837. LAND CONVEYANCE, ST. GEORGE NATIONAL GUARD ARMORY, ST. GEORGE, UTAH.

(a) LAND CONVEYANCE AUTHORIZED.—The Secretary of the Interior may convey, without consideration, to the State of Utah all right, title, and interest of the United States in and to a parcel of public land in St. George, Utah, comprising approximately 70 acres, as described in Public Land Order 6840 published in the Federal Register on March 29, 1991 (56 Fed. Reg. 13081), and containing the St. George National Guard Armory for the purpose of permitting the Utah National Guard to use the conveyed land for military purposes.

(b) TERMINATION OF PRIOR ADMINISTRATIVE ACTION.—The Public Land Order described in subsection (a), which provided for a 20-year withdrawal of the public land described in the Public Land Order, is withdrawn upon conveyance of the land under this section.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under this section shall be determined by a survey satisfactory to the Secretary of the Interior.

(d) CONVEYANCE AGREEMENT.—The conveyance under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Interior and the State of Utah, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2838. RELEASE OF RESTRICTIONS, RICHLAND INNOVATION CENTER, RICHLAND, WASHINGTON.

(a) RELEASE AUTHORIZED.—The Secretary of Transportation, acting through the Maritime Administrator and in consultation with the Administrator of General Services, may, upon receipt of full consideration as provided in subsection (b), release all remaining right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, in Richland, Washington, consisting as of the date of the enactment of this Act of approximately 71.5 acres and containing personal and real property, to the Port of Benton (hereafter in this section referred to as the ''Port'').

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the release under subsection (a), the Port shall provide an amount that is acceptable to the Secretary of Transportation, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof, at such time as the Secretary may require. The Secretary may determine the level of acceptable consideration under this paragraph on the basis of the value of the restrictions released under subsection (a), but only if the value of such restrictions is determined without regard to any improvements made by the Port.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the Port under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facility or infrastructure under the jurisdiction of any office of the Federal government.

(3) TREATMENT OF CONSIDERATION RECEIVED.—Consideration in the form of cash payment received by the Secretary under paragraph (1) shall be deposited in the separate fund in the Treasury described in section 572(a)(1) of title 40, United States Code.

(c) PAYMENT OF COST OF RELEASE.—

(1) PAYMENT REQUIRED.—The Secretary of Transportation shall require the Port to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the release under subsection (a), including survey costs, costs for environmental documentation related to the release, and any other administrative costs related to the release. If amounts are collected from the Port in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the release, the Secretary shall refund the excess amount to the Port.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the release under subsection (a) or, if the period of availability of obligations for that appropriation has expired, to the appropriations of fund that is currently available to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property which is the subject of the release under subsection (a) shall be determined by a survey satisfactory to the Secretary of Transportation.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of Transportation may require such additional terms and conditions in connection with the release under subsection (a) as the Secretary, in consultation with the Administrator of General Services, considers appropriate to protect the interests of the United States.

Subtitle E—Military Land Withdrawals

SEC. 2841. BUREAU OF LAND MANAGEMENT WITHDRAWN MILITARY LANDS UNDER MILITARY LANDS WITHDRAWAL ACT OF 1999.

(a) ELIMINATION OF TERMINATION DATE AND AUTHORIZATION FOR TRANSFER OF ADMINISTRATIVE JURISDICTION.—Subsection (a) of section 3015 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 892) is amended to read as follows:

''(a) PERMANENT WITHDRAWAL AND RESERVATION; EFFECT OF TRANSFER ON WITHDRAWAL.—The withdrawal and reservation of lands by section 3011 shall terminate only as follows:

''(1) Upon an election by the Secretary of the military department concerned to relinquish any or all of the land withdrawn and reserved by section 3011.

''(2) Upon a transfer by the Secretary of the Interior, under section 3016 and upon request by the Secretary of the military department concerned, of administrative jurisdiction over the land to the Secretary of the military department concerned. Such a transfer may consist of a portion of the land, in which case the termination

of the withdrawal and reservation applies only with respect to the land so transferred.''.

(b) TRANSFER PROCESS AND MANAGEMENT AND USE OF LANDS.—The Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65) is further amended—

(1) by redesignating sections 3022 and 3023 as sections 3027 and 3028, respectively; and

(2) by striking sections 3016 through 3021 and inserting the following new sections:

''SEC. 3016. TRANSFER PROCESS.

''(a) TRANSFER AUTHORIZED.—The Secretary of the Interior shall, upon the request of the Secretary concerned, transfer to the Secretary concerned administrative jurisdiction over the land withdrawn and reserved by section 3011, or a portion of the land as the Secretary concerned may request.

''(b) VALID EXISTING RIGHTS.—The transfer of administrative jurisdiction under subsection (a) shall be subject to any valid existing rights.

''(c) TIME FOR CONVEYANCE.—The transfer of administrative jurisdiction under subsection (a) shall occur pursuant to a schedule agreed upon by the Secretary of the Interior and the Secretary concerned.

''(d) MAP AND LEGAL DESCRIPTION.—

''(1) PREPARATION AND PUBLICATION.—The Secretary of the Interior shall publish in the Federal Register a legal description of the public land to be transferred under subsection (a).

''(2) SUBMISSION TO CONGRESS.—The Secretary of the Interior shall file with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives—

''(A) a copy of the legal description prepared under paragraph (1); and

''(B) the map referred to in subsection (a).

''(3) AVAILABILITY FOR PUBLIC INSPECTION.—Copies of the legal description and map filed under paragraph (2) shall be available for public inspection in the appropriate offices of—

''(A) the Bureau of Land Management;

''(B) the commanding officer of the installation; and

''(C) the Secretary concerned.

''(4) FORCE OF LAW.—The legal description and map filed under paragraph (2) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct clerical and typographical errors in the legal description or map.

''(5) REIMBURSEMENT OF COSTS.—Any transfer entered into pursuant to subsection (a) shall be made without reimbursement, except that the Secretary concerned shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior to prepare the legal description and map under this subsection.

''SEC. 3017. ADMINISTRATION OF TRANSFERRED LAND.

''(a) TREATMENT AND USE OF TRANSFERRED LAND.—Upon the transfer of administrative jurisdiction of land under section 3016—

''(1) the land shall be treated as property (as defined in section 102(9) of title 40, United States Code) under the administrative jurisdiction of the Secretary concerned; and

''(2) the Secretary concerned shall administer the land for military purposes.

''(b) WITHDRAWAL OF MINERAL ESTATE.—Subject to valid existing rights, land for which the administrative jurisdiction is transferred under section 3016 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, for as long as the land is under the administrative jurisdiction of the Secretary concerned.

''(c) INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN.—Not later than one year after the transfer of land under section 3016, the Secretary concerned, in cooperation with the Secretary of the Interior, shall prepare an integrated natural resources management plan pursuant to the Sikes Act (16 U.S.C. 670a et seq.) for the transferred land.

''(d) RELATION TO GENERAL PROVISIONS.—Sections 3018 through 3026 do not apply to lands transferred under section 3016 or to the management of such land.

''(e) TRANSFERS BETWEEN ARMED FORCES.—Nothing in this subtitle shall be construed as limiting the authority to transfer administrative jurisdiction over the land transferred under section 3016 to another armed force pursuant to section 2696 of title 10, United States Code, and the provisions of this section shall continue to apply to any such lands.

''SEC. 3018. GENERAL APPLICABILITY; DEFINITIONS.

''(a) APPLICABILITY.—Sections 3014 through 3028 apply to the lands withdrawn and reserved by section 3011 except—

''(1) to the B-16 Range referred to in section 3011(a)(3)(A), for which only section 3019 applies;

''(2) to the 'Shoal Site' referred to in section 3011(a)(3)(B), for which sections 3014 through 3028 apply only to the surface estate;

''(3) to the 'Pahute Mesa' area referred to in section 3011(b)(2); and

''(4) to the Desert National Wildlife Refuge referred to in section 3011(b)(5)—

''(A) except for section 3024(b); and

''(B) for which sections 3014 through 3028 shall only apply to the authorities and responsibilities of the Secretary of the Air Force under section 3011(b)(5).

''(b) RULES OF CONSTRUCTION.—Nothing in this subtitle assigns management of real property under the administrative jurisdiction of the Secretary concerned to the Secretary of the Interior.

''(c) DEFINITIONS.—In this subtitle:

''(1) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

''(2) MANAGE; MANAGEMENT.—

''(A) INCLUSIONS.—The terms 'manage' and 'management' include the authority to exercise jurisdiction, custody, and control over the lands withdrawn and reserved by section 3011.

''(B) EXCLUSIONS.—Such terms do not include authority for disposal of the lands withdrawn and reserved by section 3011.

''(3) SECRETARY CONCERNED.—The term 'Secretary concerned' has the meaning given the term in section 101(a) of title 10, United States Code.

''SEC. 3019. ACCESS RESTRICTIONS.

''(a) AUTHORITY TO IMPOSE RESTRICTIONS.—If the Secretary concerned determines that military operations, public safety, or national security require the closure to the public of any road, trail, or other portion of land withdrawn and reserved by section 3011, the Secretary may take such action as the Secretary determines to be necessary to implement and maintain the closure.

''(b) LIMITATION.—Any closure under subsection (a) shall be limited to the minimum area and duration that the Secretary concerned determines are required for the purposes of the closure.

''(c) CONSULTATION REQUIRED.—

''(1) IN GENERAL.—Subject to paragraph (3), before a closure is implemented under this section, the Secretary concerned shall consult with the Secretary of the Interior.

''(2) INDIAN TRIBE.—Subject to paragraph (3), if a closure proposed under this section may affect access to or use of sacred sites or resources considered to be important by an Indian tribe, the Secretary concerned shall consult, at the earliest practicable date, with the affected Indian tribe.

''(3) LIMITATION.—No consultation shall be required under paragraph (1) or (2)—

''(A) if the closure is provided for in an integrated natural resources management plan, an installation cultural resources management plan, or a land use management plan; or

''(B) in the case of an emergency, as determined by the Secretary concerned.

''(d) NOTICE.—Immediately preceding and during any closure implemented under subsection (a), the Secretary concerned shall post appropriate warning notices and take other appropriate actions to notify the public of the closure.

''SEC. 3020. CHANGES IN USE.

''(a) OTHER USES AUTHORIZED.—In addition to the purposes described in section 3011, the Secretary concerned may authorize the use of land withdrawn and reserved by section 3011 for defense-related purposes.

''(b) NOTICE TO SECRETARY OF THE INTERIOR.—

''(1) IN GENERAL.—The Secretary concerned shall promptly notify the Secretary of the Interior if the land withdrawn and reserved by section 3011 is used for additional defense-related purposes.

''(2) REQUIREMENTS.—A notification under paragraph (1) shall specify—

''(A) each additional use;

''(B) the planned duration of each additional use; and

''(C) the extent to which each additional use would require that additional or more stringent conditions or restrictions be imposed on otherwise-permitted nondefense-related uses of the withdrawn and reserved land or portions of withdrawn and reserved land.

''SEC. 3021. BRUSH AND RANGE FIRE PREVENTION AND SUPPRESSION.

''(a) REQUIRED ACTIVITIES.—Consistent with any applicable land management plan, the Secretary concerned shall take necessary precautions to prevent, and actions to suppress, brush and range fires occurring as a result of military activities on the land withdrawn and reserved by section 3011, including fires that occur on other land that spread from the withdrawn and reserved land.

''(b) COOPERATION OF SECRETARY OF THE INTERIOR.—

''(1) IN GENERAL.—At the request of the Secretary concerned, the Secretary of the Interior shall provide assistance in the suppression of fires under subsection (a). The Secretary concerned shall reimburse the Secretary of the Interior for the costs incurred by the Secretary of the Interior in providing such assistance.

''(2) TRANSFER OF FUNDS.—Notwithstanding section 2215 of title 10, United States Code, the Secretary concerned may transfer to the Secretary of the Interior, in advance, funds to be used to reimburse the costs of the Department of the Interior in providing assistance under this subsection.

''SEC. 3022. ONGOING DECONTAMINATION.

''(a) PROGRAM OF DECONTAMINATION REQUIRED.—During the period of a withdrawal and reservation of land by section 3011, the Secretary concerned shall maintain, to the extent funds are available to carry out this subsection, a program of decontamination of contamination caused by defense-related uses on the withdrawn land. The decontamination program shall be carried out consistent with applicable Federal and State law.

''(b) ANNUAL REPORT.—The Secretary of Defense shall include in the annual report required by section 2711 of title 10, United States Code, a description of decontamination activities conducted under subsection (a).

''SEC. 3023. WATER RIGHTS.

''(a) NO RESERVATION OF WATER RIGHTS.—Nothing in this subtitle—

''(1) establishes a reservation in favor of the United States with respect to any water or water right on the land withdrawn and reserved by section 3011; or

''(2) authorizes the appropriation of water on the land withdrawn and reserved by section 3011, except in accordance with applicable State law.

''(b) EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.—

''(1) IN GENERAL.—Nothing in this section affects any water rights acquired or reserved by the United States before October 5, 1999, on the land withdrawn and reserved by section 3011.

''(2) AUTHORITY OF SECRETARY CONCERNED.—The Secretary concerned may exercise any water rights described in paragraph (1).

''SEC. 3024. HUNTING, FISHING, AND TRAPPING.

''(a) IN GENERAL.—Section 2671 of title 10, United States Code, shall apply to all hunting, fishing, and trapping on the land—

''(1) that is withdrawn and reserved by section 3011; and

''(2) for which management of the land has been assigned to the Secretary concerned.

''(b) DESERT NATIONAL WILDLIFE REFUGE.—Hunting, fishing, and trapping within the Desert National Wildlife Refuge shall be conducted in accordance with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Recreation Use of Wildlife Areas Act of 1969 (16 U.S.C. 460k et seq.), and other laws applicable to the National Wildlife Refuge System.

''SEC. 3025. RELINQUISHMENT.

''(a) NOTICE OF INTENTION TO RELINQUISH.—If, during the period of withdrawal and reservation made by section 3011, the Secretary concerned decides to relinquish any or all of the land withdrawn and reserved by section 3011, the Secretary concerned shall submit to the Secretary of the Interior notice of the intention to relinquish the land.

''(b) DETERMINATION OF CONTAMINATION.—The Secretary concerned shall include in the notice submitted under subsection (a) a written determination concerning whether and to what extent the land that is to be relinquished is contaminated with explosive materials or toxic or hazardous substances.

''(c) PUBLIC NOTICE.—The Secretary of the Interior shall publish in the Federal Register the notice of intention to relinquish the land under this section, including the determination concerning the contaminated state of the land.

''(d) DECONTAMINATION OF LAND TO BE RELINQUISHED.—

''(1) DECONTAMINATION REQUIRED.—The Secretary concerned shall decontaminate land subject to a notice of intention under subsection (a) to the extent that funds are appropriated for that purpose, if—

''(A) the land subject to the notice of intention is contaminated, as determined by the Secretary concerned; and

''(B) the Secretary of the Interior, in consultation with the Secretary concerned, determines that—

''(i) decontamination is practicable and economically feasible, after taking into consideration the potential future use and value of the contaminated land; and

''(ii) on decontamination of the land, the land could be opened to operation of some or all of the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

''(2) ALTERNATIVES TO RELINQUISHMENT.—The Secretary of the Interior shall not be required to accept the land proposed for relinquishment under subsection (a), if—

''(A) the Secretary of the Interior, after consultation with the Secretary concerned, determines that—

''(i) decontamination of the land is not practicable or economically feasible; or

''(ii) the land cannot be decontaminated sufficiently to be opened to operation of some or all of the public land laws; or

''(B) sufficient funds are not appropriated for the decontamination of the land.

''(3) STATUS OF CONTAMINATED LAND PROPOSED TO BE RELINQUISHED.—If, because of the contaminated state of the land, the Secretary of the Interior declines to accept land withdrawn and reserved by section 3011 that has been proposed for relinquishment—

''(A) the Secretary concerned shall take appropriate steps to warn the public of—

''(i) the contaminated state of the land; and

''(ii) any risks associated with entry onto the land;

''(B) the Secretary concerned shall submit to the Secretary of the Interior and Congress a report describing—

''(i) the status of the land; and

''(ii) any actions taken under this paragraph.

''(e) REVOCATION AUTHORITY.—

''(1) IN GENERAL.—If the Secretary of the Interior determines that it is in the public interest to accept the land proposed for relinquishment under subsection (a), the Secretary of the Interior may order the revocation of a withdrawal and reservation made by section 3011.

''(2) REVOCATION ORDER.—To carry out a revocation under paragraph (1), the Secretary of the Interior shall publish in the Federal Register a revocation order that—

''(A) terminates the withdrawal and reservation;

''(B) constitutes official acceptance of the land by the Secretary of the Interior; and

''(C) specifies the date on which the land will be opened to the operation of some or all of the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

''(f) ACCEPTANCE BY SECRETARY OF THE INTERIOR.—

''(1) IN GENERAL.—Nothing in this section requires the Secretary of the Interior to accept the land proposed for relinquishment if the Secretary determines that the land is not suitable for return to the public domain.

''(2) NOTICE.—If the Secretary makes a determination that the land is not suitable for return to the public domain, the Secretary shall provide notice of the determination to Congress.

''SEC. 3026. EFFECT OF TERMINATION OF MILITARY USE.

''(a) NOTICE AND EFFECT.—Upon a determination by the Secretary concerned that there is no longer a military need for all or portions of the land for which administrative jurisdiction was transferred under section 3016, the Secretary concerned shall notify the Secretary of the Interior of such determination. Subject to subsections (b), (c), and (d), the Secretary concerned shall transfer administrative jurisdiction over the land subject to such a notice back to the administrative jurisdiction of the Secretary of the Interior.

''(b) CONTAMINATION.—Before transmitting a notice under subsection (a), the Secretary concerned shall prepare a written determination concerning whether and to what extent the land to be transferred is contaminated with explosive materials or toxic or hazardous substances. A copy of the determination shall be transmitted with the notice. Copies of the notice and the determination shall be published in the Federal Register.

''(c) DECONTAMINATION.—The Secretary concerned shall decontaminate any contaminated land that is the subject of a notice under subsection (a) if—

''(1) the Secretary of the Interior, in consultation with the Secretary concerned, determines that—

''(A) decontamination is practicable and economically feasible (taking into consideration the potential future use and value of the land); and

''(B) upon decontamination, the land could be opened to operation of some or all of the public land laws, including the mining laws; and

''(2) funds are appropriated for such decontamination.

''(d) NO REQUIRED ACCEPTANCE.—The Secretary of the Interior is not required to accept land proposed for transfer under subsection (a) if the Secretary of the Interior is unable to make the determinations under subsection (c)(1) or if Congress does not appropriate a sufficient amount of funds for the decontamination of the land.

''(e) ALTERNATIVE DISPOSAL.—If the Secretary of the Interior declines to accept land proposed for transfer under subsection (a), the Secretary concerned shall dispose of the land in accordance with property disposal procedures established by law.''.

(c) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Section 3014 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 890) is amended by striking subsections (b), (d), and (f).

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885) is amended by striking the items relating to sections 3016 through 3023 and inserting the following new items:

''Sec. 3016. Transfer process.
''Sec. 3017. Administration of transferred land.
''Sec. 3018. General applicability; definitions.
''Sec. 3019. Access restrictions.
''Sec. 3020. Changes in use.
''Sec. 3021. Brush and range fire prevention and suppression.
''Sec. 3022. Ongoing decontamination.
''Sec. 3023. Water rights.
''Sec. 3024. Hunting, fishing, and trapping.
''Sec. 3025. Relinquishment.
''Sec. 3026. Effect of termination of military use.
''Sec. 3027. Use of mineral materials.
''Sec. 3028. Immunity of United States.''.

SEC. 2842. PERMANENT WITHDRAWAL OR TRANSFER OF ADMINISTRATIVE JURISDICTION OF PUBLIC LAND, NAVAL AIR WEAPONS STATION CHINA LAKE, CALIFORNIA.

Section 2979 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1044) is amended by striking ''on March 31, 2039.'' and inserting the following: ''only as follows:

''(1) If the Secretary of the Navy makes an election to terminate the withdrawal and reservation of the public land.

''(2) If the Secretary of the Interior, upon request by the Secretary of the Navy, transfers administrative jurisdiction over the public land to the Secretary of the Navy. A transfer under this paragraph may consist of a portion of the land, in which case the termination of the withdrawal and reservation applies only with respect to the land so transferred.''.

Subtitle F—Military Memorials, Monuments, and Museums

SEC. 2851. CYBER CENTER FOR EDUCATION AND INNOVATION–HOME OF THE NATIONAL CRYPTOLOGIC MUSEUM.

(a) AUTHORITY TO ESTABLISH AND OPERATE CENTER.—Chapter 449 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4781. Cyber Center for Education and Innovation–Home of the National Cryptologic Museum

''(a) ESTABLISHMENT.—The Secretary of Defense may establish at a publicly accessible location at Fort George G. Meade the 'Cyber Center for Education and Innovation–Home of the National Cryptologic Museum' (in this section referred to as the 'Center'). The Center may be used for the identification, curation, storage, and public viewing of materials relating to the activities of the National Security Agency, its predecessor or successor organizations, and the history of cryptology. The Center may contain meeting, conference, and classroom facilities that will be used to support such education, training, public outreach, and other purposes as the Secretary considers appropriate.

''(b) DESIGN, CONSTRUCTION, AND OPERATION.—The Secretary may enter into an agreement with the National Cryptologic Museum Foundation (in this section referred to as the 'Foundation'), a nonprofit organization, for the

design, construction, and operation of the Center.

''(c) ACCEPTANCE AUTHORITY.—

''(1) ACCEPTANCE OF FACILITY.—If the Foundation constructs the Center pursuant to an agreement with the Foundation under subsection (b), upon satisfactory completion of the Center's construction or any phase thereof, as determined by the Secretary, and upon full satisfaction by the Foundation of any other obligations pursuant to such agreement, the Secretary may accept the Center (or any phase thereof) from the Foundation, and all right, title, and interest in the Center or such phase shall vest in the United States.

''(2) ACCEPTANCE OF SERVICES.—Notwithstanding section 1342 of title 31, the Secretary may accept services from the Foundation in connection with the design, construction, and operation of the Center. For purposes of this section and any other provision of law, employees or personnel of the Foundation shall not be considered to be employees of the United States.

''(d) FEES AND USER CHARGES.—

''(1) AUTHORITY TO ASSESS FEES AND USER CHARGES.—Under regulations prescribed by the Secretary, the Director may assess fees and user charges sufficient to cover the cost of the use of Center facilities and property, including rental, user, conference, and concession fees, except that the Director may not assess fees for general admission to the National Cryptologic Museum.

''(2) USE OF FUNDS.—Amounts received by the Director under paragraph (1) shall be deposited into the Fund established under subsection (e).

''(e) FUND.—

''(1) ESTABLISHMENT.—Upon the Secretary's acceptance of the Center under subsection (c)(1), there is established in the Treasury a fund to be known as the 'Cyber Center for Education and Innovation–Home of the National Cryptologic Museum Fund' (in this section referred to as the 'Fund').

''(2) CONTENTS.—The Fund shall consist of the following amounts:

''(A) Fees and user charges deposited by the Director under subsection (d).

''(B) Any other amounts received by the Director which are attributable to the operation of the Center.

''(C) Such amounts as may be appropriated under law.

''(3) USE OF FUND.—Amounts in the Fund shall be available to the Director for the benefit and operation of the Center, including the costs of operation and the acquisition of books, manuscripts, works of art, historical artifacts, drawings, plans, models, and condemned or obsolete combat materiel.

''(4) CONTINUING AVAILABILITY OF AMOUNTS.—Amounts in the Fund shall be available without fiscal year limitation.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''4781. Cyber Center for Education and Innovation–Home of the National Cryptologic Museum.''.

SEC. 2852. RENAMING SITE OF THE DAYTON AVIATION HERITAGE NATIONAL HISTORICAL PARK, OHIO.

Section 101(b)(5) of the Dayton Aviation Heritage Preservation Act of 1992 (16 U.S.C. 410ww(b)(5)) is amended by striking ''Aviation Center'' and inserting ''National Museum''.

SEC. 2853. SUPPORT FOR MILITARY SERVICE MEMORIALS AND MUSEUMS HIGHLIGHTING ROLE OF WOMEN IN THE MILITARY.

(a) AUTHORIZATION OF SUPPORT.—Subject to appropriation, the Secretary of Defense may provide financial support for military service memorials and museums in the acquisition, installation, and maintenance of exhibits, facilities, and programs that highlight the role of women in the military.

(b) AGREEMENT WITH NONPROFIT ORGANIZATIONS.—

(1) AUTHORIZATION OF AGREEMENT.—Subject to paragraph (2), the Secretary may carry out subsection (a) by entering into contracts with nonprofit organizations under which such an organization shall carry out the activities described in such subsection.

(2) REPORT REQUIRED PRIOR TO AGREEMENT.—The Secretary may not enter into a contract under paragraph (1) until the congressional defense committees have received a report from the Secretary that describes how the use of such a contract will help educate and inform the public on the history and mission of the military, or support training and leadership development of military personnel, and is in the best interests of the Department of Defense.

SEC. 2854. PETERSBURG NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the Petersburg National Battlefield is modified to include the land and interests in land as generally depicted on the map titled ''Petersburg National Battlefield Proposed Boundary Expansion'', numbered 325/80,080, and dated March 2016. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(b) ACQUISITION OF PROPERTIES.—

(1) AUTHORITY.—The Secretary of the Interior (referred to in this section as the ''Secretary'') is authorized to acquire the land and interests in land, described in subsection (a), from willing sellers only, by donation, purchase with donated or appropriated funds, exchange, or transfer.

(2) NO USE OF CONDEMNATION.—The Secretary may not acquire by condemnation any land or interest in land under this Act or for the purposes of this Act.

(3) NO BUFFER ZONE CREATED.—Nothing in this Act, the acquisition of the land or an interest in land authorized under subsection (a), or the management plan for the Petersburg National Battlefield (including the acquired land) shall be construed to create buffer zones outside the Petersburg National Battlefield. That activities or uses can be seen, heard, or detected from the acquired land shall not preclude, limit, control, regulate, or determine the conduct or management of activities or uses outside of the Petersburg National Battlefield.

(4) WRITTEN CONSENT OF THE OWNER.—No non-Federal property may be included in the Petersburg National Battlefield without the written consent of the owner.

(5) TECHNICAL AMENDMENT.—Section 313(a) of the National Parks and Recreation Act of 1978 (Public Law 95–625; 92 Stat. 3479) is amended by striking ''twenty-one'' and inserting ''twenty-five''.

(c) ADMINISTRATION.—The Secretary shall administer any land or interests in land acquired under subsection (b) as part of the Petersburg National Battlefield in accordance with applicable laws and regulations.

(d) ADMINISTRATIVE JURISDICTION TRANSFER.—

(1) IN GENERAL.—There is transferred—

(A) from the Secretary to the Secretary of the Army administrative jurisdiction over the approximately 1.170-acre parcel of land depicted as ''Area to be transferred to Fort Lee Military Reservation'' on the map described in paragraph (2); and

(B) from the Secretary of the Army to the Secretary administrative jurisdiction over the approximately 1.171-acre parcel of land depicted as ''Area to be transferred to Petersburg National Battlefield'' on the map described in paragraph (2).

(2) MAP.—The land to be exchanged is depicted on the map titled ''Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction'', numbered 325/80,801A, dated March 2016. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) CONDITIONS OF TRANSFER.—The transfer of administrative jurisdiction under paragraph (1) shall be subject to the following conditions:

(A) NO REIMBURSEMENT OR CONSIDERATION.—The transfer shall occur without reimbursement or consideration.

(B) MANAGEMENT.—The land transferred to the Secretary under paragraph (1) shall be included within the boundary of the Petersburg National Battlefield and administered as part of that park in accordance with applicable laws and regulations, and the land transferred to the Secretary of the Army shall be excluded from the boundary of the Petersburg National Battlefield.

SEC. 2855. AMENDMENTS TO THE NATIONAL HISTORIC PRESERVATION ACT.

Section 101(a) of the National Historic Preservation Act (16 U.S.C. 470a(a)) is amended as follows:

(1) In paragraph (2)—

(A) in subparagraph (E), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (F), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(G) notifying the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the Senate if the property is owned by the Federal Government when the property is being considered for inclusion on the National Register, for designation as a National Historic Landmark, or for nomination to the World Heritage List.''.

(2) By redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively.

(3) By inserting after paragraph (6) the following:

''(7) If the head of the agency managing any Federal property objects to such inclusion or designation for reasons of national security, such as any impact the inclusion or designation would have on use of the property for military training or readiness purposes, that Federal property shall be neither included on the National Register nor designated as a National Historic Landmark until the objection is withdrawn.''.

(4) By adding after paragraph (9) (as so redesignated by paragraph (2) of this section) the following:

''(10) The Secretary shall promulgate regulations to allow for expedited removal of Federal property listed on the National Register of Historic Places if the managing agency of that Federal property submits to the Secretary a written request to remove the Federal property from the National Register of Historic Places for reasons of national security, such as any impact the inclusion or designation would have on use of the property for military training or readiness purposes.''.

SEC. 2856. RECOGNITION OF THE NATIONAL MUSEUM OF WORLD WAR II AVIATION.

(a) FINDINGS.—Congress finds the following:

(1) World War II was one of the most important events in the history of the Nation, a time of moral clarity and common purpose that remains today as an inspiration to all people in the United States.

(2) The role of aviation was a critical factor in the success of winning World War II and defeating the enemies worldwide.

(3) The bravery, courage, dedication, and heroism of World War II aviators and support personnel was an important element in the winning of World War II.

(4) The National Museum of World War II Aviation in Colorado Springs, Colorado, exists to help preserve and promote an understanding of the role of aviation in winning World War II.

(5) The National Museum of World War II Aviation is dedicated to celebrating the spirit of the United States, recognizing the teamwork, collaboration, patriotism, and courage of the men and women who fought, as well as those on

the homefront who mobilized and supported the national aviation effort.

(b) CONDITIONS ON RECOGNITION OF AMERICA'S NATIONAL WORLD WAR II AVIATION MUSEUM.—The Secretary of the Air Force, Secretary of the Navy, and Secretary of the Army shall—

(1) each provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate evaluating the suitability of the museum for recognition as a national museum; and

(2) each certify to such Committees that the museum is suitable for such recognition.

(c) ELEMENTS OF CERTIFICATION.—The Secretary of the Air Force, Secretary of the Navy, and Secretary of the Army shall provide the certification under subsection (b)(2) only if each certifies that each of the following is correct:

(1) The museum possesses the infrastructure necessary to maintain and preserve military cultural resources.

(2) The museum is accredited.

(3) The museum prevents the private use of any item donated to the museum.

(4) The museum applies industry standards for the preservation of military cultural resources.

(5) The museum employs sufficient staff, trained to industry standards, to ensure the preservation of military cultural resources.

Subtitle G—Designations and Other Matters

SEC. 2861. DESIGNATION OF PORTION OF MOFFETT FEDERAL AIRFIELD, CALIFORNIA, AS MOFFETT AIR NATIONAL GUARD BASE.

(a) DESIGNATION.—The 111-acre cantonment area at Moffett Federal Airfield, California, utilized by the 129th Rescue Wing of the California Air National Guard shall be known and designated as ''Moffett Air National Guard Base''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, paper, other record of the United States to the cantonment area at Moffett Federal Airfield described in subsection (a) shall be considered to be a reference to Moffett Air National Guard Base.

SEC. 2862. REDESIGNATION OF MIKE O'CALLAGHAN FEDERAL MEDICAL CENTER.

Section 2867 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201; 110 Stat. 2806), as amended by section 8135(a) of the Department of Defense Appropriations Act, 1997 (section 101(b) of division A of the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104-208; 110 Stat. 3009-118)), and as amended by section 2862 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1701) is further amended—

(1) by striking ''Mike O'Callaghan Federal Medical Center'' each place it appears and inserting ''Mike O'Callaghan Military Medical Center''; and

*(2) in the heading, by striking ''**MIKE O'CALLAGHAN**'' and all that follows and inserting ''**MIKE O'CALLAGHAN MILITARY MEDICAL CENTER.**''.*

SEC. 2863. TRANSFER OF CERTAIN ITEMS OF THE OMAR BRADLEY FOUNDATION TO THE DESCENDANTS OF GENERAL OMAR BRADLEY.

(a) TRANSFER AUTHORIZED.—The Omar Bradley Foundation, Pennsylvania, may transfer, without consideration, to the child of General of the Army Omar Nelson Bradley and his first wife Mary Elizabeth Quayle Bradley, namely Elizabeth Bradley, such items of the Omar Bradley estate under the control of the Foundation as the Secretary of the Army determines to be without historic value to the Army.

(b) TIME OF SUBMITTAL OF CLAIM FOR TRANSFER.—No item may be transferred under subsection (a) unless the claim for the transfer of such item is submitted to the Omar Bradley Foundation during the 180-day period beginning on the date of the enactment of this Act.

SEC. 2864. PROTECTION AND RECOVERY OF GREATER SAGE GROUSE.

(a) DEFINITIONS.—In this section:

(1) FEDERAL RESOURCE MANAGEMENT PLAN.—The term ''Federal resource management plan'' means—

(A) a land use plan prepared by the Bureau of Land Management for public lands pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan prepared by the Forest Service for National Forest System lands pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(2) GREATER SAGE GROUSE.—The term ''Greater Sage Grouse'' means a sage grouse of the species Centrocercus urophasianus.

(3) STATE MANAGEMENT PLAN.—The term ''State management plan'' means a State-approved plan for the protection and recovery of the Greater Sage Grouse.

(b) PURPOSE.—The purpose of this section is—

(1) to facilitate implementation of State management plans over a period of multiple, consecutive Greater Sage Grouse life cycles; and

(2) to demonstrate the efficacy of the State management plans for the protection and recovery of the Greater Sage Grouse.

(c) DELAY IN MAKING ENDANGERED SPECIES ACT OF 1973 FINDING.—

(1) DELAY REQUIRED.—In the case of any State with a State management plan, the Secretary of the Interior may not make a finding under clause (i), (ii), or (iii) of section 4(b)(3)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1533(b)(3)(B)) with respect to the Greater Sage Grouse in that State before September 30, 2026.

(2) EFFECT ON OTHER LAWS.—The delay imposed by paragraph (1) is, and shall remain, effective without regard to any other statute, regulation, court order, legal settlement, or any other provision of law or in equity.

(3) EFFECT ON CONSERVATION STATUS.—Until the date specified in paragraph (1), the conservation status of the Greater Sage Grouse shall remain not warranted for listing under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(d) COORDINATION OF FEDERAL LAND MANAGEMENT AND STATE MANAGEMENT PLANS.—

(1) PROHIBITION ON WITHDRAWALS AND MODIFICATIONS OF FEDERAL RESOURCE MANAGEMENT PLANS.—In order to foster coordination between a State management plan and Federal resource management plans that affect the Greater Sage Grouse, upon notification by the Governor of a State with a State management plan, the Secretary of the Interior and the Secretary of Agriculture, as applicable, may not exercise authority under section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714) to make, modify, or extend any withdrawal, nor amend or otherwise modify any Federal resource management plan applicable to Federal land in the State, in a manner inconsistent with the State management plan for a period, to be specified by the Governor in the notification, of at least five years beginning on the date of the notification.

(2) RETROACTIVE EFFECT.—In the case of any State that provides notification under paragraph (1), if any withdrawal was made, modified, or extended or if any amendment or modification of a Federal resource management plan applicable to Federal lands in the State was issued during the three-year period preceding the date of the notification and the withdrawal, amendment, or modification altered management of the Greater Sage Grouse or its habitat, implementation and operation of the withdrawal, amendment, or modification shall be stayed to the extent that the withdrawal, amendment, or modification is inconsistent with the State management plan. The Federal resource management plan, as in effect immediately before the amendment or modification, shall apply instead with respect to management of the Greater Sage Grouse and its habitat, to the extent consistent with the State management plan.

(3) DETERMINATION OF INCONSISTENCY.—Any disagreement regarding whether a withdrawal, or an amendment or other modification of a Federal resource management plan, is inconsistent with a State management plan shall be resolved by the Governor of the affected State.

(e) RELATION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—With regard to any major Federal action consistent with a State management plan, any findings, analyses, or conclusions regarding the Greater Sage Grouse or its habitat under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not have a preclusive effect on the approval or implementation of the major Federal action in that State.

(f) REPORTING REQUIREMENT.—Not later than one year after the date of the enactment of this Act and annually thereafter through 2026, the Secretary of the Interior and the Secretary of Agriculture shall jointly 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 Secretaries' implementation and effectiveness of systems to monitor the status of Greater Sage Grouse on Federal lands under their jurisdiction.

(g) JUDICIAL REVIEW.—Notwithstanding any other provision of statute or regulation, the requirements and implementation of this section, including determinations made under subsection (d)(3), are not subject to judicial review.

SEC. 2865. IMPLEMENTATION OF LESSER PRAIRIE-CHICKEN RANGE-WIDE CONSERVATION PLAN AND OTHER CONSERVATION MEASURES.

(a) DEFINITIONS.—In this section:

(1) CANDIDATE CONSERVATION AGREEMENTS.—The terms ''Candidate Conservation Agreement'' and ''Candidate and Conservation Agreement With Assurances'' have the meaning given those terms in—

(A) the announcement of the Department of the Interior and the Department of Commerce entitled ''Announcement of Final Policy for Candidate Conservation Agreements with Assurances'' (64 Fed. Reg. 32726 (June 17, 1999)); and

(B) sections 17.22(d) and 17.32(d) of title 50, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) RANGE-WIDE PLAN.—The term ''Range-Wide Plan'' means the Lesser Prairie-Chicken Range-Wide Conservation Plan of the Western Association of Fish and Wildlife Agencies, as endorsed by the United States Fish and Wildlife Service on October 23, 2013, and published for comment on January 29, 2014 (79 Fed. Reg. 4652).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) PROHIBITION ON TREATMENT AS THREATENED OR ENDANGERED SPECIES.—

(1) IN GENERAL.—Notwithstanding any prior action by the Secretary, the lesser prairie-chicken shall not be treated as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) before December 31, 2022.

(2) PROHIBITION ON PROPOSAL.—Effective beginning on January 1, 2023, the lesser prairie-chicken may not be treated as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) unless the Secretary publishes a determination, based on the totality of the scientific evidence, that conservation (as that term is used in that Act) under the Range-Wide Plan and the agreements, programs, and efforts referred to in subsection (c) have not achieved the conservation goals established by the Range-Wide Plan.

(c) MONITORING OF PROGRESS OF CONSERVATION PROGRAMS.—The Secretary shall monitor and annually submit to Congress a report on progress in conservation of the lesser prairie-chicken under the Range-Wide Plan and all related—

(1) Candidate Conservation Agreements and Candidate and Conservation Agreements With Assurances;

(2) other Federal conservation programs administered by the United States Fish and Wildlife Service, the Bureau of Land Management, and the Department of Agriculture;

(3) State conservation programs; and

(4) private conservation efforts.

SEC. 2866. REMOVAL OF ENDANGERED SPECIES STATUS FOR AMERICAN BURYING BEETLE.

Notwithstanding the final rule of the United States Fish and Wildlife Service entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the American Burying Beetle'' (54 Fed. Reg. 29652 (July 13, 1989)), the American burying beetle shall not be listed as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Navy may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation	Amount
Djibouti	Camp Lemonier	$37,409,000
Iceland	Keflavik	$19,600,000

SEC. 2902. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Air Force may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation	Amount
Bulgaria	Graf Ignatievo	$13,400,000
Djibouti	Chabelley Airfield	$10,500,000
Estonia	Amari Air Base	$6,500,000
Germany	Spangdahlem Air Base	$18,700,000
Lithuania	Siauliai	$3,000,000
Poland	Powidz Air Base	$4,100,000
	Lask Air Base	$4,100,000
Romania	Campia Turzii	$18,500,000

SEC. 2903. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for the military construction projects outside the United States authorized by this title as specified in the funding table in section 4602 and 4603.

TITLE XXX—UTAH TEST AND TRAINING RANGE ENCROACHMENT PREVENTION AND TEMPORARY CLOSURE AUTHORITIES

SEC. 3001. FINDINGS AND DEFINITIONS.

(a) FINDINGS.—Congress finds that—

(1) the testing and development of military weapons systems and the training of military forces are critical to ensuring the national security of the United States;

(2) the Utah Test and Training Range is a unique and irreplaceable national asset at the core of the test and training mission of the Department of Defense;

(3) continued access to the special use airspace and land that comprise the Utah Test and Training Range, under the terms and conditions described in this title is a national security priority;

(4) multiple use of, sustained yield activities on, and access to the BLM land are vital to the customs, culture, economy, ranching, grazing, and transportation interests of the counties in which the BLM land is situated; and

(5) the limited use by the military of the BLM land and airspace above the BLM land is vital to improving and maintaining the readiness of the Armed Forces.

(b) DEFINITIONS.—In this title:

(1) BLM LAND.—The term ''BLM land'' means the Bureau of Land Management land in the State comprising approximately 625,643 acres, as generally depicted on the map entitled ''Utah Test and Training Range Enhancement/West Desert Land Exchange'' and dated February 12, 2016.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of Utah.

(4) UTAH TEST AND TRAINING RANGE.—

(A) IN GENERAL.—The term ''Utah Test and Training Range'' means the portions of the military land and airspace operating area of the Utah Test and Training Area that are located in the State.

(B) INCLUSION.—The term ''Utah Test and Training Range'' includes the Dugway Proving Ground.

Subtitle A—Utah Test and Training Range

SEC. 3011. MANAGEMENT OF BLM LAND.

(a) MEMORANDUM OF AGREEMENT.—

(1) DRAFT.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary and the Secretary of the Air Force shall complete a draft of the memorandum of agreement required under paragraph (2).

(B) PUBLIC COMMENT PERIOD.—During the 30-day period beginning on the date on which the draft memorandum of agreement is completed under subparagraph (A), there shall be an opportunity for public comment on the draft memorandum of agreement, including an opportunity for the Utah Test and Training Range Community Resource Group established under section 3013(a) to provide comments on the draft memorandum of agreement.

(2) REQUIREMENT; DEADLINE.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary and the Secretary of the Air Force shall enter into a memorandum of agreement that provides for the continued management of the BLM land by the Secretary, in a manner that provides for the limited use of the BLM land by the Secretary of the Air Force, consistent with this title.

(B) SIGNATURES REQUIRED.—The terms of the memorandum of agreement, including a temporary closure of the BLM land under the memorandum of agreement, may not be carried out until the date on which all parties to the memorandum of agreement have signed the memorandum of agreement.

(3) MANAGEMENT BY SECRETARY.—The memorandum of agreement under paragraph (2) shall provide that the Secretary (acting through the Director of the Bureau of Land Management) shall continue to manage the BLM land—

(A) as land described in section 6901(1)(B) of title 31, United States Code;

(B) for multiple use and sustained yield goals and activities as required under sections 102(a)(7) and 202(c)(1) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701(a)(7), 1712(c)(1)) and defined in section 103 of that Act (43 U.S.C. 1702), including all principal or major uses on Federal land recognized pursuant to the definition of the term in section 103 of that Act (43 U.S.C. 1702);

(C) in accordance with section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and

(D) subject to use by the Secretary of the Air Force provided under section 3012 for—

(i) the preservation of the Utah Test and Training Range against current and future encroachments that the Secretary of the Air Force finds to be incompatible with current and future test and training requirements;

(ii) the testing of—

(I) advanced weapon systems, including current weapons systems, 5th generation weapon systems, and future weapon systems; and

(II) the standoff distance for weapons;

(iii) the testing and evaluation of hypersonic weapons;

(iv) increased public safety for civilians accessing the BLM land; and

(v) other purposes relating to meeting national security needs.

(b) MAP.—The Secretary may correct any minor errors in the map.

(c) LAND USE PLANS.—Any land use plan in existence on the date of enactment of this Act that applies to the BLM land shall continue to apply to the BLM land.

(d) MAINTAIN CURRENT USES.—

(1) IN GENERAL.—Notwithstanding subsection (a)(3)(D), the memorandum of agreement entered into under subsection (a) and the land use plans described in subsection (c) shall not diminish any major or principle use that is recognized pursuant to section 103(l) of the Federal

Land Policy and Management Act of 1976 (43 U.S.C. 1702(l)), except to the extent authorized in subsection (a).

(2) ACTIONS BY SECRETARY OF THE AIR FORCE.—The Secretary of the Air Force shall—

(A) if corrective action is necessary due to an action of the Air Force, as determined by the Secretary of the Air Force, render the BLM land safe for public use; and

(B) appropriately communicate the safety of the land to the Secretary once the BLM land is rendered safe for public use.

(e) GRAZING.—

(1) NEW GRAZING LEASES AND PERMITS.—

(A) IN GENERAL.—The Secretary shall issue and administer any new grazing lease or permit on the BLM land, in accordance with applicable law (including regulations) and other authorities applicable to livestock grazing on Bureau of Land Management land.

(B) NON-FEDERAL LAND LEVELS.—The Secretary (acting through the Director of the Bureau of Land Management) shall continue to issue and administer livestock grazing leases and permits on the non-Federal land described in section 3022(3), subject to the requirements described in subparagraphs (A) through (C) of paragraph (2).

(2) EXISTING GRAZING LEASES AND PERMITS.—Any livestock grazing lease or permit applicable to the BLM land that is in existence on the date of enactment of this Act shall continue in effect—

(A) at the number of permitted animal unit months authorized under current applicable land use plans;

(B) if range conditions permit, at levels greater than the level of active use; and

(C) subject to such reasonable increases and decreases of active use of animal unit months and other reasonable regulations, policies, and practices as the Secretary may consider appropriate based on rangeland conditions.

(f) MEMORANDUM OF UNDERSTANDING ON EMERGENCY ACCESS AND RESPONSE.—Nothing in this section precludes the continuation of the memorandum of understanding that is between the Department of the Interior and the Department of the Air Force with respect to emergency access and response, as in existence as of the date of enactment of this Act.

(g) WITHDRAWAL.—Subject to valid existing rights, the BLM land 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.

(h) LIMITATION ON FUTURE RIGHTS-OF-WAY OR USE PERMITS.—The Secretary may not issue any new use permits or rights-of-way on the BLM land for any purposes that the Secretary of the Air Force determines to be incompatible with current or projected military requirements, with consideration given to the rangeland improvements under section 3015(h).

(i) GRAZING AND RANCHING.—Efforts described in this title to facilitate grazing and ranching on the BLM land and the non-Federal land described in section 3022(3) shall be considered to be compatible with mission requirements of the Utah Test and Training Range.

SEC. 3012. TEMPORARY CLOSURES.

(a) IN GENERAL.—If the Secretary of the Air Force determines that military operations (including operations relating to the fulfillment of the mission of the Utah Test and Training Range), public safety, or national security require the temporary closure to public use of any road, trail, or other portion of the BLM land, the Secretary of the Air Force may take such action as the Secretary of the Air Force determines necessary to carry out the temporary closure.

(b) LIMITATIONS.—Any temporary closure under subsection (a)—

(1) shall be limited to the minimum areas and periods during which the Secretary of the Air Force determines are required to carry out a closure under this section;

(2) shall not occur on a State or Federal holiday, unless notice is provided in accordance with subsection (c)(1)(B);

(3) shall not occur on a Friday, Saturday, or Sunday, unless notice is provided in accordance with subsection (c)(1)(B); and

(4)(A) if practicable, shall be for not longer than a 3-hour period per day;

(B) shall only be for longer than a 3-hour period per day—

(i) for mission essential reasons; and

(ii) as infrequently as practicable and in no case for more than 10 days per year; and

(C) shall in no case be for longer than a 6-hour period per day.

(c) NOTICE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of the Air Force shall—

(A) keep appropriate warning notices posted before and during any temporary closure; and

(B) provide notice to the Secretary, public, and relevant stakeholders concerning the temporary closure—

(i) at least 30 days before the date on which the temporary closure goes into effect;

(ii) in the case of a closure during the period beginning on March 1 and ending on May 31, at least 60 days before the date on which the closure goes into effect; or

(iii) in the case of a closure described in paragraph (3) or (4) of subsection (b), at least 90 days before the date on which the closure goes into effect.

(2) SPECIAL NOTIFICATION PROCEDURES.—In each case for which a mission-unique security requirement does not allow for the notifications described in paragraph (1)(B), the Secretary of the Air Force shall work with the Secretary to achieve a mutually agreeable timeline for notification.

(d) MAXIMUM ANNUAL CLOSURES.—The total cumulative hours of temporary closures authorized under this section with respect to the BLM land shall not exceed 100 hours annually.

(e) PROHIBITION ON CERTAIN TEMPORARY CLOSURES.—The northernmost area identified as ''Newfoundland's'' on the map shall not be subject to any temporary closure between August 21 and February 28, in accordance with the lawful hunting methods and seasons of the State of Utah.

(f) EMERGENCY GROUND RESPONSE.—A temporary closure of a portion of the BLM land shall not affect the conduct of emergency response activities on the BLM land during the temporary closure.

(g) LAW ENFORCEMENT AND SECURITY.—The Secretary and the Secretary of the Air Force may enter into cooperative agreements with State and local law enforcement officials with respect to lawful procedures and protocols to be used in promoting public safety and operation security on or near the BLM land during noticed test and training periods.

(h) LIVESTOCK.—Livestock shall be allowed to remain on the BLM land during a temporary closure of the BLM land under this section.

SEC. 3013. COMMUNITY RESOURCE GROUP.

(a) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, there shall be established the Utah Test and Training Range Community Resource Group (referred to in this section as the ''Community Group'') to provide regular and continuing input to the Secretary and the Secretary of the Air Force on matters involving public access to, use of, and overall management of the BLM land.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Secretary (acting through the State Bureau of Land Management Office) shall appoint members to the Community Group, including—

(A) operational and land management personnel of the Air Force;

(B) 1 Indian representative, to be nominated by a majority vote conducted among the Indian tribes in the vicinity of the BLM land;

(C) not more than 2 county commissioners from each of Box Elder, Tooele, and Juab Counties, Utah;

(D) 2 representatives of off-road and highway use, hunting, and other recreational groups;

(E) 2 representatives of livestock grazers on any public land located within the BLM land;

(F) 1 representative of the Utah Department of Agriculture and Food; and

(G) not more than 3 representatives of State or Federal offices or agencies, or private groups, if the Secretary determines that such representatives would further the goals and objectives of the Community Group.

(2) CHAIRPERSON.—The members described in paragraph (1) shall elect from among the members of the Community Group—

(A) 1 member to serve as Chairperson of the Community Group; and

(B) 1 member to serve as Vice-Chairperson of the Community Group.

(c) CONDITIONS AND TERMS OF APPOINTMENT.—

(1) IN GENERAL.—Each member of the Community Group shall serve voluntarily and without remuneration.

(2) TERM OF APPOINTMENT.—

(A) IN GENERAL.—Each member of the Community Group shall be appointed for a term of 4 years.

(B) ORIGINAL MEMBERS.—Notwithstanding subparagraph (A), the Chairperson shall select ½ of the original members of the Community Group to serve for a term of 4 years and the ½ to serve for a term of 2 years to ensure the replacement of members shall be staggered from year to year.

(C) REAPPOINTMENT AND REPLACEMENT.—The Secretary may reappoint or replace a member of the Community Group appointed under subsection (b)(1), if—

(i) the term of the member has expired;

(ii) the member has retired; or

(iii) the position held by the member described in subparagraphs (A) through (G) of paragraph (1) has changed to the extent that the ability of the member to represent the group or entity that the member represents has been significantly affected.

(d) MEETINGS.—

(1) IN GENERAL.—The Community Group shall meet not less than once per year, and at such other frequencies as determined by five or more of the members of the Community Group.

(2) RESPONSIBILITIES OF COMMUNITY GROUP.—The Community Group shall be responsible for determining appropriate schedules for, details of, and actions for meetings of the Community Group.

(3) NOTICE.—The Chairperson shall provide notice to each member of the Community Group not less than 10 business days before the date of a scheduled meeting.

(4) EXEMPT FROM FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to meetings of the Community Group.

(e) COORDINATION WITH RECOMMENDATIONS OF COMMUNITY GROUP.—The Secretary and the Secretary of the Air Force, consistent with existing laws (including regulations), shall take under consideration recommendations from the Community Group.

(f) TERMINATION OF AUTHORITY.—The Community Group shall terminate on the date that is seven years after the date of enactment of this Act, unless the Secretary and the Community Group mutually elect to terminate the Community Group before that date.

(g) RENEWAL.—The Community Group may elect, by simple majority, to renew the term of the Community Group for an additional seven years, with the option to renew the term every seven years thereafter. Each renewal must occur upon or within 90 days before termination of the Community Group.

SEC. 3014. LIABILITY.

The United States (including all departments, agencies, officers, and employees of the United

States) shall be held harmless and shall not be liable for any injury or damage to any individual or property suffered in the course of any mining, mineral, or geothermal activity, or any other authorized nondefense-related activity, conducted on the BLM land.

SEC. 3015. EFFECTS OF SUBTITLE.

(a) EFFECT ON WEAPON IMPACT AREA.—Nothing in this subtitle expands the boundaries of the weapon impact area of the Utah Test and Training Range.

(b) EFFECT ON SPECIAL USE AIRSPACE AND TRAINING ROUTES.—Nothing in this subtitle precludes—

(1) the designation of new units of special use airspace; or

(2) the expansion of existing units of special use airspace.

(c) EFFECT ON EXISTING RIGHTS AND AGREEMENTS.—

(1) KNOLLS SPECIAL RECREATION MANAGEMENT AREA; BLM COMMUNITY PITS CENTRAL GRAYBACK AND SOUTH GRAYBACK.—Except as provided in section 3012, nothing in this subtitle limits or alters any existing right or right of access to—

(A) the Knolls Special Recreation Management Area; or

(B)(i) the Bureau of Land Management Community Pits Central Grayback and South Grayback; and

(ii) any other county or community pit located within close proximity to the BLM land.

(2) NATIONAL HISTORIC TRAILS AND OTHER HISTORICAL LANDMARKS.—Except as provided in section 3012, nothing in this subtitle limits or alters any existing right or right of access to a component of the National Trails System or other Federal or State historic landmarks within the BLM land, including the California National Historic Trail, the Pony Express National Historic Trail, or the GAPA Launch Site and Blockhouse.

(3) CLOSURE OF INTERSTATE 80.—Nothing in this subtitle authorizes any additional authority or right to the Secretary or the Secretary of the Air Force to temporarily close Interstate 80.

(4) EFFECT ON LIMITATION ON AMENDMENTS TO CERTAIN INDIVIDUAL RESOURCE MANAGEMENT PLANS.—Nothing in this subtitle affects the limitation established under section 2815(d) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 852).

(5) EFFECT ON MEMORANDUM OF UNDERSTANDING.—Nothing in this subtitle affects the memorandum of understanding entered into by the Air Force, the Bureau of Land Management, the Utah Department of Natural Resources, and the Utah Division of Wildlife Resources relating to the reestablishment of bighorn sheep in the Newfoundland Mountains and signed by the parties to the memorandum of understanding during the period beginning on January 24, 2000, and ending on February 4, 2000.

(6) EFFECT ON EXISTING MILITARY SPECIAL USE AIRSPACE AGREEMENT.—Nothing in this subtitle limits or alters the Military Operating Areas of Airspace Use Agreement between the Federal Aviation Administration and the Air Force in effect on the date of enactment of this Act.

(d) EFFECT ON WATER RIGHTS.—

(1) NO RESERVATION CREATED.—Nothing in this subtitle—

(A) establishes any reservation in favor of the United States with respect to any water or water right on the BLM land; or

(B) authorizes any appropriation of water on the BLM land, except in accordance with applicable State law.

(2) PREVIOUSLY ACQUIRED AND RESERVED WATER RIGHTS.—Nothing in this subtitle affects—

(A) any water right acquired or reserved by the United States before the date of enactment of this Act; or

(B) the authority of the Secretary or the Secretary of the Air Force, as applicable, to exercise any water right described in subparagraph (A).

(3) NO EFFECT ON MCCARRAN AMENDMENT.—Nothing in this subtitle diminishes, enhances, or otherwise affects in any way the rights, duties, and obligations of the United States, the State of Utah, the counties in which the BLM land is situated, and the residents and stakeholders in those counties under section 208 of the Act of July 10, 1952 (commonly known as the ''McCarran Amendment'') (43 U.S.C. 666).

(e) EFFECT ON FEDERALLY RECOGNIZED INDIAN TRIBES.—

(1) IN GENERAL.—Nothing in this subtitle alters any right reserved by treaty or Federal law for a federally recognized Indian tribe for tribal use.

(2) CONSULTATION.—The Secretary of the Air Force shall consult with any federally recognized Indian tribe in the vicinity of the BLM land before taking any action that will affect any tribal right or cultural resource protected by treaty or Federal law.

(f) EFFECT ON PAYMENTS IN LIEU OF TAXES.—

(1) ELIGIBILITY OF BLM LAND AND NON-FEDERAL LAND.—The BLM land and the non-Federal land described in section 3022(3) shall remain eligible as entitlement land under section 6901 of title 31, United States Code.

(2) NO PREJUDICE TO COUNTY PAYMENT IN LIEU OF TAXES RIGHTS.—Nothing in this subtitle diminishes, enhances, or otherwise affects any other right or entitlement of the counties in which the BLM land is situated to payments in lieu of taxes based on the BLM land, under section 6901 of title 31, United States Code.

(g) WILDLIFE GUZZLERS.—

(1) IN GENERAL.—The Bureau of Land Management and the Utah Division of Wildlife Resources shall continue the management of wildlife guzzlers in existence as of the date of enactment of this Act on the BLM land.

(2) NEW GUZZLERS.—Nothing in this subtitle prevents the Bureau of Land Management and the Utah Division of Wildlife Resources from entering into agreements for new wildlife guzzlers.

(3) ACQUIRED GUZZLERS.—The Secretary shall continue to manage existing wildlife guzzlers or wildlife improvements on the non-Federal land conveyed to the Secretary under section 3023(a) that were in existence on the day before the date of the conveyance.

(h) RANGELAND IMPROVEMENTS.—The Secretary shall continue to manage, in a manner that promotes and facilitates grazing—

(1) rangeland improvements on the BLM land that are in existence on the date of enactment of this Act; and

(2) rangeland improvements on the non-Federal land conveyed to the Secretary under section 3023(a) that were in existence on the day before the date of the conveyance.

(i) NEW RANGELAND IMPROVEMENTS.—Nothing in this subtitle prevents the Bureau of Land Management, the Utah Department of Agriculture or other State entity, or a Federal land permittee from entering into agreements for new rangeland improvements that promote and facilitate grazing.

(j) SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION.—The Bureau of Land Management shall maintain rangeland grazing improvements in existence as of the date of enactment of this Act on acquired land of the School and Institutional Trust Lands Administration.

Subtitle B—Land Exchange

SEC. 3021. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the State owns approximately 68,057 acres of land and approximately 10,280 acres of mineral interests located within the Utah Test and Training Range in Box Elder, Tooele, and Juab Counties, Utah;

(2) the State owns approximately 2,353 acres of land and approximately 3,560 acres of mineral interests located wholly or partially within the Cedar Mountains Wilderness in Tooele County, Utah;

(3) the parcels of State land described in paragraphs (1) and (2)—

(A) were granted by Congress to the State pursuant to the Act of July 16, 1894 (28 Stat. 107, chapter 138), to be held in trust for the benefit of the public school system and other public institutions of the State; and

(B) are largely scattered in checkerboard fashion among Federal land;

(4) continued State ownership and development of State trust land within the Utah Test and Training Range and the Cedar Mountains Wilderness is incompatible with—

(A) the critical national defense uses of the Utah Test and Training Range; and

(B) the Federal management of the Cedar Mountains Wilderness; and

(5) it is in the public interest of the United States to acquire in a timely manner all State trust land within the Utah Test and Training Range and the Cedar Mountains Wilderness, in exchange for the conveyance of the Federal land to the State, in accordance with the terms and conditions described in this subtitle.

(b) PURPOSE.—It is the purpose of this subtitle to direct, facilitate, and expedite the exchange of certain Federal land and non-Federal land between the United States and the State.

SEC. 3022. DEFINITIONS.

In this subtitle:

(1) EXCHANGE MAP.—The term ''Exchange Map'' means the map prepared by the Bureau of Land Management entitled ''Utah Test and Training Range Enhancement/West Desert Land Exchange'' and dated February 12, 2016.

(2) FEDERAL LAND.—The term ''Federal land'' means the Bureau of Land Management land located in Box Elder, Millard, Juab, Tooele, and Beaver Counties, Utah, that is identified on the Exchange Map as ''BLM Lands Proposed for Transfer to State Trust Lands''.

(3) NON-FEDERAL LAND.—The term ''non-Federal land'' means the land owned by the State in Box Elder, Tooele, and Juab Counties, Utah, that is identified on the Exchange Map as—

(A) ''State Trust Land Proposed for Transfer to BLM''; and

(B) ''State Trust Minerals Proposed for Transfer to BLM''.

(4) STATE.—The term ''State'' means the State of Utah, acting through the School and Institutional Trust Lands Administration.

SEC. 3023. EXCHANGE OF FEDERAL LAND AND NON-FEDERAL LAND.

(a) IN GENERAL.—If the State offers to convey to the United States title to the non-Federal land, the Secretary shall—

(1) accept the offer; and

(2) on receipt of all right, title, and interest in and to the non-Federal land, convey to the State (or a designee) all right, title, and interest of the United States in and to the Federal land.

(b) VALID EXISTING RIGHTS.—The exchange authorized under subsection (a) shall be subject to valid existing rights.

(c) TITLE APPROVAL.—Title to the Federal land and non-Federal land to be exchanged under this section shall be in a format acceptable to the Secretary and the State.

(d) APPRAISALS.—

(1) IN GENERAL.—The value of the Federal land and the non-Federal land to be exchanged under this section shall be determined by appraisals conducted by one or more independent appraisers retained by the State, with the consent of the Secretary.

(2) APPLICABLE LAW.—The appraisals under paragraph (1) shall be conducted in accordance with nationally recognized appraisal standards, including, as appropriate, the Uniform Appraisal Standards for Federal Land Acquisitions.

(3) MINERAL LAND.—

(A) MINERAL REPORTS.—The appraisals under paragraph (1) shall take into account mineral and technical reports provided by the Secretary and the State in the evaluation of mineral deposits in the Federal land and non-Federal land.

(B) MINING CLAIMS.—An appraisal of any parcel of Federal land that is encumbered by a mining or millsite claim located under sections 2318 through 2352 of the Revised Statutes (commonly known as the ''Mining Law of 1872'') (30 U.S.C. 21 et seq.) shall take into account the encumbrance created by the claim for purposes of determining the value of the parcel of the Federal land.

(C) VALIDITY EXAMINATION.—Nothing in this subtitle requires the United States to conduct a mineral examination for any mining claim on the Federal land.

(4) APPROVAL.—The appraisals conducted under paragraph (1) shall be submitted to the Secretary and the State for approval.

(5) DISPUTE RESOLUTION.—If, by the date that is 90 days after the date of submission of an appraisal for review and approval under this subsection, the Secretary or the State do not agree to accept the findings of the appraisals with respect to one or more parcels of Federal land or non-Federal land, the dispute shall be resolved in accordance with section 206(d)(2) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(d)(2)).

(6) DURATION.—The appraisals conducted under paragraph (1) shall remain valid until the date of the completion of the exchange authorized under this subtitle.

(7) REIMBURSEMENT OF STATE COSTS.—The Secretary shall reimburse the State in an amount equal to 50 percent of the costs incurred by the State in retaining independent appraisers under paragraph (1).

(e) CONVEYANCE OF TITLE.—The land exchange authorized under this subtitle shall be completed by the later of—

(1) the date that is 1 year after the date of final approval by the Secretary and the State of the appraisals conducted under subsection (d); and

(2) the date that is 1 year after the date of completion of the dispute resolution process authorized under subsection (d)(5).

(f) PUBLIC INSPECTION AND NOTICE.—

(1) PUBLIC INSPECTION.—At least 30 days before the date of conveyance of the Federal land and non-Federal land, all final appraisals and appraisal reviews for land to be exchanged under this section shall be available for public review at the office of the State Director of the Bureau of Land Management in the State of Utah.

(2) NOTICE.—The Secretary or the State, as applicable, shall publish in a newspaper of general circulation in Salt Lake County, Utah, a notice that the appraisals conducted under subsection (d) are available for public inspection.

(g) EQUAL VALUE EXCHANGE.—

(1) IN GENERAL.—The value of the Federal land and non-Federal land to be exchanged under this section—

(A) shall be equal; or

(B) shall be made equal in accordance with paragraph (2).

(2) EQUALIZATION.—

(A) SURPLUS OF FEDERAL LAND.—

(i) IN GENERAL.—If the value of the Federal land exceeds the value of the non-Federal land, the value of the Federal land and non-Federal land shall be equalized by the State conveying to the United States—

(I) State trust land parcel 1, as described in the assessment entitled ''Bureau of Land Management Environmental Assessment UT–100–06–EA'', numbered UTU–82090, and dated March 2008; or

(II) State trust land located within any of the wilderness areas or national conservation areas in Washington County, Utah, established under subtitle O of title I of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1075) that has an appraised value equal to the difference between—

(aa) the value of the Federal land; and

(bb) the value of the non-Federal land.

(ii) ORDER OF CONVEYANCES.—Any non-Federal land required to be conveyed to the United States under clause (i) shall be conveyed until the value of the Federal land and non-Federal land is equalized, in the following order:

(I) The State trust land parcel described in clause (i)(I).

(II) State trust land parcels located in the Red Cliffs National Conservation Area.

(III) State trust land parcels located in the Docs Pass Wilderness.

(IV) State trust land parcels located in the Beaver Dam Wash National Conservation Area.

(B) SURPLUS OF NON-FEDERAL LAND.—If the value of the non-Federal land exceeds the value of the Federal land, the value of the Federal land and the non-Federal land shall be equalized by the Secretary making a cash equalization payment to the State, in accordance with section 206(b) of the Federal Land Policy Management (43 U.S.C. 1716(b)).

(h) WITHDRAWAL OF FEDERAL LAND FROM MINERAL ENTRY PRIOR TO EXCHANGE.—Subject to valid existing rights, the Federal land to be conveyed to the State under this section is withdrawn from mineral location, entry, and patent under the mining laws pending conveyance of the Federal land to the State.

SEC. 3024. STATUS AND MANAGEMENT OF NON-FEDERAL LAND AFTER EXCHANGE.

(a) NON-FEDERAL LAND WITHIN UTAH TEST AND TRAINING RANGE.—On conveyance to the United States under this subtitle, the non-Federal land located within the Utah Test and Training Range shall be managed in accordance with the memorandum of agreement entered into under section 3011(a).

(b) NON-FEDERAL LAND WITHIN CEDAR MOUNTAINS WILDERNESS.—On conveyance to the United States under this subtitle, the non-Federal land located within the Cedar Mountains Wilderness shall, in accordance with section 206(c) of the Federal Land Policy Act of 1976 (43 U.S.C. 1716(c)), be added to, and administered as part of, the Cedar Mountains Wilderness.

SEC. 3025. HAZARDOUS MATERIALS.

(a) COSTS.—Except as provided in subsection (b), the costs of remedial actions relating to hazardous materials on land acquired under this subtitle shall be paid by those entities responsible for the costs under applicable law.

(b) REMEDIATION OF PRIOR TESTING AND TRAINING ACTIVITY.—The Department of Defense shall bear all costs of evaluation, management, and remediation caused by the previous testing of military weapons systems and the training of military forces on non-Federal land to be conveyed to the United States under this subtitle.

Subtitle C—Highway Rights-of-way

SEC. 3031. RECOGNITION AND TRANSFER OF CERTAIN HIGHWAY RIGHTS-OF-WAY.

(a) DEFINITIONS.—In this section:

(1) HIGHWAY RIGHT-OF-WAY.—The term ''highway right-of-way'' means a right-of-way across Federal land for all county roads in the Counties of Box Elder, Tooele, and Juab, in the State of Utah, according to official transportation map and centerline descriptions of each county in existence as of March 1, 2015.

(2) MAP.—The term ''official transportation map and centerline description'' means—

(A) the map entitled ''Official Transportation Map of Box Elder County, Utah'' and dated March 1, 2015, and accompanying centerline description of each road on file with the Clerk of Box Elder County as of March 1, 2015;

(B) the map entitled ''Official Transportation Map of Tooele County'' and dated March 1, 2015, and accompanying centerline description of each road on file with the Clerk of Tooele County as of March 1, 2015; and

(C) the map entitled ''Official Transportation Map of Juab County'' and dated March 1, 2015, and accompanying centerline description of each road on file with the Clerk of Juab County as of March 1, 2015.

(3) SECRETARY.—The term ''Secretary'' means—

(A) the Secretary of Agriculture, with respect to land administered by the Chief of the Forest Service; or

(B) the Secretary of the Interior, with respect to land administered by the Director of the Bureau of Land Management.

(b) RECOGNITION OF EXISTENCE AND VALIDITY OF RIGHTS-OF-WAY.—Congress recognizes the existence and validity of each of the highway rights-of-way identified on the official transportation maps and centerline descriptions.

(c) CONVEYANCE OF AN EASEMENT ACROSS FEDERAL LAND.—

(1) BOX ELDER COUNTY, UTAH.—The Secretary shall convey, without consideration, to Box Elder County, Utah, and the State of Utah as joint tenants with undivided interests, easements for motorized travel rights-of-way across Federal land for all highways shown and described in the official transportation map and centerline description of the county described in subsection (a)(2)(A).

(2) JUAB COUNTY, UTAH.—The Secretary shall convey, without consideration, to Juab County, Utah, and the State of Utah as joint tenants with undivided interests, easements for motorized travel rights-of-way across Federal land for all highways shown and described in the official transportation map and centerline description of the county described in subsection (a)(2)(B).

(3) TOOELE COUNTY, UTAH.—The Secretary shall convey, without consideration, to Tooele County, Utah, and the State of Utah as joint tenants with undivided interests, easements for motorized travel rights-of-way across Federal land for all highways shown and described in the official transportation map and centerline description of the county described in subsection (a)(2)(C).

(d) DESCRIPTION OF FEDERAL LAND SUBJECT TO EASEMENT.—

(1) IN GENERAL.—All easements under subsection (c) shall include—

(A) the current disturbed width of each subject highway as shown and described in the official transportation maps and centerline descriptions; and

(B) any additional acreage on either side of the disturbed width that the respective county transportation department determines is necessary for the efficient maintenance, repair, signage, administration, and use of the Federal land subject to the easement.

(2) DESCRIPTION.—

(A) IN GENERAL.—The exact acreage and legal description of the Federal land subject to the easements conveyed under subsection (c) shall be—

(i) as described in the centerline descriptions;

(ii) as referenced in the official transportation maps; and

(iii) as described and referenced according to the disturbed width of each highway as of the date of conveyance for travel purposes, plus any reasonable additional width as may be necessary for surface maintenance, repairs, and turnaround purposes.

(B) SURVEY NOT REQUIRED.—Notwithstanding any other provision of law, the conveyance of easements under subsection (c) shall be effective without a survey of the exact acreage and local description of the Federal land subject to the easements.

(e) RETENTION OF MAPS AND CENTERLINE DESCRIPTIONS.—The maps and centerline descriptions referred to in clauses (i) and (ii) of subsection (d)(2)(A) shall be on file in the appropriate office of the Secretary.

(f) EXCLUSION OF CERTAIN CLASS D ROADS FROM ROAD EASEMENT CONVEYANCES.—Notwithstanding the highway rights-of-way identified on the official transportation maps and centerline descriptions, this section does not apply to any class D road located within the boundaries of—

(1) Cedar Mountain Wilderness Area designated by section 384(a) of the National Defense Authorization Act for Fiscal Year 2006

(Public Law 109–163; 119 Stat. 3217; 16 U.S.C. 1132 note); or

(2) any wilderness study area within Box Elder County, Tooele County, or Juab County, Utah, designated in law or by administrative action.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2017 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 17–D–630, Expand Electrical Distribution System, Lawrence Livermore National Laboratory, Livermore, California, $25,000,000.

Project 17–D–640, U1a Complex Enhancements Project, Nevada National Security Site, Mercury, Nevada, $11,500,000.

Project 17–D–911, BL Fire System Upgrade, Bettis Atomic Power Laboratory, West Mifflin, Pennsylvania, $1,400,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2017 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant project:

Project 17–D–401, Saltstone Disposal Unit #7, Savannah River Site, Aiken, South Carolina, $9,729,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2017 for other defense activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2017 for nuclear energy as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. INDEPENDENT ACQUISITION PROJECT REVIEWS OF CAPITAL ASSETS ACQUISITION PROJECTS.

(a) IN GENERAL.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by inserting after section 4732 the following new section:

"SEC. 4733. INDEPENDENT ACQUISITION PROJECT REVIEWS OF CAPITAL ASSETS ACQUISITION PROJECTS.

''(a) REVIEWS.—The appropriate head shall ensure that an independent entity conducts reviews of each capital assets acquisition project as the project moves toward the approval of each of critical decision 0, critical decision 1, and critical decision 2 in the acquisition process.

''(b) PRE-CRITICAL DECISION 1 REVIEWS.—In addition to any other matters, with respect to each review of a capital assets acquisition project under subsection (a) that has not reached critical decision 1 approval in the acquisition process, such review shall include—

''(1) a review using best practices of the analysis of alternatives for the project; and

''(2) identification of any deficiencies in such analysis of alternatives for the appropriate head to address.

''(c) INDEPENDENT ENTITIES.—The appropriate head shall ensure that each review of a capital assets acquisition project under subsection (a) is conducted by an independent entity with the appropriate expertise with respect to the project and the stage in the acquisition process of the project.

''(d) DEFINITIONS.—In this section:

''(1) The term 'acquisition process' means the acquisition process for a project, as defined in Department of Energy Order 413.3B (relating to project management and project management for the acquisition of capital assets), or a successor order.

''(2) The term 'appropriate head' means—

''(A) the Administrator, with respect to capital assets acquisition projects of the Administration; and

''(B) the Assistant Secretary of Energy for Environmental Management, with respect to capital assets acquisition projects of the Office of Environmental Management.

''(3) The term 'capital assets acquisition project' means a project that—

''(A) the total project cost of which is more than $500,000,000; and

''(B) is covered by Department of Energy Order 413.3, or a successor order, for the acquisition of capital assets for atomic energy defense activities.''.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4732 the following new item:

''Sec. 4733. Independent acquisition project reviews of capital assets acquisition projects.''.

SEC. 3112. RESEARCH AND DEVELOPMENT OF ADVANCED NAVAL NUCLEAR FUEL SYSTEM BASED ON LOW-ENRICHED URANIUM.

(a) PROHIBITION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Energy may be obligated or expended to plan or carry out research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

(b) EXCEPTION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for defense nuclear nonproliferation, as specified in the funding table in division D, not more than $5,000,000 shall be made available to the Deputy Administrator for Naval Reactors for initial planning and early research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

(c) BUDGET MATTERS.—Section 3118 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1196) is amended—

(1) by striking paragraph (2) of subsection (c) and inserting the following new paragraph:

''(2) BUDGET REQUESTS.—If the Secretaries determine under paragraph (1) that research and development of an advanced naval nuclear fuel system based on low-enriched uranium should continue, the Secretaries shall ensure that each budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2018 and each fiscal year thereafter in which such research and development is carried out includes in the budget line item for the 'Defense Nuclear Nonproliferation' account amounts necessary to carry out the conceptual plan under subsection (b).''; and

(2) in subsection (d), by striking ''for material management and minimization''.

SEC. 3113. DISPOSITION OF WEAPONS-USABLE PLUTONIUM.

(a) IN GENERAL.—Except as provided by subsection (c), using funds described in subsection (b), the Secretary of Energy shall carry out construction and project support activities relating to the MOX facility.

(b) FUNDS DESCRIBED.—The funds described in this subsection are the following:

(1) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the National Nuclear Security Administration for the MOX facility for construction and project support activities.

(2) Funds authorized to be appropriated for a fiscal year prior to fiscal year 2017 for the National Nuclear Security Administration for the MOX facility for construction and project support activities that are unobligated as of the date of the enactment of this Act.

(c) WAIVER.—The Secretary may waive the requirement in subsection (a) to carry out construction and project support activities relating to the MOX facility if—

(1) the Secretary submits to the congressional defense committees—

(A) an updated performance baseline for construction and project support activities relating to the MOX facility as required by section 3119(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1197);

(B) notification that the Secretary has sought to enter into consultations with any relevant State or government of a foreign country necessary to pursue an alternative option for carrying out the plutonium disposition program, including a comprehensive description of the status of such consultations and a detailed plan and schedule for concluding such consultations;

(C) the commitment of the Secretary to remove plutonium from South Carolina and ensure a sustainable future for the Savannah River Site; and

(D) either—

(i) notification that the prime contractor of the MOX facility has not submitted a proposal, during the three-month period following the date on which the Secretary requests such a proposal, for a fixed-price contract for completing construction and project support activities for the MOX facility; or

(ii) certification that such proposal is materially deficient or non-responsive, or that an alternative option for carrying out the plutonium disposition program exists and the total lifecycle cost of such alternative option would be less than approximately half of the estimated remaining total lifecycle cost of the mixed-oxide fuel program; and

(2) a period of 15 days has elapsed following the date of such submission.

(d) DEFINITIONS.—In this section:

(1) The term ''MOX facility'' means the mixed-oxide fuel fabrication facility at the Savannah River Site, Aiken, South Carolina.

(2) The term ''project support activities'' means activities that support the design, long-lead equipment procurement, and site preparation of the MOX facility.

SEC. 3114. DESIGN BASIS THREAT.

(a) UPDATE TO ORDER.—Not later than August 31, 2016, the Secretary of Energy shall update Department of Energy Order 470.3B relating to the design basis threat for protecting nuclear weapons, special nuclear material, and other critical assets in the custody of the Department of Energy.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) should promulgate regular, biannual updates to the Nuclear Security Threat Capabilities Assessment to better inform nuclear security postures within the Department of Defense and the Department of Energy;

(2) the Department of Defense and the Department of Energy should closely, and in real-time, track and assess national, regional, and local threats to the defense nuclear facilities of the respective Departments; and

(3) the Department of Defense and the Department of Energy should regularly review assessments and other input provided by activities described in paragraphs (1) and (2) and adjust security postures accordingly.

SEC. 3115. PROHIBITION ON AVAILABILITY OF FUNDS FOR PROVISION OF CERTAIN ASSISTANCE TO RUSSIAN FEDERATION.

(a) PROHIBITION.—

(1) IN GENERAL.—None of the funds described in paragraph (2) may be obligated or expended to enter into a contract with, or otherwise provide assistance to, the Russian Federation.

(2) FUNDS DESCRIBED.—The funds described in this paragraph are the following:

(A) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for atomic energy defense activities.

(B) Funds authorized to be appropriated or otherwise made available for a fiscal year prior to fiscal year 2017 for atomic energy defense activities that are unobligated as of the date of the enactment of this Act.

(b) WAIVER.—The Secretary of Energy, without delegation, may waive the prohibition in subsection (a)(1) only—

(1) to meet requirements the Secretary determines to be new and emergency in nature; and

(2) if—

(A) the Secretary submits to the appropriate congressional committees a report containing—

(i) a notification that such a waiver is in the national security interest of the United States;

(ii) justification for such a waiver, including an explanation of how meets the requirements under paragraph (1); and

(iii) a certification that there is no backlog of deferred maintenance with respect to physical security equipment and related infrastructure at each Department of Energy defense nuclear facility; and

(B) a period of 15 days elapses following the date on which the Secretary submits such report.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means the following:

(A) The congressional defense committees.

(B) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) The term ''Department of Energy defense nuclear facility'' has the meaning given that term in section 318 of the Atomic Energy Act of 1954 (42 U.S.C. 2286g).

SEC. 3116. LIMITATION ON AVAILABILITY OF FUNDS FOR FEDERAL SALARIES AND EXPENSES.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the National Nuclear Security Administration for defense-related Federal salaries and expenses, not more than 90 percent may be obligated or expended until the date on which the Secretary of Energy submits to the congressional defense committees and the congressional intelligence committees the following:

(1) The updated plan on the designing and building of prototypes of nuclear weapons that is required to be developed by not later than the same time as the budget of the President for fiscal year 2018 pursuant to paragraphs (2) and (3)(B) of section 4509(a) of the Atomic Energy Defense Act (50 U.S.C. 2660(a)(2)).

(2) A description of the determination of the Secretary under paragraph (4)(B) of such section with respect to the manner in which the designing and building of prototypes of nuclear weapons is carried out under such updated plan.

SEC. 3117. LIMITATION ON AVAILABILITY OF FUNDS FOR DEFENSE ENVIRONMENTAL CLEANUP PROGRAM DIRECTION.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for defense environmental cleanup for program direction, not more than 90 percent may be obligated or expended until the date on which the Secretary of Energy submits to Congress the future-years defense environmental cleanup plan required to be submitted during 2017 under section 4402A of the Atomic Energy Defense Act (50 U.S.C. 2582A).

SEC. 3118. LIMITATION ON AVAILABILITY OF FUNDS FOR ACCELERATION OF NUCLEAR WEAPONS DISMANTLEMENT.

(a) LIMITATION ON MAXIMUM AMOUNT FOR DISMANTLEMENT.—Of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2017 through 2021 for the National Nuclear Security Administration, not more than $56,000,000 may be obligated or expended in each such fiscal year to carry out the nuclear weapons dismantlement and disposition activities of the Administration.

(b) LIMITATION ON ACCELERATION OF DISMANTLEMENT ACTIVITIES.—Except as provided by subsection (d), none of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2017 through 2021 for the National Nuclear Security Administration may be obligated or expended to accelerate the nuclear weapons dismantlement activities of the Administration to a rate that exceeds the rate described in the Stockpile Stewardship and Management Plan schedule.

(c) LIMITATION ON DISMANTLEMENT OF CERTAIN CRUISE MISSILE WARHEADS.—Except as provided by subsection (d), none of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2017 through 2021 for the National Nuclear Security Administration may be obligated or expended to dismantle or dispose a W84 nuclear weapon.

(d) EXCEPTION.—The limitations in subsection (b) and (c) shall not apply to the following:

(1) The dismantlement of a nuclear weapon not covered by the Stockpile Stewardship and Management Plan schedule if the Administrator for Nuclear Security certifies, in writing, to the congressional defense committees that—

(A) the components of the nuclear weapon are directly required for the purposes of a current life extension program; or

(B) such dismantlement is necessary to conduct maintenance or surveillance of the nuclear weapons stockpile or to ensure the safety or reliability of the nuclear weapons stockpile.

(2) The dismantlement of a nuclear weapon if the President certifies, in writing, to the congressional defense committees that—

(A) such dismantlement is being carried out pursuant to a nuclear arms reduction treaty or similar international agreement that requires such dismantlement; and

(B) such treaty or similar international agreement—

(i) has entered into force after the date of the enactment of this Act; and

(ii) was approved—

(I) with the advice and consent of the Senate pursuant to Article II, section 2, clause 2 of the Constitution after the date of the enactment of this Act; or

(II) by an Act of Congress, as described in section 303(b) of the Arms Control and Disarmament Act (22 U.S.C. 2573(b)).

(e) STOCKPILE STEWARDSHIP AND MANAGEMENT PLAN SCHEDULE DEFINED.—In this section, the term ''Stockpile Stewardship and Management Plan schedule'' means the schedule described in table 2–7 of the annex of the report titled ''Fiscal Year 2016 Stockpile Stewardship and Management Plan'' submitted in March 2015 by the Administrator for Nuclear Security to the congressional defense committees under section 4203(b)(2) of the Atomic Energy Defense Act (50 U.S.C. 2523(b)(2)).

SEC. 3119. ANNUAL CERTIFICATION OF SHIPMENTS TO WASTE ISOLATION PILOT PLANT.

(a) ANNUAL CERTIFICATION.—During the five-year period beginning on the date of the enactment of this Act, not later than February 1 of each year, the Secretary of Energy shall certify to the congressional defense committees the following, with respect to the year covered by the certification:

(1) The covered contractors have certified to the Administrator for Nuclear Security that the covered contractors are aware of the contents of each container shipped by the covered contractors to the Waste Isolation Pilot Plant, Carlsbad, New Mexico, in sufficient detail to ensure that the container is handled properly to prevent the release of radiation or contamination.

(2) The Administrator is aware of the contents of each container shipped by the Administrator or covered contractors to the Waste Isolation Pilot Plant, Carlsbad, New Mexico, in such sufficient detail.

(3) The Assistant Secretary of Energy for Environmental Management is aware of the contents of each container shipped from a clean-up site to the Waste Isolation Pilot Plant in such sufficient detail.

(b) COVERED CONTRACTORS DEFINED.—In this section, the term ''covered contractors'' means each management and operating contractor of a national security laboratory or nuclear weapons production facility (as such terms are defined in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501) that ships materials to the Waste Isolation Pilot Plant, Carlsbad, New Mexico.

Subtitle C—Plans and Reports

SEC. 3121. CLARIFICATION OF ANNUAL REPORT AND CERTIFICATION ON STATUS OF SECURITY OF ATOMIC ENERGY DEFENSE FACILITIES.

Section 4506(b)(1)(B) of the Atomic Energy Defense Act (50 U.S.C. 2657) is amended to read as follows:

''(B) written certification that such facilities are secure and that the security measures at such facilities meet the security standards and requirements of the Department of Energy.''.

SEC. 3122. ANNUAL REPORT ON SERVICE SUPPORT CONTRACTS OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Section 3241A(f) of the National Nuclear Security Administration Act (50 U.S.C. 2441a(f)) is amended by adding at the end the following new paragraph:

''(5) With respect to each contract identified under paragraph (2)—

''(A) the cost of the contract; and

''(B) identification of the program or program direction accounts that support the contract.''.

SEC. 3123. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) REPORTS ON PLAN TO PROTECT AGAINST INADVERTENT RELEASE OF RESTRICTED DATA AND FORMERLY RESTRICTED DATA.—Section 4522 of the Atomic Energy Defense Act (50 U.S.C. 2672) is amended—

(1) by striking subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

(b) GAO REPORT ON PROGRAM ON SCIENTIFIC ENGAGEMENT FOR NONPROLIFERATION.—Section 3122 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 50 U.S.C. 2571 note), as amended by section 3125 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1063), is further amended—

(1) in subsection (b)(1), by striking '', and to the Comptroller General of the United States,'';

(2) by striking subsection (e); and

(3) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

SEC. 3124. INDEPENDENT ASSESSMENT OF TECHNOLOGY DEVELOPMENT UNDER DEFENSE ENVIRONMENTAL CLEANUP PROGRAM.

(a) ASSESSMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Energy shall seek to enter into an agreement with the National Academy of

Sciences to conduct an independent assessment of the technology development efforts of the defense environmental cleanup program of the Department of Energy.

(b) ELEMENTS.—The assessment under subsection (a) shall include the following:

(1) A review of the technology development efforts of the defense environmental cleanup program of the Department of Energy, including an assessment of the process by which the Secretary identifies and chooses technologies to pursue under the program.

(2) A comprehensive review and assessment of technologies or alternative approaches to defense environmental cleanup efforts that could—

(A) reduce the long-term costs of such efforts;

(B) accelerate schedules for carrying out such efforts;

(C) mitigate uncertainties, vulnerabilities, or risks relating to such efforts; or

(D) otherwise significantly improve the defense environmental cleanup program.

(c) SUBMISSION.—Not later than September 30, 2017, the National Academy of Sciences shall submit to the congressional defense committees and the Secretary a report on the assessment under subsection (a).

SEC. 3125. UPDATED PLAN FOR VERIFICATION AND MONITORING OF PROLIFERATION OF NUCLEAR WEAPONS AND FISSILE MATERIAL.

(a) UPDATED PLAN.—

(1) TRANSMISSION.—Not later than 90 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a comprehensive and detailed update to the plan developed under section 3133(a) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3896) with respect to verification and monitoring relating to the potential proliferation of nuclear weapons, components of such weapons, and fissile material.

(2) FORM.—The updated plan under paragraph (1) shall be transmitted in unclassified form, but may include a classified annex.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Defense for supporting the Executive Office of the President, $10,000,000 may not be obligated or expended until the date on which the President transmits to the appropriate congressional committees the updated plan under subsection (a)(1).

(c) BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the President shall provide to the Committees on Armed Services of the House of Representatives and the Senate (and any other appropriate congressional committee upon request) an interim briefing on the updated plan under subsection (a)(1).

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(4) The Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(5) The Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2017, $31,000,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIII—NUCLEAR ENERGY INNOVATION CAPABILITIES

SEC. 3301. SHORT TITLE.

This title may be cited as the ''Nuclear Energy Innovation Capabilities Act''.

SEC. 3302. NUCLEAR ENERGY.

Section 951 of the Energy Policy Act of 2005 (42 U.S.C. 16271) is amended to read as follows:

''SEC. 951. NUCLEAR ENERGY.

''(a) MISSION.—The Secretary shall conduct programs of civilian nuclear research, development, demonstration, and commercial application, including activities in this subtitle. Such programs shall take into consideration the following objectives:

''(1) Providing research infrastructure to promote scientific progress and 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 National Laboratory and university nuclear energy research and development programs, including their infrastructure.

''(3) Providing the technical means to reduce the likelihood of nuclear weapons proliferation and increasing confidence margins for public safety of nuclear energy systems.

''(4) Reducing the environmental impact of nuclear energy related activities.

''(5) Supporting technology transfer from the National Laboratories to the private sector.

''(6) 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 aforementioned objectives in this subsection.

''(b) DEFINITIONS.—In this subtitle:

''(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, which may include inherent safety features, lower waste yields, greater fuel utilization, superior reliability, resistance to proliferation, and increased thermal efficiency.

''(2) FAST NEUTRON.—The term 'fast neutron' means a neutron with kinetic energy above 100 kiloelectron volts.

''(3) NATIONAL LABORATORY.—The term 'National Laboratory' has the meaning given that term in paragraph (3) of section 2, except that with respect to subparagraphs (G), (H), and (N) of such paragraph, for purposes of this subtitle the term includes only the civilian activities thereof.

''(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 research on materials sciences and nuclear physics as well as testing of advanced materials, nuclear fuels, and other related components for reactor systems.''.

SEC. 3303. NUCLEAR ENERGY RESEARCH PROGRAMS.

Section 952 of the Energy Policy Act of 2005 (42 U.S.C. 16272) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 3304. ADVANCED FUEL CYCLE INITIATIVE.

Section 953(a) of the Energy Policy Act of 2005 (42 U.S.C. 16273(a)) is amended by striking '', acting through the Director of the Office of Nuclear Energy, Science and Technology,''.

SEC. 3305. UNIVERSITY NUCLEAR SCIENCE AND ENGINEERING SUPPORT.

Section 954(d)(4) of the Energy Policy Act of 2005 (42 U.S.C. 16274(d)(4)) is amended by striking ''as part of a taking into consideration effort that emphasizes'' and inserting ''that emphasize''.

SEC. 3306. DEPARTMENT OF ENERGY CIVILIAN NUCLEAR INFRASTRUCTURE AND FACILITIES.

Section 955 of the Energy Policy Act of 2005 (42 U.S.C. 16275) is amended—

(1) by striking subsections (c) and (d); and

(2) by adding at the end the following:

''(c) VERSATILE NEUTRON SOURCE.—

''(1) MISSION NEED.—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. During this process, the Secretary shall consult with the private sector, universities, National Laboratories, and relevant Federal agencies to ensure that this user facility will meet the research needs of the largest possible majority of prospective users.

''(2) ESTABLISHMENT.—Upon the determination of mission need made under paragraph (1), the Secretary shall, as expeditiously as possible, provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a detailed plan for the establishment of the user facility.

''(3) FACILITY REQUIREMENTS.—

''(A) CAPABILITIES.—The Secretary shall ensure that this user facility will provide, at a minimum, the following capabilities:

''(i) Fast neutron spectrum irradiation capability.

''(ii) Capacity for upgrades to accommodate new or expanded research needs.

''(B) CONSIDERATIONS.—In carrying out the plan provided under paragraph (2), the Secretary shall consider the following:

''(i) Capabilities that support experimental high-temperature testing.

''(ii) Providing a source of fast neutrons at a neutron flux, higher than that at which current research facilities operate, 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.

''(vi) Additional pre-irradiation and post-irradiation examination capabilities.

''(vii) Lifetime operating costs and lifecycle costs.

''(4) REPORTING PROGRESS.—The Department shall, in its annual budget requests, provide an explanation for any delay in its progress and otherwise make every effort to complete construction and approve the start of operations for this facility by December 31, 2025.

''(5) COORDINATION.—The Secretary shall leverage the best practices for management, construction, and operation of national user facilities from the Office of Science.''.

SEC. 3307. SECURITY OF NUCLEAR FACILITIES.

Section 956 of the Energy Policy Act of 2005 (42 U.S.C. 16276) is amended by striking '', acting through the Director of the Office of Nuclear Energy, Science and Technology,''.

SEC. 3308. HIGH-PERFORMANCE COMPUTATION AND SUPPORTIVE RESEARCH.

Section 957 of the Energy Policy Act of 2005 (42 U.S.C. 16277) is amended to read as follows:

''SEC. 957. HIGH-PERFORMANCE COMPUTATION AND SUPPORTIVE RESEARCH.

''(a) MODELING AND SIMULATION.—The Secretary shall carry out a program to enhance the Nation's capabilities to develop new reactor technologies through high-performance computation modeling and simulation techniques. This program shall coordinate with relevant Federal agencies through the National Strategic Computing Initiative created under Executive

Order No. 13702 (July 29, 2015) while taking into account the following objectives:

''(1) Utilizing expertise from the private sector, universities, 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.

''(2) Developing computational tools to simulate and predict nuclear phenomena that may be validated through physical experimentation.

''(3) Increasing the utility of the Department's research infrastructure by coordinating with the Advanced Scientific Computing Research program within the Office of Science.

''(4) Leveraging experience from the Energy Innovation Hub for Modeling and Simulation.

''(5) Ensuring that new experimental and computational tools are accessible to relevant research communities.

''(b) SUPPORTIVE RESEARCH ACTIVITIES.—The Secretary shall consider support for additional research activities to maximize the utility of its research facilities, including physical processes to simulate degradation of materials and behavior of fuel forms and for validation of computational tools.''.

SEC. 3309. ENABLING NUCLEAR ENERGY INNOVATION.

Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is amended by adding at the end the following:

''SEC. 958. ENABLING NUCLEAR ENERGY INNOVATION.

''(a) NATIONAL REACTOR INNOVATION CENTER.—The Secretary shall carry out a program to enable the testing and demonstration of reactor concepts to be proposed and funded by the private sector. The Secretary shall leverage the technical expertise of relevant Federal agencies and National Laboratories in order to minimize the time required to enable construction and operation of privately funded experimental reactors at National Laboratories or other Department-owned sites. Such reactors shall operate to meet the following objectives:

''(1) Enabling physical validation of novel reactor concepts.

''(2) Resolving technical uncertainty and increasing practical knowledge relevant to safety, resilience, security, and functionality of first-of-a-kind reactor concepts.

''(3) General research and development to improve nascent technologies.

''(b) REPORTING REQUIREMENT.—Not later than 180 days after the date of enactment of the Nuclear Energy Innovation Capabilities Act, the Secretary, in consultation with the National Laboratories, relevant Federal agencies, and other stakeholders, shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report assessing the Department's capabilities to authorize, host, and oversee privately funded fusion and advanced fission experimental reactors as described under subsection (a). The report shall address the following:

''(1) The Department's oversight capabilities, including options to leverage expertise from the Nuclear Regulatory Commission and National Laboratories.

''(2) Potential sites capable of hosting activities described under subsection (a).

''(3) The efficacy of the Department's available contractual mechanisms to partner with the private sector and Federal agencies, including cooperative research and development agreements, strategic partnership projects, and agreements for commercializing technology.

''(4) Potential cost structures related to long-term projects, including physical security, distribution of liability, and other related costs.

''(5) Other challenges or considerations identified by the Secretary.''.

SEC. 3310. BUDGET PLAN.

(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is further amended by adding at the end the following:

''SEC. 959. BUDGET PLAN.

''Not later than 12 months after the date of enactment of the Nuclear Energy Innovation Capabilities Act, the Department shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate 2 alternative 10-year budget plans for civilian nuclear energy research and development by the Department. The first shall assume constant annual funding for 10 years at the appropriated level for the Department's civilian nuclear energy research and development for fiscal year 2016. The second shall be an unconstrained budget. The two plans shall include—

''(1) a prioritized list of the Department's programs, projects, and activities to best support the development of next generation nuclear energy technology;

''(2) realistic budget requirements for the Department to implement sections 955(c), 957, and 958 of this Act; and

''(3) the Department's justification for continuing or terminating existing civilian nuclear energy research and development programs.''.

(b) REPORT ON FUSION INNOVATION.—Not later than 6 months after the date of enactment of this title, the Secretary of the Department of Energy shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that will identify engineering designs for innovative fusion energy systems that have the potential to demonstrate net energy production not later than 15 years after the start of construction. In this report, the Secretary will identify budgetary requirements that would be necessary for the Department to carry out a fusion innovation initiative to accelerate research and development of these designs.

SEC. 3311. CONFORMING AMENDMENTS.

The table of contents for the Energy Policy Act of 2005 is amended by striking the item relating to section 957 and inserting the following:

''957. High-performance computation and supportive research.
''958. Enabling nuclear energy innovation.
''959. Budget plan.''.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $14,950,000 for fiscal year 2017 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

Funds are hereby authorized to be appropriated for fiscal year 2017, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining the United States merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $99,902,000.

(2) For expenses necessary to support the State maritime academies, $29,550,000.

(3) For expenses necessary to support Maritime Administration operations and programs, $58,694,000.

(4) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $20,000,000, to remain available until expended.

(5) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $299,997,000.

SEC. 3502. AUTHORITY TO MAKE PRO RATA ANNUAL PAYMENTS UNDER OPERATING AGREEMENTS FOR VESSELS PARTICIPATING IN MARITIME SECURITY FLEET.

Section 53106(d) of title 46, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting ''; and''; and

(3) by adding at the end following:

''(4) may make a pro rata reduction in payment if sufficient funds have not been appropriated to pay the full annual payment authorized in subsection (a).''.

SEC. 3503. AUTHORITY TO EXTEND CERTAIN AGE RESTRICTIONS RELATING TO VESSELS IN THE MARITIME SECURITY FLEET.

(a) AUTHORITY.—

(1) IN GENERAL.—Section 53102 of title 46, United States Code, is amended by adding at the end the following:

''(g) AUTHORITY TO EXTEND MAXIMUM SERVICE AGE FOR VESSEL.—The Secretary of Defense, in conjunction with the Secretary of Transportation, may, for a particular participating fleet vessel, extend the maximum age restrictions under section 53101(5)(A)(ii) and section 53106(c)(3) for a period of up to 5 years if the Secretaries jointly determine that it is in the national interest to do so.''.

(2) CONFORMING AMENDMENT.—The heading of subsection (f) of such section is amended to read as follows: ''AUTHORITY TO WAIVE AGE RESTRICTION FOR ELIGIBILITY OF A VESSEL TO BE INCLUDED IN FLEET.—''.

(b) REPEAL OF REDUNDANT AGE LIMITATION.—Section 53106(c)(3) of such title is amended—

(1) in subparagraph (A), by striking ''or (C);'' and inserting ''; or'';

(2) in subparagraph (B), by striking ''; or'' and inserting a period; and

(3) by striking subparagraph (C).

SEC. 3504. CORRECTIONS TO PROVISIONS ENACTED BY COAST GUARD AUTHORIZATION ACTS.

(a) SHORT TITLE CORRECTION.—The Coast Guard Authorization Act of 2015 (Public Law 114–120) is amended by striking ''Coast Guard Authorization Act of 2015'' each place it appears (including in quoted material) and inserting ''Coast Guard Authorization Act of 2016''.

(b) TITLE 46, U.S.C..—

(1) Section 7510 of title 46, United States Code, is amended—

(A) in subsection (c)(1)(D), by striking ''engine'' and inserting ''engineer''; and

(B) in subsection (c)(9), by inserting a period after ''App'';

(2) Section 4503(f)(2) of title 46, United States Code, is amended by striking '', that'' and inserting '', then''.

(c) PROVISIONS RELATING TO THE PRIBILOF ISLANDS.—

(1) SHORT TITLE CORRECTION.—Section 521 of the Coast Guard Authorization Act of 2016 (Public Law 114–120), as amended by subsection (a), is further amended by striking ''2015'' and inserting ''2016''.

(2) CONFORMING AMENDMENT.—Section 105(e)(1) of the Pribilof Islands Transition Act (16 U.S.C. 1161 note; Public Law 106–562) is amended by striking ''2015'' and inserting ''2016''.

(3) TECHNICAL CORRECTION.—Section 522(b)(2) of the Coast Guard Authorization Act of 2016 (Public Law 114–120), as amended by subsection (a), is further amended by striking ''subsection (a)'' and inserting ''paragraph (1)''.

(d) TITLE 14, UNITED STATES CODE.—

(1) REDISTRIBUTION OF AUTHORIZATIONS OF APPROPRIATIONS.—Section 2702 of title 14, United States Code, is amended—

(A) in paragraph (1)(B), by striking ''$6,981,036,000'' and inserting ''$6,986,815,000''; and

(B) in paragraph (3)(B), by striking ''$140,016,000'' and inserting ''$134, 237,000''.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of part III of title 14, United States Code, is amended by striking the period at the end of the item relating to chapter 29.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of Public Law 114–120.

SEC. 3505. STATUS OF NATIONAL DEFENSE RESERVE FLEET VESSELS.

Section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. 4405) is amended—

(1) in subsection (a), by adding at the end the following: ''Vessels in the National Defense Reserve Fleet, including vessels loaned to State Maritime Academies, shall be considered public vessels of the United States.''; and

(2) by adding at the end the following:

''(g) VESSEL STATUS.—A vessel in the National Defense Reserve Fleet determined by the Maritime Administration to be of insufficient value to remain in the National Defense Reserve Fleet shall remain a vessel within the meaning of that term in section 3 of title 1 and subject to the rights and responsibilities of a vessel under admiralty law at least until such time as the vessel is delivered to a dismantling facility or is disposed of otherwise from the National Defense Reserve Fleet.''.

SEC. 3506. NDRF NATIONAL SECURITY MULTI-MISSION VESSEL.

(a) IN GENERAL.—Subject to the availability of appropriations for fiscal year 2017 and each fiscal year thereafter, the Maritime Administrator shall seek to contract for construction of a national security multi-mission vessel for the National Defense Reserve Fleet for—

(1) use as a training vessel that can be provided to State maritime academies, under section 51504(b) of title 46, United States Code; and

(2) humanitarian assistance, disaster response, domestic and foreign emergency contingency operations, and other authorized uses of vessels of the National Defense Reserve Fleet.

(b) CONSTRUCTION AND DOCUMENTATION REQUIREMENTS.—A vessel constructed under this section shall—

(1) be constructed in a private United States shipyard;

(2) be constructed in accordance with designs approved by the Maritime Administrator; and

(3) meet—

(A) the safety requirements of the Coast Guard as a documented vessel; and

(B) the content standards of the Coast Guard to qualify the vessel for a coastwise endorsement as if such vessel were a privately owned and operated commercial vessel; and

(4) be documented under section 12103 of title 46, United States Code.

(c) DESIGN STANDARDS AND CONSTRUCTION PRACTICES.—Subject to subsection (b), construction of a vessel under this section shall use commercial design standards and commercial construction practices that are consistent with the best interests of the Federal Government.

(d) GENERAL AGENT REQUIREMENT.—The Maritime Administrator shall enter into a contract or other agreement with the Secretary of the Navy under which the Navy shall act as general agent for the Maritime Administration for purposes of construction of a vessel under this section.

(e) CONTRACTS WITH OTHER FEDERAL ENTITIES.—The Maritime Administrator may contract on a reimbursable basis with other Federal entities for goods and services in connection with this section and other associated future activities.

(f) CONTRACTORS.—Any contractor selected by the Maritime Administration through its general agent to construct the vessel under (a) shall be an entity established under the laws of the United States or of a State, commonwealth, or territory of the United States, that during the five-year period preceding the date of the enactment of this Act, either directly or through a subsidiary, completed the construction of a vessel in excess of 10,000 gross tons and documented under section 12103 of title 46, United States Code.

(g) REPEAL OF PLAN APPROVAL REQUIREMENT.—Section 109(j)(3) of title 49, United States Code, is repealed.

SEC. 3507. UNITED STATES MERCHANT MARINE ACADEMY.

(a) IN GENERAL.—Section 51301 of title 46, United States Code, is amended by adding at the end the following:

''(c) SUPERINTENDENT.—The immediate command of the United States Merchant Marine Academy shall be in the Superintendent of the Academy, subject to the direction of the Maritime Administrator under the general supervision of the Secretary of Transportation. The Secretary of Transportation shall appoint the Superintendent from the senior ranks of the United States merchant marine, maritime industry, or from the retired list of flag-rank Navy or Coast Guard officers who have significant afloat command experience. Due to the unique mission of the Academy, it is highly desirable that the Superintendent be a graduate of the Academy and have attained an unlimited merchant mariner officer's license.

''(d) COMMANDANT OF MIDSHIPMEN.—Subject to the direction of the Superintendent, the Commandant is the immediate commander of the Regiment of Midshipmen and is responsible for the instruction of all midshipmen in maritime professionalism, ethics, leadership, and military bearing necessary for future service as a licensed officer in the merchant marine and a commissioned officer in the uniformed services. The Commandant shall be appointed from the senior ranks of the United States merchant marine, maritime industry, or from the retired list of flag-rank Navy or Coast Guard officers who possess significant merchant marine experience. It is highly desirable that the Commandant have attained an unlimited merchant mariner officer's license and is a graduate of United States Merchant Marine Academy.''.

(b) LIMITATION ON APPLICATION.—The amendment made by subsection (a) shall not apply with respect to the individual serving on the date of the enactment of this Act as the Superintendent of the United States Merchant Marine Academy.

SEC. 3508. USE OF NATIONAL DEFENSE RESERVE FLEET SCRAPPING PROCEEDS.

Section 308704(a)(1)(C) of title 54, United States Code, is amended to read as follows:

''(C) The remainder shall be available to the Secretary to carry out the Program, as provided in subsection (b).''.

SEC. 3509. FLOATING DRY DOCKS.

Section 55122 of title 46, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

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

''(b) DRYDOCKS FOR CONSTRUCTION OF CERTAIN NAVAL VESSELS.—

''(1) IN GENERAL.—In the application of subsection (a)(1)(C) to a floating drydock used for the construction of naval vessels in a United States shipyard, 'December 19, 2017' shall be substituted for the date referred to in that subsection if the Secretary of the Navy determines that—

''(A) such a drydock is necessary for the timely completion of such construction; and

''(B)(i) such drydock is owned and operated by—

''(I) a shipyard located in the United States that is an eligible owner specified under section 12103(b); or

''(II) an affiliate of such a shipyard; or

''(ii) such drydock is—

''(I) notwithstanding subsection (a)(1)(B), owned by the State in which the shipyard is located or a political subdivision of that State; and

''(II) operated by a shipyard located in the United States that is an eligible owner specified under section 12103(b).

''(2) NOTICE TO CONGRESS.—No later than 30 days after making a determination under paragraph (1), the Secretary of the Navy shall notify the Committee on Armed Services and the Committee on Transportation and Infrastructure of House of Representatives and the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate of such a determinations.''.

TITLE XXXVI—BALLAST WATER

SEC. 3601. SHORT TITLE.

This title may be cited as the ''Vessel Incidental Discharge Act''.

SEC. 3602. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) AQUATIC NUISANCE SPECIES.—The term ''aquatic nuisance species'' means a nonindigenous species (including a pathogen) that threatens the diversity or abundance of native species or the ecological stability of navigable waters or commercial, agricultural, aquacultural, or recreational activities dependent on such waters.

(3) BALLAST WATER.—

(A) IN GENERAL.—The term ''ballast water'' means any water, including any sediment suspended in such water, taken aboard a vessel—

(i) to control trim, list, draught, stability, or stresses of the vessel; or

(ii) during the cleaning, maintenance, or other operation of a ballast water treatment technology of the vessel.

(B) EXCLUSIONS.—The term ''ballast water'' does not include any pollutant that is added to water described in subparagraph (A) that is not directly related to the operation of a properly functioning ballast water treatment technology under this title.

(4) BALLAST WATER PERFORMANCE STANDARD.—The term ''ballast water performance standard'' means the numerical ballast water discharge standard set forth in section 151.2030 of title 33, Code of Federal Regulations, or section 151.1511 of title 33, Code of Federal Regulations, as applicable, or a revised numerical ballast water performance standard established under subsection (a)(1)(B), (b), or (c) of section 3604 of this title.

(5) BALLAST WATER TREATMENT TECHNOLOGY OR TREATMENT TECHNOLOGY.—The term ''ballast water treatment technology'' or ''treatment technology'' means any mechanical, physical, chemical, or biological process used, alone or in combination, to remove, render harmless, or avoid the uptake or discharge of, aquatic nuisance species within ballast water.

(6) BIOCIDE.—The term ''biocide'' means a substance or organism, including a virus or fungus, that is introduced into or produced by a ballast water treatment technology to reduce or eliminate aquatic nuisance species as part of the process used to comply with a ballast water performance standard under this title.

(7) DISCHARGE INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.—

(A) IN GENERAL.—The term ''discharge incidental to the normal operation of a vessel'' means—

(i) a discharge into navigable waters from a vessel of—

(I)(aa) ballast water, graywater, bilge water, cooling water, oil water separator effluent, antifouling hull coating leachate, boiler or economizer blowdown, byproducts from cathodic protection, controllable pitch propeller and thruster hydraulic fluid, distillation and reverse osmosis brine, elevator pit effluent, firemain system effluent, freshwater layup effluent, gas turbine

wash water, motor gasoline and compensating effluent, refrigeration and air condensate effluent, seawater pumping biofouling prevention substances, boat engine wet exhaust, sonar dome effluent, exhaust gas scrubber washwater, or stern tube packing gland effluent; or

(bb) any other pollutant associated with the operation of a marine propulsion system, shipboard maneuvering system, habitability system, or installed major equipment, or from a protective, preservative, or absorptive application to the hull of a vessel;

(II) weather deck runoff, deck wash, aqueous film forming foam effluent, chain locker effluent, non-oily machinery wastewater, underwater ship husbandry effluent, welldeck effluent, or fish hold and fish hold cleaning effluent; or

(III) any effluent from a properly functioning marine engine; or

(ii) a discharge of a pollutant into navigable waters in connection with the testing, maintenance, or repair of a system, equipment, or engine described in subclause (I)(bb) or (III) of clause (i) whenever the vessel is waterborne.

(B) EXCLUSIONS.—The term ''discharge incidental to the normal operation of a vessel'' does not include—

(i) a discharge into navigable waters from a vessel of—

(I) rubbish, trash, garbage, incinerator ash, or other such material discharged overboard;

(II) oil or a hazardous substance, as those terms are defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321);

(III) sewage, as defined in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6)); or

(IV) graywater referred to in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6));

(ii) an emission of an air pollutant resulting from the operation onboard a vessel of a vessel propulsion system, motor driven equipment, or incinerator; or

(iii) a discharge into navigable waters from a vessel when the vessel is operating in a capacity other than as a means of transportation on water.

(8) GEOGRAPHICALLY LIMITED AREA.—The term ''geographically limited area'' means an area—

(A) with a physical limitation, including limitation by physical size and limitation by authorized route, that prevents a vessel from operating outside the area, as determined by the Secretary; or

(B) that is ecologically homogeneous, as determined by the Secretary, in consultation with the heads of other Federal departments or agencies as the Secretary considers appropriate.

(9) MANUFACTURER.—The term ''manufacturer'' means a person engaged in the manufacture, assemblage, or importation of ballast water treatment technology.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

(11) VESSEL.—The term ''vessel'' means every description of watercraft or other artificial contrivance used, or practically or otherwise capable of being used, as a means of transportation on water.

SEC. 3603. REGULATION AND ENFORCEMENT.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator, shall establish and implement enforceable uniform national standards and requirements for the regulation of discharges incidental to the normal operation of a vessel. The standards and requirements shall—

(1) be based upon the best available technology economically achievable; and

(2) supersede any permitting requirement or prohibition on discharges incidental to the normal operation of a vessel under any other provision of law.

(b) ADMINISTRATION AND ENFORCEMENT.—The Secretary shall administer and enforce the uniform national standards and requirements under this title. Each State may enforce the uniform national standards and requirements under this title.

SEC. 3604. UNIFORM NATIONAL STANDARDS AND REQUIREMENTS FOR THE REGULATION OF DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.

(a) REQUIREMENTS.—

(1) BALLAST WATER MANAGEMENT REQUIREMENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the requirements set forth in the final rule, Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (77 Fed. Reg. 17254 (March 23, 2012), as corrected at 77 Fed. Reg. 33969 (June 8, 2012)), shall be the management requirements for a ballast water discharge incidental to the normal operation of a vessel until the Secretary revises the ballast water performance standard under subsection (b) or adopts a more stringent State standard under subparagraph (B) of this paragraph.

(B) ADOPTION OF MORE STRINGENT STATE STANDARD.—If the Secretary makes a determination in favor of a State petition under section 3609, the Secretary shall adopt the more stringent ballast water performance standard specified in the statute or regulation that is the subject of that State petition in lieu of the ballast water performance standard in the final rule described under subparagraph (A).

(2) INITIAL MANAGEMENT REQUIREMENTS FOR DISCHARGES OTHER THAN BALLAST WATER.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Administrator, shall issue a final rule establishing best management practices for discharges incidental to the normal operation of a vessel other than ballast water.

(b) REVISED BALLAST WATER PERFORMANCE STANDARD; 7–YEAR REVIEW.—

(1) IN GENERAL.—Subject to the feasibility review under paragraph (2), not later than January 1, 2022, the Secretary, in consultation with the Administrator, shall issue a final rule revising the ballast water performance standard under subsection (a)(1) so that a ballast water discharge incidental to the normal operation of a vessel will contain—

(A) less than 1 living organism per 10 cubic meters that is 50 or more micrometers in minimum dimension;

(B) less than 1 living organism per 10 milliliters that is less than 50 micrometers in minimum dimension and more than 10 micrometers in minimum dimension;

(C) concentrations of indicator microbes that are less than—

(i) 1 colony-forming unit of toxicogenic Vibrio cholera (serotypes O1 and O139) per 100 milliliters or less than 1 colony-forming unit of that microbe per gram of wet weight of zoological samples;

(ii) 126 colony-forming units of escherichia coli per 100 milliliters; and

(iii) 33 colony-forming units of intestinal enterococci per 100 milliliters; and

(D) concentrations of such additional indicator microbes and of viruses as may be specified in regulations issued by the Secretary, in consultation with the Administrator and such other Federal agencies as the Secretary and the Administrator consider appropriate.

(2) FEASIBILITY REVIEW.—

(A) IN GENERAL.—Not later than January 1, 2020, the Secretary, in consultation with the Administrator, shall complete a review to determine the feasibility of achieving the revised ballast water performance standard under paragraph (1).

(B) CRITERIA FOR REVIEW OF BALLAST WATER PERFORMANCE STANDARD.—In conducting a review under subparagraph (A), the Secretary shall consider whether revising the ballast water performance standard will result in a scientifically demonstrable and substantial reduction in the risk of introduction or establishment of aquatic nuisance species, taking into account—

(i) improvements in the scientific understanding of biological and ecological processes that lead to the introduction or establishment of aquatic nuisance species;

(ii) improvements in ballast water treatment technology, including—

(I) the capability of such treatment technology to achieve a revised ballast water performance standard;

(II) the effectiveness and reliability of such treatment technology in the shipboard environment;

(III) the compatibility of such treatment technology with the design and operation of a vessel by class, type, and size;

(IV) the commercial availability of such treatment technology; and

(V) the safety of such treatment technology;

(iii) improvements in the capabilities to detect, quantify, and assess the viability of aquatic nuisance species at the concentrations under consideration;

(iv) the impact of ballast water treatment technology on water quality; and

(v) the costs, cost-effectiveness, and impacts of—

(I) a revised ballast water performance standard, including the potential impacts on shipping, trade, and other uses of the aquatic environment; and

(II) maintaining the existing ballast water performance standard, including the potential impacts on water-related infrastructure, recreation, propagation of native fish, shellfish, and wildlife, and other uses of navigable waters.

(C) LOWER REVISED PERFORMANCE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines, on the basis of the feasibility review and after an opportunity for a public hearing, that no ballast water treatment technology can be certified under section 3605 to comply with the revised ballast water performance standard under paragraph (1), the Secretary shall require the use of the treatment technology that achieves the performance levels of the best treatment technology available.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the treatment technology under clause (i) cannot be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall extend the implementation deadline for that class of vessels for not more than 36 months.

(iii) COMPLIANCE.—If the implementation deadline under paragraph (3) is extended, the Secretary shall recommend action to ensure compliance with the extended implementation deadline under clause (ii).

(D) HIGHER REVISED PERFORMANCE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines that ballast water treatment technology exists that exceeds the revised ballast water performance standard under paragraph (1) with respect to a class of vessels, the Secretary shall revise the ballast water performance standard for that class of vessels to incorporate the higher performance standard.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the treatment technology under clause (i) can be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall accelerate the implementation deadline for that class of vessels. If the implementation deadline under paragraph (3) is accelerated, the Secretary shall provide not less than 24 months notice before the accelerated deadline takes effect.

(3) IMPLEMENTATION DEADLINE.—The revised ballast water performance standard under paragraph (1) shall apply to a vessel beginning on

the date of the first drydocking of the vessel on or after January 1, 2022, but not later than December 31, 2024.

(4) REVISED PERFORMANCE STANDARD COMPLIANCE DEADLINES.—

(A) IN GENERAL.—The Secretary may establish a compliance deadline for compliance by a vessel (or a class, type, or size of vessel) with a revised ballast water performance standard under this subsection.

(B) PROCESS FOR GRANTING EXTENSIONS.—In issuing regulations under this subsection, the Secretary shall establish a process for an owner or operator to submit a petition to the Secretary for an extension of a compliance deadline with respect to the vessel of the owner or operator.

(C) PERIOD OF EXTENSIONS.—An extension issued under subparagraph (B) may—

(i) apply for a period of not to exceed 18 months from the date of the applicable deadline under subparagraph (A); and

(ii) be renewable for an additional period of not to exceed 18 months.

(D) FACTORS.—In issuing a compliance deadline or reviewing a petition under this paragraph, the Secretary shall consider, with respect to the ability of an owner or operator to meet a compliance deadline, the following factors:

(i) Whether the treatment technology to be installed is available in sufficient quantities to meet the compliance deadline.

(ii) Whether there is sufficient shipyard or other installation facility capacity.

(iii) Whether there is sufficient availability of engineering and design resources.

(iv) Vessel characteristics, such as engine room size, layout, or a lack of installed piping.

(v) Electric power generating capacity aboard the vessel.

(vi) Safety of the vessel and crew.

(E) CONSIDERATION OF PETITIONS.—

(i) DETERMINATIONS.—The Secretary shall approve or deny a petition for an extension of a compliance deadline submitted by an owner or operator under this paragraph.

(ii) DEADLINE.—If the Secretary does not approve or deny a petition referred to in clause (i) on or before the last day of the 90-day period beginning on the date of submission of the petition, the petition shall be deemed approved.

(c) FUTURE REVISIONS OF VESSEL INCIDENTAL DISCHARGE STANDARDS; DECENNIAL REVIEWS.—

(1) REVISED BALLAST WATER PERFORMANCE STANDARDS.—The Secretary, in consultation with the Administrator, shall complete a review, 10 years after the issuance of a final rule under subsection (b) and every 10 years thereafter, to determine whether further revision of the ballast water performance standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(2) REVISED STANDARDS FOR DISCHARGES OTHER THAN BALLAST WATER.—The Secretary, in consultation with the Administrator, may include in a decennial review under this subsection best management practices for discharges covered by subsection (a)(2). The Secretary shall initiate a rulemaking to revise 1 or more best management practices for such discharges after a decennial review if the Secretary, in consultation with the Administrator, determines that revising 1 or more of such practices would substantially reduce the impacts on navigable waters of discharges incidental to the normal operation of a vessel other than ballast water.

(3) CONSIDERATIONS.—In conducting a review under paragraph (1), the Secretary, the Administrator, and the heads of other appropriate Federal agencies as determined by the Secretary, shall consider the criteria under subsection (b)(2)(B).

(4) REVISION AFTER DECENNIAL REVIEW.—The Secretary shall initiate a rulemaking to revise the current ballast water performance standard after a decennial review if the Secretary, in consultation with the Administrator, determines that revising the current ballast water performance standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

SEC. 3605. TREATMENT TECHNOLOGY CERTIFICATION.

(a) CERTIFICATION REQUIRED.—Beginning 60 days after the date that the requirements for testing protocols are issued under subsection (i), no manufacturer of a ballast water treatment technology shall sell, offer for sale, or introduce or deliver for introduction into interstate commerce, or import into the United States for sale or resale, a ballast water treatment technology for a vessel unless the treatment technology has been certified under this section.

(b) CERTIFICATION PROCESS.—

(1) EVALUATION.—Upon application of a manufacturer, the Secretary shall evaluate a ballast water treatment technology with respect to—

(A) the effectiveness of the treatment technology in achieving the current ballast water performance standard when installed on a vessel (or a class, type, or size of vessel);

(B) the compatibility with vessel design and operations;

(C) the effect of the treatment technology on vessel safety;

(D) the impact on the environment;

(E) the cost effectiveness; and

(F) any other criteria the Secretary considers appropriate.

(2) APPROVAL.—If after an evaluation under paragraph (1) the Secretary determines that the treatment technology meets the criteria, the Secretary may certify the treatment technology for use on a vessel (or a class, type, or size of vessel).

(3) SUSPENSION AND REVOCATION.—The Secretary shall establish, by regulation, a process to suspend or revoke a certification issued under this section.

(c) CERTIFICATION CONDITIONS.—

(1) IMPOSITION OF CONDITIONS.—In certifying a ballast water treatment technology under this section, the Secretary, in consultation with the Administrator, may impose any condition on the subsequent installation, use, or maintenance of the treatment technology onboard a vessel as is necessary for—

(A) the safety of the vessel, the crew of the vessel, and any passengers aboard the vessel;

(B) the protection of the environment; or

(C) the effective operation of the treatment technology.

(2) FAILURE TO COMPLY.—The failure of an owner or operator to comply with a condition imposed under paragraph (1) shall be considered a violation of this section.

(d) PERIOD FOR USE OF INSTALLED TREATMENT EQUIPMENT.—Notwithstanding anything to the contrary in this title or any other provision of law, the Secretary shall allow a vessel on which a system is installed and operated to meet a ballast water performance standard under this title to continue to use that system, notwithstanding any revision of a ballast water performance standard occurring after the system is ordered or installed until the expiration of the service life of the system, as determined by the Secretary, so long as the system—

(1) is maintained in proper working condition; and

(2) is maintained and used in accordance with the manufacturer's specifications and any treatment technology certification conditions imposed by the Secretary under this section.

(e) CERTIFICATES OF TYPE APPROVAL FOR THE TREATMENT TECHNOLOGY.—

(1) ISSUANCE.—If the Secretary approves a ballast water treatment technology for certification under subsection (b), the Secretary shall issue a certificate of type approval for the treatment technology to the manufacturer in such form and manner as the Secretary determines appropriate.

(2) CERTIFICATION CONDITIONS.—A certificate of type approval issued under paragraph (1) shall specify each condition imposed by the Secretary under subsection (c).

(3) OWNERS AND OPERATORS.—A manufacturer that receives a certificate of type approval for the treatment technology under this subsection shall provide a copy of the certificate to each owner and operator of a vessel on which the treatment technology is installed.

(f) INSPECTIONS.—An owner or operator who receives a copy of a certificate under subsection (e)(3) shall retain a copy of the certificate onboard the vessel and make the copy of the certificate available for inspection at all times while the owner or operator is utilizing the treatment technology.

(g) BIOCIDES.—The Secretary may not approve a ballast water treatment technology under subsection (b) if—

(1) it uses a biocide or generates a biocide that is a pesticide, as defined in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136), unless the biocide is registered under that Act or the Secretary, in consultation with Administrator, has approved the use of the biocide in such treatment technology; or

(2) it uses or generates a biocide the discharge of which causes or contributes to a violation of a water quality standard under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

(h) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the use of a ballast water treatment technology by an owner or operator of a vessel shall not satisfy the requirements of this title unless it has been approved by the Secretary under subsection (b).

(2) EXCEPTIONS.—

(A) COAST GUARD SHIPBOARD TECHNOLOGY EVALUATION PROGRAM.—An owner or operator may use a ballast water treatment technology that has not been certified by the Secretary to comply with the requirements of this section if the technology is being evaluated under the Coast Guard Shipboard Technology Evaluation Program.

(B) BALLAST WATER TREATMENT TECHNOLOGIES CERTIFIED BY FOREIGN ENTITIES.—An owner or operator may use a ballast water treatment technology that has not been certified by the Secretary to comply with the requirements of this section if the technology has been certified by a foreign entity and the certification demonstrates performance and safety of the treatment technology equivalent to the requirements of this section, as determined by the Secretary.

(i) TESTING PROTOCOLS.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall issue requirements for land-based and shipboard testing protocols or criteria for—

(1) certifying the performance of each ballast water treatment technology under this section; and

(2) certifying laboratories to evaluate such treatment technologies.

SEC. 3606. EXEMPTIONS.

(a) IN GENERAL.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any standards regarding a discharge incidental to the normal operation of a vessel under this title apply to—

(1) a discharge incidental to the normal operation of a vessel if the vessel is less than 79 feet in length and engaged in commercial service (as defined in section 2101(5) of title 46, United States Code);

(2) a discharge incidental to the normal operation of a vessel if the vessel is a fishing vessel, including a fish processing vessel and a fish tender vessel (as defined in section 2101 of title 46, United States Code);

(3) a discharge incidental to the normal operation of a vessel if the vessel is a recreational vessel (as defined in section 2101(25) of title 46, United States Code);

(4) the placement, release, or discharge of equipment, devices, or other material from a vessel for the sole purpose of conducting research

on the aquatic environment or its natural resources in accordance with generally recognized scientific methods, principles, or techniques;

(5) any discharge into navigable waters from a vessel authorized by an on-scene coordinator in accordance with part 300 of title 40, Code of Federal Regulations, or part 153 of title 33, Code of Federal Regulations;

(6) any discharge into navigable waters from a vessel that is necessary to secure the safety of the vessel or human life, or to suppress a fire onboard the vessel or at a shoreside facility; or

(7) a vessel of the armed forces of a foreign nation when engaged in noncommercial service.

(b) BALLAST WATER DISCHARGES.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water performance standards under this title apply to—

(1) a ballast water discharge incidental to the normal operation of a vessel determined by the Secretary to—

(A) operate exclusively within a geographically limited area;

(B) take up and discharge ballast water exclusively within 1 Captain of the Port Zone established by the Coast Guard, unless the Secretary determines such discharge poses a substantial risk of introduction or establishment of an aquatic nuisance species;

(C) operate pursuant to a geographic restriction issued as a condition under section 3309 of title 46, United States Code, or an equivalent restriction issued by the country of registration of the vessel; or

(D) continuously take on and discharge ballast water in a flow-through system that does not introduce aquatic nuisance species into navigable waters;

(2) a ballast water discharge incidental to the normal operation of a vessel consisting entirely of water suitable for human consumption; or

(3) a ballast water discharge incidental to the normal operation of a vessel in an alternative compliance program established pursuant to section 3607.

(c) VESSELS WITH PERMANENT BALLAST WATER.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water performance standard under this title apply to, a vessel that carries all of its permanent ballast water in sealed tanks that are not subject to discharge.

(d) VESSELS OF THE ARMED FORCES.—Nothing in this title shall be construed to apply to the following vessels:

(1) A vessel owned or operated by the Department of Defense (other than a time-chartered or voyage-chartered vessel).

(2) A vessel of the Coast Guard, as designated by the Secretary of the department in which the Coast Guard is operating.

SEC. 3607. ALTERNATIVE COMPLIANCE PROGRAM.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator, may promulgate regulations establishing 1 or more compliance programs as an alternative to ballast water management regulations issued under section 3604 for a vessel that—

(1) has a maximum ballast water capacity of less than 8 cubic meters;

(2) is less than 3 years from the end of the useful life of the vessel, as determined by the Secretary; or

(3) discharges ballast water into a facility for the reception of ballast water that meets standards promulgated by the Administrator, in consultation with the Secretary.

(b) PROMULGATION OF FACILITY STANDARDS.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall promulgate standards for—

(1) the reception of ballast water from a vessel into a reception facility; and

(2) the disposal or treatment of the ballast water under paragraph (1).

SEC. 3608. JUDICIAL REVIEW.

(a) IN GENERAL.—An interested person may file a petition for review of a final regulation promulgated under this title in the United States Court of Appeals for the District of Columbia Circuit.

(b) DEADLINE.—A petition shall be filed not later than 120 days after the date that notice of the promulgation appears in the Federal Register.

(c) EXCEPTION.—Notwithstanding subsection (b), a petition that is based solely on grounds that arise after the deadline to file a petition under subsection (b) has passed may be filed not later than 120 days after the date that the grounds first arise.

SEC. 3609. EFFECT ON STATE AUTHORITY.

(a) IN GENERAL.—No State or political subdivision thereof may adopt or enforce any statute or regulation of the State or political subdivision with respect to a discharge incidental to the normal operation of a vessel after the date of enactment of this Act.

(b) SAVINGS CLAUSE.—Notwithstanding subsection (a), a State or political subdivision thereof may enforce a statute or regulation of the State or political subdivision with respect to ballast water discharges incidental to the normal operation of a vessel that specifies a ballast water performance standard that is more stringent than the ballast water performance standard under section 3604(a)(1)(A) and is in effect on the date of enactment of this Act if the Secretary, after consultation with the Administrator and any other Federal department or agency the Secretary considers appropriate, makes a determination that—

(1) compliance with any performance standard specified in the statute or regulation can in fact be achieved and detected;

(2) the technology and systems necessary to comply with the statute or regulation are commercially available; and

(3) the statute or regulation is consistent with obligations under relevant international treaties or agreements to which the United States is a party.

(c) PETITION PROCESS.—

(1) SUBMISSION.—The Governor of a State seeking to enforce a statute or regulation under subsection (b) shall submit a petition requesting the Secretary to review the statute or regulation.

(2) CONTENTS; DEADLINE.—A petition shall—

(A) be accompanied by the scientific and technical information on which the petition is based; and

(B) be submitted to the Secretary not later than 90 days after the date of enactment of this Act.

(3) DETERMINATIONS.—The Secretary shall make a determination on a petition under this subsection not later than 90 days after the date that the petition is received.

SEC. 3610. APPLICATION WITH OTHER STATUTES.

Notwithstanding any other provision of law, this title shall be the exclusive statutory authority for regulation by the Federal Government of discharges incidental to the normal operation of a vessel to which this title applies. Except as provided under section 3604(a)(1)(A), any regulation in effect on the date immediately preceding the effective date of this Act relating to any permitting requirement for or prohibition on discharges incidental to the normal operation of a vessel to which this title applies shall be deemed to be a regulation issued pursuant to the authority of this title and shall remain in full force and effect unless or until superseded by new regulations issued hereunder.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
001	UTILITY F/W AIRCRAFT	57,529	57,529
003	MQ–1 UAV	55,388	84,988
	Ground Mounted Airspace Deconfliction Radar		[29,600]
	ROTARY		
006	AH–64 APACHE BLOCK IIIA REMAN	803,084	803,084
007	ADVANCE PROCUREMENT (CY)	185,160	185,160
008	UH–60 BLACKHAWK M MODEL (MYP)	755,146	755,146
009	ADVANCE PROCUREMENT (CY)	174,107	174,107

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
010	UH–60 BLACK HAWK A AND L MODELS	46,173	46,173
011	CH–47 HELICOPTER	556,257	556,257
012	ADVANCE PROCUREMENT (CY)	8,707	8,707
	MODIFICATION OF AIRCRAFT		
013	MQ–1 PAYLOAD (MIP)	43,735	43,735
015	MULTI SENSOR ABN RECON (MIP)	94,527	94,527
016	AH–64 MODS	137,883	137,883
017	CH–47 CARGO HELICOPTER MODS (MYP)	102,943	102,943
018	GRCS SEMA MODS (MIP)	4,055	4,055
019	ARL SEMA MODS (MIP)	6,793	6,793
020	EMARSS SEMA MODS (MIP)	13,197	13,197
021	UTILITY/CARGO AIRPLANE MODS	17,526	17,526
022	UTILITY HELICOPTER MODS	10,807	10,807
023	NETWORK AND MISSION PLAN	74,752	74,752
024	COMMS, NAV SURVEILLANCE	69,960	69,960
025	GATM ROLLUP	45,302	45,302
026	RQ–7 UAV MODS	71,169	71,169
027	UAS MODS	21,804	26,224
	Realign APS Unit Set Requirements from OCO		[4,420]
	GROUND SUPPORT AVIONICS		
028	AIRCRAFT SURVIVABILITY EQUIPMENT	67,377	67,377
029	SURVIVABILITY CM	9,565	9,565
030	CMWS	41,626	41,626
	OTHER SUPPORT		
032	AVIONICS SUPPORT EQUIPMENT	7,007	7,007
033	COMMON GROUND EQUIPMENT	48,234	48,234
034	AIRCREW INTEGRATED SYSTEMS	30,297	30,297
035	AIR TRAFFIC CONTROL	50,405	50,405
036	INDUSTRIAL FACILITIES	1,217	1,217
037	LAUNCHER, 2.75 ROCKET	3,055	3,055
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**3,614,787**	**3,648,807**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
001	LOWER TIER AIR AND MISSILE DEFENSE (AMD)	126,470	126,470
002	MSE MISSILE	423,201	423,201
003	ADVANCE PROCUREMENT (CY)	19,319	19,319
	AIR-TO-SURFACE MISSILE SYSTEM		
004	HELLFIRE SYS SUMMARY	42,013	42,013
005	JOINT AIR-TO-GROUND MSLS (JAGM)	64,751	64,751
006	ADVANCE PROCUREMENT (CY)	37,100	37,100
	ANTI-TANK/ASSAULT MISSILE SYS		
007	JAVELIN (AAWS-M) SYSTEM SUMMARY	73,508	89,075
	Realign APS Unit Set Requirements from OCO		[15,567]
008	TOW 2 SYSTEM SUMMARY	64,922	145,574
	Realign APS Unit Set Requirements from OCO		[80,652]
009	ADVANCE PROCUREMENT (CY)	19,949	19,949
010	GUIDED MLRS ROCKET (GMLRS)	172,088	248,079
	Realign APS Unit Set Requirements from OCO		[75,991]
011	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	18,004	18,004
	MODIFICATIONS		
013	PATRIOT MODS	197,107	197,107
014	ATACMS MODS	150,043	150,043
015	GMLRS MOD	395	395
017	AVENGER MODS	33,606	33,606
018	ITAS/TOW MODS	383	383
019	MLRS MODS	34,704	34,704
020	HIMARS MODIFICATIONS	1,847	1,847
	SPARES AND REPAIR PARTS		
021	SPARES AND REPAIR PARTS	34,487	34,487
	SUPPORT EQUIPMENT & FACILITIES		
022	AIR DEFENSE TARGETS	4,915	4,915
024	PRODUCTION BASE SUPPORT	1,154	1,154
	TOTAL MISSILE PROCUREMENT, ARMY	**1,519,966**	**1,692,176**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	STRYKER VEHICLE	71,680	71,680
	MODIFICATION OF TRACKED COMBAT VEHICLES		
002	STRYKER (MOD)	74,348	74,348
003	STRYKER UPGRADE	444,561	444,561
005	BRADLEY PROGRAM (MOD)	276,433	276,433
006	HOWITZER, MED SP FT 155MM M109A6 (MOD)	63,138	63,138
007	PALADIN INTEGRATED MANAGEMENT (PIM)	469,305	594,489
	Realign APS Unit Set Requirements from OCO		[125,184]
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	91,963	91,963
009	ASSAULT BRIDGE (MOD)	3,465	9,415
	Realign APS Unit Set Requirements from OCO		[5,950]
010	ASSAULT BREACHER VEHICLE	2,928	2,928
011	M88 FOV MODS	8,685	8,685
012	JOINT ASSAULT BRIDGE	64,752	64,752
013	M1 ABRAMS TANK (MOD)	480,166	480,166

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
014	ABRAMS UPGRADE PROGRAM		172,200
	Realign APS Unit Set Requirements from OCO		[172,200]
	WEAPONS & OTHER COMBAT VEHICLES		
016	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY	9,764	9,764
017	MORTAR SYSTEMS	8,332	8,332
018	XM320 GRENADE LAUNCHER MODULE (GLM)	3,062	3,062
019	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	992	992
020	CARBINE	40,493	40,493
021	COMMON REMOTELY OPERATED WEAPONS STATION	25,164	25,164
	MOD OF WEAPONS AND OTHER COMBAT VEH		
022	MK–19 GRENADE MACHINE GUN MODS	4,959	4,959
023	M777 MODS	11,913	11,913
024	M4 CARBINE MODS	29,752	29,752
025	M2 50 CAL MACHINE GUN MODS	48,582	48,582
026	M249 SAW MACHINE GUN MODS	1,179	1,179
027	M240 MEDIUM MACHINE GUN MODS	1,784	1,784
028	SNIPER RIFLES MODIFICATIONS	971	971
029	M119 MODIFICATIONS	6,045	6,045
030	MORTAR MODIFICATION	12,118	12,118
031	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	3,157	3,157
	SUPPORT EQUIPMENT & FACILITIES		
032	ITEMS LESS THAN $5.0M (WOCV-WTCV)	2,331	2,331
035	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	3,155	3,155
036	BRADLEY PROGRAM		72,800
	Realign APS Unit Set Requirements from OCO		[72,800]
	TOTAL PROCUREMENT OF W&TCV, ARMY	**2,265,177**	**2,641,311**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	40,296	40,296
002	CTG, 7.62MM, ALL TYPES	39,237	48,879
	Realign APS Unit Set Requirements from OCO		[9,642]
003	CTG, HANDGUN, ALL TYPES	5,193	5,193
004	CTG, .50 CAL, ALL TYPES	46,693	52,691
	Realign APS Unit Set Requirements from OCO		[5,998]
005	CTG, 20MM, ALL TYPES	7,000	8,077
	Realign APS Unit Set Requirements from OCO		[1,077]
006	CTG, 25MM, ALL TYPES	7,753	34,987
	Program reduction		[–1,300]
	Realign APS Unit Set Requirements from OCO		[28,534]
007	CTG, 30MM, ALL TYPES	47,000	47,000
008	CTG, 40MM, ALL TYPES	118,178	115,501
	Realign APS Unit Set Requirements from OCO		[7,423]
	Unobligated balances		[–10,100]
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES	69,784	69,784
010	81MM MORTAR, ALL TYPES	36,125	38,802
	Realign APS Unit Set Requirements from OCO		[2,677]
011	120MM MORTAR, ALL TYPES	69,133	69,133
	TANK AMMUNITION		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	120,668	129,667
	Realign APS Unit Set Requirements from OCO		[8,999]
	ARTILLERY AMMUNITION		
013	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	64,800	64,800
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	109,515	129,863
	Realign APS Unit Set Requirements from OCO		[20,348]
015	PROJ 155MM EXTENDED RANGE M982	39,200	39,340
	Realign APS Unit Set Requirements from OCO		[140]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	70,881	95,536
	Realign APS Unit Set Requirements from OCO		[24,655]
	MINES		
017	MINES & CLEARING CHARGES, ALL TYPES		16,866
	Realign APS Unit Set Requirements from OCO		[16,866]
	NETWORKED MUNITIONS		
018	SPIDER NETWORK MUNITIONS, ALL TYPES		10,353
	Realign APS Unit Set Requirements from OCO		[10,353]
	ROCKETS		
019	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	38,000	101,210
	Realign APS Unit Set Requirements from OCO		[63,210]
020	ROCKET, HYDRA 70, ALL TYPES	87,213	87,213
	OTHER AMMUNITION		
021	CAD/PAD, ALL TYPES	4,914	4,914
022	DEMOLITION MUNITIONS, ALL TYPES	6,380	12,753
	Realign APS Unit Set Requirements from OCO		[6,373]
023	GRENADES, ALL TYPES	22,760	26,903
	Realign APS Unit Set Requirements from OCO		[4,143]
024	SIGNALS, ALL TYPES	10,666	12,518
	Realign APS Unit Set Requirements from OCO		[1,852]
025	SIMULATORS, ALL TYPES	7,412	7,412
	MISCELLANEOUS		
026	AMMO COMPONENTS, ALL TYPES	12,726	12,726
027	NON-LETHAL AMMUNITION, ALL TYPES	6,100	6,873

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	Realign APS Unit Set Requirements from OCO		[773]
028	ITEMS LESS THAN $5 MILLION (AMMO)	10,006	10,006
029	AMMUNITION PECULIAR EQUIPMENT	17,275	13,575
	Program reduction- excess carryover		[–3,700]
030	FIRST DESTINATION TRANSPORTATION (AMMO)	14,951	14,951
	PRODUCTION BASE SUPPORT		
032	INDUSTRIAL FACILITIES	222,269	242,269
	Program increase		[20,000]
033	CONVENTIONAL MUNITIONS DEMILITARIZATION	157,383	157,383
034	ARMS INITIATIVE	3,646	3,646
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**1,513,157**	**1,731,120**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	TACTICAL TRAILERS/DOLLY SETS	3,733	3,733
002	SEMITRAILERS, FLATBED:	3,716	7,896
	Realign APS Unit Set Requirements from OCO		[4,180]
003	HI MOB MULTI-PURP WHLD VEH (HMMWV)		50,000
	HMMWV M997A3 ambulance recapitalization for Active Component		[50,000]
004	GROUND MOBILITY VEHICLES (GMV)	4,907	4,907
006	JOINT LIGHT TACTICAL VEHICLE	587,514	587,514
007	TRUCK, DUMP, 20T (CCE)	3,927	3,927
008	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	53,293	200,769
	Realign APS Unit Set Requirements from OCO		[147,476]
009	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	7,460	7,460
010	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	39,564	45,686
	Realign APS Unit Set Requirements from OCO		[6,122]
011	PLS ESP	11,856	118,214
	Realign APS Unit Set Requirements from OCO		[106,358]
012	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV		76,561
	Realign APS Unit Set Requirements from OCO		[76,561]
013	TACTICAL WHEELED VEHICLE PROTECTION KITS	49,751	76,870
	Realign APS Unit Set Requirements from OCO		[27,119]
014	MODIFICATION OF IN SVC EQUIP	64,000	57,456
	Program reduction		[–10,000]
	Realign APS Unit Set Requirements from OCO		[3,456]
015	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	10,611	10,611
	NON-TACTICAL VEHICLES		
016	HEAVY ARMORED SEDAN	394	394
018	NONTACTICAL VEHICLES, OTHER	1,755	1,755
	COMM—JOINT COMMUNICATIONS		
019	WIN-T—GROUND FORCES TACTICAL NETWORK	427,598	434,170
	Realign APS Unit Set Requirements from OCO		[6,572]
020	SIGNAL MODERNIZATION PROGRAM	58,250	58,250
021	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY	5,749	5,749
022	JCSE EQUIPMENT (USREDCOM)	5,068	5,068
	COMM—SATELLITE COMMUNICATIONS		
023	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	143,805	143,805
024	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	36,580	36,580
025	SHF TERM	1,985	25,985
	Realign APS Unit Set Requirements from OCO		[24,000]
027	SMART-T (SPACE)	9,165	9,165
	COMM—C3 SYSTEM		
031	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	2,530	2,530
	COMM—COMBAT COMMUNICATIONS		
033	HANDHELD MANPACK SMALL FORM FIT (HMS)	273,645	273,645
034	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	25,017	25,017
035	RADIO TERMINAL SET, MIDS LVT(2)	12,326	12,326
037	TRACTOR DESK	2,034	2,034
038	TRACTOR RIDE	2,334	2,334
039	SPIDER APLA REMOTE CONTROL UNIT	1,985	1,985
040	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	10,796	10,796
042	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	3,607	3,607
043	UNIFIED COMMAND SUITE	14,295	14,295
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	19,893	19,893
	COMM—INTELLIGENCE COMM		
047	CI AUTOMATION ARCHITECTURE	1,388	1,388
048	ARMY CA/MISO GPF EQUIPMENT	5,494	5,494
	INFORMATION SECURITY		
049	FAMILY OF BIOMETRICS	2,978	2,978
051	COMMUNICATIONS SECURITY (COMSEC)	131,356	133,284
	Realign APS Unit Set Requirements from OCO		[1,928]
052	DEFENSIVE CYBER OPERATIONS	15,132	15,132
	COMM—LONG HAUL COMMUNICATIONS		
053	BASE SUPPORT COMMUNICATIONS	27,452	27,452
	COMM—BASE COMMUNICATIONS		
054	INFORMATION SYSTEMS	122,055	122,055
055	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,286	4,286
056	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	131,794	131,794
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
059	JTT/CIBS-M	5,337	5,337
062	DCGS-A (MIP)	242,514	242,514

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Line	Item	FY 2017 Request	House Authorized
063	JOINT TACTICAL GROUND STATION (JTAGS)	4,417	4,417
064	TROJAN (MIP)	17,455	17,615
	Realign APS Unit Set Requirements from OCO		[160]
065	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	44,965	44,965
066	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	7,658	7,658
067	CLOSE ACCESS TARGET RECONNAISSANCE (CATR)	7,970	7,970
068	MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M	545	545
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
070	LIGHTWEIGHT COUNTER MORTAR RADAR	74,038	99,930
	Realign APS Unit Set Requirements from OCO		[25,892]
071	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	3,235	3,235
072	AIR VIGILANCE (AV)	733	733
074	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	1,740	1,740
075	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	455	455
076	CI MODERNIZATION	176	176
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
077	SENTINEL MODS	40,171	40,171
078	NIGHT VISION DEVICES	163,029	163,029
079	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	15,885	15,885
080	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	48,427	52,697
	Realign APS Unit Set Requirements from OCO		[4,270]
081	FAMILY OF WEAPON SIGHTS (FWS)	55,536	55,536
082	ARTILLERY ACCURACY EQUIP	4,187	4,187
085	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	137,501	137,501
086	JOINT EFFECTS TARGETING SYSTEM (JETS)	50,726	50,726
087	MOD OF IN-SVC EQUIP (LLDR)	28,058	28,058
088	COMPUTER BALLISTICS: LHMBC XM32	5,924	5,924
089	MORTAR FIRE CONTROL SYSTEM	22,331	22,621
	Realign APS Unit Set Requirements from OCO		[290]
090	COUNTERFIRE RADARS	314,509	281,509
	Unit cost savings		[–33,000]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
091	FIRE SUPPORT C2 FAMILY	8,660	8,660
092	AIR & MSL DEFENSE PLANNING & CONTROL SYS	54,376	124,334
	Realign APS Unit Set Requirements from OCO		[69,958]
093	IAMD BATTLE COMMAND SYSTEM	204,969	204,969
094	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,718	4,718
095	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	11,063	11,063
096	MANEUVER CONTROL SYSTEM (MCS)	151,318	151,318
097	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	155,660	155,660
098	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	4,214	4,214
099	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	16,185	16,185
100	MOD OF IN-SVC EQUIPMENT (ENFIRE)	1,565	1,565
	ELECT EQUIP—AUTOMATION		
101	ARMY TRAINING MODERNIZATION	17,693	17,693
102	AUTOMATED DATA PROCESSING EQUIP	107,960	107,960
103	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	6,416	6,416
104	HIGH PERF COMPUTING MOD PGM (HPCMP)	58,614	58,614
105	CONTRACT WRITING SYSTEM	986	986
106	RESERVE COMPONENT AUTOMATION SYS (RCAS)	23,828	23,828
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
107	TACTICAL DIGITAL MEDIA	1,191	1,191
108	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	1,995	2,091
	Realign APS Unit Set Requirements from OCO		[96]
	ELECT EQUIP—SUPPORT		
109	PRODUCTION BASE SUPPORT (C-E)	403	403
	CLASSIFIED PROGRAMS		
110A	CLASSIFIED PROGRAMS	4,436	4,436
	CHEMICAL DEFENSIVE EQUIPMENT		
111	PROTECTIVE SYSTEMS	2,966	2,966
112	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	9,795	9,795
114	CBRN DEFENSE	17,922	19,763
	Realign APS Unit Set Requirements from OCO		[1,841]
	BRIDGING EQUIPMENT		
115	TACTICAL BRIDGING	13,553	39,553
	Realign APS Unit Set Requirements from OCO		[26,000]
116	TACTICAL BRIDGE, FLOAT-RIBBON	25,244	25,244
117	BRIDGE SUPPLEMENTAL SET	983	983
118	COMMON BRIDGE TRANSPORTER (CBT) RECAP	25,176	25,176
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
119	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	39,350	39,350
120	AREA MINE DETECTION SYSTEM (AMDS)	10,500	10,500
121	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	274	274
122	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	2,951	2,951
123	EOD ROBOTICS SYSTEMS RECAPITALIZATION	1,949	1,949
124	ROBOTICS AND APPLIQUE SYSTEMS	5,203	5,471
	Realign APS Unit Set Requirements from OCO		[268]
125	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	5,570	5,570
126	REMOTE DEMOLITION SYSTEMS	6,238	6,238
127	< $5M, COUNTERMINE EQUIPMENT	836	836
128	FAMILY OF BOATS AND MOTORS	3,171	3,451
	Realign APS Unit Set Requirements from OCO		[280]

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Line	Item	FY 2017 Request	House Authorized
	COMBAT SERVICE SUPPORT EQUIPMENT		
129	HEATERS AND ECU'S	18,707	19,601
	Realign APS Unit Set Requirements from OCO		[894]
130	SOLDIER ENHANCEMENT	2,112	2,112
131	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	10,856	10,856
132	GROUND SOLDIER SYSTEM	32,419	32,419
133	MOBILE SOLDIER POWER	30,014	30,014
135	FIELD FEEDING EQUIPMENT	12,544	15,209
	Realign APS Unit Set Requirements from OCO		[2,665]
136	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	18,509	18,509
137	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	29,384	39,173
	Realign APS Unit Set Requirements from OCO		[9,789]
138	ITEMS LESS THAN $5M (ENG SPT)		300
	Realign APS Unit Set Requirements from OCO		[300]
	PETROLEUM EQUIPMENT		
139	QUALITY SURVEILLANCE EQUIPMENT	4,487	9,287
	Realign APS Unit Set Requirements from OCO		[4,800]
140	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	42,656	63,476
	Realign APS Unit Set Requirements from OCO		[20,820]
	MEDICAL EQUIPMENT		
141	COMBAT SUPPORT MEDICAL	59,761	65,524
	Realign APS Unit Set Requirements from OCO		[5,763]
	MAINTENANCE EQUIPMENT		
142	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	35,694	33,803
	Program reduction		[–3,500]
	Realign APS Unit Set Requirements from OCO		[1,609]
143	ITEMS LESS THAN $5.0M (MAINT EQ)	2,716	2,861
	Realign APS Unit Set Requirements from OCO		[145]
	CONSTRUCTION EQUIPMENT		
144	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	1,742	4,789
	Realign APS Unit Set Requirements from OCO		[3,047]
145	SCRAPERS, EARTHMOVING	26,233	26,233
147	HYDRAULIC EXCAVATOR	1,123	1,123
148	TRACTOR, FULL TRACKED		4,426
	Realign APS Unit Set Requirements from OCO		[4,426]
149	ALL TERRAIN CRANES	65,285	65,285
151	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	1,743	4,643
	Realign APS Unit Set Requirements from OCO		[2,900]
152	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP	2,779	2,779
154	CONST EQUIP ESP	26,712	23,212
	Program reduction		[–3,500]
155	ITEMS LESS THAN $5.0M (CONST EQUIP)	6,649	6,745
	Realign APS Unit Set Requirements from OCO		[96]
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
156	ARMY WATERCRAFT ESP	21,860	16,860
	Program reduction		[–5,000]
157	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	1,967	1,967
	GENERATORS		
158	GENERATORS AND ASSOCIATED EQUIP	113,266	125,727
	Program decrease		[–7,500]
	Realign APS Unit Set Requirements from OCO		[19,961]
159	TACTICAL ELECTRIC POWER RECAPITALIZATION	7,867	7,867
	MATERIAL HANDLING EQUIPMENT		
160	FAMILY OF FORKLIFTS	2,307	3,153
	Realign APS Unit Set Requirements from OCO		[846]
	TRAINING EQUIPMENT		
161	COMBAT TRAINING CENTERS SUPPORT	75,359	75,359
162	TRAINING DEVICES, NONSYSTEM	253,050	253,050
163	CLOSE COMBAT TACTICAL TRAINER	48,271	48,271
164	AVIATION COMBINED ARMS TACTICAL TRAINER	40,000	40,000
165	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	11,543	11,543
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
166	CALIBRATION SETS EQUIPMENT	4,963	4,963
167	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	29,781	29,781
168	TEST EQUIPMENT MODERNIZATION (TEMOD)	6,342	7,482
	Realign APS Unit Set Requirements from OCO		[1,140]
	OTHER SUPPORT EQUIPMENT		
169	M25 STABILIZED BINOCULAR	3,149	3,149
170	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	18,003	18,003
171	PHYSICAL SECURITY SYSTEMS (OPA3)	44,082	44,082
172	BASE LEVEL COMMON EQUIPMENT	2,168	2,168
173	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	67,367	67,367
174	PRODUCTION BASE SUPPORT (OTH)	1,528	1,528
175	SPECIAL EQUIPMENT FOR USER TESTING	8,289	8,289
177	TRACTOR YARD	6,888	6,888
	OPA2		
179	INITIAL SPARES—C&E	27,243	27,243
	TOTAL OTHER PROCUREMENT, ARMY	**5,873,949**	**6,473,477**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
003	JOINT STRIKE FIGHTER CV	890,650	890,650

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Line	Item	FY 2017 Request	House Authorized
004	ADVANCE PROCUREMENT (CY)	80,908	80,908
005	JSF STOVL	2,037,768	2,037,768
006	ADVANCE PROCUREMENT (CY)	233,648	233,648
007	CH–53K (HEAVY LIFT)	348,615	348,615
008	ADVANCE PROCUREMENT (CY)	88,365	88,365
009	V–22 (MEDIUM LIFT)	1,264,134	1,264,134
010	ADVANCE PROCUREMENT (CY)	19,674	19,674
011	H–1 UPGRADES (UH–1Y/AH–1Z)	759,778	759,778
012	ADVANCE PROCUREMENT (CY)	57,232	57,232
014	MH–60R (MYP)	61,177	26,177
	Line shutdown costs—early to need		[–35,000]
016	P–8A POSEIDON	1,940,238	1,940,238
017	ADVANCE PROCUREMENT (CY)	123,140	123,140
018	E–2D ADV HAWKEYE	916,483	916,483
019	ADVANCE PROCUREMENT (CY)	125,042	125,042
	TRAINER AIRCRAFT		
020	JPATS	5,849	5,849
	OTHER AIRCRAFT		
021	KC–130J	128,870	128,870
022	ADVANCE PROCUREMENT (CY)	24,848	24,848
023	MQ–4 TRITON	409,005	409,005
024	ADVANCE PROCUREMENT (CY)	55,652	55,652
025	MQ–8 UAV	72,435	72,435
	MODIFICATION OF AIRCRAFT		
029	AEA SYSTEMS	51,900	51,900
030	AV–8 SERIES	60,818	60,818
031	ADVERSARY	5,191	5,191
032	F–18 SERIES	1,023,492	986,192
	Unobligated balances		[–37,300]
034	H–53 SERIES	46,095	46,095
035	SH–60 SERIES	108,328	108,328
036	H–1 SERIES	46,333	46,333
037	EP–3 SERIES	14,681	14,681
038	P–3 SERIES	2,781	2,781
039	E–2 SERIES	32,949	32,949
040	TRAINER A/C SERIES	13,199	13,199
041	C–2A	19,066	19,066
042	C–130 SERIES	61,788	61,788
043	FEWSG	618	618
044	CARGO/TRANSPORT A/C SERIES	9,822	9,822
045	E–6 SERIES	222,077	222,077
046	EXECUTIVE HELICOPTERS SERIES	66,835	66,835
047	SPECIAL PROJECT AIRCRAFT	16,497	16,497
048	T–45 SERIES	114,887	114,887
049	POWER PLANT CHANGES	16,893	16,893
050	JPATS SERIES	17,401	17,401
051	COMMON ECM EQUIPMENT	143,773	143,773
052	COMMON AVIONICS CHANGES	164,839	164,839
053	COMMON DEFENSIVE WEAPON SYSTEM	4,403	4,403
054	ID SYSTEMS	45,768	45,768
055	P–8 SERIES	18,836	18,836
056	MAGTF EW FOR AVIATION	5,676	5,676
057	MQ–8 SERIES	19,003	19,003
058	RQ–7 SERIES	3,534	3,534
059	V–22 (TILT/ROTOR ACFT) OSPREY	141,545	141,545
060	F–35 STOVL SERIES	34,928	34,928
061	F–35 CV SERIES	26,004	26,004
062	QRC	5,476	5,476
	AIRCRAFT SPARES AND REPAIR PARTS		
063	SPARES AND REPAIR PARTS	1,407,626	1,407,626
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
064	COMMON GROUND EQUIPMENT	390,103	390,103
065	AIRCRAFT INDUSTRIAL FACILITIES	23,194	23,194
066	WAR CONSUMABLES	40,613	40,613
067	OTHER PRODUCTION CHARGES	860	860
068	SPECIAL SUPPORT EQUIPMENT	36,282	36,282
069	FIRST DESTINATION TRANSPORTATION	1,523	1,523
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**14,109,148**	**14,036,848**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,103,086	1,103,086
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	6,776	6,776
	STRATEGIC MISSILES		
003	TOMAHAWK	186,905	186,905
	TACTICAL MISSILES		
004	AMRAAM	204,697	204,697
005	SIDEWINDER	70,912	70,912
006	JSOW	2,232	2,232
007	STANDARD MISSILE	501,212	501,212
008	RAM	71,557	71,557

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Line	Item	FY 2017 Request	House Authorized
009	JOINT AIR GROUND MISSILE (JAGM)	26,200	26,200
012	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	3,316	3,316
013	AERIAL TARGETS	137,484	137,484
014	OTHER MISSILE SUPPORT	3,248	3,248
015	LRASM	29,643	29,643
	MODIFICATION OF MISSILES		
016	ESSM	52,935	52,935
018	HARM MODS	178,213	178,213
019	STANDARD MISSILES MODS	8,164	8,164
	SUPPORT EQUIPMENT & FACILITIES		
020	WEAPONS INDUSTRIAL FACILITIES	1,964	1,964
021	FLEET SATELLITE COMM FOLLOW-ON	36,723	36,723
	ORDNANCE SUPPORT EQUIPMENT		
022	ORDNANCE SUPPORT EQUIPMENT	59,096	59,096
	TORPEDOES AND RELATED EQUIP		
023	SSTD	5,910	5,910
024	MK–48 TORPEDO	44,537	44,537
025	ASW TARGETS	9,302	9,302
	MOD OF TORPEDOES AND RELATED EQUIP		
026	MK–54 TORPEDO MODS	98,092	98,092
027	MK–48 TORPEDO ADCAP MODS	46,139	46,139
028	QUICKSTRIKE MINE	1,236	1,236
	SUPPORT EQUIPMENT		
029	TORPEDO SUPPORT EQUIPMENT	60,061	60,061
030	ASW RANGE SUPPORT	3,706	3,706
	DESTINATION TRANSPORTATION		
031	FIRST DESTINATION TRANSPORTATION	3,804	3,804
	GUNS AND GUN MOUNTS		
032	SMALL ARMS AND WEAPONS	18,002	18,002
	MODIFICATION OF GUNS AND GUN MOUNTS		
033	CIWS MODS	50,900	50,900
034	COAST GUARD WEAPONS	25,295	25,295
035	GUN MOUNT MODS	77,003	77,003
036	LCS MODULE WEAPONS	2,776	2,776
038	AIRBORNE MINE NEUTRALIZATION SYSTEMS	15,753	15,753
	SPARES AND REPAIR PARTS		
040	SPARES AND REPAIR PARTS	62,383	62,383
	TOTAL WEAPONS PROCUREMENT, NAVY	**3,209,262**	**3,209,262**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	91,659	91,659
002	AIRBORNE ROCKETS, ALL TYPES	65,759	65,759
003	MACHINE GUN AMMUNITION	8,152	8,152
004	PRACTICE BOMBS	41,873	41,873
005	CARTRIDGES & CART ACTUATED DEVICES	54,002	54,002
006	AIR EXPENDABLE COUNTERMEASURES	57,034	57,034
007	JATOS	2,735	2,735
009	5 INCH/54 GUN AMMUNITION	19,220	19,220
010	INTERMEDIATE CALIBER GUN AMMUNITION	30,196	30,196
011	OTHER SHIP GUN AMMUNITION	39,009	39,009
012	SMALL ARMS & LANDING PARTY AMMO	46,727	46,727
013	PYROTECHNIC AND DEMOLITION	9,806	9,806
014	AMMUNITION LESS THAN $5 MILLION	2,900	2,900
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	27,958	27,958
017	40 MM, ALL TYPES	14,758	14,758
018	60MM, ALL TYPES	992	992
020	120MM, ALL TYPES	16,757	16,757
021	GRENADES, ALL TYPES	972	972
022	ROCKETS, ALL TYPES	14,186	14,186
023	ARTILLERY, ALL TYPES	68,656	68,656
024	DEMOLITION MUNITIONS, ALL TYPES	1,700	1,700
025	FUZE, ALL TYPES	26,088	26,088
027	AMMO MODERNIZATION	14,660	14,660
028	ITEMS LESS THAN $5 MILLION	8,569	8,569
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**664,368**	**664,368**
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
001	OHIO REPLACEMENT SUBMARINE ADVANCE PROCUREMENT	773,138	0
	Transfer to Title XIV National Sea-Based Deterrence Fund		[–773,138]
	OTHER WARSHIPS		
002	CARRIER REPLACEMENT PROGRAM	1,291,783	1,291,783
003	ADVANCE PROCUREMENT (CY)	1,370,784	1,370,784
004	VIRGINIA CLASS SUBMARINE	3,187,985	3,187,985
005	ADVANCE PROCUREMENT (CY)	1,767,234	1,767,234
006	CVN REFUELING OVERHAULS	1,743,220	1,743,220
007	ADVANCE PROCUREMENT (CY)	248,599	248,599
008	DDG 1000	271,756	271,756
009	DDG–51	3,211,292	3,211,292
011	LITTORAL COMBAT SHIP	1,125,625	1,125,625

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	AMPHIBIOUS SHIPS		
016	LHA REPLACEMENT	1,623,024	1,623,024
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
020	ADVANCE PROCUREMENT (CY)	73,079	73,079
022	MOORED TRAINING SHIP	624,527	624,527
025	OUTFITTING	666,158	666,158
026	SHIP TO SHORE CONNECTOR	128,067	128,067
027	SERVICE CRAFT	65,192	65,192
028	LCAC SLEP	1,774	1,774
029	YP CRAFT MAINTENANCE/ROH/SLEP	21,363	21,363
030	COMPLETION OF PY SHIPBUILDING PROGRAMS	160,274	160,274
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	**18,354,874**	**17,581,736**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
003	SURFACE POWER EQUIPMENT	15,514	15,514
004	HYBRID ELECTRIC DRIVE (HED)	40,132	40,132
	GENERATORS		
005	SURFACE COMBATANT HM&E	29,974	29,974
	NAVIGATION EQUIPMENT		
006	OTHER NAVIGATION EQUIPMENT	63,942	63,942
	OTHER SHIPBOARD EQUIPMENT		
008	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	136,421	136,421
009	DDG MOD	367,766	367,766
010	FIREFIGHTING EQUIPMENT	14,743	14,743
011	COMMAND AND CONTROL SWITCHBOARD	2,140	2,140
012	LHA/LHD MIDLIFE	24,939	24,939
014	POLLUTION CONTROL EQUIPMENT	20,191	20,191
015	SUBMARINE SUPPORT EQUIPMENT	8,995	8,995
016	VIRGINIA CLASS SUPPORT EQUIPMENT	66,838	66,838
017	LCS CLASS SUPPORT EQUIPMENT	54,823	54,823
018	SUBMARINE BATTERIES	23,359	23,359
019	LPD CLASS SUPPORT EQUIPMENT	40,321	40,321
020	DDG 1000 CLASS SUPPORT EQUIPMENT	33,404	33,404
021	STRATEGIC PLATFORM SUPPORT EQUIP	15,836	15,836
022	DSSP EQUIPMENT	806	806
024	LCAC	3,090	3,090
025	UNDERWATER EOD PROGRAMS	24,350	24,350
026	ITEMS LESS THAN $5 MILLION	88,719	88,719
027	CHEMICAL WARFARE DETECTORS	2,873	2,873
028	SUBMARINE LIFE SUPPORT SYSTEM	6,043	6,043
	REACTOR PLANT EQUIPMENT		
030	REACTOR COMPONENTS	342,158	342,158
	OCEAN ENGINEERING		
031	DIVING AND SALVAGE EQUIPMENT	8,973	8,973
	SMALL BOATS		
032	STANDARD BOATS	43,684	43,684
	PRODUCTION FACILITIES EQUIPMENT		
034	OPERATING FORCES IPE	75,421	75,421
	OTHER SHIP SUPPORT		
035	NUCLEAR ALTERATIONS	172,718	172,718
036	LCS COMMON MISSION MODULES EQUIPMENT	27,840	17,840
	RMMV program restructure		[–10,000]
037	LCS MCM MISSION MODULES	57,146	20,746
	RMMV program restructure		[–36,400]
038	LCS ASW MISSION MODULES	31,952	21,952
	Early to need		[–10,000]
039	LCS SUW MISSION MODULES	22,466	22,466
	LOGISTIC SUPPORT		
041	LSD MIDLIFE	10,813	10,813
	SHIP SONARS		
042	SPQ–9B RADAR	14,363	14,363
043	AN/SQQ–89 SURF ASW COMBAT SYSTEM	90,029	90,029
045	SSN ACOUSTIC EQUIPMENT	248,765	248,765
046	UNDERSEA WARFARE SUPPORT EQUIPMENT	7,163	7,163
	ASW ELECTRONIC EQUIPMENT		
048	SUBMARINE ACOUSTIC WARFARE SYSTEM	21,291	21,291
049	SSTD	6,893	6,893
050	FIXED SURVEILLANCE SYSTEM	145,701	145,701
051	SURTASS	36,136	36,136
	ELECTRONIC WARFARE EQUIPMENT		
053	AN/SLQ–32	274,892	274,892
	RECONNAISSANCE EQUIPMENT		
054	SHIPBOARD IW EXPLOIT	170,733	170,733
055	AUTOMATED IDENTIFICATION SYSTEM (AIS)	958	958
	OTHER SHIP ELECTRONIC EQUIPMENT		
057	COOPERATIVE ENGAGEMENT CAPABILITY	22,034	22,034
059	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	12,336	12,336
060	ATDLS	30,105	30,105
061	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	4,556	4,556
062	MINESWEEPING SYSTEM REPLACEMENT	56,675	56,675
063	SHALLOW WATER MCM	8,875	8,875

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Line	Item	FY 2017 Request	House Authorized
064	NAVSTAR GPS RECEIVERS (SPACE)	12,752	12,752
065	AMERICAN FORCES RADIO AND TV SERVICE	4,577	4,577
066	STRATEGIC PLATFORM SUPPORT EQUIP	8,972	8,972
	AVIATION ELECTRONIC EQUIPMENT		
069	ASHORE ATC EQUIPMENT	75,068	75,068
070	AFLOAT ATC EQUIPMENT	33,484	33,484
076	ID SYSTEMS	22,177	22,177
077	NAVAL MISSION PLANNING SYSTEMS	14,273	14,273
	OTHER SHORE ELECTRONIC EQUIPMENT		
080	TACTICAL/MOBILE C4I SYSTEMS	27,927	27,927
081	DCGS-N	12,676	12,676
082	CANES	212,030	212,030
083	RADIAC	8,092	8,092
084	CANES-INTELL	36,013	36,013
085	GPETE	6,428	6,428
087	INTEG COMBAT SYSTEM TEST FACILITY	8,376	8,376
088	EMI CONTROL INSTRUMENTATION	3,971	3,971
089	ITEMS LESS THAN $5 MILLION	58,721	58,721
	SHIPBOARD COMMUNICATIONS		
090	SHIPBOARD TACTICAL COMMUNICATIONS	17,366	17,366
091	SHIP COMMUNICATIONS AUTOMATION	102,479	102,479
092	COMMUNICATIONS ITEMS UNDER $5M	10,403	10,403
	SUBMARINE COMMUNICATIONS		
093	SUBMARINE BROADCAST SUPPORT	34,151	34,151
094	SUBMARINE COMMUNICATION EQUIPMENT	64,529	64,529
	SATELLITE COMMUNICATIONS		
095	SATELLITE COMMUNICATIONS SYSTEMS	14,414	14,414
096	NAVY MULTIBAND TERMINAL (NMT)	38,365	38,365
	SHORE COMMUNICATIONS		
097	JCS COMMUNICATIONS EQUIPMENT	4,156	4,156
	CRYPTOGRAPHIC EQUIPMENT		
099	INFO SYSTEMS SECURITY PROGRAM (ISSP)	85,694	85,694
100	MIO INTEL EXPLOITATION TEAM	920	920
	CRYPTOLOGIC EQUIPMENT		
101	CRYPTOLOGIC COMMUNICATIONS EQUIP	21,098	21,098
	OTHER ELECTRONIC SUPPORT		
102	COAST GUARD EQUIPMENT	32,291	32,291
	SONOBUOYS		
103	SONOBUOYS—ALL TYPES	162,588	162,588
	AIRCRAFT SUPPORT EQUIPMENT		
104	WEAPONS RANGE SUPPORT EQUIPMENT	58,116	58,116
105	AIRCRAFT SUPPORT EQUIPMENT	120,324	120,324
106	METEOROLOGICAL EQUIPMENT	29,253	29,253
107	DCRS/DPL	632	632
108	AIRBORNE MINE COUNTERMEASURES	29,097	29,097
109	AVIATION SUPPORT EQUIPMENT	39,099	39,099
	SHIP GUN SYSTEM EQUIPMENT		
110	SHIP GUN SYSTEMS EQUIPMENT	6,191	6,191
	SHIP MISSILE SYSTEMS EQUIPMENT		
111	SHIP MISSILE SUPPORT EQUIPMENT	320,446	310,946
	Program execution		[–9,500]
112	TOMAHAWK SUPPORT EQUIPMENT	71,046	71,046
	FBM SUPPORT EQUIPMENT		
113	STRATEGIC MISSILE SYSTEMS EQUIP	215,138	215,138
	ASW SUPPORT EQUIPMENT		
114	SSN COMBAT CONTROL SYSTEMS	130,715	130,715
115	ASW SUPPORT EQUIPMENT	26,431	26,431
	OTHER ORDNANCE SUPPORT EQUIPMENT		
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	11,821	11,821
117	ITEMS LESS THAN $5 MILLION	6,243	6,243
	OTHER EXPENDABLE ORDNANCE		
118	SUBMARINE TRAINING DEVICE MODS	48,020	48,020
120	SURFACE TRAINING EQUIPMENT	97,514	97,514
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
121	PASSENGER CARRYING VEHICLES	8,853	8,853
122	GENERAL PURPOSE TRUCKS	4,928	4,928
123	CONSTRUCTION & MAINTENANCE EQUIP	18,527	18,527
124	FIRE FIGHTING EQUIPMENT	13,569	13,569
125	TACTICAL VEHICLES	14,917	14,917
126	AMPHIBIOUS EQUIPMENT	7,676	7,676
127	POLLUTION CONTROL EQUIPMENT	2,321	2,321
128	ITEMS UNDER $5 MILLION	12,459	12,459
129	PHYSICAL SECURITY VEHICLES	1,095	1,095
	SUPPLY SUPPORT EQUIPMENT		
131	SUPPLY EQUIPMENT	16,023	16,023
133	FIRST DESTINATION TRANSPORTATION	5,115	5,115
134	SPECIAL PURPOSE SUPPLY SYSTEMS	295,471	295,471
	TRAINING DEVICES		
136	TRAINING AND EDUCATION EQUIPMENT	9,504	9,504
	COMMAND SUPPORT EQUIPMENT		
137	COMMAND SUPPORT EQUIPMENT	37,180	37,180
139	MEDICAL SUPPORT EQUIPMENT	4,128	4,128

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(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
141	NAVAL MIP SUPPORT EQUIPMENT	1,925	1,925
142	OPERATING FORCES SUPPORT EQUIPMENT	4,777	4,777
143	C4ISR EQUIPMENT	9,073	9,073
144	ENVIRONMENTAL SUPPORT EQUIPMENT	21,107	21,107
145	PHYSICAL SECURITY EQUIPMENT	100,906	100,906
146	ENTERPRISE INFORMATION TECHNOLOGY	67,544	67,544
	OTHER		
150	NEXT GENERATION ENTERPRISE SERVICE	98,216	98,216
	CLASSIFIED PROGRAMS		
150A	CLASSIFIED PROGRAMS	9,915	9,915
	SPARES AND REPAIR PARTS		
151	SPARES AND REPAIR PARTS	199,660	199,660
	TOTAL OTHER PROCUREMENT, NAVY	**6,338,861**	**6,272,961**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	73,785	73,785
002	LAV PIP	53,423	53,423
	ARTILLERY AND OTHER WEAPONS		
003	EXPEDITIONARY FIRE SUPPORT SYSTEM	3,360	3,360
004	155MM LIGHTWEIGHT TOWED HOWITZER	3,318	3,318
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	33,725	33,725
006	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	8,181	8,181
	OTHER SUPPORT		
007	MODIFICATION KITS	15,250	15,250
	GUIDED MISSILES		
009	GROUND BASED AIR DEFENSE	9,170	9,170
010	JAVELIN	1,009	1,009
011	FOLLOW ON TO SMAW	24,666	24,666
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	17,080	17,080
	COMMAND AND CONTROL SYSTEMS		
015	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	47,312	47,312
	REPAIR AND TEST EQUIPMENT		
016	REPAIR AND TEST EQUIPMENT	16,469	16,469
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
019	ITEMS UNDER $5 MILLION (COMM & ELEC)	7,433	7,433
020	AIR OPERATIONS C2 SYSTEMS	15,917	15,917
	RADAR + EQUIPMENT (NON-TEL)		
021	RADAR SYSTEMS	17,772	17,772
022	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	123,758	123,758
023	RQ–21 UAS	80,217	80,217
	INTELL/COMM EQUIPMENT (NON-TEL)		
024	GCSS-MC	1,089	1,089
025	FIRE SUPPORT SYSTEM	13,258	13,258
026	INTELLIGENCE SUPPORT EQUIPMENT	56,379	56,379
029	RQ–11 UAV	1,976	1,976
031	DCGS-MC	1,149	1,149
032	UAS PAYLOADS	2,971	2,971
	OTHER SUPPORT (NON-TEL)		
034	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	76,302	76,302
035	COMMON COMPUTER RESOURCES	41,802	41,802
036	COMMAND POST SYSTEMS	90,924	90,924
037	RADIO SYSTEMS	43,714	43,714
038	COMM SWITCHING & CONTROL SYSTEMS	66,383	66,383
039	COMM & ELEC INFRASTRUCTURE SUPPORT	30,229	30,229
	CLASSIFIED PROGRAMS		
039A	CLASSIFIED PROGRAMS	2,738	2,738
	ADMINISTRATIVE VEHICLES		
041	COMMERCIAL CARGO VEHICLES	88,312	88,312
	TACTICAL VEHICLES		
043	MOTOR TRANSPORT MODIFICATIONS	13,292	13,292
045	JOINT LIGHT TACTICAL VEHICLE	113,230	113,230
046	FAMILY OF TACTICAL TRAILERS	2,691	2,691
	ENGINEER AND OTHER EQUIPMENT		
048	ENVIRONMENTAL CONTROL EQUIP ASSORT	18	18
050	TACTICAL FUEL SYSTEMS	78	78
051	POWER EQUIPMENT ASSORTED	17,973	17,973
052	AMPHIBIOUS SUPPORT EQUIPMENT	7,371	7,371
053	EOD SYSTEMS	14,021	14,021
	MATERIALS HANDLING EQUIPMENT		
054	PHYSICAL SECURITY EQUIPMENT	31,523	31,523
	GENERAL PROPERTY		
058	TRAINING DEVICES	33,658	33,658
060	FAMILY OF CONSTRUCTION EQUIPMENT	21,315	21,315
061	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	9,654	9,654
	OTHER SUPPORT		
062	ITEMS LESS THAN $5 MILLION	6,026	6,026
	SPARES AND REPAIR PARTS		
064	SPARES AND REPAIR PARTS	22,848	22,848
	TOTAL PROCUREMENT, MARINE CORPS	**1,362,769**	**1,362,769**
	AIRCRAFT PROCUREMENT, AIR FORCE		

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(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	TACTICAL FORCES		
001	F–35	4,401,894	4,401,894
002	ADVANCE PROCUREMENT (CY)	404,500	404,500
	TACTICAL AIRLIFT		
003	KC–46A TANKER	2,884,591	2,884,591
	OTHER AIRLIFT		
004	C–130J	145,655	145,655
006	HC–130J	317,576	317,576
007	ADVANCE PROCUREMENT (CY)	20,000	20,000
008	MC–130J	548,358	548,358
009	ADVANCE PROCUREMENT (CY)	50,000	50,000
	HELICOPTERS		
010	UH–1N REPLACEMENT	18,337	18,337
	MISSION SUPPORT AIRCRAFT		
012	CIVIL AIR PATROL A/C	2,637	2,637
	OTHER AIRCRAFT		
013	TARGET DRONES	114,656	114,656
014	RQ–4	12,966	12,966
015	MQ–9	122,522	122,522
	STRATEGIC AIRCRAFT		
016	B–2A	46,729	46,729
017	B–1B	116,319	116,319
018	B–52	109,020	109,020
	TACTICAL AIRCRAFT		
020	A–10	1,289	1,289
021	F–15	105,685	105,685
022	F–16	97,331	97,331
023	F–22A	163,008	163,008
024	F–35 MODIFICATIONS	175,811	175,811
025	INCREMENT 3.2B	76,410	76,410
026	ADVANCE PROCUREMENT (CY)	2,000	2,000
	AIRLIFT AIRCRAFT		
027	C–5	24,192	24,192
029	C–17A	21,555	21,555
030	C–21	5,439	5,439
031	C–32A	35,235	35,235
032	C–37A	5,004	5,004
	TRAINER AIRCRAFT		
033	GLIDER MODS	394	394
034	T–6	12,765	12,765
035	T–1	25,073	25,073
036	T–38	45,090	45,090
	OTHER AIRCRAFT		
037	U–2 MODS	36,074	36,074
038	KC–10A (ATCA)	4,570	4,570
039	C–12	1,995	1,995
040	VC–25A MOD	102,670	102,670
041	C–40	13,984	13,984
042	C–130	9,168	81,668
	8–Bladed Propellers		[16,000]
	Electronic Propeller Control Systems		[13,500]
	In-flight Propeller Balancing System Certification		[1,500]
	T56 3.5 Engine Upgrade Kits		[41,500]
043	C–130J MODS	89,424	89,424
044	C–135	64,161	64,161
045	COMPASS CALL MODS	130,257	59,857
	Program restructure		[–70,400]
046	RC–135	211,438	211,438
047	E–3	82,786	82,786
048	E–4	53,348	53,348
049	E–8	6,244	6,244
050	AIRBORNE WARNING AND CONTROL SYSTEM	223,427	223,427
051	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	4,673	4,673
052	H–1	9,007	9,007
054	H–60	91,357	91,357
055	RQ–4 MODS	32,045	32,045
056	HC/MC–130 MODIFICATIONS	30,767	30,767
057	OTHER AIRCRAFT	33,886	33,886
059	MQ–9 MODS	141,929	141,929
060	CV–22 MODS	63,395	63,395
	AIRCRAFT SPARES AND REPAIR PARTS		
061	INITIAL SPARES/REPAIR PARTS	686,491	673,291
	Compass Call program restructure		[–13,200]
	COMMON SUPPORT EQUIPMENT		
062	AIRCRAFT REPLACEMENT SUPPORT EQUIP	121,935	121,935
	POST PRODUCTION SUPPORT		
063	B–2A	154	154
064	B–2A	43,330	43,330
065	B–52	28,125	28,125
066	C–17A	23,559	23,559
069	F–15	2,980	2,980
070	F–16	15,155	39,955

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(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	Additional mission trainers		[24,800]
071	F–22A	48,505	48,505
074	RQ–4 POST PRODUCTION CHARGES	99	99
	INDUSTRIAL PREPAREDNESS		
075	INDUSTRIAL RESPONSIVENESS	14,126	14,126
	WAR CONSUMABLES		
076	WAR CONSUMABLES	120,036	120,036
	OTHER PRODUCTION CHARGES		
077	OTHER PRODUCTION CHARGES	1,252,824	1,252,824
	CLASSIFIED PROGRAMS		
077A	CLASSIFIED PROGRAMS	16,952	16,952
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**13,922,917**	**13,936,617**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	70,247	70,247
	TACTICAL		
002	JOINT AIR-SURFACE STANDOFF MISSILE	431,645	431,645
003	LRASM0	59,511	59,511
004	SIDEWINDER (AIM–9X)	127,438	127,438
005	AMRAAM	350,144	350,144
006	PREDATOR HELLFIRE MISSILE	33,955	33,955
007	SMALL DIAMETER BOMB	92,361	92,361
	INDUSTRIAL FACILITIES		
008	INDUSTR'L PREPAREDNS/POL PREVENTION	977	977
	CLASS IV		
009	ICBM FUZE MOD	17,095	17,095
010	MM III MODIFICATIONS	68,692	68,692
011	AGM–65D MAVERICK	282	282
013	AIR LAUNCH CRUISE MISSILE (ALCM)	21,762	21,762
014	SMALL DIAMETER BOMB	15,349	15,349
	MISSILE SPARES AND REPAIR PARTS		
015	INITIAL SPARES/REPAIR PARTS	81,607	81,607
	SPECIAL PROGRAMS		
030	SPECIAL UPDATE PROGRAMS	46,125	46,125
	CLASSIFIED PROGRAMS		
030A	CLASSIFIED PROGRAMS	1,009,431	1,009,431
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**2,426,621**	**2,426,621**
	SPACE PROCUREMENT, AIR FORCE		
	SPACE PROGRAMS		
001	ADVANCED EHF	645,569	645,569
002	AF SATELLITE COMM SYSTEM	42,375	42,375
003	COUNTERSPACE SYSTEMS	26,984	26,984
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	88,963	88,963
005	WIDEBAND GAPFILLER SATELLITES(SPACE)	86,272	116,272
	Pilot Program		[30,000]
006	GPS III SPACE SEGMENT	34,059	34,059
007	GLOBAL POSTIONING (SPACE)	2,169	2,169
008	SPACEBORNE EQUIP (COMSEC)	46,708	46,708
009	GLOBAL POSITIONING (SPACE)	13,171	10,271
	Excess to Need		[–2,900]
010	MILSATCOM	41,799	41,799
011	EVOLVED EXPENDABLE LAUNCH CAPABILITY	768,586	768,586
012	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	737,853	737,853
013	SBIR HIGH (SPACE)	362,504	362,504
014	NUDET DETECTION SYSTEM	4,395	4,395
015	SPACE MODS	8,642	8,642
016	SPACELIFT RANGE SYSTEM SPACE	123,088	123,088
	SSPARES		
017	INITIAL SPARES/REPAIR PARTS	22,606	22,606
	TOTAL SPACE PROCUREMENT, AIR FORCE	**3,055,743**	**3,082,843**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	18,734	18,734
	CARTRIDGES		
002	CARTRIDGES	220,237	220,237
	BOMBS		
003	PRACTICE BOMBS	97,106	97,106
004	GENERAL PURPOSE BOMBS	581,561	581,561
005	MASSIVE ORDNANCE PENETRATOR (MOP)	3,600	3,600
006	JOINT DIRECT ATTACK MUNITION	303,988	303,988
	OTHER ITEMS		
007	CAD/PAD	38,890	38,890
008	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	5,714	5,714
009	SPARES AND REPAIR PARTS	740	740
010	MODIFICATIONS	573	573
011	ITEMS LESS THAN $5 MILLION	5,156	5,156
	FLARES		
012	FLARES	134,709	134,709
	FUZES		

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(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
013	FUZES	229,252	229,252
	SMALL ARMS		
014	SMALL ARMS	37,459	37,459
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**1,677,719**	**1,677,719**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	14,437	14,437
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	24,812	24,812
003	CAP VEHICLES	984	984
004	ITEMS LESS THAN $5 MILLION	11,191	11,191
	SPECIAL PURPOSE VEHICLES		
005	SECURITY AND TACTICAL VEHICLES	5,361	5,361
006	ITEMS LESS THAN $5 MILLION	4,623	4,623
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	12,451	7,451
	Program reduction		[–5,000]
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN $5 MILLION	18,114	18,114
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV & CLEANING EQUIP	2,310	2,310
010	ITEMS LESS THAN $5 MILLION	46,868	46,868
	COMM SECURITY EQUIPMENT(COMSEC)		
012	COMSEC EQUIPMENT	72,359	72,359
	INTELLIGENCE PROGRAMS		
014	INTELLIGENCE TRAINING EQUIPMENT	6,982	6,982
015	INTELLIGENCE COMM EQUIPMENT	30,504	30,504
	ELECTRONICS PROGRAMS		
016	AIR TRAFFIC CONTROL & LANDING SYS	55,803	55,803
017	NATIONAL AIRSPACE SYSTEM	2,673	2,673
018	BATTLE CONTROL SYSTEM—FIXED	5,677	5,677
019	THEATER AIR CONTROL SYS IMPROVEMENTS	1,163	1,163
020	WEATHER OBSERVATION FORECAST	21,667	21,667
021	STRATEGIC COMMAND AND CONTROL	39,803	39,803
022	CHEYENNE MOUNTAIN COMPLEX	24,618	24,618
023	MISSION PLANNING SYSTEMS	15,868	15,868
025	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,331	9,331
	SPCL COMM-ELECTRONICS PROJECTS		
026	GENERAL INFORMATION TECHNOLOGY	41,779	41,779
027	AF GLOBAL COMMAND & CONTROL SYS	15,729	15,729
028	MOBILITY COMMAND AND CONTROL	9,814	9,814
029	AIR FORCE PHYSICAL SECURITY SYSTEM	99,460	99,460
030	COMBAT TRAINING RANGES	34,850	34,850
031	MINIMUM ESSENTIAL EMERGENCY COMM N	198,925	198,925
032	WIDE AREA SURVEILLANCE (WAS)	6,943	6,943
033	C3 COUNTERMEASURES	19,580	19,580
034	GCSS-AF FOS	1,743	1,743
036	THEATER BATTLE MGT C2 SYSTEM	9,659	9,659
037	AIR & SPACE OPERATIONS CTR-WPN SYS	15,474	15,474
038	AIR OPERATIONS CENTER (AOC) 10.2	30,623	30,623
	AIR FORCE COMMUNICATIONS		
039	INFORMATION TRANSPORT SYSTEMS	40,043	40,043
040	AFNET	146,897	146,897
041	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,182	5,182
042	USCENTCOM	13,418	13,418
	ORGANIZATION AND BASE		
052	TACTICAL C-E EQUIPMENT	109,836	109,836
053	RADIO EQUIPMENT	16,266	16,266
054	CCTV/AUDIOVISUAL EQUIPMENT	7,449	7,449
055	BASE COMM INFRASTRUCTURE	109,215	109,215
	MODIFICATIONS		
056	COMM ELECT MODS	65,700	65,700
	PERSONAL SAFETY & RESCUE EQUIP		
058	ITEMS LESS THAN $5 MILLION	54,416	54,416
	DEPOT PLANT+MTRLS HANDLING EQ		
059	MECHANIZED MATERIAL HANDLING EQUIP	7,344	7,344
	BASE SUPPORT EQUIPMENT		
060	BASE PROCURED EQUIPMENT	6,852	11,852
	Program increase		[5,000]
063	MOBILITY EQUIPMENT	8,146	8,146
064	ITEMS LESS THAN $5 MILLION	28,427	28,427
	SPECIAL SUPPORT PROJECTS		
066	DARP RC135	25,287	25,287
067	DCGS-AF	169,201	169,201
069	SPECIAL UPDATE PROGRAM	576,710	576,710
	CLASSIFIED PROGRAMS		
070A	CLASSIFIED PROGRAMS	15,119,705	15,119,705
	SPARES AND REPAIR PARTS		
072	SPARES AND REPAIR PARTS	15,784	15,784
	TOTAL OTHER PROCUREMENT, AIR FORCE	**17,438,056**	**17,438,056**

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, WHS		
037	MAJOR EQUIPMENT, OSD	29,211	29,211
	MAJOR EQUIPMENT, NSA		
036	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	4,399	4,399
	MAJOR EQUIPMENT, WHS		
040	MAJOR EQUIPMENT, WHS	24,979	24,979
	MAJOR EQUIPMENT, DISA		
006	INFORMATION SYSTEMS SECURITY	21,347	21,347
007	TELEPORT PROGRAM	50,597	50,597
008	ITEMS LESS THAN $5 MILLION	10,420	10,420
009	NET CENTRIC ENTERPRISE SERVICES (NCES)	1,634	1,634
010	DEFENSE INFORMATION SYSTEM NETWORK	87,235	87,235
011	CYBER SECURITY INITIATIVE	4,528	4,528
012	WHITE HOUSE COMMUNICATION AGENCY	36,846	36,846
013	SENIOR LEADERSHIP ENTERPRISE	599,391	599,391
015	JOINT REGIONAL SECURITY STACKS (JRSS)	150,221	150,221
	MAJOR EQUIPMENT, DLA		
017	MAJOR EQUIPMENT	2,055	2,055
	MAJOR EQUIPMENT, DSS		
020	MAJOR EQUIPMENT	1,057	1,057
	MAJOR EQUIPMENT, DCAA		
001	ITEMS LESS THAN $5 MILLION	2,964	2,964
	MAJOR EQUIPMENT, TJS		
038	MAJOR EQUIPMENT, TJS	7,988	7,988
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
023	THAAD	369,608	369,608
024	AEGIS BMD	463,801	528,801
	Increasing BMD capability for Aegis Ships		[65,000]
025	BMDS AN/TPY–2 RADARS	5,503	5,503
026	ARROW UPPER TIER		120,000
	Increase for Arrow 3 Coproduction subject to Title XVI		[120,000]
027	DAVID'S SLING		150,000
	Increase for DSWS Coproduction subject to Title XVI		[150,000]
028	AEGIS ASHORE PHASE III	57,493	82,493
	Classified adjustment		[25,000]
029	IRON DOME	42,000	62,000
	Increase for Coproduction of Iron Dome Tamir Interceptors subject to Title XVI		[20,000]
030	AEGIS BMD HARDWARE AND SOFTWARE	50,098	50,098
	MAJOR EQUIPMENT, DHRA		
003	PERSONNEL ADMINISTRATION	14,232	14,232
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
021	VEHICLES	200	200
022	OTHER MAJOR EQUIPMENT	6,437	6,437
	MAJOR EQUIPMENT, DODEA		
019	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	288	288
	MAJOR EQUIPMENT, DCMA		
002	MAJOR EQUIPMENT	92	92
	MAJOR EQUIPMENT, DMACT		
018	MAJOR EQUIPMENT	8,060	8,060
	CLASSIFIED PROGRAMS		
040A	CLASSIFIED PROGRAMS	568,864	568,864
	AVIATION PROGRAMS		
042	ROTARY WING UPGRADES AND SUSTAINMENT	150,396	168,996
	Program increase		[18,600]
043	UNMANNED ISR	21,190	21,190
045	NON-STANDARD AVIATION	4,905	4,905
046	U–28	3,970	3,970
047	MH–47 CHINOOK	25,022	25,022
049	CV–22 MODIFICATION	19,008	19,008
051	MQ–9 UNMANNED AERIAL VEHICLE	10,598	10,598
053	PRECISION STRIKE PACKAGE	213,122	213,122
054	AC/MC–130J	73,548	85,648
	A-kits for 105mm integration		[12,100]
055	C–130 MODIFICATIONS	32,970	32,970
	SHIPBUILDING		
056	UNDERWATER SYSTEMS	37,098	37,098
	AMMUNITION PROGRAMS		
057	ORDNANCE ITEMS <$5M	105,267	105,267
	OTHER PROCUREMENT PROGRAMS		
058	INTELLIGENCE SYSTEMS	79,963	79,963
059	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	13,432	13,432
060	OTHER ITEMS <$5M	66,436	66,436
061	COMBATANT CRAFT SYSTEMS	55,820	55,820
062	SPECIAL PROGRAMS	107,432	107,432
063	TACTICAL VEHICLES	67,849	67,849
064	WARRIOR SYSTEMS <$5M	245,781	245,781
065	COMBAT MISSION REQUIREMENTS	19,566	19,566
066	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,437	3,437
067	OPERATIONAL ENHANCEMENTS INTELLIGENCE	17,299	17,299
069	OPERATIONAL ENHANCEMENTS	219,945	219,945
	CBDP		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
070	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	148,203	148,203
071	CB PROTECTION & HAZARD MITIGATION	161,113	161,113
	TOTAL PROCUREMENT, DEFENSE-WIDE	**4,524,918**	**4,935,618**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	99,300	0
	Program decrease		[–99,300]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	**99,300**	**0**
	NATIONAL GUARD AND RESERVE EQUIPMENT		
	UNDISTRIBUTED		
007	MISCELLANEOUS EQUIPMENT		250,000
	Program increase		[250,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		**250,000**
	TOTAL PROCUREMENT	**101,971,592**	**103,062,309**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	MODIFICATION OF AIRCRAFT		
015	MULTI SENSOR ABN RECON (MIP)	21,400	21,400
020	EMARSS SEMA MODS (MIP)	42,700	42,700
026	RQ–7 UAV MODS	1,775	1,775
027	UAS MODS	4,420	0
	Realign APS Unit Set Requirements to Base		[–4,420]
	GROUND SUPPORT AVIONICS		
030	CMWS	56,115	56,115
031	CIRCM	108,721	108,721
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**235,131**	**230,711**
	MISSILE PROCUREMENT, ARMY		
	AIR-TO-SURFACE MISSILE SYSTEM		
004	HELLFIRE SYS SUMMARY	305,830	305,830
	ANTI-TANK/ASSAULT MISSILE SYS		
007	JAVELIN (AAWS-M) SYSTEM SUMMARY	15,567	0
	Realign APS Unit Set Requirements to Base		[–15,567]
008	TOW 2 SYSTEM SUMMARY	80,652	0
	Realign APS Unit Set Requirements to Base		[–80,652]
010	GUIDED MLRS ROCKET (GMLRS)	75,991	0
	Realign APS Unit Set Requirements to Base		[–75,991]
012	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS	4,777	4,777
	TOTAL MISSILE PROCUREMENT, ARMY	**482,817**	**310,607**
	PROCUREMENT OF W&TCV, ARMY		
	MODIFICATION OF TRACKED COMBAT VEHICLES		
007	PALADIN INTEGRATED MANAGEMENT (PIM)	125,184	0
	Realign APS Unit Set Requirements to Base		[–125,184]
009	ASSAULT BRIDGE (MOD)	5,950	0
	Realign APS Unit Set Requirements to Base		[–5,950]
014	ABRAMS UPGRADE PROGRAM		0
	Army requested realignment (ERI)		[172,200]
	Realign APS Unit Set Requirements to Base		[–172,200]
	WEAPONS & OTHER COMBAT VEHICLES		
017	MORTAR SYSTEMS	22,410	22,410
	SUPPORT EQUIPMENT & FACILITIES		
036	BRADLEY PROGRAM		0
	Army requested realignment (ERI)		[72,800]
	Realign APS Unit Set Requirements to Base		[–72,800]
	TOTAL PROCUREMENT OF W&TCV, ARMY	**153,544**	**22,410**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
002	CTG, 7.62MM, ALL TYPES	9,642	0
	Realign APS Unit Set Requirements to Base		[–9,642]
004	CTG, .50 CAL, ALL TYPES	6,607	609
	Realign APS Unit Set Requirements to Base		[–5,998]
005	CTG, 20MM, ALL TYPES	1,077	0
	Realign APS Unit Set Requirements to Base		[–1,077]
006	CTG, 25MM, ALL TYPES	28,534	0
	Realign APS Unit Set Requirements to Base		[–28,534]
007	CTG, 30MM, ALL TYPES	20,000	20,000
008	CTG, 40MM, ALL TYPES	7,423	0
	Realign APS Unit Set Requirements to Base		[–7,423]

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES	10,000	10,000
010	81MM MORTAR, ALL TYPES	2,677	0
	Realign APS Unit Set Requirements to Base		[–2,677]
	TANK AMMUNITION		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	8,999	0
	Realign APS Unit Set Requirements to Base		[–8,999]
	ARTILLERY AMMUNITION		
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	30,348	10,000
	Realign APS Unit Set Requirements to Base		[–20,348]
015	PROJ 155MM EXTENDED RANGE M982	140	0
	Realign APS Unit Set Requirements to Base		[–140]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	29,655	5,000
	Realign APS Unit Set Requirements to Base		[–24,655]
	MINES		
017	MINES & CLEARING CHARGES, ALL TYPES	16,866	0
	Realign APS Unit Set Requirements to Base		[–16,866]
	NETWORKED MUNITIONS		
018	SPIDER NETWORK MUNITIONS, ALL TYPES	10,353	0
	Realign APS Unit Set Requirements to Base		[–10,353]
	ROCKETS		
019	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	63,210	0
	Realign APS Unit Set Requirements to Base		[–63,210]
020	ROCKET, HYDRA 70, ALL TYPES	42,851	42,851
	OTHER AMMUNITION		
022	DEMOLITION MUNITIONS, ALL TYPES	6,373	0
	Realign APS Unit Set Requirements to Base		[–6,373]
023	GRENADES, ALL TYPES	4,143	0
	Realign APS Unit Set Requirements to Base		[–4,143]
024	SIGNALS, ALL TYPES	1,852	0
	Realign APS Unit Set Requirements to Base		[–1,852]
	MISCELLANEOUS		
027	NON-LETHAL AMMUNITION, ALL TYPES	773	0
	Realign APS Unit Set Requirements to Base		[–773]
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**301,523**	**88,460**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
002	SEMITRAILERS, FLATBED:	4,180	0
	Realign APS Unit Set Requirements to Base		[–4,180]
008	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	147,476	0
	Realign APS Unit Set Requirements to Base		[–147,476]
010	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	6,122	0
	Realign APS Unit Set Requirements to Base		[–6,122]
011	PLS ESP	106,358	0
	Realign APS Unit Set Requirements to Base		[–106,358]
012	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	203,766	127,205
	Realign APS Unit Set Requirements to Base		[–76,561]
013	TACTICAL WHEELED VEHICLE PROTECTION KITS	101,154	74,035
	Realign APS Unit Set Requirements to Base		[–27,119]
014	MODIFICATION OF IN SVC EQUIP	155,456	152,000
	Realign APS Unit Set Requirements to Base		[–3,456]
	COMM—JOINT COMMUNICATIONS		
019	WIN-T—GROUND FORCES TACTICAL NETWORK	9,572	3,000
	Realign APS Unit Set Requirements to Base		[–6,572]
	COMM—SATELLITE COMMUNICATIONS		
025	SHF TERM	24,000	0
	Realign APS Unit Set Requirements to Base		[–24,000]
	COMM—INTELLIGENCE COMM		
047	CI AUTOMATION ARCHITECTURE	1,550	1,550
	INFORMATION SECURITY		
051	COMMUNICATIONS SECURITY (COMSEC)	1,928	0
	Realign APS Unit Set Requirements to Base		[–1,928]
	COMM—BASE COMMUNICATIONS		
056	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	20,510	20,510
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
062	DCGS-A (MIP)	33,032	33,032
064	TROJAN (MIP)	3,305	3,145
	Realign APS Unit Set Requirements to Base		[–160]
066	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	7,233	7,233
069	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	5,670	5,670
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
070	LIGHTWEIGHT COUNTER MORTAR RADAR	25,892	0
	Realign APS Unit Set Requirements to Base		[–25,892]
074	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	11,610	11,610
075	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	23,890	23,890
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
080	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	4,270	0
	Realign APS Unit Set Requirements to Base		[–4,270]
089	MORTAR FIRE CONTROL SYSTEM	2,572	2,282
	Realign APS Unit Set Requirements to Base		[–290]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
092	AIR & MSL DEFENSE PLANNING & CONTROL SYS	69,958	0
	Realign APS Unit Set Requirements to Base		[–69,958]
	ELECT EQUIP—AUTOMATION		
102	AUTOMATED DATA PROCESSING EQUIP	9,900	9,900
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
108	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	96	0
	Realign APS Unit Set Requirements to Base		[–96]
	CHEMICAL DEFENSIVE EQUIPMENT		
114	CBRN DEFENSE	1,841	0
	Realign APS Unit Set Requirements to Base		[–1,841]
	BRIDGING EQUIPMENT		
115	TACTICAL BRIDGING	26,000	0
	Realign APS Unit Set Requirements to Base		[–26,000]
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
124	ROBOTICS AND APPLIQUE SYSTEMS	268	0
	Realign APS Unit Set Requirements to Base		[–268]
128	FAMILY OF BOATS AND MOTORS	280	0
	Realign APS Unit Set Requirements to Base		[–280]
	COMBAT SERVICE SUPPORT EQUIPMENT		
129	HEATERS AND ECU'S	894	0
	Realign APS Unit Set Requirements to Base		[–894]
134	FORCE PROVIDER	53,800	53,800
135	FIELD FEEDING EQUIPMENT	2,665	0
	Realign APS Unit Set Requirements to Base		[–2,665]
136	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	2,400	2,400
137	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	9,789	0
	Realign APS Unit Set Requirements to Base		[–9,789]
138	ITEMS LESS THAN $5M (ENG SPT)	300	0
	Realign APS Unit Set Requirements to Base		[–300]
	PETROLEUM EQUIPMENT		
139	QUALITY SURVEILLANCE EQUIPMENT	4,800	0
	Realign APS Unit Set Requirements to Base		[–4,800]
140	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	78,240	57,420
	Realign APS Unit Set Requirements to Base		[–20,820]
	MEDICAL EQUIPMENT		
141	COMBAT SUPPORT MEDICAL	5,763	0
	Realign APS Unit Set Requirements to Base		[–5,763]
	MAINTENANCE EQUIPMENT		
142	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	1,609	0
	Realign APS Unit Set Requirements to Base		[–1,609]
143	ITEMS LESS THAN $5.0M (MAINT EQ)	145	0
	Realign APS Unit Set Requirements to Base		[–145]
	CONSTRUCTION EQUIPMENT		
144	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	3,047	0
	Realign APS Unit Set Requirements to Base		[–3,047]
148	TRACTOR, FULL TRACKED	4,426	0
	Realign APS Unit Set Requirements to Base		[–4,426]
151	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	2,900	0
	Realign APS Unit Set Requirements to Base		[–2,900]
155	ITEMS LESS THAN $5.0M (CONST EQUIP)	96	0
	Realign APS Unit Set Requirements to Base		[–96]
	GENERATORS		
158	GENERATORS AND ASSOCIATED EQUIP	21,861	1,900
	Realign APS Unit Set Requirements to Base		[–19,961]
	MATERIAL HANDLING EQUIPMENT		
160	FAMILY OF FORKLIFTS	846	0
	Realign APS Unit Set Requirements to Base		[–846]
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
168	TEST EQUIPMENT MODERNIZATION (TEMOD)	1,140	0
	Realign APS Unit Set Requirements to Base		[–1,140]
	OTHER SUPPORT EQUIPMENT		
170	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,500	8,500
	TOTAL OTHER PROCUREMENT, ARMY	**1,211,110**	**599,082**
	JOINT IMPROVISED-THREAT DEFEAT FUND		
	NETWORK ATTACK		
001	RAPID ACQUISITION AND THREAT RESPONSE	232,200	207,200
	Program decrease		[–25,000]
	STAFF AND INFRASTRUCTURE		
002	MISSION ENABLERS	62,800	62,800
	TOTAL JOINT IMPROVISED-THREAT DEFEAT FUND	**295,000**	**270,000**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
002	F/A–18E/F (FIGHTER) HORNET	184,912	184,912
	OTHER AIRCRAFT		
026	STUASL0 UAV	70,000	70,000
	MODIFICATION OF AIRCRAFT		
037	EP–3 SERIES	7,505	7,505
047	SPECIAL PROJECT AIRCRAFT	14,869	14,869
051	COMMON ECM EQUIPMENT	70,780	70,780
059	V–22 (TILT/ROTOR ACFT) OSPREY	8,740	8,740

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	AIRCRAFT SPARES AND REPAIR PARTS		
063	SPARES AND REPAIR PARTS	1,500	1,500
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
065	AIRCRAFT INDUSTRIAL FACILITIES	524	524
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**358,830**	**358,830**
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
010	HELLFIRE	8,600	8,600
	TOTAL WEAPONS PROCUREMENT, NAVY	**8,600**	**8,600**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	40,366	40,366
002	AIRBORNE ROCKETS, ALL TYPES	8,860	8,860
006	AIR EXPENDABLE COUNTERMEASURES	7,060	7,060
013	PYROTECHNIC AND DEMOLITION	1,122	1,122
014	AMMUNITION LESS THAN $5 MILLION	3,495	3,495
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	1,205	1,205
017	40 MM, ALL TYPES	539	539
018	60MM, ALL TYPES	909	909
020	120MM, ALL TYPES	530	530
022	ROCKETS, ALL TYPES	469	469
023	ARTILLERY, ALL TYPES	1,196	1,196
024	DEMOLITION MUNITIONS, ALL TYPES	261	261
025	FUZE, ALL TYPES	217	217
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**66,229**	**66,229**
	OTHER PROCUREMENT, NAVY		
	OTHER SHORE ELECTRONIC EQUIPMENT		
081	DCGS-N	12,000	12,000
	OTHER ORDNANCE SUPPORT EQUIPMENT		
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	40,000	40,000
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
124	FIRE FIGHTING EQUIPMENT	630	630
	SUPPLY SUPPORT EQUIPMENT		
133	FIRST DESTINATION TRANSPORTATION	25	25
	COMMAND SUPPORT EQUIPMENT		
137	COMMAND SUPPORT EQUIPMENT	10,562	10,562
	CLASSIFIED PROGRAMS		
150A	CLASSIFIED PROGRAMS	1,660	1,660
	TOTAL OTHER PROCUREMENT, NAVY	**64,877**	**64,877**
	PROCUREMENT, MARINE CORPS		
	ARTILLERY AND OTHER WEAPONS		
006	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	572	572
	GUIDED MISSILES		
010	JAVELIN	1,606	1,606
	OTHER SUPPORT (TEL)		
018	MODIFICATION KITS	2,600	2,600
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
019	ITEMS UNDER $5 MILLION (COMM & ELEC)	2,200	2,200
	INTELL/COMM EQUIPMENT (NON-TEL)		
026	INTELLIGENCE SUPPORT EQUIPMENT	20,981	20,981
029	RQ–11 UAV	3,817	3,817
	OTHER SUPPORT (NON-TEL)		
035	COMMON COMPUTER RESOURCES	2,600	2,600
037	RADIO SYSTEMS	9,563	9,563
	ENGINEER AND OTHER EQUIPMENT		
053	EOD SYSTEMS	75,000	75,000
	TOTAL PROCUREMENT, MARINE CORPS	**118,939**	**118,939**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	OTHER AIRLIFT		
004	C–130J	73,000	73,000
	OTHER AIRCRAFT		
015	MQ–9	273,600	273,600
	STRATEGIC AIRCRAFT		
019	LARGE AIRCRAFT INFRARED COUNTERMEASURES	135,801	135,801
	TACTICAL AIRCRAFT		
020	A–10	23,850	23,850
	OTHER AIRCRAFT		
047	E–3	6,600	6,600
056	HC/MC–130 MODIFICATIONS	13,550	13,550
057	OTHER AIRCRAFT	7,500	7,500
059	MQ–9 MODS	112,068	112,068
	AIRCRAFT SPARES AND REPAIR PARTS		
061	INITIAL SPARES/REPAIR PARTS	25,600	0
	Compass Call Program Restructure		[–25,600]
	OTHER PRODUCTION CHARGES		
077	OTHER PRODUCTION CHARGES	8,400	8,400

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**679,969**	**654,369**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
006	PREDATOR HELLFIRE MISSILE	145,125	145,125
	CLASS IV		
011	AGM–65D MAVERICK	9,720	9,720
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**154,845**	**154,845**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
002	CARTRIDGES	9,830	9,830
	BOMBS		
004	GENERAL PURPOSE BOMBS	7,921	7,921
006	JOINT DIRECT ATTACK MUNITION	140,126	140,126
	FLARES		
012	FLARES	6,531	6,531
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**164,408**	**164,408**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	2,003	2,003
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	9,066	9,066
004	ITEMS LESS THAN $5 MILLION	12,264	12,264
	SPECIAL PURPOSE VEHICLES		
006	ITEMS LESS THAN $5 MILLION	16,789	16,789
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	48,590	48,590
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN $5 MILLION	2,366	2,366
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV & CLEANING EQUIP	6,468	6,468
010	ITEMS LESS THAN $5 MILLION	9,271	9,271
	ELECTRONICS PROGRAMS		
016	AIR TRAFFIC CONTROL & LANDING SYS	42,650	42,650
	SPCL COMM-ELECTRONICS PROJECTS		
029	AIR FORCE PHYSICAL SECURITY SYSTEM	7,500	7,500
033	C3 COUNTERMEASURES	620	620
	ORGANIZATION AND BASE		
052	TACTICAL C-E EQUIPMENT	8,100	8,100
	MODIFICATIONS		
056	COMM ELECT MODS	3,800	3,800
	BASE SUPPORT EQUIPMENT		
061	ENGINEERING AND EOD EQUIPMENT	53,900	53,900
	SPECIAL SUPPORT PROJECTS		
067	DCGS-AF	800	800
	CLASSIFIED PROGRAMS		
070A	CLASSIFIED PROGRAMS	3,472,094	3,472,094
	TOTAL OTHER PROCUREMENT, AIR FORCE	**3,696,281**	**3,696,281**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
007	TELEPORT PROGRAM	1,900	1,900
	CLASSIFIED PROGRAMS		
040A	CLASSIFIED PROGRAMS	32,482	32,482
	AVIATION PROGRAMS		
041	MC–12	5,000	5,000
043	UNMANNED ISR	11,880	11,880
046	U–28	38,283	38,283
	AMMUNITION PROGRAMS		
057	ORDNANCE ITEMS <$5M	52,504	52,504
	OTHER PROCUREMENT PROGRAMS		
058	INTELLIGENCE SYSTEMS	22,000	22,000
060	OTHER ITEMS <$5M	11,580	11,580
062	SPECIAL PROGRAMS	13,549	13,549
063	TACTICAL VEHICLES	3,200	3,200
069	OPERATIONAL ENHANCEMENTS	42,056	42,056
	TOTAL PROCUREMENT, DEFENSE-WIDE	**234,434**	**234,434**
	TOTAL PROCUREMENT	**8,226,537**	**7,043,082**

SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
003	MQ–1 UAV		95,100
	Army unfunded requirement		[95,100]
	ROTARY		
005	HELICOPTER, LIGHT UTILITY (LUH)		110,000
	Army unfunded requirement (ARI)		[110,000]
006	AH–64 APACHE BLOCK IIIA REMAN	78,040	268,040
	Army unfunded requirement (ARI)		[190,000]
007	ADVANCE PROCUREMENT (CY)		72,900
	Army unfunded requirement (ARI)		[72,900]
008	UH–60 BLACKHAWK M MODEL (MYP)		440,200
	Army unfunded requirement (ARI)		[440,200]
	MODIFICATION OF AIRCRAFT		
017	CH–47 CARGO HELICOPTER MODS (MYP)		102,000
	Army unfunded requirement (ARI)		[102,000]
	GROUND SUPPORT AVIONICS		
028	AIRCRAFT SURVIVABILITY EQUIPMENT		22,000
	Army unfunded requirement-modernized warning system (ARI)		[22,000]
029	SURVIVABILITY CM		28,000
	Army unfunded requirement-assured PNT (ARI)		[28,000]
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**78,040**	**1,138,240**
	MISSILE PROCUREMENT, ARMY		
	AIR-TO-SURFACE MISSILE SYSTEM		
004	HELLFIRE SYS SUMMARY	150,000	150,000
	ANTI-TANK/ASSAULT MISSILE SYS		
007	JAVELIN (AAWS-M) SYSTEM SUMMARY		104,200
	Army unfunded requirement		[104,200]
010	GUIDED MLRS ROCKET (GMLRS)		76,000
	Army unfunded requirement		[76,000]
	MODIFICATIONS		
014	ATACMS MODS		15,900
	Army unfunded requirement		[15,900]
	TOTAL MISSILE PROCUREMENT, ARMY	**150,000**	**346,100**
	PROCUREMENT OF W&TCV, ARMY		
	MODIFICATION OF TRACKED COMBAT VEHICLES		
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)		72,000
	Army unfunded requirement		[72,000]
013	M1 ABRAMS TANK (MOD)		140,000
	Army unfunded requirement—Industrial base risk mitigation		[60,000]
	Army unfunded requirement—Vehicle APS		[80,000]
	UNDISTRIBUTED		
036A	UNDISTRIBUTED		55,100
	Additional funding to support increase in Army end strength		[55,100]
	TOTAL PROCUREMENT OF W&TCV, ARMY		**267,100**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES		4,000
	Army unfunded requirement		[4,000]
002	CTG, 7.62MM, ALL TYPES		14,000
	Army unfunded requirement		[14,000]
003	CTG, HANDGUN, ALL TYPES		9,000
	Army unfunded requirement		[9,000]
004	CTG, .50 CAL, ALL TYPES		21,000
	Army unfunded requirement		[21,000]
005	CTG, 20MM, ALL TYPES		14,000
	Army unfunded requirement		[14,000]
007	CTG, 30MM, ALL TYPES		8,200
	Army unfunded requirement		[8,200]
	MORTAR AMMUNITION		
011	120MM MORTAR, ALL TYPES		30,000
	Army unfunded requirement		[30,000]
	TANK AMMUNITION		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES		35,000
	Army unfunded requirement		[35,000]
	ARTILLERY AMMUNITION		
015	PROJ 155MM EXTENDED RANGE M982		23,500
	Army unfunded requirement		[23,500]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL		10,000
	Army unfunded requirement		[10,000]
	ROCKETS		
019	SHOULDER LAUNCHED MUNITIONS, ALL TYPES		30,000
	Army unfunded requirement		[30,000]
020	ROCKET, HYDRA 70, ALL TYPES		42,500
	Army unfunded requirement		[27,500]
	Army unfunded requirement- guided hydra rockets		[15,000]
	UNDISTRIBUTED		
034A	UNDISTRIBUTED		46,500
	Additional funding to support increase in Army end strength		[46,500]

SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	TOTAL PROCUREMENT OF AMMUNITION, ARMY		**287,700**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
008	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	152,000	152,000
	COMM—JOINT COMMUNICATIONS		
019	WIN-T—GROUND FORCES TACTICAL NETWORK		80,000
	BBA Restoration—2BCTs - Increment 2		[80,000]
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
080	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS		8,400
	Army unfunded requirement- CRAM Upgrades and MODS		[8,400]
	GENERATORS		
158	GENERATORS AND ASSOCIATED EQUIP	9,900	9,900
	UNDISTRIBUTED		
180	UNDISTRIBUTED		18,400
	Additional funding to support increase in Army end strength		[18,400]
	TOTAL OTHER PROCUREMENT, ARMY	**161,900**	**268,700**
	JOINT IMPROVISED-THREAT DEFEAT FUND		
	NETWORK ATTACK		
001	RAPID ACQUISITION AND THREAT RESPONSE	113,272	113,272
	TOTAL JOINT IMPROVISED-THREAT DEFEAT FUND	**113,272**	**113,272**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
002	F/A–18E/F (FIGHTER) HORNET		1,400,000
	Navy unfunded requirement		[1,400,000]
003	JOINT STRIKE FIGHTER CV		540,000
	Marine Corps unfunded requirement		[270,000]
	Navy unfunded requirement		[270,000]
005	JSF STOVL		254,200
	Marine Corps unfunded requirement		[254,200]
009	V–22 (MEDIUM LIFT)		150,000
	Marine Corps unfunded requirement		[150,000]
011	H–1 UPGRADES (UH–1Y/AH–1Z)		57,000
	Marine Corps unfunded requirement- AH–1Zs		[57,000]
	AIRLIFT AIRCRAFT		
019A	C–40A		415,000
	Marine Corps unfunded requirement		[207,500]
	Navy unfunded requirement		[207,500]
	OTHER AIRCRAFT		
023	MQ–4 TRITON		95,000
	Additional system—ISR shortfalls		[95,000]
025	MQ–8 UAV		47,500
	Scope Increase		[47,500]
	MODIFICATION OF AIRCRAFT		
034	H–53 SERIES		16,100
	Accelerate readiness improvement		[2,800]
	Marine Corps unfunded requirement- degraded visual environment		[13,300]
035	SH–60 SERIES	3,000	3,000
036	H–1 SERIES	3,740	27,140
	Accelerate readiness improvement		[23,400]
051	COMMON ECM EQUIPMENT	27,460	27,460
059	V–22 (TILT/ROTOR ACFT) OSPREY		39,300
	Marine Corps unfunded requirement- SPMAGTF- C4 UUNS		[39,300]
	AIRCRAFT SPARES AND REPAIR PARTS		
063	SPARES AND REPAIR PARTS		140,300
	KC–130J spares		[36,000]
	Marine Corps unfunded requirement- F35 B spares		[91,000]
	Marine Corps unfunded requirement- F35 C spares		[13,300]
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**34,200**	**3,212,000**
	WEAPONS PROCUREMENT, NAVY		
	STRATEGIC MISSILES		
003	TOMAHAWK		76,000
	Scope Increase		[76,000]
	TACTICAL MISSILES		
005	SIDEWINDER		33,000
	Navy unfunded requirement		[33,000]
015A	LCS OVER-THE-HORIZON MISSILE		18,100
	Navy unfunded requirement		[18,100]
	TOTAL WEAPONS PROCUREMENT, NAVY		**127,100**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS		58,000
	Navy unfunded requirement—JDAM components		[58,000]
	MARINE CORPS AMMUNITION		
023	ARTILLERY, ALL TYPES		19,200
	Marine Corps unfunded requirement- GMLRS AW munitions		[19,200]
	TOTAL PROCUREMENT OF AMMO, NAVY & MC		**77,200**

SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	SHIPBUILDING AND CONVERSION, NAVY		
	OTHER WARSHIPS		
003	ADVANCE PROCUREMENT (CY)		263,000
	Advance Procurement for CVN–81		[263,000]
005	ADVANCE PROCUREMENT (CY)		85,000
	Long-lead Time Materiel Orders		[85,000]
009	DDG–51		433,000
	Scope Increase		[433,000]
011	LITTORAL COMBAT SHIP		384,700
	Scope Increase		[384,700]
	AMPHIBIOUS SHIPS		
012A	AMPHIBIOUS SHIP REPLACEMENT LX(R)		856,000
	Procurement of LX (R)		[856,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
026	SHIP TO SHORE CONNECTOR		165,000
	Scope Increase		[165,000]
028	LCAC SLEP		80,300
	Scope Increase		[80,300]
	TOTAL SHIPBUILDING AND CONVERSION, NAVY		**2,267,000**
	OTHER PROCUREMENT, NAVY		
	OTHER SHIPBOARD EQUIPMENT		
009	DDG MOD		65,000
	Scope Increase		[65,000]
	SMALL BOATS		
032	STANDARD BOATS		20,000
	Program Acceleration		[20,000]
	OTHER SHIP SUPPORT		
039A	LCS LAUNCHER		24,900
	Navy unfunded requirement		[24,900]
	AIRCRAFT SUPPORT EQUIPMENT		
104	WEAPONS RANGE SUPPORT EQUIPMENT		9,000
	Navy unfunded requirement—Barking Sands Tactical Underwater Range		[9,000]
	OTHER ORDNANCE SUPPORT EQUIPMENT		
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	59,329	59,329
	TOTAL OTHER PROCUREMENT, NAVY	**59,329**	**178,229**
	PROCUREMENT, MARINE CORPS		
	ARTILLERY AND OTHER WEAPONS		
004	155MM LIGHTWEIGHT TOWED HOWITZER		14,000
	Marine Corps unfunded requirement- chrome tubes		[14,000]
	OTHER SUPPORT (NON-TEL)		
036	COMMAND POST SYSTEMS		40,800
	Marine Corps unfunded requirement- SPMAGTF—C4 UUNS		[40,800]
	TOTAL PROCUREMENT, MARINE CORPS		**54,800**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F–35		690,500
	Air Force unfunded requirement		[690,500]
	OTHER AIRLIFT		
004	C–130J		271,500
	Scope Increase		[271,500]
	HELICOPTERS		
010	UUH–1N REPLACEMENT		80,000
	Program increase to address urgent need		[80,000]
	OTHER AIRCRAFT		
015	MQ–9	179,430	179,430
015A	EC–130H		103,000
	Scope increase		[103,000]
	TACTICAL AIRCRAFT		
020	A–10		218,500
	A–10 wing upgrades		[120,000]
	Air Force unfunded requirement- A–10 antijam GPS		[10,300]
	Air Force unfunded requirement- A–10 situation awareness upgrade kits		[23,200]
	Air Force unfunded requirement- ASE radar warning receiver upgrades		[65,000]
021	F–15		60,400
	Air Force unfunded requirement- ASE radar warning receiver upgrades		[60,400]
022	F–16		187,500
	Air Force unfunded requirement- antijam GPS		[5,000]
	Air Force unfunded requirement- missile warning system		[12,000]
	Air Force unfunded requirement- radar warning receiver upgrades		[170,500]
	OTHER AIRCRAFT		
049	E–8		17,500
	Additional 2 PME-DMS kits		[17,500]
054	H–60		70,700
	Air Force unfunded requirement- ASE radar warning receivers		[70,700]
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**179,430**	**1,879,030**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
007	SMALL DIAMETER BOMB	167,800	167,800

SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	CLASS IV		
011	AGM–65D MAVERICK	16,900	16,900
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**184,700**	**184,700**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	60,000	60,000
	BOMBS		
006	JOINT DIRECT ATTACK MUNITION	263,000	263,000
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**323,000**	**323,000**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
007	TELEPORT PROGRAM	2,000	2,000
016	DEFENSE INFORMATION SYSTEMS NETWORK	2,000	2,000
	TOTAL PROCUREMENT, DEFENSE-WIDE	**4,000**	**4,000**
	TOTAL PROCUREMENT	**1,287,871**	**10,728,171**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	12,381	12,381
002	0601102A	DEFENSE RESEARCH SCIENCES	253,116	253,116
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	69,166	69,166
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	94,280	94,280
		SUBTOTAL BASIC RESEARCH	**428,943**	**428,943**
		APPLIED RESEARCH		
005	0602105A	MATERIALS TECHNOLOGY	31,533	31,533
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	36,109	36,109
007	0602122A	TRACTOR HIP	6,995	6,995
008	0602211A	AVIATION TECHNOLOGY	65,914	65,914
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	25,466	25,466
010	0602303A	MISSILE TECHNOLOGY	44,313	44,313
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	28,803	28,803
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	27,688	27,688
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	67,959	67,959
014	0602618A	BALLISTICS TECHNOLOGY	85,436	85,436
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	3,923	3,923
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	5,545	5,545
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	53,581	53,581
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	56,322	56,322
019	0602709A	NIGHT VISION TECHNOLOGY	36,079	36,079
020	0602712A	COUNTERMINE SYSTEMS	26,497	26,497
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	23,671	23,671
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	22,151	22,151
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	37,803	37,803
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	13,811	13,811
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	67,416	67,416
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	26,045	26,045
027	0602786A	WARFIGHTER TECHNOLOGY	37,403	42,403
		Program Increase		[5,000]
028	0602787A	MEDICAL TECHNOLOGY	77,111	77,111
		SUBTOTAL APPLIED RESEARCH	**907,574**	**912,574**
		ADVANCED TECHNOLOGY DEVELOPMENT		
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	38,831	38,831
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	68,365	68,365
031	0603003A	AVIATION ADVANCED TECHNOLOGY	94,280	94,280
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	68,714	68,714
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	122,132	122,132
034	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	3,904	3,904
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	14,417	14,417
037	0603009A	TRACTOR HIKE	8,074	21,374
		See classified annex		[13,300]
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	18,969	18,969
039	0603020A	TRACTOR ROSE	11,910	11,910
040	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	27,686	27,686
041	0603130A	TRACTOR NAIL	2,340	2,340
042	0603131A	TRACTOR EGGS	2,470	2,470
043	0603270A	ELECTRONIC WARFARE TECHNOLOGY	27,893	27,893

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
044	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	52,190	52,190
045	0603322A	TRACTOR CAGE	11,107	11,107
046	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	177,190	179,190
		Program increase		[2,000]
047	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	17,451	17,451
048	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,839	5,839
049	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	44,468	44,468
050	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	11,137	11,137
051	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	20,684	20,684
052	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	44,239	44,239
053	0603794A	C3 ADVANCED TECHNOLOGY	35,775	35,775
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**930,065**	**945,365**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
054	0603305A	ARMY MISSLE DEFENSE SYSTEMS INTEGRATION	9,433	9,433
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	23,056	23,056
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	72,117	72,117
057	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	28,244	28,244
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	40,096	40,096
059	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	10,506	10,506
060	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	15,730	15,730
061	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	10,321	10,321
062	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	7,785	7,785
063	0603790A	NATO RESEARCH AND DEVELOPMENT	2,300	2,300
064	0603801A	AVIATION—ADV DEV	10,014	10,014
065	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	20,834	20,834
066	0603807A	MEDICAL SYSTEMS—ADV DEV	33,503	41,003
		Program increase		[7,500]
067	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	31,120	31,120
068	0604100A	ANALYSIS OF ALTERNATIVES	6,608	6,608
069	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	35,132	35,132
070	0604115A	TECHNOLOGY MATURATION INITIATIVES	70,047	70,047
071	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	83,279	83,279
073	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	40,510	40,510
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**550,635**	**558,135**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
074	0604201A	AIRCRAFT AVIONICS	83,248	83,248
075	0604270A	ELECTRONIC WARFARE DEVELOPMENT	34,642	34,642
077	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	12,172	12,172
078	0604321A	ALL SOURCE ANALYSIS SYSTEM	3,958	3,958
079	0604328A	TRACTOR CAGE	12,525	12,525
080	0604601A	INFANTRY SUPPORT WEAPONS	66,943	66,943
082	0604611A	JAVELIN	20,011	20,011
083	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	11,429	11,429
084	0604633A	AIR TRAFFIC CONTROL	3,421	3,421
085	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	39,282	39,282
086	0604642A	LIGHT TACTICAL WHEELED VEHICLES	494	494
087	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	9,678	9,678
088	0604710A	NIGHT VISION SYSTEMS—ENG DEV	84,519	84,519
089	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,054	2,054
090	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	30,774	30,774
091	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	53,332	61,332
		Program increase- all digital radar technology for CRAM		[8,000]
092	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	17,887	17,887
093	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,813	8,813
094	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	10,487	10,487
095	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	15,068	15,068
096	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	89,716	89,716
097	0604802A	WEAPONS AND MUNITIONS—ENG DEV	80,365	80,365
098	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	75,098	86,198
		Program Increase- next generation signature management		[11,100]
099	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	4,245	4,245
100	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	41,124	41,124
101	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	39,630	39,630
102	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	205,590	205,590
103	0604820A	RADAR DEVELOPMENT	15,983	15,983
104	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	6,805	6,805
105	0604823A	FIREFINDER	9,235	9,235
106	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	12,393	12,393
107	0604854A	ARTILLERY SYSTEMS—EMD	1,756	1,756
108	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	74,236	74,236
109	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	155,584	155,584
110	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	184,221	184,221
111	0605029A	INTEGRATED GROUND SECURITY SURVEILLANCE RESPONSE CAPABILITY (IGSSR-C)	4,980	4,980
112	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	15,041	15,041
113	0605031A	JOINT TACTICAL NETWORK (JTN)	16,014	16,014
114	0605032A	TRACTOR TIRE	27,254	27,254
115	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EXPEDITIONARY (GBOSS-E)	5,032	5,032
116	0605034A	TACTICAL SECURITY SYSTEM (TSS)	2,904	2,904
117	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	96,977	96,977
118	0605036A	COMBATING WEAPONS OF MASS DESTRUCTION (CWMD)	2,089	2,089

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Line	Program Element	Item	FY 2017 Request	House Authorized
119	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	33,836	33,836
120	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	18,824	18,824
121	0605047A	CONTRACT WRITING SYSTEM	20,663	20,663
122	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	41,133	41,133
123	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	83,995	83,995
125	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	5,028	5,028
126	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	42,972	42,972
128	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	252,811	252,811
131	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	4,955	4,955
132	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	11,530	11,530
133	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	2,142	2,142
134	0210609A	PALADIN INTEGRATED MANAGEMENT (PIM)	41,498	41,498
135	0303032A	TROJAN—RH12	4,273	4,273
136	0304270A	ELECTRONIC WARFARE DEVELOPMENT	14,425	14,425
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**2,265,094**	**2,284,194**
		RDT&E MANAGEMENT SUPPORT		
137	0604256A	THREAT SIMULATOR DEVELOPMENT	25,675	25,675
138	0604258A	TARGET SYSTEMS DEVELOPMENT	19,122	19,122
139	0604759A	MAJOR T&E INVESTMENT	84,777	84,777
140	0605103A	RAND ARROYO CENTER	20,658	20,658
141	0605301A	ARMY KWAJALEIN ATOLL	236,648	236,648
142	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	25,596	25,596
144	0605601A	ARMY TEST RANGES AND FACILITIES	293,748	293,748
145	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	52,404	52,404
146	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	38,571	38,571
147	0605606A	AIRCRAFT CERTIFICATION	4,665	4,665
148	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,925	6,925
149	0605706A	MATERIEL SYSTEMS ANALYSIS	21,677	21,677
150	0605709A	EXPLOITATION OF FOREIGN ITEMS	12,415	12,415
151	0605712A	SUPPORT OF OPERATIONAL TESTING	49,684	49,684
152	0605716A	ARMY EVALUATION CENTER	55,905	55,905
153	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	7,959	7,959
154	0605801A	PROGRAMWIDE ACTIVITIES	51,822	51,822
155	0605803A	TECHNICAL INFORMATION ACTIVITIES	33,323	33,323
156	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	40,545	40,545
157	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	2,130	2,130
158	0605898A	MANAGEMENT HQ—R&D	49,885	49,885
159	0303260A	DEFENSE MILITARY DECEPTION INITIATIVE	2,000	2,000
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**1,136,134**	**1,136,134**
		OPERATIONAL SYSTEMS DEVELOPMENT		
161	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	9,663	9,663
162	0603813A	TRACTOR PULL	3,960	3,960
163	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	3,638	3,638
164	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	14,517	14,517
165	0607133A	TRACTOR SMOKE	4,479	4,479
166	0607134A	LONG RANGE PRECISION FIRES (LRPF)	39,275	39,275
167	0607135A	APACHE PRODUCT IMPROVEMENT PROGRAM	66,441	66,441
168	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	46,765	46,765
169	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	91,848	91,848
170	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM	796	796
171	0607139A	IMPROVED TURBINE ENGINE PROGRAM	126,105	126,105
172	0607140A	EMERGING TECHNOLOGIES FROM NIE	2,369	2,369
173	0607141A	LOGISTICS AUTOMATION	4,563	4,563
174	0607665A	FAMILY OF BIOMETRICS	12,098	12,098
175	0607865A	PATRIOT PRODUCT IMPROVEMENT	49,482	49,482
176	0202429A	AEROSTAT JOINT PROJECT—COCOM EXERCISE	45,482	2,482
		Program reduction		[–43,000]
178	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCS)	30,455	30,455
179	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	316,857	316,857
180	0203740A	MANEUVER CONTROL SYSTEM	4,031	4,031
181	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	35,793	35,793
182	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	259	259
183	0203758A	DIGITIZATION	6,483	6,483
184	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	5,122	5,122
185	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	7,491	7,491
186	0203808A	TRACTOR CARD	20,333	20,333
188	0205410A	MATERIALS HANDLING EQUIPMENT	124	124
190	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	69,417	69,417
191	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	22,044	22,044
192	0208053A	JOINT TACTICAL GROUND SYSTEM	12,649	12,649
194	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	11,619	11,619
195	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	38,280	38,280
196	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	27,223	27,223
197	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	18,815	18,815
198	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	4,718	4,718
202	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	8,218	8,218
203	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	11,799	11,799
204	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	32,284	32,284
205	0305219A	MQ–1C GRAY EAGLE UAS	13,470	13,470

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206	0305232A	RQ–11 UAV	1,613	1,613
207	0305233A	RQ–7 UAV	4,597	4,597
209	0310349A	WIN-T INCREMENT 2—INITIAL NETWORKING	4,867	4,867
210	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	62,287	62,287
210A	9999999999	CLASSIFIED PROGRAMS	4,625	4,625
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**1,296,954**	**1,253,954**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**7,515,399**	**7,519,299**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	101,714	121,714
		Program increase		[20,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,508	18,508
003	0601153N	DEFENSE RESEARCH SCIENCES	422,748	422,748
		SUBTOTAL BASIC RESEARCH	**542,970**	**562,970**
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	41,371	41,371
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	158,745	158,745
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	51,590	51,590
007	0602235N	COMMON PICTURE APPLIED RESEARCH	41,185	41,185
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	45,467	45,467
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	118,941	118,941
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	42,618	74,618
		Service Life Extension Program—AGOR		[32,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,327	6,327
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	126,313	126,313
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	165,103	165,103
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	33,916	33,916
015	0602898N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR HEADQUARTERS	29,575	29,575
		SUBTOTAL APPLIED RESEARCH	**861,151**	**893,151**
		ADVANCED TECHNOLOGY DEVELOPMENT		
016	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	96,406	106,406
		Program increase for common mount		[10,000]
017	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	48,438	48,438
018	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	26,421	26,421
019	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	140,416	140,416
020	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	13,117	13,117
021	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	249,092	249,092
022	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	56,712	56,712
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,789	4,789
024	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	25,880	25,880
025	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	60,550	65,550
		Program Increase		[5,000]
026	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	15,167	15,167
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**736,988**	**751,988**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	48,536	48,536
028	0603216N	AVIATION SURVIVABILITY	5,239	5,239
030	0603251N	AIRCRAFT SYSTEMS	1,519	1,519
031	0603254N	ASW SYSTEMS DEVELOPMENT	7,041	7,041
032	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,274	3,274
033	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	57,034	72,034
		Program Increase		[15,000]
034	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	165,775	165,775
035	0603506N	SURFACE SHIP TORPEDO DEFENSE	87,066	87,066
036	0603512N	CARRIER SYSTEMS DEVELOPMENT	7,605	7,605
037	0603525N	PILOT FISH	132,068	132,068
038	0603527N	RETRACT LARCH	14,546	14,546
039	0603536N	RETRACT JUNIPER	115,435	115,435
040	0603542N	RADIOLOGICAL CONTROL	702	702
041	0603553N	SURFACE ASW	1,081	1,081
042	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	100,565	100,565
043	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	8,782	8,782
044	0603563N	SHIP CONCEPT ADVANCED DESIGN	14,590	14,590
045	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	15,805	15,805
046	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	453,313	453,313
047	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	36,655	36,655
048	0603576N	CHALK EAGLE	367,016	367,016
049	0603581N	LITTORAL COMBAT SHIP (LCS)	51,630	51,630
050	0603582N	COMBAT SYSTEM INTEGRATION	23,530	23,530
051	0603595N	OHIO REPLACEMENT	700,811	700,811
052	0603596N	LCS MISSION MODULES	160,058	129,158
		Program Restructure		[–30,900]
053	0603597N	AUTOMATED TEST AND ANALYSIS		8,000
		Program increase		[8,000]
054	0603599N	FRIGATE DEVELOPMENT	84,900	84,900
055	0603609N	CONVENTIONAL MUNITIONS	8,342	8,342
056	0603611M	MARINE CORPS ASSAULT VEHICLES	158,682	158,682

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057	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	1,303	1,303
058	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	46,911	46,911
060	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	4,556	4,556
061	0603721N	ENVIRONMENTAL PROTECTION	20,343	20,343
062	0603724N	NAVY ENERGY PROGRAM	52,479	52,479
063	0603725N	FACILITIES IMPROVEMENT	5,458	5,458
064	0603734N	CHALK CORAL	245,860	245,860
065	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,089	3,089
066	0603746N	RETRACT MAPLE	323,526	323,526
067	0603748N	LINK PLUMERIA	318,497	318,497
068	0603751N	RETRACT ELM	52,834	52,834
069	0603764N	LINK EVERGREEN	48,116	48,116
070	0603787N	SPECIAL PROCESSES	13,619	13,619
071	0603790N	NATO RESEARCH AND DEVELOPMENT	9,867	9,867
072	0603795N	LAND ATTACK TECHNOLOGY	6,015	6,015
073	0603851M	JOINT NON-LETHAL WEAPONS TESTING	27,904	27,904
074	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	104,144	104,144
075	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	32,700	32,700
076	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	70,528	70,528
077	0604122N	REMOTE MINEHUNTING SYSTEM (RMS)	3,001	3,001
078	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	34,920	34,920
080	0604292N	MH-XX	1,620	1,620
081	0604454N	LX (R)	6,354	6,354
082	0604536N	ADVANCED UNDERSEA PROTOTYPING	78,589	78,589
084	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	9,910	9,910
085	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	23,971	23,971
086	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	252,409	252,409
087	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	23,197	23,197
088	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,110	9,110
089	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	437	437
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,662,867**	**4,654,967**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
090	0603208N	TRAINING SYSTEM AIRCRAFT	19,938	19,938
091	0604212N	OTHER HELO DEVELOPMENT	6,268	6,268
092	0604214N	AV–8B AIRCRAFT—ENG DEV	33,664	33,664
093	0604215N	STANDARDS DEVELOPMENT	1,300	1,300
094	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	5,275	5,275
095	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	3,875	3,875
096	0604221N	P–3 MODERNIZATION PROGRAM	1,909	1,909
097	0604230N	WARFARE SUPPORT SYSTEM	13,237	13,237
098	0604231N	TACTICAL COMMAND SYSTEM	36,323	36,323
099	0604234N	ADVANCED HAWKEYE	363,792	363,792
100	0604245N	H–1 UPGRADES	27,441	27,441
101	0604261N	ACOUSTIC SEARCH SENSORS	34,525	34,525
102	0604262N	V–22A	174,423	174,423
103	0604264N	AIR CREW SYSTEMS DEVELOPMENT	13,577	13,577
104	0604269N	EA–18	116,761	116,761
105	0604270N	ELECTRONIC WARFARE DEVELOPMENT	48,766	48,766
106	0604273N	EXECUTIVE HELO DEVELOPMENT	338,357	338,357
107	0604274N	NEXT GENERATION JAMMER (NGJ)	577,822	577,822
108	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	2,365	2,365
109	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	52,065	52,065
110	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	282,764	282,764
111	0604311N	LPD–17 CLASS SYSTEMS INTEGRATION	580	580
112	0604329N	SMALL DIAMETER BOMB (SDB)	97,622	97,622
113	0604366N	STANDARD MISSILE IMPROVEMENTS	120,561	120,561
114	0604373N	AIRBORNE MCM	45,622	45,622
116	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	25,750	25,750
118	0604501N	ADVANCED ABOVE WATER SENSORS	85,868	85,868
119	0604503N	SSN–688 AND TRIDENT MODERNIZATION	117,476	117,476
120	0604504N	AIR CONTROL	47,404	47,404
121	0604512N	SHIPBOARD AVIATION SYSTEMS	112,158	112,158
122	0604518N	COMBAT INFORMATION CENTER CONVERSION	6,283	6,283
123	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	144,395	144,395
124	0604558N	NEW DESIGN SSN	113,013	113,013
125	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	43,160	43,160
126	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	65,002	85,002
		CVN Design		[20,000]
127	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,098	3,098
128	0604580N	VIRGINIA PAYLOAD MODULE (VPM)	97,920	97,920
129	0604601N	MINE DEVELOPMENT	10,490	10,490
130	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	20,178	20,178
131	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	7,369	7,369
132	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	4,995	4,995
133	0604727N	JOINT STANDOFF WEAPON SYSTEMS	412	412
134	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	134,619	134,619
135	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	114,475	105,475
		Program Execution		[–9,000]
136	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	114,211	114,211
137	0604761N	INTELLIGENCE ENGINEERING	11,029	11,029

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Line	Program Element	Item	FY 2017 Request	House Authorized
138	0604771N	MEDICAL DEVELOPMENT	9,220	9,220
139	0604777N	NAVIGATION/ID SYSTEM	42,723	42,723
140	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	531,426	531,426
141	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	528,716	528,716
142	0604810M	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—MARINE CORPS	74,227	74,227
143	0604810N	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—NAVY	63,387	63,387
144	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	4,856	4,856
145	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	97,066	97,066
146	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	2,500	2,500
147	0605212N	CH–53K RDTE	404,810	404,810
148	0605215N	MISSION PLANNING	33,570	33,570
149	0605217N	COMMON AVIONICS	51,599	51,599
150	0605220N	SHIP TO SHORE CONNECTOR (SSC)	11,088	11,088
151	0605327N	T-AO (X)	1,095	1,095
152	0605414N	MQ-XX	89,000	77,000
		Excess Obligation		[–12,000]
153	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	17,880	17,880
154	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	59,126	59,126
155	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	182,220	182,220
156	0204202N	DDG–1000	45,642	45,642
159	0304231N	TACTICAL COMMAND SYSTEM—MIP	676	676
160	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	36,747	36,747
161	0305124N	SPECIAL APPLICATIONS PROGRAM	35,002	35,002
162	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	4,942	4,942
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**6,025,655**	**6,024,655**
		MANAGEMENT SUPPORT		
163	0604256N	THREAT SIMULATOR DEVELOPMENT	16,633	16,633
164	0604258N	TARGET SYSTEMS DEVELOPMENT	36,662	36,662
165	0604759N	MAJOR T&E INVESTMENT	42,109	42,109
166	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	2,998	2,998
167	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,931	3,931
168	0605154N	CENTER FOR NAVAL ANALYSES	46,634	46,634
169	0605285N	NEXT GENERATION FIGHTER	1,200	1,200
171	0605804N	TECHNICAL INFORMATION SERVICES	903	903
172	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	87,077	87,077
173	0605856N	STRATEGIC TECHNICAL SUPPORT	3,597	3,597
174	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	62,811	62,811
175	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	106,093	106,093
176	0605864N	TEST AND EVALUATION SUPPORT	349,146	349,146
177	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	18,160	18,160
178	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	9,658	9,658
179	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	6,500	6,500
180	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	22,247	22,247
181	0605898N	MANAGEMENT HQ—R&D	16,254	16,254
182	0606355N	WARFARE INNOVATION MANAGEMENT	21,123	21,123
		SUBTOTAL MANAGEMENT SUPPORT	**853,736**	**853,736**
		OPERATIONAL SYSTEMS DEVELOPMENT		
188	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	84,501	84,501
189	0607700N	DEPLOYABLE JOINT COMMAND AND CONTROL	2,970	2,970
190	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	136,556	136,556
191	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	33,845	33,845
192	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	9,329	9,329
193	0101402N	NAVY STRATEGIC COMMUNICATIONS	17,218	17,218
195	0204136N	F/A–18 SQUADRONS	189,125	189,125
196	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	48,225	48,225
197	0204228N	SURFACE SUPPORT	21,156	21,156
198	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	71,355	71,355
199	0204311N	INTEGRATED SURVEILLANCE SYSTEM	58,542	58,542
200	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	13,929	13,929
201	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	83,538	83,538
202	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	38,593	38,593
203	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,122	1,122
204	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	99,998	99,998
205	0205601N	HARM IMPROVEMENT	48,635	48,635
206	0205604N	TACTICAL DATA LINKS	124,785	124,785
207	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	24,583	24,583
208	0205632N	MK–48 ADCAP	39,134	39,134
209	0205633N	AVIATION IMPROVEMENTS	120,861	120,861
210	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	101,786	101,786
211	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	82,159	82,159
212	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	11,850	11,850
213	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	47,877	47,877
214	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	13,194	13,194
215	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	17,171	17,171
216	0206629M	AMPHIBIOUS ASSAULT VEHICLE	38,020	38,020
217	0207161N	TACTICAL AIM MISSILES	56,285	56,285
218	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	40,350	40,350
219	0219902M	GLOBAL COMBAT SUPPORT SYSTEM—MARINE CORPS (GCSS-MC)	9,128	9,128
223	0303109N	SATELLITE COMMUNICATIONS (SPACE)	37,372	37,372
224	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	23,541	23,541

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225	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	38,510	38,510
228	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,019	6,019
229	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,436	8,436
230	0305205N	UAS INTEGRATION AND INTEROPERABILITY	36,509	36,509
231	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	2,100	2,100
232	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	44,571	44,571
233	0305220N	MQ–4C TRITON	111,729	111,729
234	0305231N	MQ–8 UAV	26,518	26,518
235	0305232M	RQ–11 UAV	418	418
236	0305233N	RQ–7 UAV	716	716
237	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	5,071	5,071
238	0305239M	RQ–21A	9,497	9,497
239	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	77,965	77,965
240	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	11,181	11,181
241	0305421N	RQ–4 MODERNIZATION	181,266	181,266
242	0308601N	MODELING AND SIMULATION SUPPORT	4,709	4,709
243	0702207N	DEPOT MAINTENANCE (NON-IF)	49,322	54,322
		MH–60 Fleet Mid-Life Upgrades		[5,000]
245	0708730N	MARITIME TECHNOLOGY (MARITECH)	3,204	3,204
245A	9999999999	CLASSIFIED PROGRAMS	1,228,460	1,228,460
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**3,592,934**	**3,597,934**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**17,276,301**	**17,339,401**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	340,812	340,812
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	145,044	145,044
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	14,168	14,168
		SUBTOTAL BASIC RESEARCH	**500,024**	**500,024**
		APPLIED RESEARCH		
004	0602102F	MATERIALS	126,152	131,152
		Precision measuring tools		[5,000]
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	122,831	127,831
		Reusable Hypersonic vehicle structures development		[5,000]
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	111,647	116,647
		Human-Machine Teaming		[5,000]
007	0602203F	AEROSPACE PROPULSION	185,671	185,671
008	0602204F	AEROSPACE SENSORS	155,174	155,174
009	0602601F	SPACE TECHNOLOGY	117,915	117,915
010	0602602F	CONVENTIONAL MUNITIONS	109,649	109,649
011	0602605F	DIRECTED ENERGY TECHNOLOGY	127,163	127,163
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	161,650	161,650
013	0602890F	HIGH ENERGY LASER RESEARCH	42,300	42,300
		SUBTOTAL APPLIED RESEARCH	**1,260,152**	**1,275,152**
		ADVANCED TECHNOLOGY DEVELOPMENT		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	35,137	45,137
		Metals Affordability Initiative		[10,000]
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	20,636	20,636
016	0603203F	ADVANCED AEROSPACE SENSORS	40,945	40,945
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	130,950	130,950
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	94,594	99,594
		Silicon Carbide for aerospace power application		[5,000]
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	58,250	58,250
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	61,593	61,593
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	11,681	11,681
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	26,492	26,492
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	102,009	102,009
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	39,064	39,064
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	46,344	46,344
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	58,110	58,110
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**725,805**	**740,805**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,598	5,598
028	0603438F	SPACE CONTROL TECHNOLOGY	7,534	7,534
029	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	24,418	24,418
030	0603790F	NATO RESEARCH AND DEVELOPMENT	4,333	4,333
032	0603830F	SPACE SECURITY AND DEFENSE PROGRAM	32,399	32,399
033	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	108,663	108,663
035	0604015F	LONG RANGE STRIKE—BOMBER	1,358,309	1,358,309
036	0604257F	ADVANCED TECHNOLOGY AND SENSORS	34,818	34,818
037	0604317F	TECHNOLOGY TRANSFER	3,368	3,368
038	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	74,308	74,308
039	0604422F	WEATHER SYSTEM FOLLOW-ON	118,953	113,953
		Transfer Cloud Characterization and Theater Weather Imagery to NRO		[–5,000]
040	0604425F	SPACE SITUATION AWARENESS SYSTEMS	9,901	9,901
041	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	25,890	25,890
042	0604857F	OPERATIONALLY RESPONSIVE SPACE	7,921	27,921
		Responsive Launch and Reconstitution		[20,000]

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043	0604858F	TECH TRANSITION PROGRAM	347,304	347,304
044	0605230F	GROUND BASED STRATEGIC DETERRENT	113,919	113,919
046	0207110F	NEXT GENERATION AIR DOMINANCE	20,595	15,595
		Program reduction		[–5,000]
047	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	49,491	39,491
		Excess funding to need		[–10,000]
048	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	278,147	278,147
049	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	42,338	42,338
050	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	158,002	158,002
051	0306415F	ENABLED CYBER ACTIVITIES	15,842	15,842
052	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	5,782	5,782
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**2,847,833**	**2,847,833**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
054	0604270F	ELECTRONIC WARFARE DEVELOPMENT	12,476	12,476
055	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	82,380	82,380
056	0604287F	PHYSICAL SECURITY EQUIPMENT	8,458	8,458
057	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	54,838	54,838
058	0604421F	COUNTERSPACE SYSTEMS	34,394	34,394
059	0604425F	SPACE SITUATION AWARENESS SYSTEMS	23,945	23,945
060	0604426F	SPACE FENCE	168,364	168,364
061	0604429F	AIRBORNE ELECTRONIC ATTACK	9,187	9,187
062	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	181,966	181,966
063	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	20,312	20,312
064	0604604F	SUBMUNITIONS	2,503	2,503
065	0604617F	AGILE COMBAT SUPPORT	53,680	53,680
066	0604618F	JOINT DIRECT ATTACK MUNITION	9,901	9,901
067	0604706F	LIFE SUPPORT SYSTEMS	7,520	7,520
068	0604735F	COMBAT TRAINING RANGES	77,409	77,409
069	0604800F	F–35—EMD	450,467	450,467
070	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	296,572	100,000
		Launch System Investment (launch vehicle, upper stage, strap-on motor, or related infrastructure).		[100,000]
		Next Generation Launch System Investment		[–296,572]
070A	0604XXXF	ROCKET PROPULSION SYSTEM		220,000
		Rocket Propulsion System Replacement of RD–180		[220,000]
071	0604932F	LONG RANGE STANDOFF WEAPON	95,604	95,604
072	0604933F	ICBM FUZE MODERNIZATION	189,751	189,751
073	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	1,131	1,131
074	0605213F	F–22 MODERNIZATION INCREMENT 3.2B	70,290	70,290
075	0605214F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	937	937
076	0605221F	KC–46	261,724	121,724
		Scope Reduction		[–140,000]
077	0605223F	ADVANCED PILOT TRAINING	12,377	12,377
078	0605229F	CSAR HH–60 RECAPITALIZATION	319,331	319,331
080	0605431F	ADVANCED EHF MILSATCOM (SPACE)	259,131	259,131
081	0605432F	POLAR MILSATCOM (SPACE)	50,815	50,815
082	0605433F	WIDEBAND GLOBAL SATCOM (SPACE)	41,632	41,632
083	0605458F	AIR & SPACE OPS CENTER 10.2 RDT&E	28,911	28,911
084	0605931F	B–2 DEFENSIVE MANAGEMENT SYSTEM	315,615	288,957
		Scope Reduction		[–26,658]
085	0101125F	NUCLEAR WEAPONS MODERNIZATION	137,909	137,909
086	0207171F	F–15 EPAWSS	256,669	256,669
087	0207701F	FULL COMBAT MISSION TRAINING	12,051	12,051
088	0305176F	COMBAT SURVIVOR EVADER LOCATOR	29,253	29,253
089	0307581F	JSTARS RECAP	128,019	128,019
090	0401319F	PRESIDENTIAL AIRCRAFT REPLACEMENT (PAR)	351,220	351,220
091	0701212F	AUTOMATED TEST SYSTEMS	19,062	19,062
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**4,075,804**	**3,932,574**
		MANAGEMENT SUPPORT		
092	0604256F	THREAT SIMULATOR DEVELOPMENT	21,630	21,630
093	0604759F	MAJOR T&E INVESTMENT	66,385	66,385
094	0605101F	RAND PROJECT AIR FORCE	34,641	34,641
096	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	11,529	11,529
097	0605807F	TEST AND EVALUATION SUPPORT	661,417	661,417
098	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	11,198	11,198
099	0605864F	SPACE TEST PROGRAM (STP)	27,070	27,070
100	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	134,111	134,111
101	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	28,091	28,091
102	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	29,100	29,100
103	0606116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT	18,528	18,528
104	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	176,666	176,666
105	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	4,410	4,410
106	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	14,613	14,613
107	0804731F	GENERAL SKILL TRAINING	1,404	1,404
109	1001004F	INTERNATIONAL ACTIVITIES	4,784	4,784
		SUBTOTAL MANAGEMENT SUPPORT	**1,245,577**	**1,245,577**
		OPERATIONAL SYSTEMS DEVELOPMENT		
110	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	393,268	393,268
111	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	15,427	15,427

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112	0604445F	WIDE AREA SURVEILLANCE	46,695	46,695
115	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	10,368	10,368
116	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	31,952	31,952
117	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	42,960	42,960
118	0605278F	HC/MC–130 RECAP RDT&E	13,987	13,987
119	0101113F	B–52 SQUADRONS	78,267	78,267
120	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	453	453
121	0101126F	B–1B SQUADRONS	5,830	5,830
122	0101127F	B–2 SQUADRONS	152,458	152,458
123	0101213F	MINUTEMAN SQUADRONS	182,958	182,958
124	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	39,148	39,148
126	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	6,042	6,042
128	0102110F	UH–1N REPLACEMENT PROGRAM	14,116	14,116
129	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	10,868	10,868
130	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	8,674	8,674
131	0205219F	MQ–9 UAV	151,373	200,373
		Auto take-off and landing capability		[35,000]
		Tactical Datalink Integration		[14,000]
133	0207131F	A–10 SQUADRONS	14,853	14,853
134	0207133F	F–16 SQUADRONS	132,795	132,795
135	0207134F	F–15E SQUADRONS	356,717	356,717
136	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,773	14,773
137	0207138F	F–22A SQUADRONS	387,564	387,564
138	0207142F	F–35 SQUADRONS	153,045	153,045
139	0207161F	TACTICAL AIM MISSILES	52,898	52,898
140	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	62,470	62,470
143	0207227F	COMBAT RESCUE—PARARESCUE	362	362
144	0207247F	AF TENCAP	28,413	31,613
		Restore FY16 level		[3,200]
145	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	649	649
146	0207253F	COMPASS CALL	13,723	50,823
		Program Restructure		[37,100]
147	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	109,859	109,859
148	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	30,002	30,002
149	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	37,621	37,621
150	0207412F	CONTROL AND REPORTING CENTER (CRC)	13,292	13,292
151	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	86,644	86,644
152	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	2,442	2,442
154	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	10,911	15,911
		Geospatial software development		[5,000]
155	0207444F	TACTICAL AIR CONTROL PARTY-MOD	11,843	11,843
156	0207448F	C2ISR TACTICAL DATA LINK	1,515	1,515
157	0207452F	DCAPES	14,979	14,979
158	0207590F	SEEK EAGLE	25,308	25,308
159	0207601F	USAF MODELING AND SIMULATION	16,666	16,666
160	0207605F	WARGAMING AND SIMULATION CENTERS	4,245	4,245
161	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,886	3,886
162	0208006F	MISSION PLANNING SYSTEMS	71,785	71,785
164	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	25,025	25,025
165	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	29,439	29,439
168	0301017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	3,470	3,470
169	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES)	4,060	4,060
175	0301400F	SPACE SUPERIORITY INTELLIGENCE	13,880	13,880
176	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	30,948	30,948
177	0303001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	42,378	42,378
178	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	47,471	47,471
179	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	46,388	46,388
180	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	52	52
181	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	2,099	2,099
184	0304260F	AIRBORNE SIGINT ENTERPRISE	90,762	90,762
187	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,354	4,354
188	0305110F	SATELLITE CONTROL NETWORK (SPACE)	15,624	15,624
189	0305111F	WEATHER SERVICE	19,974	22,974
		Commercial Weather Pilot Program		[3,000]
190	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	9,770	9,770
191	0305116F	AERIAL TARGETS	3,051	3,051
194	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	405	405
195	0305145F	ARMS CONTROL IMPLEMENTATION	4,844	4,844
196	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	339	339
199	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,989	3,989
200	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	3,070	3,070
201	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	8,833	8,833
202	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	11,867	11,867
203	0305202F	DRAGON U–2	37,217	37,217
205	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	3,841	18,841
		Wide area motion imagery		[15,000]
206	0305207F	MANNED RECONNAISSANCE SYSTEMS	20,975	20,975
207	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	18,902	18,902
208	0305220F	RQ–4 UAV	256,307	256,307
209	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	22,610	16,310
		Program reduction		[–6,300]
211	0305238F	NATO AGS	38,904	38,904

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212	0305240F	SUPPORT TO DCGS ENTERPRISE	23,084	23,084
213	0305258F	ADVANCED EVALUATION PROGRAM	116,143	116,143
214	0305265F	GPS III SPACE SEGMENT	141,888	141,888
215	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	2,360	2,360
216	0305614F	JSPOC MISSION SYSTEM	72,889	72,889
217	0305881F	RAPID CYBER ACQUISITION	4,280	4,280
218	0305906F	NCMC—TW/AA SYSTEM	4,951	4,951
219	0305913F	NUDET DETECTION SYSTEM (SPACE)	21,093	21,093
220	0305940F	SPACE SITUATION AWARENESS OPERATIONS	35,002	35,002
222	0308699F	SHARED EARLY WARNING (SEW)	6,366	6,366
223	0401115F	C–130 AIRLIFT SQUADRON	15,599	15,599
224	0401119F	C–5 AIRLIFT SQUADRONS (IF)	66,146	66,146
225	0401130F	C–17 AIRCRAFT (IF)	12,430	12,430
226	0401132F	C–130J PROGRAM	16,776	16,776
227	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,166	5,166
229	0401314F	OPERATIONAL SUPPORT AIRLIFT	13,817	13,817
230	0401318F	CV–22	16,702	16,702
231	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,164	7,164
232	0702207F	DEPOT MAINTENANCE (NON-IF)	1,518	1,518
233	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	61,676	61,676
234	0708611F	SUPPORT SYSTEMS DEVELOPMENT	9,128	9,128
235	0804743F	OTHER FLIGHT TRAINING	1,653	1,653
236	0808716F	OTHER PERSONNEL ACTIVITIES	57	57
237	0901202F	JOINT PERSONNEL RECOVERY AGENCY	3,663	3,663
238	0901218F	CIVILIAN COMPENSATION PROGRAM	3,735	3,735
239	0901220F	PERSONNEL ADMINISTRATION	5,157	5,157
240	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,523	1,523
242	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	10,581	10,581
242A	9999999999	CLASSIFIED PROGRAMS	13,091,557	13,091,557
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**17,457,056**	**17,563,056**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**28,112,251**	**28,105,021**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	35,436	35,436
002	0601101E	DEFENSE RESEARCH SCIENCES	362,297	352,297
		Program reduction		[–10,000]
003	0601110D8Z	BASIC RESEARCH INITIATIVES	36,654	36,654
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	57,791	57,791
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	69,345	79,345
		K–12 STEM program increase		[10,000]
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	23,572	33,572
		Program increase		[10,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	44,800	44,800
		SUBTOTAL BASIC RESEARCH	**629,895**	**639,895**
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	17,745	17,745
009	0602115E	BIOMEDICAL TECHNOLOGY	115,213	105,213
		Program reduction		[–10,000]
010	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	30,000	0
		Program decrease		[–30,000]
011	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	48,269	48,269
012	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	42,206	42,206
013	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	353,635	348,635
		Program reduction		[–5,000]
014	0602383E	BIOLOGICAL WARFARE DEFENSE	21,250	21,250
015	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	188,715	188,715
016	0602668D8Z	CYBER SECURITY RESEARCH	12,183	12,183
017	0602702E	TACTICAL TECHNOLOGY	313,843	313,843
018	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	220,456	210,456
		Program reduction		[–10,000]
019	0602716E	ELECTRONICS TECHNOLOGY	221,911	221,911
020	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	154,857	154,857
021	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	8,420	8,420
022	1160401BB	SOF TECHNOLOGY DEVELOPMENT	37,820	37,820
		SUBTOTAL APPLIED RESEARCH	**1,786,523**	**1,731,523**
		ADVANCED TECHNOLOGY DEVELOPMENT		
023	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	23,902	23,902
025	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	73,002	100,002
		Additional EOD equipment for Conventional Units		[12,000]
		Program increase for DOD CT and C-UAS		[15,000]
026	0603133D8Z	FOREIGN COMPARATIVE TESTING	19,343	29,343
		Anti-tunnel defense systems		[10,000]
027	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT	266,444	266,444
028	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	17,880	17,880
030	0603178C	WEAPONS TECHNOLOGY	71,843	71,843
031	0603179C	ADVANCED C4ISR	3,626	3,626
032	0603180C	ADVANCED RESEARCH	23,433	23,433
033	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	17,256	17,256

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035	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	83,745	108,745
		Classified Annex		[25,000]
036	0603286E	ADVANCED AEROSPACE SYSTEMS	182,327	177,327
		Program reduction		[–5,000]
037	0603287E	SPACE PROGRAMS AND TECHNOLOGY	175,240	165,240
		Program reduction		[–10,000]
038	0603288D8Z	ANALYTIC ASSESSMENTS	12,048	12,048
039	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	57,020	57,020
041	0603375D8Z	TECHNOLOGY INNOVATION	39,923	19,923
		Program decrease		[–20,000]
042	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	127,941	127,941
043	0603527D8Z	RETRACT LARCH	181,977	181,977
044	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	22,030	22,030
045	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	148,184	158,184
		Social Medial Analysis Cell		[10,000]
046	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	9,331	9,331
047	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	158,398	148,398
		Program decrease		[–10,000]
048	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	31,259	31,259
049	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	49,895	49,895
050	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	11,011	11,011
052	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	65,078	65,078
053	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	97,826	97,826
054	0603727D8Z	JOINT WARFIGHTING PROGRAM	7,848	7,848
055	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	49,807	49,807
056	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	155,081	155,081
057	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	428,894	428,894
058	0603767E	SENSOR TECHNOLOGY	241,288	241,288
060	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	14,264	14,264
061	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	74,943	72,943
		QRSP		[–2,000]
063	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY	17,659	17,659
064	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	87,135	87,135
065	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	37,329	37,329
066	0303310D8Z	CWMD SYSTEMS	44,836	21,236
		Constellation program reduction		[–23,600]
067	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	61,620	61,620
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**3,190,666**	**3,192,066**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
068	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	28,498	28,498
069	0603600D8Z	WALKOFF	89,643	89,643
071	0603821D8Z	ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES	2,136	2,136
072	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	52,491	52,491
073	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	206,834	206,834
074	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	862,080	862,080
075	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	138,187	138,187
076	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	230,077	230,077
077	0603890C	BMD ENABLING PROGRAMS	401,594	401,594
078	0603891C	SPECIAL PROGRAMS—MDA	321,607	321,607
079	0603892C	AEGIS BMD	959,066	959,066
080	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	32,129	32,129
081	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	20,690	20,690
082	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	439,617	439,617
083	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	47,776	47,776
084	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	54,750	54,750
085	0603906C	REGARDING TRENCH	8,785	8,785
086	0603907C	SEA BASED X-BAND RADAR (SBX)	68,787	68,787
087	0603913C	ISRAELI COOPERATIVE PROGRAMS	103,835	293,835
		Directed Energy Cooperation through MDA		[25,000]
		Increase for Cooperative Development Programs subject to Title XVI		[165,000]
088	0603914C	BALLISTIC MISSILE DEFENSE TEST	293,441	293,441
089	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	563,576	563,576
090	0603920D8Z	HUMANITARIAN DEMINING	10,007	10,007
091	0603923D8Z	COALITION WARFARE	10,126	10,126
092	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,893	3,893
093	0604115C	TECHNOLOGY MATURATION INITIATIVES	90,266	105,266
		Directed Energy Acceleration—Low Power Laser Demonstrator - to reclaim schdule slippage		[15,000]
094	0604132D8Z	MISSILE DEFEAT PROJECT	45,000	45,000
095	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	844,870	804,870
		SCO		[–40,000]
097	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT	3,320	3,320
099	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA)	4,000	4,000
102	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	23,642	23,642
104	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	162,012	162,012
105	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	274,148	274,148
106	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	63,444	63,444
107	0604878C	AEGIS BMD TEST	95,012	95,012
108	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	83,250	83,250

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109	0604880C	LAND-BASED SM–3 (LBSM3)	43,293	43,293
110	0604881C	AEGIS SM–3 BLOCK IIA CO-DEVELOPMENT	106,038	106,038
111	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	56,481	56,481
112	0604894C	MULTI-OBJECT KILL VEHICLE	71,513	71,513
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	2,636	2,636
115	0305103C	CYBER SECURITY INITIATIVE	969	969
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES	**6,919,519**	**7,089,519**
115A	0604XXXD	WEATHER SYSTEM FOLLOW-ON		5,000
		Transfer Cloud Characterization and Theater Weather Imagery from USAF		[5,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		**170,000**
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
116	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	10,324	10,324
117	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	181,303	186,303
		Examination of Army land-attack and anti-ship capability		[5,000]
118	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	266,231	266,231
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)		15,000
		Commercial IT Eval Program		[15,000]
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	16,288	16,288
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	4,568	4,568
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	11,505	11,505
123	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	1,658	1,658
124	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	2,920	2,920
126	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	12,631	12,631
128	0605080S	DEFENSE AGENCY INTIATIVES (DAI)—FINANCIAL SYSTEM	26,657	26,657
129	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	4,949	4,949
130	0605140D8Z	TRUSTED FOUNDRY	69,000	69,000
131	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	9,881	9,881
132	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	7,600	7,600
133	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	2,703	2,703
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION	**628,218**	**648,218**
		MANAGEMENT SUPPORT		
134	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	4,678	4,678
135	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	4,499	4,499
136	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	219,199	219,199
137	0604942D8Z	ASSESSMENTS AND EVALUATIONS	28,706	28,706
138	0605001E	MISSION SUPPORT	69,244	69,244
139	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	87,080	87,080
140	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	23,069	23,069
142	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	32,759	32,759
144	0605142D8Z	SYSTEMS ENGINEERING	32,429	32,429
145	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	3,797	3,797
146	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	5,302	5,302
147	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	7,246	7,246
148	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	1,874	1,874
149	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	85,754	85,754
158	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	2,187	2,187
159	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	22,650	22,650
160	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	43,834	43,834
161	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	22,240	22,240
162	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	19,541	23,541
		DASD(DT&E)		[4,000]
163	0605898E	MANAGEMENT HQ—R&D	4,759	4,759
164	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	4,400	4,400
165	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,014	4,014
166	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	2,072	2,072
167	0204571J	JOINT STAFF ANALYTICAL SUPPORT	7,464	7,464
170	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	857	857
171	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	916	916
172	0305172K	COMBINED ADVANCED APPLICATIONS	15,336	15,336
173	0305193D8Z	CYBER INTELLIGENCE	18,523	18,523
175	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—MHA	34,384	34,384
176	0901598C	MANAGEMENT HQ—MDA	31,160	56,160
		Cyber Improvements Acceleration		[25,000]
179	0903235D8W	JOINT SERVICE PROVIDER (JSP)	827	827
180A	9999999999	CLASSIFIED PROGRAMS	56,799	56,799
		SUBTOTAL MANAGEMENT SUPPORT	**897,599**	**926,599**
		OPERATIONAL SYSTEM DEVELOPMENT		
181	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	4,241	4,241
182	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	1,424	1,424
183	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	287	287
184	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	16,195	16,195
185	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	4,194	4,194
186	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	7,861	7,861
187	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	33,361	33,361
189	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,038	3,038
190	0208045K	C4I INTEROPERABILITY	57,501	57,501

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
192	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	5,935	5,935
196	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	575	575
197	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	18,041	18,041
198	0303126K	LONG-HAUL COMMUNICATIONS—DCS	13,994	18,994
		Secure cellular communications for senior leaders		[5,000]
199	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	12,206	12,206
200	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	34,314	34,314
201	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	36,602	36,602
202	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	8,876	8,876
203	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	159,068	161,068
		SHARKSEER Program Increase		[2,000]
204	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	24,438	24,438
205	0303153K	DEFENSE SPECTRUM ORGANIZATION	13,197	13,197
207	0303228K	JOINT INFORMATION ENVIRONMENT (JIE)	2,789	2,789
209	0303430K	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY	75,000	75,000
210	0303610K	TELEPORT PROGRAM	657	657
215	0305103K	CYBER SECURITY INITIATIVE	1,553	1,553
220	0305186D8Z	POLICY R&D PROGRAMS	6,204	4,204
		Program decrease		[–2,000]
221	0305199D8Z	NET CENTRICITY	17,971	17,971
223	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,415	5,415
226	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,030	3,030
229	0305327V	INSIDER THREAT	5,034	5,034
230	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,037	2,037
236	0307577D8Z	INTELLIGENCE MISSION DATA (IMD)	13,800	13,800
238	0708012S	PACIFIC DISASTER CENTERS	1,754	1,754
239	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	2,154	2,154
240	0902298J	MANAGEMENT HQ—OJCS	826	826
241	1105219BB	MQ–9 UAV	17,804	17,804
244	1160403BB	AVIATION SYSTEMS	159,143	147,043
		AC–130 Precision Strike		[–12,100]
245	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	7,958	7,958
246	1160408BB	OPERATIONAL ENHANCEMENTS	64,895	64,895
247	1160431BB	WARRIOR SYSTEMS	44,885	44,885
248	1160432BB	SPECIAL PROGRAMS	1,949	1,949
249	1160434BB	UNMANNED ISR	22,117	22,117
250	1160480BB	SOF TACTICAL VEHICLES	3,316	3,316
251	1160483BB	MARITIME SYSTEMS	54,577	54,577
252	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,841	3,841
253	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	11,834	11,834
253A	9999999999	CLASSIFIED PROGRAMS	3,270,515	3,270,515
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	**4,256,406**	**4,249,306**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**18,308,826**	**18,477,126**
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	78,047	88,047
		DOT&E Cybersecurity Exercises		[10,000]
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	48,316	48,316
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	52,631	52,631
		SUBTOTAL MANAGEMENT SUPPORT	**178,994**	**188,994**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**178,994**	**188,994**
		TOTAL RDT&E	**71,391,771**	**71,629,841**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	9,375	9,375
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**9,375**	**9,375**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
117	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	10,900	10,900
122	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	73,110	73,110
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**84,010**	**84,010**
		OPERATIONAL SYSTEMS DEVELOPMENT		
208	0307665A	BIOMETRICS ENABLED INTELLIGENCE	7,104	7,104
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**7,104**	**7,104**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**100,489**	**100,489**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
038	0603527N	RETRACT LARCH	3,907	3,907
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**3,907**	**3,907**
		OPERATIONAL SYSTEMS DEVELOPMENT		
245A	9999999999	CLASSIFIED PROGRAMS	36,426	36,426
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**36,426**	**36,426**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**40,333**	**40,333**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		SYSTEM DEVELOPMENT & DEMONSTRATION		
058	0604421F	COUNTERSPACE SYSTEMS	425	425
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**425**	**425**
		OPERATIONAL SYSTEMS DEVELOPMENT		
200	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	4,715	4,715
242A	9999999999	CLASSIFIED PROGRAMS	27,765	27,765
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**32,480**	**32,480**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**32,905**	**32,905**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		OPERATIONAL SYSTEM DEVELOPMENT		
253A	9999999999	CLASSIFIED PROGRAMS	162,419	162,419
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	**162,419**	**162,419**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**162,419**	**162,419**
		TOTAL RDT&E	**336,146**	**336,146**

SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		SYSTEM DEVELOPMENT & DEMONSTRATION		
090	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	33	33
122	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT		10,000
		Army unfunded requirement- modernized warning system		[10,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**33**	**10,033**
		OPERATIONAL SYSTEMS DEVELOPMENT		
161	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM		16,000
		Army unfunded requirement- GMLRS M-code upgrade		[16,000]
166	0607134A	LONG RANGE PRECISION FIRES (LRPF)		27,700
		Army unfunded requirement		[27,700]
179	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS		10,000
		Army unfunded requirement- Vehicle APS		[10,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT		**53,700**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**33**	**63,733**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
078	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	37,990	37,990
081	0604454N	LX (R)		19,000
		LX (R) Design		[19,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**37,990**	**56,990**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
102	0604262N	V–22A		11,400
		Accelerate Readiness Improvement- Swashplate actuator re-design		[11,400]
118	0604501N	ADVANCED ABOVE WATER SENSORS		20,000
		Aegis Radar Solid State Improvements		[20,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION		**31,400**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**37,990**	**88,390**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		

SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
074	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT		65,000
		Ground System Communications Modernization & Upgrades to Enable Full RKV Capabilities		[65,000]
076	0603884C	BALLISTIC MISSILE DEFENSE SENSORS		45,000
		Electronic Protection Acceleration for Sensors		[25,000]
		RFPs for Hawaii & East Coast Radars		[20,000]
077	0603890C	BMD ENABLING PROGRAMS		10,000
		Modeling and Simulation Improvements		[10,000]
079	0603892C	AEGIS BMD		10,000
		Aegis BMD Integration with AMDR		[10,000]
082	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.		30,000
		C2BMC Acceleration		[20,000]
		Post-Intercept Assessment Acceleration		[10,000]
088	0603914C	BALLISTIC MISSILE DEFENSE TEST		10,000
		Test Infrastructure		[10,000]
105	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS		75,000
		Modernized Booster Acceleration		[50,000]
		RKV risk reduction		[25,000]
112	0604894C	MULTI-OBJECT KILL VEHICLE		55,000
		MOKV Technology Maturation		[55,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		**300,000**
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		**300,000**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW		**300,000**
		TOTAL RDT&E	**38,023**	**452,123**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	791,450	791,450
020	MODULAR SUPPORT BRIGADES	68,373	68,373
030	ECHELONS ABOVE BRIGADE	438,823	438,823
040	THEATER LEVEL ASSETS	660,258	660,258
050	LAND FORCES OPERATIONS SUPPORT	863,928	1,198,828
	Realign APS Unit Set Requirements from OCO		[334,900]
060	AVIATION ASSETS	1,360,597	1,360,597
070	FORCE READINESS OPERATIONS SUPPORT	3,086,443	3,094,443
	Additional cyber protection teams		[3,000]
	Public-private cyber training partnership		[5,000]
080	LAND FORCES SYSTEMS READINESS	439,488	439,488
090	LAND FORCES DEPOT MAINTENANCE	1,013,452	1,026,052
	Realign APS Unit Set Requirements from OCO		[12,600]
100	BASE OPERATIONS SUPPORT	7,816,343	7,831,343
	Realign APS Unit Set Requirements from OCO		[15,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,234,546	2,234,546
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	452,105	452,105
130	COMBATANT COMMANDERS CORE OPERATIONS	155,658	155,658
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT	441,143	441,143
	SUBTOTAL OPERATING FORCES	**19,822,607**	**20,193,107**
	MOBILIZATION		
180	STRATEGIC MOBILITY	336,329	336,329
190	ARMY PREPOSITIONED STOCKS	390,848	574,848
	Realign APS Unit Set Requirements from OCO		[184,000]
200	INDUSTRIAL PREPAREDNESS	7,401	7,401
	SUBTOTAL MOBILIZATION	**734,578**	**918,578**
	TRAINING AND RECRUITING		
210	OFFICER ACQUISITION	131,942	131,942
220	RECRUIT TRAINING	47,846	47,846
230	ONE STATION UNIT TRAINING	45,419	45,419
240	SENIOR RESERVE OFFICERS TRAINING CORPS	482,747	482,747
250	SPECIALIZED SKILL TRAINING	921,025	927,525
	Defense Foreign Language Program		[6,500]
260	FLIGHT TRAINING	902,845	902,845
270	PROFESSIONAL DEVELOPMENT EDUCATION	216,583	216,583
280	TRAINING SUPPORT	607,534	607,534
290	RECRUITING AND ADVERTISING	550,599	550,599
300	EXAMINING	187,263	187,263
310	OFF-DUTY AND VOLUNTARY EDUCATION	189,556	189,556

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
320	CIVILIAN EDUCATION AND TRAINING	182,835	182,835
330	JUNIOR RESERVE OFFICER TRAINING CORPS	171,167	171,167
	SUBTOTAL TRAINING AND RECRUITING	**4,637,361**	**4,643,861**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	230,739	350,739
	Realign APS Unit Set Requirements from OCO		[120,000]
360	CENTRAL SUPPLY ACTIVITIES	850,060	850,060
370	LOGISTIC SUPPORT ACTIVITIES	778,757	778,757
380	AMMUNITION MANAGEMENT	370,010	370,010
390	ADMINISTRATION	451,556	451,556
400	SERVICEWIDE COMMUNICATIONS	1,888,123	1,888,123
410	MANPOWER MANAGEMENT	276,403	276,403
420	OTHER PERSONNEL SUPPORT	369,443	369,443
430	OTHER SERVICE SUPPORT	1,096,074	1,096,074
440	ARMY CLAIMS ACTIVITIES	207,800	207,800
450	REAL ESTATE MANAGEMENT	240,641	240,641
460	FINANCIAL MANAGEMENT AND AUDIT READINESS	250,612	250,612
470	INTERNATIONAL MILITARY HEADQUARTERS	416,587	416,587
480	MISC. SUPPORT OF OTHER NATIONS	36,666	36,666
530	CLASSIFIED PROGRAMS	1,151,023	1,151,023
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**8,614,494**	**8,734,494**
	UNDISTRIBUTED		
540	UNDISTRIBUTED		–654,600
	Excessive standard price for fuel		[–56,100]
	Foreign Currency adjustments		[–229,900]
	Historical unobligated balances		[–376,300]
	Prohibition on Per Diem Allowance Reduction		[7,700]
	SUBTOTAL UNDISTRIBUTED		**–654,600**
	TOTAL OPERATION & MAINTENANCE, ARMY	**33,809,040**	**33,835,440**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	11,435	11,435
020	ECHELONS ABOVE BRIGADE	491,772	491,772
030	THEATER LEVEL ASSETS	116,163	116,163
040	LAND FORCES OPERATIONS SUPPORT	563,524	563,524
050	AVIATION ASSETS	91,162	91,162
060	FORCE READINESS OPERATIONS SUPPORT	347,459	347,659
	Defense Language Program		[200]
070	LAND FORCES SYSTEMS READINESS	101,926	101,926
080	LAND FORCES DEPOT MAINTENANCE	56,219	56,219
090	BASE OPERATIONS SUPPORT	573,843	573,843
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	214,955	214,955
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	37,620	37,620
	SUBTOTAL OPERATING FORCES	**2,606,078**	**2,606,278**
	ADMIN & SRVWD ACTIVITIES		
120	SERVICEWIDE TRANSPORTATION	11,027	11,027
130	ADMINISTRATION	16,749	16,749
140	SERVICEWIDE COMMUNICATIONS	17,825	17,825
150	MANPOWER MANAGEMENT	6,177	6,177
160	RECRUITING AND ADVERTISING	54,475	54,475
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**106,253**	**106,253**
	UNDISTRIBUTED		
180	UNDISTRIBUTED		–6,800
	Excessive standard price for fuel		[–6,800]
	SUBTOTAL UNDISTRIBUTED		**–6,800**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**2,712,331**	**2,705,731**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	708,251	708,251
020	MODULAR SUPPORT BRIGADES	197,251	197,251
030	ECHELONS ABOVE BRIGADE	792,271	792,271
040	THEATER LEVEL ASSETS	80,341	80,341
050	LAND FORCES OPERATIONS SUPPORT	37,138	37,138
060	AVIATION ASSETS	887,625	887,625
070	FORCE READINESS OPERATIONS SUPPORT	696,267	696,467
	Defense Language Program		[200]
080	LAND FORCES SYSTEMS READINESS	61,240	61,240
090	LAND FORCES DEPOT MAINTENANCE	219,948	219,948
100	BASE OPERATIONS SUPPORT	1,040,012	1,040,012
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	676,715	676,715
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,021,144	1,021,144
	SUBTOTAL OPERATING FORCES	**6,418,203**	**6,418,403**
	ADMIN & SRVWD ACTIVITIES		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
130	SERVICEWIDE TRANSPORTATION	6,396	6,396
140	ADMINISTRATION	68,528	71,052
	National Guard State Partnership Program		[2,524]
150	SERVICEWIDE COMMUNICATIONS	76,524	76,524
160	MANPOWER MANAGEMENT	7,712	7,712
170	OTHER PERSONNEL SUPPORT	245,046	245,046
180	REAL ESTATE MANAGEMENT	2,961	2,961
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**407,167**	**409,691**
	UNDISTRIBUTED		
190	UNDISTRIBUTED		–29,000
	Excessive standard price for fuel		[–29,000]
	SUBTOTAL UNDISTRIBUTED		**–29,000**
	TOTAL OPERATION & MAINTENANCE, ARNG	**6,825,370**	**6,799,094**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,094,765	4,094,765
020	FLEET AIR TRAINING	1,722,473	1,722,473
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	52,670	52,670
040	AIR OPERATIONS AND SAFETY SUPPORT	97,584	97,584
050	AIR SYSTEMS SUPPORT	446,733	446,733
060	AIRCRAFT DEPOT MAINTENANCE	1,007,681	1,007,681
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	38,248	38,248
080	AVIATION LOGISTICS	564,720	564,720
090	MISSION AND OTHER SHIP OPERATIONS	3,513,083	3,513,083
100	SHIP OPERATIONS SUPPORT & TRAINING	743,765	743,765
110	SHIP DEPOT MAINTENANCE	5,168,273	5,177,773
	Ship Repair Capability in the Western Pacific		[9,500]
120	SHIP DEPOT OPERATIONS SUPPORT	1,575,578	1,575,578
130	COMBAT COMMUNICATIONS	558,727	558,727
140	ELECTRONIC WARFARE	105,680	105,680
150	SPACE SYSTEMS AND SURVEILLANCE	180,406	180,406
160	WARFARE TACTICS	470,032	470,032
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	346,703	346,703
180	COMBAT SUPPORT FORCES	1,158,688	1,158,688
190	EQUIPMENT MAINTENANCE	113,692	113,692
200	DEPOT OPERATIONS SUPPORT	2,509	2,509
210	COMBATANT COMMANDERS CORE OPERATIONS	91,019	91,019
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	74,780	74,780
230	CRUISE MISSILE	106,030	106,030
240	FLEET BALLISTIC MISSILE	1,233,805	1,241,305
	Engineering and Technical Services, Project 934		[7,500]
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	163,025	163,025
260	WEAPONS MAINTENANCE	553,269	551,469
	Heavy Weight Torpedo Program Execution		[–1,500]
	Light Weight Torpedo Program Execution		[–300]
270	OTHER WEAPON SYSTEMS SUPPORT	350,010	350,010
280	ENTERPRISE INFORMATION	790,685	790,685
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,642,742	1,642,742
300	BASE OPERATING SUPPORT	4,206,136	4,206,136
	SUBTOTAL OPERATING FORCES	**31,173,511**	**31,188,711**
	MOBILIZATION		
310	SHIP PREPOSITIONING AND SURGE	893,517	893,517
320	READY RESERVE FORCE	274,524	274,524
330	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,727	6,727
340	SHIP ACTIVATIONS/INACTIVATIONS	288,154	288,154
350	EXPEDITIONARY HEALTH SERVICES SYSTEMS	95,720	95,720
360	INDUSTRIAL READINESS	2,109	2,109
370	COAST GUARD SUPPORT	21,114	21,114
	SUBTOTAL MOBILIZATION	**1,581,865**	**1,581,865**
	TRAINING AND RECRUITING		
380	OFFICER ACQUISITION	143,815	143,815
390	RECRUIT TRAINING	8,519	8,519
400	RESERVE OFFICERS TRAINING CORPS	143,445	143,445
410	SPECIALIZED SKILL TRAINING	699,214	699,214
420	FLIGHT TRAINING	5,310	5,310
430	PROFESSIONAL DEVELOPMENT EDUCATION	172,852	174,052
	Naval Sea Cadets		[1,200]
440	TRAINING SUPPORT	222,728	222,728
450	RECRUITING AND ADVERTISING	225,647	225,647
460	OFF-DUTY AND VOLUNTARY EDUCATION	130,569	130,569
470	CIVILIAN EDUCATION AND TRAINING	73,730	73,730
480	JUNIOR ROTC	50,400	50,400
	SUBTOTAL TRAINING AND RECRUITING	**1,876,229**	**1,877,429**
	ADMIN & SRVWD ACTIVITIES		
490	ADMINISTRATION	917,453	917,453
500	EXTERNAL RELATIONS	14,570	14,570

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
510	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	124,070	124,070
520	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	369,767	369,767
530	OTHER PERSONNEL SUPPORT	285,927	285,927
540	SERVICEWIDE COMMUNICATIONS	319,908	319,908
570	SERVICEWIDE TRANSPORTATION	171,659	171,659
590	PLANNING, ENGINEERING AND DESIGN	270,863	270,863
600	ACQUISITION AND PROGRAM MANAGEMENT	1,112,766	1,112,766
610	HULL, MECHANICAL AND ELECTRICAL SUPPORT	49,078	49,078
620	COMBAT/WEAPONS SYSTEMS	24,989	24,989
630	SPACE AND ELECTRONIC WARFARE SYSTEMS	72,966	72,966
640	NAVAL INVESTIGATIVE SERVICE	595,711	595,711
700	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,809	4,809
730	CLASSIFIED PROGRAMS	517,440	517,440
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,851,976**	**4,851,976**
	UNDISTRIBUTED		
740	UNDISTRIBUTED		–585,600
	Excessive standard price for fuel		[–390,500]
	Foreign Currency adjustments		[–26,400]
	Historical unobligated balances		[–174,100]
	Prohibition on Per Diem Allowance Reduction		[5,400]
	SUBTOTAL UNDISTRIBUTED		**–585,600**
	TOTAL OPERATION & MAINTENANCE, NAVY	**39,483,581**	**38,914,381**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	674,613	674,613
020	FIELD LOGISTICS	947,424	947,424
030	DEPOT MAINTENANCE	206,783	206,783
040	MARITIME PREPOSITIONING	85,276	85,276
050	SUSTAINMENT, RESTORATION & MODERNIZATION	632,673	632,673
060	BASE OPERATING SUPPORT	2,136,626	2,136,626
	SUBTOTAL OPERATING FORCES	**4,683,395**	**4,683,395**
	TRAINING AND RECRUITING		
070	RECRUIT TRAINING	15,946	15,946
080	OFFICER ACQUISITION	935	935
090	SPECIALIZED SKILL TRAINING	99,305	99,305
100	PROFESSIONAL DEVELOPMENT EDUCATION	45,495	45,995
	MOS-to-Degree Program		[500]
110	TRAINING SUPPORT	369,979	369,979
120	RECRUITING AND ADVERTISING	165,566	165,566
130	OFF-DUTY AND VOLUNTARY EDUCATION	35,133	35,133
140	JUNIOR ROTC	23,622	23,622
	SUBTOTAL TRAINING AND RECRUITING	**755,981**	**756,481**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	34,534	34,534
160	ADMINISTRATION	355,932	355,932
180	ACQUISITION AND PROGRAM MANAGEMENT	76,896	76,896
200	CLASSIFIED PROGRAMS	47,520	47,520
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**514,882**	**514,882**
	UNDISTRIBUTED		
210	UNDISTRIBUTED		–37,700
	Excessive standard price for fuel		[–4,900]
	Foreign Currency adjustments		[–1,500]
	Historical unobligated balances		[–33,100]
	Prohibition on Per Diem Allowance Reduction		[1,800]
	SUBTOTAL UNDISTRIBUTED		**–37,700**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**5,954,258**	**5,917,058**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	526,190	526,190
020	INTERMEDIATE MAINTENANCE	6,714	6,714
030	AIRCRAFT DEPOT MAINTENANCE	86,209	86,209
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	389	389
050	AVIATION LOGISTICS	10,189	10,189
070	SHIP OPERATIONS SUPPORT & TRAINING	560	560
090	COMBAT COMMUNICATIONS	13,173	13,173
100	COMBAT SUPPORT FORCES	109,053	109,053
120	ENTERPRISE INFORMATION	27,226	27,226
130	SUSTAINMENT, RESTORATION AND MODERNIZATION	27,571	27,571
140	BASE OPERATING SUPPORT	99,166	99,166
	SUBTOTAL OPERATING FORCES	**906,440**	**906,440**
	ADMIN & SRVWD ACTIVITIES		
150	ADMINISTRATION	1,351	1,351
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	13,251	13,251

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(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
170	SERVICEWIDE COMMUNICATIONS	3,445	3,445
180	ACQUISITION AND PROGRAM MANAGEMENT	3,169	3,169
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**21,216**	**21,216**
	UNDISTRIBUTED		
200	UNDISTRIBUTED		–26,600
	Excessive standard price for fuel		[–26,600]
	SUBTOTAL UNDISTRIBUTED		**–26,600**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**927,656**	**901,056**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	94,154	94,154
020	DEPOT MAINTENANCE	18,594	18,594
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	25,470	25,470
040	BASE OPERATING SUPPORT	111,550	111,550
	SUBTOTAL OPERATING FORCES	**249,768**	**249,768**
	ADMIN & SRVWD ACTIVITIES		
050	SERVICEWIDE TRANSPORTATION	902	902
060	ADMINISTRATION	11,130	11,130
070	RECRUITING AND ADVERTISING	8,833	8,833
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**20,865**	**20,865**
	UNDISTRIBUTED		
090	UNDISTRIBUTED		–800
	Excessive standard price for fuel		[–800]
	SUBTOTAL UNDISTRIBUTED		**–800**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**270,633**	**269,833**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	3,294,124	3,294,124
020	COMBAT ENHANCEMENT FORCES	1,682,045	1,682,045
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,730,757	1,730,757
040	DEPOT MAINTENANCE	7,042,988	6,986,488
	Compass Call Program Restructure		[–56,500]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,657,019	1,657,019
060	BASE SUPPORT	2,787,216	2,787,216
070	GLOBAL C3I AND EARLY WARNING	887,831	887,831
080	OTHER COMBAT OPS SPT PROGRAMS	1,070,178	1,070,178
100	LAUNCH FACILITIES	208,582	208,582
110	SPACE CONTROL SYSTEMS	362,250	362,250
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	907,245	907,245
130	COMBATANT COMMANDERS CORE OPERATIONS	199,171	199,171
135	CLASSIFIED PROGRAMS	930,757	930,757
	SUBTOTAL OPERATING FORCES	**22,760,163**	**22,703,663**
	MOBILIZATION		
140	AIRLIFT OPERATIONS	1,703,059	1,703,059
150	MOBILIZATION PREPAREDNESS	138,899	138,899
160	DEPOT MAINTENANCE	1,553,439	1,553,439
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	258,328	258,328
180	BASE SUPPORT	722,756	722,756
	SUBTOTAL MOBILIZATION	**4,376,481**	**4,376,481**
	TRAINING AND RECRUITING		
190	OFFICER ACQUISITION	120,886	120,886
200	RECRUIT TRAINING	23,782	23,782
210	RESERVE OFFICERS TRAINING CORPS (ROTC)	77,692	77,692
220	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	236,254	236,254
230	BASE SUPPORT	819,915	819,915
240	SPECIALIZED SKILL TRAINING	387,446	387,446
250	FLIGHT TRAINING	725,134	725,134
260	PROFESSIONAL DEVELOPMENT EDUCATION	264,213	264,213
270	TRAINING SUPPORT	86,681	86,681
280	DEPOT MAINTENANCE	305,004	305,004
290	RECRUITING AND ADVERTISING	104,754	104,754
300	EXAMINING	3,944	3,944
310	OFF-DUTY AND VOLUNTARY EDUCATION	184,841	184,841
320	CIVILIAN EDUCATION AND TRAINING	173,583	173,583
330	JUNIOR ROTC	58,877	58,877
	SUBTOTAL TRAINING AND RECRUITING	**3,573,006**	**3,573,006**
	ADMIN & SRVWD ACTIVITIES		
340	LOGISTICS OPERATIONS	1,107,846	1,107,846
350	TECHNICAL SUPPORT ACTIVITIES	924,185	924,185
360	DEPOT MAINTENANCE	48,778	48,778
370	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	321,013	321,013
380	BASE SUPPORT	1,115,910	1,115,910

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
390	ADMINISTRATION	811,650	811,650
400	SERVICEWIDE COMMUNICATIONS	269,809	269,809
410	OTHER SERVICEWIDE ACTIVITIES	961,304	961,304
420	CIVIL AIR PATROL	25,735	30,500
	Civil Air Patrol O&M Support		[4,765]
450	INTERNATIONAL SUPPORT	90,573	90,573
460	CLASSIFIED PROGRAMS	1,131,603	1,131,603
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**6,808,406**	**6,813,171**
	UNDISTRIBUTED		
470	UNDISTRIBUTED		–765,900
	Excessive standard price for fuel		[–368,000]
	Foreign Currency adjustments		[–116,700]
	Historical unobligated balances		[–288,000]
	Prohibition on Per Diem Allowance Reduction		[6,800]
	SUBTOTAL UNDISTRIBUTED		**–765,900**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**37,518,056**	**36,700,421**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,707,882	1,707,882
020	MISSION SUPPORT OPERATIONS	230,016	230,016
030	DEPOT MAINTENANCE	541,743	541,743
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	113,470	113,470
050	BASE SUPPORT	384,832	384,832
	SUBTOTAL OPERATING FORCES	**2,977,943**	**2,977,943**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
060	ADMINISTRATION	54,939	54,939
070	RECRUITING AND ADVERTISING	14,754	14,754
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	12,707	12,707
090	OTHER PERS SUPPORT (DISABILITY COMP)	7,210	7,210
100	AUDIOVISUAL	376	376
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**89,986**	**89,986**
	UNDISTRIBUTED		
110	UNDISTRIBUTED		–59,700
	Excessive standard price for fuel		[–59,700]
	SUBTOTAL UNDISTRIBUTED		**–59,700**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,067,929**	**3,008,229**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,282,238	3,282,238
020	MISSION SUPPORT OPERATIONS	723,062	723,062
030	DEPOT MAINTENANCE	1,824,329	1,824,329
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	245,840	245,840
050	BASE SUPPORT	575,548	575,548
	SUBTOTAL OPERATING FORCES	**6,651,017**	**6,651,017**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
060	ADMINISTRATION	23,715	26,239
	National Guard State Partnership Program		[2,524]
070	RECRUITING AND ADVERTISING	28,846	28,846
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**52,561**	**55,085**
	UNDISTRIBUTED		
080	UNDISTRIBUTED		–117,700
	Excessive standard price for fuel		[–117,700]
	SUBTOTAL UNDISTRIBUTED		**–117,700**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,703,578**	**6,588,402**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	506,113	506,113
020	OFFICE OF THE SECRETARY OF DEFENSE	524,439	519,439
	Program decrease		[–5,000]
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	4,898,159	4,898,159
	SUBTOTAL OPERATING FORCES	**5,928,711**	**5,923,711**
	TRAINING AND RECRUITING		
040	DEFENSE ACQUISITION UNIVERSITY	138,658	138,658
050	JOINT CHIEFS OF STAFF	85,701	85,701
070	SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING	365,349	365,349
	SUBTOTAL TRAINING AND RECRUITING	**589,708**	**589,708**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	CIVIL MILITARY PROGRAMS	160,480	180,480
	STARBASE		[20,000]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
100	DEFENSE CONTRACT AUDIT AGENCY	630,925	630,925
110	DEFENSE CONTRACT MANAGEMENT AGENCY	1,356,380	1,356,380
120	DEFENSE HUMAN RESOURCES ACTIVITY	683,620	683,620
130	DEFENSE INFORMATION SYSTEMS AGENCY	1,439,891	1,439,891
150	DEFENSE LEGAL SERVICES AGENCY	24,984	24,984
160	DEFENSE LOGISTICS AGENCY	357,964	357,964
170	DEFENSE MEDIA ACTIVITY	223,422	213,422
	Program decrease		[–10,000]
180	DEFENSE PERSONNEL ACCOUNTING AGENCY	112,681	112,681
190	DEFENSE SECURITY COOPERATION AGENCY	496,754	496,754
200	DEFENSE SECURITY SERVICE	538,711	538,711
230	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	35,417	35,417
240	DEFENSE THREAT REDUCTION AGENCY	448,146	448,146
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,671,143	2,701,143
	Impact Aid		[30,000]
270	MISSILE DEFENSE AGENCY	446,975	446,975
290	OFFICE OF ECONOMIC ADJUSTMENT	155,399	155,399
300	OFFICE OF THE SECRETARY OF DEFENSE	1,481,643	1,406,713
	Alcohol Abuse Prevention Program		[1,000]
	BRAC 2017 Round Planning and Analyses		[–3,530]
	CWMD Sustainment: Constellation program reduction		[–3,800]
	Program decrease		[–84,428]
	Readiness environmental protection initiative		[15,828]
310	SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES	89,429	70,829
	SOCOM MH–60 Block Upgrades / MH–60M Replacement		[–18,600]
320	WASHINGTON HEADQUARTERS SERVICES	629,874	619,874
	Program decrease		[–10,000]
330	CLASSIFIED PROGRAMS	14,069,333	14,071,333
	Classified adjustment		[2,000]
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**26,053,171**	**25,991,641**
	UNDISTRIBUTED		
340	UNDISTRIBUTED		–293,900
	Excessive standard price for fuel		[–17,800]
	Foreign Currency adjustments		[–34,300]
	Historical unobligated balances		[–248,100]
	Prohibition on Per Diem Allowance Reduction		[6,300]
	SUBTOTAL UNDISTRIBUTED		**–293,900**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**32,571,590**	**32,211,160**
	MISCELLANEOUS APPROPRIATIONS		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	14,194	14,194
020	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	105,125	105,125
030	COOPERATIVE THREAT REDUCTION	325,604	325,604
050	ENVIRONMENTAL RESTORATION, ARMY	170,167	170,167
060	ENVIRONMENTAL RESTORATION, NAVY	281,762	281,762
070	ENVIRONMENTAL RESTORATION, AIR FORCE	371,521	371,521
080	ENVIRONMENTAL RESTORATION, DEFENSE	9,009	9,009
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	197,084	197,084
	SUBTOTAL MISCELLANEOUS APPROPRIATIONS	**1,474,466**	**1,474,466**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**1,474,466**	**1,474,466**
	TOTAL OPERATION & MAINTENANCE	**171,318,488**	**169,325,271**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	406,852	396,052
	Army requested realignment (ERI)		[–10,800]
040	THEATER LEVEL ASSETS	1,643,456	1,713,556
	Operational support for deployed end strength of 9,800 in Afghanistan		[70,100]
050	LAND FORCES OPERATIONS SUPPORT	556,066	156,366
	Army requested realignment (ERI)		[–132,000]
	Operational support for deployed end strength of 9,800 in Afghanistan		[67,200]
	Realign APS Unit Set Requirements to Base		[–334,900]
060	AVIATION ASSETS	58,620	90,120
	Operational support for deployed end strength of 9,800 in Afghanistan		[31,500]
070	FORCE READINESS OPERATIONS SUPPORT	1,502,845	1,676,345
	Army requested realignment (ERI)		[–2,000]
	Operational support for deployed end strength of 9,800 in Afghanistan		[175,500]

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
080	LAND FORCES SYSTEMS READINESS	348,174	358,174
	Operational support for deployed end strength of 9,800 in Afghanistan		[10,000]
100	BASE OPERATIONS SUPPORT	40,000	25,000
	Realign APS Unit Set Requirements to Base		[–15,000]
140	ADDITIONAL ACTIVITIES	5,979,678	7,060,278
	Operational support for deployed end strength of 9,800 in Afghanistan		[1,093,200]
	Realign APS Unit Set Requirements to Base		[–12,600]
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	5,000	5,000
160	RESET	1,092,542	1,092,542
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT	79,568	79,568
	SUBTOTAL OPERATING FORCES	**11,712,801**	**12,653,001**
	MOBILIZATION		
190	ARMY PREPOSITIONED STOCKS	350,200	130,000
	Army requested realignment (ERI)		[–220,200]
	SUBTOTAL MOBILIZATION	**350,200**	**130,000**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	540,400	559,500
	Army requested realignment (ERI)		[120,000]
	Operational support for deployed end strength of 9,800 in Afghanistan		[203,100]
	Realign APS Unit Set Requirements to Base		[–304,000]
380	AMMUNITION MANAGEMENT	13,974	49,074
	Operational support for deployed end strength of 9,800 in Afghanistan		[35,100]
420	OTHER PERSONNEL SUPPORT	105,508	105,508
450	REAL ESTATE MANAGEMENT	165,678	263,178
	Operational support for deployed end strength of 9,800 in Afghanistan		[97,500]
530	CLASSIFIED PROGRAMS	835,551	849,851
	Operational support for deployed end strength of 9,800 in Afghanistan		[14,300]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**1,661,111**	**1,827,111**
	UNDISTRIBUTED		
540	UNDISTRIBUTED		–6,083,330
	Excessive standard price for fuel		[–138,600]
	Historical unobligated balances		[–188,500]
	Prorated OCO allocation in support of base readiness requirements		[–5,756,230]
	SUBTOTAL UNDISTRIBUTED		**–6,083,330**
	TOTAL OPERATION & MAINTENANCE, ARMY	**13,724,112**	**8,526,782**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	ECHELONS ABOVE BRIGADE	6,252	9,252
	Operational support for deployed end strength of 9,800 in Afghanistan		[3,000]
040	LAND FORCES OPERATIONS SUPPORT	2,075	3,075
	Operational support for deployed end strength of 9,800 in Afghanistan		[1,000]
060	FORCE READINESS OPERATIONS SUPPORT	1,140	1,440
	Operational support for deployed end strength of 9,800 in Afghanistan		[300]
090	BASE OPERATIONS SUPPORT	14,653	15,153
	Operational support for deployed end strength of 9,800 in Afghanistan		[500]
	SUBTOTAL OPERATING FORCES	**24,120**	**28,920**
	UNDISTRIBUTED		
180	UNDISTRIBUTED		–11,394
	Prorated OCO allocation in support of base readiness requirements		[–11,394]
	SUBTOTAL UNDISTRIBUTED		**–11,394**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**24,120**	**17,526**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	10,564	16,564
	Operational support for deployed end strength of 9,800 in Afghanistan		[6,000]
020	MODULAR SUPPORT BRIGADES	748	748
030	ECHELONS ABOVE BRIGADE	5,751	7,451
	Operational support for deployed end strength of 9,800 in Afghanistan		[1,700]
040	THEATER LEVEL ASSETS	200	200
060	AVIATION ASSETS	27,183	30,983
	Operational support for deployed end strength of 9,800 in Afghanistan		[3,800]
070	FORCE READINESS OPERATIONS SUPPORT	2,741	2,741
100	BASE OPERATIONS SUPPORT	18,800	18,800
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	920	920
	SUBTOTAL OPERATING FORCES	**66,907**	**78,407**
	UNDISTRIBUTED		
190	UNDISTRIBUTED		–30,892
	Prorated OCO allocation in support of base readiness requirements		[–30,892]
	SUBTOTAL UNDISTRIBUTED		**–30,892**
	TOTAL OPERATION & MAINTENANCE, ARNG	**66,907**	**47,515**
	AFGHANISTAN SECURITY FORCES FUND		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	MINISTRY OF DEFENSE		
010	SUSTAINMENT	2,173,341	2,173,341
020	INFRASTRUCTURE	48,262	48,262
030	EQUIPMENT AND TRANSPORTATION	76,216	176,047
	Maintain security forces at fiscal year 2016 levels		[99,831]
040	TRAINING AND OPERATIONS	220,139	281,555
	Maintain security forces at fiscal year 2016 levels		[61,416]
	SUBTOTAL MINISTRY OF DEFENSE	**2,517,958**	**2,679,205**
	MINISTRY OF INTERIOR		
050	SUSTAINMENT	860,441	880,300
	Maintain security forces at fiscal year 2016 levels		[19,859]
060	INFRASTRUCTURE	20,837	20,837
070	EQUIPMENT AND TRANSPORTATION	8,153	116,573
	Maintain security forces at fiscal year 2016 levels		[108,420]
080	TRAINING AND OPERATIONS	41,326	65,342
	Maintain security forces at fiscal year 2016 levels		[24,016]
	SUBTOTAL MINISTRY OF INTERIOR	**930,757**	**1,083,052**
	UNDISTRIBUTED		
110	UNDISTRIBUTED		–1,482,289
	Prorated OCO allocation in support of base readiness requirements		[–1,482,289]
	SUBTOTAL UNDISTRIBUTED		**–1,482,289**
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**3,448,715**	**2,279,968**
	IRAQ TRAIN AND EQUIP FUND		
	IRAQ TRAIN AND EQUIP FUND		
010	IRAQ TRAIN AND EQUIP FUND	630,000	680,000
	Support to Kurdish and Sunni tribal security forces for operations in Mosul, Iraq		[50,000]
	SUBTOTAL IRAQ TRAIN AND EQUIP FUND	**630,000**	**680,000**
	UNDISTRIBUTED		
020	UNDISTRIBUTED		–267,913
	Prorated OCO allocation in support of base readiness requirements		[–267,913]
	SUBTOTAL UNDISTRIBUTED		**–267,913**
	TOTAL IRAQ TRAIN AND EQUIP FUND	**630,000**	**412,087**
	SYRIA TRAIN AND EQUIP FUND		
	SYRIA TRAIN AND EQUIP FUND		
010	SYRIA TRAIN AND EQUIP FUND	250,000	250,000
	SUBTOTAL SYRIA TRAIN AND EQUIP FUND	**250,000**	**250,000**
	UNDISTRIBUTED		
020	UNDISTRIBUTED		–98,497
	Prorated OCO allocation in support of base readiness requirements		[–98,497]
	SUBTOTAL UNDISTRIBUTED		**–98,497**
	TOTAL SYRIA TRAIN AND EQUIP FUND	**250,000**	**151,503**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	360,621	360,621
040	AIR OPERATIONS AND SAFETY SUPPORT	4,603	4,603
050	AIR SYSTEMS SUPPORT	159,049	159,049
060	AIRCRAFT DEPOT MAINTENANCE	113,994	113,994
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	1,840	1,840
080	AVIATION LOGISTICS	35,529	35,529
090	MISSION AND OTHER SHIP OPERATIONS	1,073,080	1,073,080
100	SHIP OPERATIONS SUPPORT & TRAINING	17,306	17,306
110	SHIP DEPOT MAINTENANCE	2,128,431	2,128,431
130	COMBAT COMMUNICATIONS	21,257	21,257
160	WARFARE TACTICS	22,603	22,603
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	22,934	22,934
180	COMBAT SUPPORT FORCES	568,511	568,511
190	EQUIPMENT MAINTENANCE	11,358	11,358
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	61,000	61,000
260	WEAPONS MAINTENANCE	289,045	289,045
270	OTHER WEAPON SYSTEMS SUPPORT	8,000	8,000
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	7,819	7,819
300	BASE OPERATING SUPPORT	61,493	61,493
	SUBTOTAL OPERATING FORCES	**4,968,473**	**4,968,473**
	MOBILIZATION		
330	AIRCRAFT ACTIVATIONS/INACTIVATIONS	1,530	1,530
350	EXPEDITIONARY HEALTH SERVICES SYSTEMS	5,307	5,307
370	COAST GUARD SUPPORT	162,692	162,692
	SUBTOTAL MOBILIZATION	**169,529**	**169,529**
	TRAINING AND RECRUITING		
410	SPECIALIZED SKILL TRAINING	43,365	43,365

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	SUBTOTAL TRAINING AND RECRUITING	**43,365**	**43,365**
	ADMIN & SRVWD ACTIVITIES		
490	ADMINISTRATION	3,764	3,764
500	EXTERNAL RELATIONS	515	515
520	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,409	5,409
530	OTHER PERSONNEL SUPPORT	1,578	1,578
570	SERVICEWIDE TRANSPORTATION	126,700	126,700
600	ACQUISITION AND PROGRAM MANAGEMENT	9,261	9,261
640	NAVAL INVESTIGATIVE SERVICE	1,501	1,501
730	CLASSIFIED PROGRAMS	15,780	15,780
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**164,508**	**164,508**
	UNDISTRIBUTED		
740	UNDISTRIBUTED		–2,226,518
	Excessive standard price for fuel		[–120,300]
	Prorated OCO allocation in support of base readiness requirements		[–2,106,218]
	SUBTOTAL UNDISTRIBUTED		**–2,226,518**
	TOTAL OPERATION & MAINTENANCE, NAVY	**5,345,875**	**3,119,357**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	403,489	469,789
	Operational support for deployed end strength of 9,800 in Afghanistan		[66,300]
020	FIELD LOGISTICS	266,094	266,094
030	DEPOT MAINTENANCE	147,000	147,000
060	BASE OPERATING SUPPORT	18,576	18,576
	SUBTOTAL OPERATING FORCES	**835,159**	**901,459**
	TRAINING AND RECRUITING		
110	TRAINING SUPPORT	31,750	31,750
	SUBTOTAL TRAINING AND RECRUITING	**31,750**	**31,750**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	73,800	89,800
	Operational support for deployed end strength of 9,800 in Afghanistan		[16,000]
200	CLASSIFIED PROGRAMS	3,650	3,650
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**77,450**	**93,450**
	UNDISTRIBUTED		
210	UNDISTRIBUTED		–413,593
	Excessive standard price for fuel		[–9,100]
	Prorated OCO allocation in support of base readiness requirements		[–404,493]
	SUBTOTAL UNDISTRIBUTED		**–413,593**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**944,359**	**613,066**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
030	AIRCRAFT DEPOT MAINTENANCE	16,500	16,500
050	AVIATION LOGISTICS	2,522	2,522
100	COMBAT SUPPORT FORCES	7,243	7,243
	SUBTOTAL OPERATING FORCES	**26,265**	**26,265**
	UNDISTRIBUTED		
200	UNDISTRIBUTED		–10,448
	Excessive standard price for fuel		[–100]
	Prorated OCO allocation in support of base readiness requirements		[–10,348]
	SUBTOTAL UNDISTRIBUTED		**–10,448**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**26,265**	**15,817**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	2,500	2,500
040	BASE OPERATING SUPPORT	804	804
	SUBTOTAL OPERATING FORCES	**3,304**	**3,304**
	UNDISTRIBUTED		
090	UNDISTRIBUTED		–1,302
	Prorated OCO allocation in support of base readiness requirements		[–1,302]
	SUBTOTAL UNDISTRIBUTED		**–1,302**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**3,304**	**2,002**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,339,461	1,370,361
	Enahncing readiness levels of DCA aircraft		[10,000]
	Operational support for deployed end strength of 9,800 in Afghanistan		[20,900]
020	COMBAT ENHANCEMENT FORCES	1,096,021	1,116,921

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	Operational support for deployed end strength of 9,800 in Afghanistan		[20,900]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	152,278	152,278
040	DEPOT MAINTENANCE	1,061,506	1,087,106
	Compass Call Program Restructure		[25,600]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	56,700	56,700
060	BASE SUPPORT	941,714	941,714
070	GLOBAL C3I AND EARLY WARNING	30,219	30,219
080	OTHER COMBAT OPS SPT PROGRAMS	207,696	217,696
	Promoting additional DCA burden sharing		[5,000]
	Supporting DCA dispersal CONOP development		[5,000]
100	LAUNCH FACILITIES	869	869
110	SPACE CONTROL SYSTEMS	5,008	5,008
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	100,081	100,081
135	CLASSIFIED PROGRAMS	79,893	79,893
	SUBTOTAL OPERATING FORCES	**5,071,446**	**5,158,846**
	MOBILIZATION		
140	AIRLIFT OPERATIONS	2,774,729	2,872,429
	Operational support for deployed end strength of 9,800 in Afghanistan		[97,700]
150	MOBILIZATION PREPAREDNESS	108,163	108,163
160	DEPOT MAINTENANCE	891,102	891,102
180	BASE SUPPORT	3,686	3,686
	SUBTOTAL MOBILIZATION	**3,777,680**	**3,875,380**
	TRAINING AND RECRUITING		
230	BASE SUPPORT	52,740	52,740
240	SPECIALIZED SKILL TRAINING	4,500	4,500
	SUBTOTAL TRAINING AND RECRUITING	**57,240**	**57,240**
	ADMIN & SRVWD ACTIVITIES		
340	LOGISTICS OPERATIONS	86,716	86,716
380	BASE SUPPORT	59,133	59,133
400	SERVICEWIDE COMMUNICATIONS	165,348	165,348
410	OTHER SERVICEWIDE ACTIVITIES	141,883	141,883
450	INTERNATIONAL SUPPORT	61	61
460	CLASSIFIED PROGRAMS	15,323	15,323
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**468,464**	**468,464**
	UNDISTRIBUTED		
470	UNDISTRIBUTED		–3,868,111
	Excessive standard price for fuel		[–101,600]
	Prorated OCO allocation in support of base readiness requirements		[–3,766,511]
	SUBTOTAL UNDISTRIBUTED		**–3,868,111**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**9,374,830**	**5,691,819**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
030	DEPOT MAINTENANCE	51,086	51,086
050	BASE SUPPORT	6,500	6,500
	SUBTOTAL OPERATING FORCES	**57,586**	**57,586**
	UNDISTRIBUTED		
110	UNDISTRIBUTED		–22,788
	Excessive standard price for fuel		[–100]
	Prorated OCO allocation in support of base readiness requirements		[–22,688]
	SUBTOTAL UNDISTRIBUTED		**–22,788**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**57,586**	**34,798**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,400	3,400
050	BASE SUPPORT	16,600	16,600
	SUBTOTAL OPERATING FORCES	**20,000**	**20,000**
	UNDISTRIBUTED		
080	UNDISTRIBUTED		–7,880
	Prorated OCO allocation in support of base readiness requirements		[–7,880]
	SUBTOTAL UNDISTRIBUTED		**–7,880**
	TOTAL OPERATION & MAINTENANCE, ANG	**20,000**	**12,120**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF		10,000
	Enhancing exercise of DCA aircraft		[10,000]
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	2,636,307	2,805,907
	Operational support for deployed end strength of 9,800 in Afghanistan		[169,600]
	SUBTOTAL OPERATING FORCES	**2,636,307**	**2,815,907**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
100	DEFENSE CONTRACT AUDIT AGENCY	13,436	13,436
110	DEFENSE CONTRACT MANAGEMENT AGENCY	13,564	13,564
130	DEFENSE INFORMATION SYSTEMS AGENCY	32,879	32,879
150	DEFENSE LEGAL SERVICES AGENCY	111,986	111,986
170	DEFENSE MEDIA ACTIVITY	13,317	13,317
190	DEFENSE SECURITY COOPERATION AGENCY	1,412,000	1,412,000
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	67,000	67,000
300	OFFICE OF THE SECRETARY OF DEFENSE	31,106	31,106
320	WASHINGTON HEADQUARTERS SERVICES	3,137	3,137
330	CLASSIFIED PROGRAMS	1,609,397	1,610,397
	Operational support for deployed end strength of 9,800 in Afghanistan		[1,000]
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**3,307,822**	**3,308,822**
	UNDISTRIBUTED		
340	UNDISTRIBUTED		–2,419,878
	Excessive standard price for fuel		[–6,800]
	Prorated OCO allocation in support of base readiness requirements		[–2,413,078]
	SUBTOTAL UNDISTRIBUTED		**–2,419,878**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**5,944,129**	**3,704,851**
	TOTAL OPERATION & MAINTENANCE	**39,860,202**	**24,629,211**

SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	317,093	367,093
	Army unfunded requirement—Improve training from BN+ to BCT-		[50,000]
020	MODULAR SUPPORT BRIGADES	5,904	5,904
030	ECHELONS ABOVE BRIGADE	38,614	38,614
040	THEATER LEVEL ASSETS	8,361	8,361
050	LAND FORCES OPERATIONS SUPPORT	279,072	279,072
060	AVIATION ASSETS	106,424	206,924
	Army unfunded requirement—Meet air readiness targets		[68,000]
	Increase to support ARI—Eleventh CAB		[32,500]
070	FORCE READINESS OPERATIONS SUPPORT	253,533	253,533
090	LAND FORCES DEPOT MAINTENANCE	350,000	350,000
100	BASE OPERATIONS SUPPORT		22,100
	Increase to support ARI—Eleventh CAB		[22,100]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		922,000
	Increase Restoration & Modernization funding		[494,900]
	Restore Sustainment shortfalls		[427,100]
140	ADDITIONAL ACTIVITIES	11,200	11,200
	SUBTOTAL OPERATING FORCES	**1,370,201**	**2,464,801**
	TRAINING AND RECRUITING		
250	SPECIALIZED SKILL TRAINING	3,565	3,565
260	FLIGHT TRAINING		42,934
	Army unfunded requirement—Ensure AVN restructure initiative execution		[5,405]
	Army unfunded requirement—Increase student workload for additional warrant officers		[31,125]
	Army unfunded requirement—Train full ARPINT load of 990		[6,404]
270	PROFESSIONAL DEVELOPMENT EDUCATION	9,021	40,621
	Military Training and PME		[31,600]
280	TRAINING SUPPORT	2,434	2,434
290	RECRUITING AND ADVERTISING		356,500
	Recruiting and Advertising Add		[356,500]
320	CIVILIAN EDUCATION AND TRAINING	1,254	1,254
	SUBTOTAL TRAINING AND RECRUITING	**16,274**	**447,308**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	200,000	265,000
	Army unfunded requirement—Restore cricital shortfalls		[65,000]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**200,000**	**265,000**
	UNDISTRIBUTED		
540	UNDISTRIBUTED		704,300
	Additional funding to support increase in Army end strength		[704,300]
	SUBTOTAL UNDISTRIBUTED		**704,300**
	TOTAL OPERATION & MAINTENANCE, ARMY	**1,586,475**	**3,881,409**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		

SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
010	MODULAR SUPPORT BRIGADES	708	708
020	ECHELONS ABOVE BRIGADE	8,570	28,570
	Army unfunded requirement—Improve training from PLT to CO proficiency		[20,000]
030	THEATER LEVEL ASSETS	375	375
040	LAND FORCES OPERATIONS SUPPORT	13	13
050	AVIATION ASSETS	608	608
060	FORCE READINESS OPERATIONS SUPPORT	4,285	4,285
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		97,500
	Increase Restoration & Modernization funding		[57,100]
	Restore Sustainment shortfalls		[40,400]
	SUBTOTAL OPERATING FORCES	**14,559**	**132,059**
	UNDISTRIBUTED		
180	UNDISTRIBUTED		103,400
	Additional funding to support increase in Army Reserve end strength		[103,400]
	SUBTOTAL UNDISTRIBUTED		**103,400**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**14,559**	**235,459**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	5,585	5,585
030	ECHELONS ABOVE BRIGADE	28,956	28,956
040	THEATER LEVEL ASSETS	10,272	10,272
060	AVIATION ASSETS	5,621	51,621
	Increase to support ARI		[46,000]
070	FORCE READINESS OPERATIONS SUPPORT	9,694	9,694
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		121,000
	Increase Restoration & Modernization funding		[16,800]
	Restore Sustainment shortfalls		[104,200]
	SUBTOTAL OPERATING FORCES	**60,128**	**227,128**
	UNDISTRIBUTED		
190	UNDISTRIBUTED		159,100
	Additional funding to support increase in Army National Guard end strength		[159,100]
	SUBTOTAL UNDISTRIBUTED		**159,100**
	TOTAL OPERATION & MAINTENANCE, ARNG	**60,128**	**386,228**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	500,000	556,520
	Carrier Air Wing Restoration		[56,520]
020	FLEET AIR TRAINING		23,020
	Carrier Air Wing Restoration		[23,020]
050	AIR SYSTEMS SUPPORT		6,500
	Marine Corps unfunded requirement—accelerate readiness - H–1		[5,300]
	Marine Corps unfunded requirement—accelerate readiness - MV–22B		[1,200]
060	AIRCRAFT DEPOT MAINTENANCE		36,000
	Carrier Air Wing Restoration		[6,000]
	Navy unfunded requirement—Improve Afloat Readiness		[30,000]
080	AVIATION LOGISTICS		33,500
	Marine Corps unfunded requirement—accelerate readiness - KC–130J		[6,800]
	Marine Corps unfunded requirement—accelerate readiness - MV–22B		[10,700]
	Navy unfunded requirement—Improve Afloat Readiness		[16,000]
090	MISSION AND OTHER SHIP OPERATIONS		348,200
	Cruiser Modernization		[90,200]
	Navy unfunded requirement—Improve Afloat Readiness		[158,000]
	Navy unfunded requirement—Restore 3 CG Deployments		[41,000]
	Navy unfunded requirement—Reverse PONCE (LPD–15) Inactivation		[59,000]
100	SHIP OPERATIONS SUPPORT & TRAINING		19,700
	Navy unfunded requirement—Restore Fleet Training		[19,700]
110	SHIP DEPOT MAINTENANCE	775,000	1,084,100
	Cruiser Modernization		[71,100]
	Navy unfunded requirement—Ship Depot Wholeness		[238,000]
120	SHIP DEPOT OPERATIONS SUPPORT		79,000
	Navy unfunded requirement—Increase Alfoat Readiness		[79,000]
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	19,270	408,470
	Increase Restoration & Modernization funding		[113,600]
	Restore Sustainment shortfalls		[275,600]
300	BASE OPERATING SUPPORT	158,032	158,032
	SUBTOTAL OPERATING FORCES	**1,452,302**	**2,753,042**
	MOBILIZATION		
350	EXPEDITIONARY HEALTH SERVICES SYSTEMS	3,597	3,597
	SUBTOTAL MOBILIZATION	**3,597**	**3,597**
	ADMIN & SRVWD ACTIVITIES		
540	SERVICEWIDE COMMUNICATIONS	25,617	25,617
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**25,617**	**25,617**
	TOTAL OPERATION & MAINTENANCE, NAVY	**1,481,516**	**2,782,256**

SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	300,000	322,000
	Marine Corps unfunded requirement- enhanced combat helmets		[22,000]
020	FIELD LOGISTICS		21,450
	Marine Corps unfunded requirement- rifle combat optic modernization		[13,200]
	Marine Corps unfunded requirement- SPMAGTF—C4 UUNS		[8,250]
050	SUSTAINMENT, RESTORATION & MODERNIZATION		145,600
	Increase Restoration & Modernization funding		[31,400]
	Restore Sustainment shortfalls		[114,200]
	SUBTOTAL OPERATING FORCES	**300,000**	**489,050**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**300,000**	**489,050**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
030	AIRCRAFT DEPOT MAINTENANCE		4,000
	Navy unfunded requirement—Improve Afloat Readiness		[4,000]
070	SHIP OPERATIONS SUPPORT & TRAINING		300
	Navy unfunded requirement—Restore Fleet Training		[300]
130	SUSTAINMENT, RESTORATION AND MODERNIZATION		7,800
	Increase Restoration & Modernization funding		[2,100]
	Restore Sustainment shortfalls		[5,700]
	SUBTOTAL OPERATING FORCES		**12,100**
	TOTAL OPERATION & MAINTENANCE, NAVY RES		**12,100**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
030	SUSTAINMENT, RESTORATION AND MODERNIZATION		7,700
	Increase Restoration & Modernization funding		[4,300]
	Restore Sustainment shortfalls		[3,400]
	SUBTOTAL OPERATING FORCES		**7,700**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE		**7,700**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
040	DEPOT MAINTENANCE	124,000	447,576
	Air Force unfunded requirement—Weapons System Sustainment		[323,576]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		407,900
	Increase Restoration & Modernization funding		[142,900]
	Restore Sustainment shortfalls		[265,000]
070	GLOBAL C3I AND EARLY WARNING		40,000
	Air Force unfunded requirement—Ground Based Radars		[40,000]
	SUBTOTAL OPERATING FORCES	**124,000**	**895,476**
	MOBILIZATION		
160	DEPOT MAINTENANCE		66,424
	Air Force unfunded requirement—Weapons System Sustainment		[66,424]
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		63,600
	Increase Restoration & Modernization funding		[22,300]
	Restore Sustainment shortfalls		[41,300]
	SUBTOTAL MOBILIZATION		**130,024**
	TRAINING AND RECRUITING		
220	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		58,200
	Increase Restoration & Modernization funding		[20,400]
	Restore Sustainment shortfalls		[37,800]
	SUBTOTAL TRAINING AND RECRUITING		**58,200**
	ADMIN & SRVWD ACTIVITIES		
370	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		79,000
	Increase Restoration & Modernization funding		[27,700]
	Restore Sustainment shortfalls		[51,300]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES		**79,000**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**124,000**	**1,162,700**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		20,500
	Increase Restoration & Modernization funding		[7,100]
	Restore Sustainment shortfalls		[13,400]
	SUBTOTAL OPERATING FORCES		**20,500**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE		**20,500**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
030	DEPOT MAINTENANCE		40,000

SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	Air Force unfunded requirement—Weapons System Sustainment		*[40,000]*
040	*FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION*		*64,500*
	Increase Restoration & Modernization funding		*[18,900]*
	Restore Sustainment shortfalls		*[45,600]*
	SUBTOTAL OPERATING FORCES		***104,500***
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
070	*RECRUITING AND ADVERTISING*		*67,000*
	Air Force unfunded requirement		*[67,000]*
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		***67,000***
	TOTAL OPERATION & MAINTENANCE, ANG		***171,500***
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
030	*SPECIAL OPERATIONS COMMAND/OPERATING FORCES*	*14,344*	*14,344*
	SUBTOTAL OPERATING FORCES	***14,344***	***14,344***
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
130	*DEFENSE INFORMATION SYSTEMS AGENCY*	*14,700*	*14,700*
330	*CLASSIFIED PROGRAMS*	*9,000*	*9,000*
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	***23,700***	***23,700***
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	***38,044***	***38,044***
	TOTAL OPERATION & MAINTENANCE	***3,604,722***	***9,186,946***

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
Military Personnel Appropriations	***128,902,332***	***128,482,914***
Foreign Currency adjustments		*[–200,400]*
Historical unobligated balances		*[–248,700]*
National Guard State Partnership Program, Air Force, Special Training		*[841]*
National Guard State Partnership Program, Army, Special Training		*[841]*
Prohibition on Per Diem Allowance Reduction		*[28,000]*
Medicare-Eligible Retiree Health Fund Contributions	***6,366,908***	***6,366,908***

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
Military Personnel Appropriations	***3,499,293***	***2,199,572***
Maintain end strength of 9,800 in Afghanistan		*[130,300]*
Prorated OCO allocation in support of base readiness requirements		*[–1,430,021]*

SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
Military Personnel Appropriations	*62,965*	*2,572,715*
Fund active Air Force end strength to 321k		*[145,000]*
Fund active Army end strength to 480k		*[1,123,500]*
Fund active Marine Corps end strengthto 185k		*[300,000]*
Fund active Navy end strength		*[65,300]*
Fund Army National Guard end strength to 350k		*[303,700]*
Fund Army Reserves end strength to 205k		*[166,650]*
Marine Corps—Bonus Pay/PCS Resotral/Foreign Language Bonus		*[75,600]*
Military Personnel Pay Raise		*[330,000]*
Medicare-Eligible Retiree Health Fund Contributions		*49,900*
Increase associated with additional end strength		*[49,900]*

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
INDUSTRIAL OPERATIONS		
SUPPLY MANAGEMENT—ARMY	56,469	56,469
TOTAL WORKING CAPITAL FUND, ARMY	**56,469**	**56,469**
WORKING CAPITAL FUND, AIR FORCE		
FUEL COSTS		
SUPPLIES AND MATERIALS	63,967	63,967
TOTAL WORKING CAPITAL FUND, AIR FORCE	**63,967**	**63,967**
WORKING CAPITAL FUND, DEFENSE-WIDE		
ENERGY MANAGEMENT—DEF		
SUPPLY CHAIN MANAGEMENT—DEF	37,132	37,132
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**37,132**	**37,132**
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND, DECA	1,214,045	1,214,045
TOTAL WORKING CAPITAL FUND, DECA	**1,214,045**	**1,214,045**
NATIONAL DEFENSE SEALIFT FUND		
POST DELIVERY AND OUTFITTING		
NATIONAL DEF SEALIFT VESSEL		85,000
National Security Multi-Mission Vehicle		[85,000]
TOTAL NATIONAL DEFENSE SEALIFT FUND		**85,000**
NATIONAL SEA-BASED DETERRENCE FUND		
DEVELOPMENT		773,138
Realignment of funds to the National Sea-Based Deterrence Fund		[773,138]
TOTAL NATIONAL SEA-BASED DETERRENCE FUND		**773,138**
CHEM AGENTS & MUNITIONS DESTRUCTION		
OPERATION & MAINTENANCE	147,282	147,282
RDT&E	388,609	388,609
PROCUREMENT	15,132	15,132
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**551,023**	**551,023**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	730,087	760,087
SOUTHCOM Operational Support		[30,000]
DRUG DEMAND REDUCTION PROGRAM	114,713	114,713
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**844,800**	**874,800**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	318,882	318,882
RDT&E	3,153	3,153
TOTAL OFFICE OF THE INSPECTOR GENERAL	**322,035**	**322,035**
DEFENSE HEALTH PROGRAM		
OPERATION & MAINTENANCE		
IN-HOUSE CARE	9,240,160	9,240,160
PRIVATE SECTOR CARE	15,738,759	15,738,759
CONSOLIDATED HEALTH SUPPORT	2,367,759	2,367,759
INFORMATION MANAGEMENT	1,743,749	1,743,749
MANAGEMENT ACTIVITIES	311,380	311,380
EDUCATION AND TRAINING	743,231	743,231
BASE OPERATIONS/COMMUNICATIONS	2,086,352	2,086,352
SUBTOTAL OPERATION & MAINTENANCE	**32,231,390**	**32,231,390**
RDT&E		
RESEARCH	9,097	9,097
EXPLORATRY DEVELOPMENT	58,517	58,517
ADVANCED DEVELOPMENT	221,226	221,226
DEMONSTRATION/VALIDATION	96,602	96,602
ENGINEERING DEVELOPMENT	364,057	364,057
MANAGEMENT AND SUPPORT	58,410	58,410
CAPABILITIES ENHANCEMENT	14,998	14,998
SUBTOTAL RDT&E	**822,907**	**822,907**
PROCUREMENT		
INITIAL OUTFITTING	20,611	20,611
REPLACEMENT & MODERNIZATION	360,727	360,727
JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM	2,413	2,413
DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	29,468	29,468
SUBTOTAL PROCUREMENT	**413,219**	**413,219**
UNDISTRIBUTED		–419,500
Foreign Currency adjustments		[–20,400]
Historical unobligated balances		[–399,100]
SUBTOTAL UNDISTRIBUTED		**–419,500**

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
TOTAL DEFENSE HEALTH PROGRAM	**33,467,516**	**33,048,016**
TOTAL OTHER AUTHORIZATIONS	**36,556,987**	**37,025,625**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
INDUSTRIAL OPERATIONS		
SUPPLY MANAGEMENT—ARMY	46,833	46,833
UNDISTRIBUTED		–18,452
Reduction to sustain minimal readiness levels		[–18,452]
TOTAL WORKING CAPITAL FUND, ARMY	**46,833**	**28,381**
WORKING CAPITAL FUND, DEFENSE-WIDE		
SUPPLY CHAIN MANAGEMENT—DEF		
DEFENSE LOGISTICS AGENCY (DLA)	93,800	93,800
UNDISTRIBUTED		–36,956
Prorated OCO allocation in support of base readiness requirements		[–36,956]
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**93,800**	**56,844**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	191,533	191,533
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**191,533**	**191,533**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	22,062	22,062
TOTAL OFFICE OF THE INSPECTOR GENERAL	**22,062**	**22,062**
DEFENSE HEALTH PROGRAM		
OPERATION & MAINTENANCE		
IN-HOUSE CARE	95,366	95,366
PRIVATE SECTOR CARE	233,073	233,073
CONSOLIDATED HEALTH SUPPORT	3,325	3,325
SUBTOTAL OPERATION & MAINTENANCE	**331,764**	**331,764**
UNDISTRIBUTED		
UNDISTRIBUTED		–130,711
Prorated OCO allocation in support of base readiness requirements		[–130,711]
SUBTOTAL UNDISTRIBUTED		**–130,711**
TOTAL DEFENSE HEALTH PROGRAM	**331,764**	**201,053**
UKRAINE SECURITY ASSISTANCE		
UKRAINE SECURITY ASSISTANCE		150,000
Program increase		[150,000]
TOTAL UKRAINE SECURITY ASSISTANCE		**150,000**
COUNTERTERRORISM PARTNERSHIPS FUND		
COUNTERTERRORISM PARTNERSHIPS FUND	1,000,000	750,000
Program decrease		[–250,000]
TOTAL COUNTERTERRORISM PARTNERSHIPS FUND	**1,000,000**	**750,000**
TOTAL OTHER AUTHORIZATIONS	**1,685,992**	**1,399,873**

SEC. 4503. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4503. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	23,800	23,800
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**23,800**	**23,800**

SEC. 4503. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
TOTAL OTHER AUTHORIZATIONS	**23,800**	**23,800**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
	Alaska			
Army	Fort Wainwright	Unmanned Aerial Vehicle Hangar	47,000	47,000
	California			
Army	Concord	Access Control Point	12,600	12,600
	Colorado			
Army	Fort Carson	Automated Infantry Platoon Battle Course	8,100	8,100
Army	Fort Carson	Unmanned Aerial Vehicle Hangar	5,000	5,000
	Georgia			
Army	Fort Gordon	Access Control Point	0	29,000
Army	Fort Gordon	Company Operations Facility	0	10,600
Army	Fort Gordon	CYBER Protection Team Ops Facility	90,000	90,000
Army	Fort Stewart	Automated Qualification/Training Range	14,800	14,800
	Germany			
Army	East Camp Grafenwoehr	Training Support Center	22,000	22,000
Army	Garmisch	Dining Facility	9,600	9,600
Army	Wiesbaden Army Airfield	Controlled Humidity Warehouse	16,500	16,500
Army	Wiesbaden Army Airfield	Hazardous Material Storage Building	2,700	2,700
	Guantanamo Bay, Cuba			
Army	Guantanamo Bay	Guantanamo Bay Naval Station Migration Complex	33,000	33,000
	Hawaii			
Army	Fort Shafter	Command and Control Facility, Incr 2	40,000	40,000
	Missouri			
Army	Fort Leonard Wood	Fire Station	0	6,900
	Texas			
Army	Fort Hood	Automated Infantry Platoon Battle Course	7,600	7,600
	Utah			
Army	Camp Williams	Live Fire Exercise Shoothouse	7,400	7,400
	Virginia			
Army	Fort Belvoir	Secure Admin/Operations Facility, Incr 2	64,000	64,000
Army	Fort Belvoir	Vehicle Maintenance Shop	0	23,000
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Host Nation Support FY17	18,000	18,000
Army	Unspecified Worldwide Locations	Minor Construction FY17	25,000	25,000
Army	Unspecified Worldwide Locations	Planning and Design FY17	80,159	80,159
	Military Construction, Army Total		**503,459**	**572,959**
	Arizona			
Navy	Yuma	VMX–22 Maintenance Hangar	48,355	48,355
	California			
Navy	Coronado	Coastal Campus Entry Control Point	13,044	13,044
Navy	Coronado	Coastal Campus Utilities Infrastructure	81,104	81,104
Navy	Coronado	Grace Hopper Data Center Power Upgrades	10,353	10,353
Navy	Lemoore	F–35C Engine Repair Facility	26,723	26,723
Navy	Miramar	Aircraft Maintenance Hangar, Incr 1	0	79,399
Navy	Miramar	Communications Complex & Infrastructure Upgrade	0	34,700
Navy	Miramar	F–35 Aircraft Parking Apron	0	40,000
Navy	San Diego	Energy Security Hospital Microgrid	6,183	0
Navy	Seal Beach	Missile Magazines	21,007	21,007
	Florida			
Navy	Eglin AFB	WMD Field Training Facilities	20,489	20,489
Navy	Mayport	Advanced Wastewater Treatment Plant	0	66,000
Navy	Pensacola	A-School Dormitory	0	53,000
	Guam			
Navy	Joint Region Marianas	Hardening of Guam POL Infrastructure	26,975	26,975
Navy	Joint Region Marianas	Power Upgrade—Harmon	62,210	62,210
	Hawaii			
Navy	Barking Sands	Upgrade Power Plant & Electrical Distrib Sys	43,384	43,384
Navy	Kaneohe Bay	Regimental Consolidated Comm/Elec Facility	72,565	72,565
	Japan			
Navy	Kadena AB	Aircraft Maintenance Complex	26,489	26,489
Navy	Sasebo	Shore Power (Juliet Pier)	16,420	16,420
	Maine			
Navy	Kittery	Unaccompanied Housing	17,773	17,773
Navy	Kittery	Utility Improvements for Nuclear Platforms	30,119	30,119
	Maryland			
Navy	Patuxent River	UCLASS RDT&E Hangar	40,576	40,576

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
	Nevada			
Navy	Fallon	Air Wing Simulator Facility	13,523	13,523
	North Carolina			
Navy	Camp Lejeune	Range Facilities Safety Improvements	18,482	18,482
Navy	Cherry Point	Central Heating Plant Conversion	12,515	12,515
	South Carolina			
Navy	Beaufort	Aircraft Maintenance Hangar	83,490	83,490
Navy	Parris Island	Recruit Reconditioning Center & Barracks	29,882	29,882
	Spain			
Navy	Rota	Communication Station	23,607	23,607
	Virginia			
Navy	Norfolk	Chambers Field Magazine Recap PH I	0	27,000
	Washington			
Navy	Bangor	SEAWOLF Class Service Pier	0	73,000
Navy	Bangor	Service Pier Electrical Upgrades	18,939	18,939
Navy	Bangor	Submarine Refit Maint Support Facility	21,476	21,476
Navy	Bremerton	Nuclear Repair Facility	6,704	6,704
Navy	Whidbey Island	EA–18G Maintenance Hangar	45,501	45,501
Navy	Whidbey Island	Triton Mission Control Facility	30,475	30,475
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning and Design	88,230	88,230
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	29,790	29,790
Navy	Various Worldwide Locations	Triton Forward Operating Base Hangar	41,380	41,380
	Military Construction, Navy Total		**1,027,763**	**1,394,679**
	Alaska			
AF	Clear AFS	Fire Station	20,000	20,000
AF	Eielson AFB	F–35A ADAL Field Training Detachment Fac	22,100	22,100
AF	Eielson AFB	F–35A Aircraft Weather Shelter (Sqd 2)	82,300	0
AF	Eielson AFB	F–35A Aircraft Weather Shelters (Sqd 1)	79,500	79,500
AF	Eielson AFB	F–35A Earth Covered Magazines	11,300	11,300
AF	Eielson AFB	F–35A Hangar/Propulsion MX/Dispatch	44,900	44,900
AF	Eielson AFB	F–35A Hangar/Squad Ops/AMU Sq #2	42,700	42,700
AF	Eielson AFB	F–35A Missile Maintenance Facility	12,800	12,800
AF	Joint Base Elmendorf-Richardson	Add/Alter AWACS Alert Hangar	29,000	29,000
	Arizona			
AF	Luke AFB	F–35A Squad Ops/Aircraft Maint Unit #5	20,000	20,000
	Australia			
AF	Darwin	APR—Aircraft MX Support Facility	1,800	1,800
AF	Darwin	APR—Expand Parking Apron	28,600	28,600
	California			
AF	Edwards AFB	Flightline Fire Station	24,000	24,000
	Colorado			
AF	Buckley AFB	Small Arms Range Complex	13,500	13,500
	Delaware			
AF	Dover AFB	Aircraft Maintenance Hangar	39,000	39,000
	Florida			
AF	Eglin AFB	Advanced Munitions Technology Complex	75,000	75,000
AF	Eglin AFB	Flightline Fire Station	13,600	13,600
AF	Patrick AFB	Fire/Crash Rescue Station	13,500	13,500
	Georgia			
AF	Moody AFB	Personnel Recovery 4-Bay Hangar/Helo Mx Unit	30,900	30,900
	Germany			
AF	Ramstein AB	37 AS Squadron Operations/Aircraft Maint Unit	13,437	13,437
AF	Spangdahlem AB	EIC—Site Development and Infrastructure	43,465	43,465
	Guam			
AF	Joint Region Marianas	APR—Munitions Storage Igloos, Ph 2	35,300	35,300
AF	Joint Region Marianas	APR—SATCOM C4I Facility	14,200	14,200
AF	Joint Region Marianas	Block 40 Maintenance Hangar	31,158	31,158
	Japan			
AF	Kadena AB	APR—Replace Munitions Structures	19,815	19,815
AF	Yokota AB	C–130J Corrosion Control Hangar	23,777	23,777
AF	Yokota AB	Construct Combat Arms Training & Maint Fac	8,243	8,243
	Kansas			
AF	McConnell AFB	Air Traffic Control Tower	11,200	11,200
AF	McConnell AFB	KC–46A ADAL Taxiway Delta	5,600	5,600
AF	McConnell AFB	KC–46A Alter Flight Simulator Bldgs	3,000	3,000
	Louisiana			
AF	Barksdale AFB	Consolidated Communication Facility	21,000	21,000
	Mariana Islands			
AF	Unspecified Location	APR—Land Acquisition	9,000	9,000
	Maryland			
AF	Joint Base Andrews	21 Points Enclosed Firing Range	13,000	13,000
AF	Joint Base Andrews	Consolidated Communications Center	0	50,000
AF	Joint Base Andrews	PAR Relocate JADOC Satellite Site	3,500	3,500
	Massachusetts			
AF	Hanscom AFB	Construct Vandenberg Gate Complex	0	10,965
AF	Hanscom AFB	System Management Engineering Facility	20,000	20,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
	Montana			
AF	Malmstrom AFB	Missile Maintenance Facility	14,600	14,600
	Nevada			
AF	Nellis AFB	F–35A POL Fill Stand Addition	10,600	10,600
	New Mexico			
AF	Cannon AFB	North Fitness Center	21,000	21,000
AF	Holloman AFB	Hazardous Cargo Pad and Taxiway	10,600	10,600
AF	Kirtland AFB	Combat Rescue Helicopter (CRH) Simulator	7,300	7,300
	Ohio			
AF	Wright-Patterson AFB	Relocated Entry Control Facility 26A	12,600	12,600
	Oklahoma			
AF	Altus AFB	KC–46A FTU/FTC Simulator Facility Ph 2	11,600	11,600
AF	Tinker AFB	E–3G Mission and Flight Simulator Training Facility	0	26,000
AF	Tinker AFB	KC–46A Depot System Integration Laboratory	17,000	17,000
	South Carolina			
AF	Joint Base Charleston	Fire & Rescue Station	0	17,000
	Texas			
AF	Joint Base San Antonio	BMT Recruit Dormitory 6	67,300	67,300
	Turkey			
AF	Incirlik AB	Airfield Fire/Crash Rescue Station	13,449	13,449
	United Arab Emirates			
AF	Al Dhafra	Large Aircraft Maintenance Hangar	35,400	35,400
	United Kingdom			
AF	RAF Croughton	JIAC Consolidation—Ph 3	53,082	0
AF	RAF Croughton	Main Gate Complex	16,500	16,500
	Utah			
AF	Hill AFB	649 MUNS Munitions Storage Magazines	6,600	6,600
AF	Hill AFB	649 MUNS Precision Guided Missile MX Facility	8,700	8,700
AF	Hill AFB	649 MUNS Stamp/Maint & Inspection Facility	12,000	12,000
AF	Hill AFB	Composite Aircraft Antenna Calibration Fac	7,100	7,100
AF	Hill AFB	F–35A Munitions Maintenance Complex	10,100	10,100
	Virginia			
AF	Joint Base Langley-Eustis	Air Force Targeting Center	45,000	45,000
AF	Joint Base Langley-Eustis	Fuel System Maintenance Dock	14,200	14,200
	Washington			
AF	Fairchild AFB	Pipeline Dorm, USAF SERE School (150 RM)	27,000	27,000
	Worldwide Unspecified			
AF	Various Worldwide Locations	Planning & Design	143,582	163,582
AF	Various Worldwide Locations	Unspecified Minor Military Construction	30,000	63,082
	Wyoming			
AF	F. E. Warren AFB	Missile Transfer Facility Bldg 4331	5,550	5,550
	Military Construction, Air Force Total		**1,481,058**	**1,502,723**
	Alaska			
Def-Wide	Clear AFS	Long Range Discrim Radar Sys Complex Ph1, Incr 1	155,000	100,000
Def-Wide	Fort Greely	Missile Defense Complex Switchgear Facility	9,560	9,560
Def-Wide	Joint Base Elmendorf-Richardson	Construct Truck Offload Facility	4,900	4,900
	Arizona			
Def-Wide	Fort Huachuca	JITC Building 52110 Renovation	4,493	4,493
	California			
Def-Wide	Coronado	SOF Human Performance Training Center	15,578	15,578
Def-Wide	Coronado	SOF Seal Team Ops Facility	47,290	47,290
Def-Wide	Coronado	SOF Seal Team Ops Facility	47,290	47,290
Def-Wide	Coronado	SOF Special RECON Team ONE Operations Fac	20,949	20,949
Def-Wide	Coronado	SOF Training Detachment ONE Ops Facility	44,305	44,305
Def-Wide	Travis AFB	Replace Hydrant Fuel System	26,500	26,500
	Delaware			
Def-Wide	Dover AFB	Welch ES/Dover MS Replacement	44,115	44,115
	Diego Garcia			
Def-Wide	Diego Garcia	Improve Wharf Refueling Capability	30,000	30,000
	Florida			
Def-Wide	Patrick AFB	Replace Fuel Tanks	10,100	10,100
	Georgia			
Def-Wide	Fort Benning	SOF Tactical Unmanned Aerial Vehicle Hangar	4,820	4,820
Def-Wide	Fort Gordon	Medical Clinic Replacement	25,000	25,000
	Germany			
Def-Wide	Kaiserlautern AB	Sembach Elementary/Middle School Replacement	45,221	45,221
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Incr 6	58,063	58,063
	Japan			
Def-Wide	Iwakuni	Construct Truck Offload & Loading Facilities	6,664	6,664
Def-Wide	Kadena AB	Kadena Elementary School Replacement	84,918	84,918
Def-Wide	Kadena AB	Medical Materiel Warehouse	20,881	20,881
Def-Wide	Kadena AB	SOF Maintenance Hangar	42,823	42,823
Def-Wide	Kadena AB	SOF Simulator Facility (MC–130)	12,602	12,602
Def-Wide	Yokota AB	Airfield Apron	41,294	41,294
Def-Wide	Yokota AB	Hangar/AMU	39,466	39,466
Def-Wide	Yokota AB	Operations and Warehouse Facilities	26,710	26,710
Def-Wide	Yokota AB	Simulator Facility	6,261	6,261
	Kwajalein			
Def-Wide	Kwajalein Atoll	Replace Fuel Storage Tanks	85,500	85,500

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
	Maine			
Def-Wide	Kittery	Medical/Dental Clinic Replacement	27,100	27,100
	Maryland			
Def-Wide	Bethesda Naval Hospital	MEDCEN Addition/Alteration Incr 1	50,000	50,000
Def-Wide	Fort Meade	Access Control Facility	21,000	21,000
Def-Wide	Fort Meade	NSAW Campus Feeders Phase 3	17,000	17,000
Def-Wide	Fort Meade	NSAW Recapitalize Building #2 Incr 2	195,000	145,000
	Missouri			
Def-Wide	St. Louis	Land Acquisition-Next NGA West (N2W) Campus	801	0
	North Carolina			
Def-Wide	Camp Lejeune	Dental Clinic Replacement	31,000	31,000
Def-Wide	Fort Bragg	SOF Combat Medic Training Facility	10,905	10,905
Def-Wide	Fort Bragg	SOF Parachute Rigging Facility	21,420	21,420
Def-Wide	Fort Bragg	SOF Special Tactics Facility (PH3)	30,670	30,670
Def-Wide	Fort Bragg	SOF Tactical Equipment Maintenance Facility	23,598	23,598
	South Carolina			
Def-Wide	Joint Base Charleston	Construct Hydrant Fuel System	17,000	17,000
	Texas			
Def-Wide	Red River Army Depot	Construct Warehouse & Open Storage	44,700	44,700
Def-Wide	Sheppard AFB	Medical/Dental Clinic Replacement	91,910	91,910
	United Kingdom			
Def-Wide	RAF Croughton	Croughton Elem/Middle/High School Replacement	71,424	71,424
Def-Wide	RAF Lakenheath	Construct Hydrant Fuel System	13,500	13,500
	Virginia			
Def-Wide	Pentagon	Pentagon Metro Entrance Facility	12,111	12,111
Def-Wide	Pentagon	Upgrade IT Facilities Infrastructure—RRMC	8,105	8,105
	Wake Island			
Def-Wide	Wake Island	Test Support Facility	11,670	11,670
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	Contingency Construction	10,000	10,000
Def-Wide	Unspecified Worldwide Locations	ECIP Design	10,000	0
Def-Wide	Unspecified Worldwide Locations	Energy Conservation Investment Program	150,000	150,000
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	8,631	8,631
Def-Wide	Unspecified Worldwide Locations	Planning and Design, Defense Wide	13,450	23,450
Def-Wide	Unspecified Worldwide Locations	Planning and Design, DODEA	23,585	23,585
Def-Wide	Unspecified Worldwide Locations	Planning and Design, NGA	71,647	36,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design, NSA	24,000	24,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design, WHS	3,427	3,427
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, DHA	8,500	8,500
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, DODEA	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, Defense Wide	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, SOCOM	5,994	5,994
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor MILCON, NSA	3,913	3,913
Def-Wide	Unspecified Worldwide Locations	Worldwide Unspecified Minor Construction, MDA	2,414	2,414
Def-Wide	Various Worldwide Locations	Planning & Design, DLA	27,660	27,660
Def-Wide	Various Worldwide Locations	Planning and Design, SOCOM	27,653	27,653
	Worldwide Unspecified Locations			
Def-Wide	Unspecified Worldwide Locations	Planning & Design, MDA	0	15,000
	Military Construction, Defense-Wide Total		**2,056,091**	**1,929,643**
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO Security Investment Program	177,932	177,932
	NATO Security Investment Program Total		**177,932**	**177,932**
	Colorado			
Army NG	Fort Carson	National Guard Readiness Center	0	16,500
	Hawaii			
Army NG	Hilo	Combined Support Maintenance Shop	31,000	31,000
	Iowa			
Army NG	Davenport	National Guard Readiness Center	23,000	23,000
	Kansas			
Army NG	Fort Leavenworth	National Guard Readiness Center	29,000	29,000
	New Hampshire			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
Army NG	Hooksett	National Guard Vehicle Maintenance Shop	11,000	11,000
Army NG	Rochester	National Guard Vehicle Maintenance Shop	8,900	8,900
	Oklahoma			
Army NG	Ardmore	National Guard Readiness Center	22,000	22,000
	Pennsylvania			
Army NG	Fort Indiantown Gap	Access Control Buildings	0	20,000
Army NG	York	National Guard Readiness Center	9,300	9,300
	Rhode Island			
Army NG	East Greenwich	National Guard/Reserve Center Building (JFHQ)	20,000	20,000
	Utah			
Army NG	Camp Williams	National Guard Readiness Center	37,000	37,000
	Worldwide Unspecified			
Army NG	Unspecified Worldwide Locations	Planning and Design	8,729	8,729
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	12,001	12,001
	Wyoming			
Army NG	Camp Guernsey	General Instruction Building	0	31,000
Army NG	Laramie	National Guard Readiness Center	21,000	21,000
	Military Construction, Army National Guard Total		**232,930**	**300,430**
	Arizona			
Army Res	Phoenix	Army Reserve Center	0	30,000
	California			
Army Res	Camp Parks	Transient Training Barracks	19,000	19,000
Army Res	Fort Hunter Liggett	Emergency Services Center	21,500	21,500
Army Res	Barstow	Equipment Concentration Site	0	29,000
	Virginia			
Army Res	Dublin	Organizational Maintenance Shop/AMSA	6,000	6,000
	Washington			
Army Res	Joint Base Lewis–McChord	Army Reserve Center	0	27,500
	Wisconsin			
Army Res	Fort McCoy	AT/MOB Dining Facility	11,400	11,400
	Worldwide Unspecified			
Army Res	Unspecified Worldwide Locations	Planning and Design	7,500	7,500
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	2,830	2,830
	Military Construction, Army Reserve Total		**68,230**	**154,730**
	Louisiana			
N/MC Res	New Orleans	Joint Reserve Intelligence Center	11,207	11,207
	New York			
N/MC Res	Brooklyn	Electric Feeder Ductbank	1,964	1,964
N/MC Res	Syracuse	Marine Corps Reserve Center	13,229	13,229
	Texas			
N/MC Res	Galveston	Reserve Center Annex	8,414	8,414
	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Locations	MCNR Planning & Design	3,783	3,783
	Military Construction, Naval Reserve Total		**38,597**	**38,597**
	Connecticut			
Air NG	Bradley IAP	Construct Small Air Terminal	6,300	6,300
	Florida			
Air NG	Jacksonville IAP	Replace Fire Crash/Rescue Station	9,000	9,000
	Hawaii			
Air NG	Joint Base Pearl Harbor-Hickam	F–22 Composite Repair Facility	11,000	11,000
	Iowa			
Air NG	Sioux Gateway Airport	Construct Consolidated Support Functions	12,600	12,600
	Maryland			
Air NG	Joint Base Andrews	Munitions Load Crew Trng/Corrosion Cnrtl Facility	0	5,000
	Minnesota			
Air NG	Duluth IAP	Load Crew Training/Weapon Shops	7,600	7,600
	New Hampshire			
Air NG	Pease International Trade Port	KC–46A Install Fuselage Trainer Bldg 251	1,500	1,500
	North Carolina			
Air NG	Charlotte/Douglas IAP	C–17 Corrosion Control/Fuel Cell Hangar	29,600	29,600
Air NG	Charlotte/Douglas IAP	C–17 Type III Hydrant Refueling System	21,000	21,000
	Ohio			
Air NG	Toledo Express Airport	Indoor Small Arms Range	0	6,000
	South Carolina			
Air NG	McEntire ANGS	Replace Operations and Training Facility	8,400	8,400
	Texas			
Air NG	Ellington Field	Consolidate Crew Readiness Facility	4,500	4,500
	Vermont			
Air NG	Burlington IAP	F–35 Beddown 4-Bay Flight Simulator	4,500	4,500
	Worldwide Unspecified			
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	17,495	29,495

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
Air NG	Various Worldwide Locations	Planning and Design	10,462	10,462
	Military Construction, Air National Guard Total		**143,957**	**166,957**
	Guam			
AF Res	Andersen AFB	Reserve Medical Training Facility	0	5,200
	Massachusetts			
AF Res	Westover ARB	Indoor Small Arms Range	0	9,200
	North Carolina			
AF Res	Seymour Johnson AFB	KC–46A ADAL Bldg for AGE/Fuselage Training	5,700	5,700
AF Res	Seymour Johnson AFB	KC–46A ADAL Squadron Operations Facilities	2,250	2,250
AF Res	Seymour Johnson AFB	KC–46A Two-Bay Corrosion/Fuel Cell Hangar	90,000	90,000
	Pennsylvania			
AF Res	Pittsburgh IAP	C–17 ADAL Fuel Hydrant System	22,800	22,800
AF Res	Pittsburgh IAP	C–17 Const/OverlayTaxiway and Apron	8,200	8,200
AF Res	Pittsburgh IAP	C–17 Construct Two-Bay Corrosion/Fuel Hangar	54,000	54,000
	Utah			
AF Res	Hill AFB	ADAL Life Support Facility	0	3,050
	Worldwide Unspecified			
AF Res	Unspecified Worldwide Locations	Planning & Design	4,500	4,500
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction	1,500	1,500
	Military Construction, Air Force Reserve Total		**188,950**	**206,400**
	Korea			
FH Con Army	Camp Humphreys	Family Housing New Construction, Incr 1	143,563	100,000
FH Con Army	Camp Walker	Family Housing New Construction	54,554	54,554
	Worldwide Unspecified			
FH Con Army	Unspecified Worldwide Locations	Planning & Design	2,618	2,618
	Family Housing Construction, Army Total		**200,735**	**157,172**
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings	10,178	10,178
FH Ops Army	Unspecified Worldwide Locations	Housing Privitization Support	19,146	19,146
FH Ops Army	Unspecified Worldwide Locations	Leasing	131,761	131,761
FH Ops Army	Unspecified Worldwide Locations	Maintenance	60,745	60,745
FH Ops Army	Unspecified Worldwide Locations	Management	40,344	40,344
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	400	400
FH Ops Army	Unspecified Worldwide Locations	Services	7,993	7,993
FH Ops Army	Unspecified Worldwide Locations	Utilities	55,428	55,428
	Family Housing Operation And Maintenance, Army Total		**325,995**	**325,995**
	Mariana Islands			
FH Con Navy	Guam	Replace Andersen Housing PH I	78,815	78,815
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements	11,047	11,047
FH Con Navy	Unspecified Worldwide Locations	Planning & Design	4,149	4,149
	Family Housing Construction, Navy And Marine Corps Total		**94,011**	**94,011**
	Worldwide Unspecified			
FH Ops Navy	Unspecified Worldwide Locations	Furnishings	17,457	17,457
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support	26,320	26,320
FH Ops Navy	Unspecified Worldwide Locations	Leasing	54,689	54,689
FH Ops Navy	Unspecified Worldwide Locations	Maintenance	81,254	81,254
FH Ops Navy	Unspecified Worldwide Locations	Management	51,291	51,291
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous	364	364
FH Ops Navy	Unspecified Worldwide Locations	Services	12,855	12,855

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
FH Ops Navy	Unspecified Worldwide Locations	Utilities	56,685	56,685
Family Housing Operation And Maintenance, Navy And Marine Corps Total			**300,915**	**300,915**
FH Con AF	Worldwide Unspecified Unspecified Worldwide Locations	Construction Improvements	56,984	56,984
FH Con AF	Unspecified Worldwide Locations	Planning & Design	4,368	4,368
Family Housing Construction, Air Force Total			**61,352**	**61,352**
FH Ops AF	Worldwide Unspecified Unspecified Worldwide Locations	Furnishings	31,690	31,690
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization Support	41,809	41,809
FH Ops AF	Unspecified Worldwide Locations	Leasing	20,530	20,530
FH Ops AF	Unspecified Worldwide Locations	Maintenance	85,469	85,469
FH Ops AF	Unspecified Worldwide Locations	Management	42,919	42,919
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous	1,745	1,745
FH Ops AF	Unspecified Worldwide Locations	Services	13,026	13,026
FH Ops AF	Unspecified Worldwide Locations	Utilities	37,241	37,241
Family Housing Operation And Maintenance, Air Force Total			**274,429**	**274,429**
FH Ops DW	Worldwide Unspecified Unspecified Worldwide Locations	Furnishings	399	399
FH Ops DW	Unspecified Worldwide Locations	Furnishings	20	20
FH Ops DW	Unspecified Worldwide Locations	Furnishings	500	500
FH Ops DW	Unspecified Worldwide Locations	Leasing	11,044	11,044
FH Ops DW	Unspecified Worldwide Locations	Leasing	40,984	40,984
FH Ops DW	Unspecified Worldwide Locations	Maintenance	800	800
FH Ops DW	Unspecified Worldwide Locations	Maintenance	349	349
FH Ops DW	Unspecified Worldwide Locations	Management	388	388
FH Ops DW	Unspecified Worldwide Locations	Services	32	32
FH Ops DW	Unspecified Worldwide Locations	Utilities	174	174
FH Ops DW	Unspecified Worldwide Locations	Utilities	367	367
FH Ops DW	Unspecified Worldwide Locations	Utilities	4,100	4,100
Family Housing Operation And Maintenance, Defense-Wide Total			**59,157**	**59,157**
FHIF	Worldwide Unspecified Unspecified Worldwide Locations	Program Expenses	3,258	3,258
DoD Family Housing Improvement Fund Total			**3,258**	**3,258**
BRAC	Worldwide Unspecified Base Realignment & Closure, Army	Base Realignment and Closure	14,499	24,499
Base Realignment and Closure—Army Total			**14,499**	**24,499**
BRAC	Worldwide Unspecified Base Realignment & Closure, Navy	Base Realignment & Closure	110,606	125,606
BRAC	Unspecified Worldwide Locations	DON–100: Planning, Design and Management	4,604	4,604
BRAC	Unspecified Worldwide Locations	DON–101: Various Locations	10,461	10,461
BRAC	Unspecified Worldwide Locations	DON–138: NAS Brunswick, ME	557	557

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
BRAC	Unspecified Worldwide Locations	DON–157: MCSA Kansas City, MO	100	100
BRAC	Unspecified Worldwide Locations	DON–172: NWS Seal Beach, Concord, CA	4,648	4,648
BRAC	Unspecified Worldwide Locations	DON–84: JRB Willow Grove & Cambria Reg AP	3,397	3,397
.Base Realignment and Closure—Navy Total			**134,373**	**149,373**
	Worldwide Unspecified			
BRAC	Unspecified Worldwide Locations	DoD BRAC Activities—Air Force	56,365	56,365
.Base Realignment and Closure—Air Force Total			**56,365**	**56,365**
	Worldwide Unspecified			
PYS	Worldwide	Air Force	0	–29,300
PYS	Worldwide	Army	0	–25,000
PYS	Worldwide	Defense-Wide	0	–60,577
PYS	Worldwide	Navy	0	–87,699
PYS	Worldwide	HAP	0	–25,000
PYS	Worldwide	NSIP	0	–30,000
.Prior Year Savings Total			**0**	**–257,576**
.Total, Military Construction			**7,444,056**	**7,694,000**

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	ERI: Planning and Design	18,900	18,900
.Military Construction, Army Total			**18,900**	**18,900**
	Iceland			
Navy	Keflavik	ERI: P–8A Aircraft Rinse Rack	5,000	5,000
Navy	Keflavik	ERI: P–8A Hangar Upgrade	14,600	14,600
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	ERI: Planning and Design	1,800	1,800
.Military Construction, Navy Total			**21,400**	**21,400**
	Bulgaria			
AF	Graf Ignatievo	ERI: Construct Sq Ops/Operational Alert Fac	3,800	3,800
AF	Graf Ignatievo	ERI: Fighter Ramp Extension	7,000	7,000
AF	Graf Ignatievo	ERI: Upgrade Munitions Storage Area	2,600	2,600
	Djibouti			
AF	Chabelley Airfield	OCO: Construct Chabelley Access Road	3,600	3,600
AF	Chabelley Airfield	OCO: Construct Parking Apron and Taxiway	6,900	6,900
	Estonia			
AF	Amari AB	ERI: Construct Bulk Fuel Storage	6,500	6,500
	Germany			
AF	Spangdahlem AB	ERI: Construct High Cap Trim Pad & Hush House	1,000	1,000
AF	Spangdahlem AB	ERI: F/A–22 Low Observable/Comp Repair Fac	12,000	12,000
AF	Spangdahlem AB	ERI: F/A–22 Upgrade Infrastructure/Comm/Util	1,600	1,600
AF	Spangdahlem AB	ERI: Upgrade Hardened Aircraft Shelters	2,700	2,700
AF	Spangdahlem AB	ERI: Upgrade Munitions Storage Doors	1,400	1,400
	Lithuania			
AF	Siauliai	ERI: Munitions Storage	3,000	3,000
	Poland			
AF	Lask AB	ERI: Construct Squadron Operations Facility	4,100	4,100
AF	Powidz AB	ERI: Construct Squadron Operations Facility	4,100	4,100
	Romania			
AF	Campia Turzii	ERI: Construct Munitions Storage Area	3,000	3,000
AF	Campia Turzii	ERI: Construct Squadron Operations Facility	3,400	3,400
AF	Campia Turzii	ERI: Construct Two-Bay Hangar	6,100	6,100
AF	Campia Turzii	ERI: Extend Parking Aprons	6,000	6,000
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	CTP: Planning and Design	9,000	8,551
AF	Unspecified Worldwide Locations	OCO: Planning and Design	940	940
.Military Construction, Air Force Total			**88,740**	**88,291**
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	ERI: Unspecified Minor Construction	5,000	5,000

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
.Military Construction, Defense-Wide Total			5,000	5,000
.Total, Military Construction			134,040	133,591

SEC. 4603. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4603. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
	Djibouti			
Navy	Camp Lemonier	OCO: Medical/Dental Facility	37,409	37,409
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning and Design	1,000	1,000
.Military Construction, Navy Total			38,409	38,409
.Total, Military Construction			38,409	38,409

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2017 Request	House Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	151,876	136,616
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	9,243,147	9,559,147
Defense nuclear nonproliferation	1,807,916	1,901,916
Naval reactors	1,420,120	1,420,120
Federal salaries and expenses	412,817	372,817
Total, National nuclear security administration	**12,884,000**	**13,254,000**
Environmental and other defense activities:		
Defense environmental cleanup	5,382,050	5,289,950
Other defense activities	791,552	800,552
Total, Environmental & other defense activities	**6,173,602**	**6,090,502**
Total, Atomic Energy Defense Activities	**19,057,602**	**19,344,502**
Total, Discretionary Funding	**19,209,478**	**19,481,118**
Nuclear Energy		
Idaho sitewide safeguards and security	129,303	129,303
Idaho operations and maintenance	7,313	7,313
Consent Based Siting	15,260	0
Denial of funds for defense-only repository		[–15,260]
Total, Nuclear Energy	**151,876**	**136,616**
Weapons Activities		
Directed stockpile work		
Life extension programs		
B61 Life extension program	616,079	616,079
W76 Life extension program	222,880	222,880
W88 Alt 370	281,129	281,129
W80–4 Life extension program	220,253	241,253
Mitigation of schedule risk		[21,000]
Total, Life extension programs	**1,340,341**	**1,361,341**
Stockpile systems		
B61 Stockpile systems	57,313	57,313
W76 Stockpile systems	38,604	38,604
W78 Stockpile systems	56,413	56,413
W80 Stockpile systems	64,631	64,631
B83 Stockpile systems	41,659	41,659
W87 Stockpile systems	81,982	81,982
W88 Stockpile systems	103,074	103,074

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2017 Request	House Authorized
Total, Stockpile systems	**443,676**	**443,676**
Weapons dismantlement and disposition		
Operations and maintenance	68,984	54,984
Denial of dismantlement acceleration		[–14,000]
Stockpile services		
Production support	457,043	457,043
Research and development support	34,187	34,187
R&D certification and safety	156,481	202,481
Stockpile Responsiveness Program and technology maturation efforts		[46,000]
Management, technology, and production	251,978	251,978
Total, Stockpile services	**899,689**	**945,689**
Nuclear material commodities		
Uranium sustainment	20,988	20,988
Plutonium sustainment	184,970	190,970
Mitigation of schedule risk for meeting statutory pit production requirements		[6,000]
Tritium sustainment	109,787	109,787
Domestic uranium enrichment	50,000	50,000
Strategic materials sustainment	212,092	212,092
Total, Nuclear material commodities	**577,837**	**583,837**
Total, Directed stockpile work	**3,330,527**	**3,389,527**
Research, development, test and evaluation (RDT&E)		
Science		
Advanced certification	58,000	58,000
Primary assessment technologies	99,000	111,000
Support to Prototype Nuclear Weapons for Intelligence Estimates program		[12,000]
Dynamic materials properties	106,000	106,000
Advanced radiography	50,500	50,500
Secondary assessment technologies	76,000	76,000
Academic alliances and partnerships	52,484	52,484
Total, Science	**441,984**	**453,984**
Engineering		
Enhanced surety	37,196	53,196
Stockpile Responsiveness Program and technology maturation efforts		[16,000]
Weapon systems engineering assessment technology	16,958	16,958
Nuclear survivability	43,105	47,105
Improve planning and coordination on strategic radiation-hardened microsystems		[4,000]
Enhanced surveillance	42,228	42,228
Total, Engineering	**139,487**	**159,487**
Inertial confinement fusion ignition and high yield		
Ignition	75,432	70,432
Program decrease		[–5,000]
Support of other stockpile programs	23,363	23,363
Diagnostics, cryogenics and experimental support	68,696	68,696
Pulsed power inertial confinement fusion	5,616	5,616
Joint program in high energy density laboratory plasmas	9,492	9,492
Facility operations and target production	340,360	336,360
Program decrease		[–4,000]
Total, Inertial confinement fusion and high yield	**522,959**	**513,959**
Advanced simulation and computing	663,184	656,184
Program decrease		[–7,000]
Advanced manufacturing		
Additive manufacturing	12,000	12,000
Component manufacturing development	46,583	77,583
Stockpile Responsiveness Program and technology maturation efforts		[31,000]
Processing technology development	28,522	28,522
Total, Advanced manufacturing	**87,105**	**118,105**
Total, RDT&E	**1,854,719**	**1,901,719**
Infrastructure and operations (formerly RTBF)		
Operating		
Operations of facilities		
Kansas City Plant	101,000	101,000
Lawrence Livermore National Laboratory	70,500	70,500
Los Alamos National Laboratory	196,500	196,500
Nevada Test Site	92,500	92,500
Pantex	55,000	55,000
Sandia National Laboratory	118,000	118,000
Savannah River Site	83,500	83,500
Y–12 National security complex	107,000	107,000
Total, Operations of facilities	**824,000**	**824,000**
Safety and environmental operations	110,000	110,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2017 Request	House Authorized
Maintenance and repair of facilities	294,000	324,000
Address high-priority preventative maintenance		[30,000]
Recapitalization:		
Infrastructure and safety	554,643	674,643
Address high-priority deferred maintenance		[120,000]
Capability based investment	112,639	112,639
Total, Recapitalization	**667,282**	**787,282**
Construction:		
17–D–640, U1a Complex Enhancements Project, NNSS	11,500	11,500
17–D–630 Electrical Infrastructure Upgrades, LLNL	25,000	25,000
16–D–515 Albuquerque complex upgrades project	15,047	15,047
15–D–613 Emergency Operations Center, Y–12	2,000	2,000
15–D–302, TA–55 Reinvestment project, Phase 3, LANL	21,455	21,455
07–D–220–04 Transuranic liquid waste facility, LANL	17,053	17,053
06–D–141 PED/Construction, UPF Y–12, Oak Ridge, TN	575,000	575,000
04–D–125—04 RLUOB equipment installation	159,615	159,615
Total, Construction	**826,670**	**826,670**
Total, Infrastructure and operations	**2,721,952**	**2,871,952**
Secure transportation asset		
Operations and equipment	179,132	179,132
Program direction	103,600	103,600
Total, Secure transportation asset	**282,732**	**282,732**
Defense nuclear security		
Operations and maintenance	657,133	717,133
Support to physical security infrastructure recapitalization and CSTART		[60,000]
Construction:		
14–D–710 Device assembly facility argus installation project, NV	13,000	13,000
Total, Defense nuclear security	**670,133**	**730,133**
Information technology and cybersecurity	176,592	176,592
Legacy contractor pensions	248,492	248,492
Rescission of prior year balances	–42,000	–42,000
Total, Weapons Activities	**9,243,147**	**9,559,147**
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Defense Nuclear Nonproliferation R&D		
Global material security	337,108	332,108
Program decrease		[–5,000]
Material management and minimization	341,094	341,094
Nonproliferation and arms control	124,703	124,703
Defense Nuclear Nonproliferation R&D	393,922	417,922
Acceleration of low-yield detection experiments		[4,000]
Nuclear detection technology and new challenges such as 3D printing		[20,000]
Low Enriched Uranium R&D for Naval Reactors	0	5,000
Low Enriched Uranium R&D for Naval Reactors		[5,000]
Nonproliferation Construction:		
99–D–143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	270,000	340,000
Increase to support construction		[70,000]
Total, Nonproliferation construction	**270,000**	**340,000**
Total, Defense Nuclear Nonproliferation Programs	**1,466,827**	**1,560,827**
Legacy contractor pensions	83,208	83,208
Nuclear counterterrorism and incident response program	271,881	271,881
Rescission of prior year balances	–14,000	–14,000
Total, Defense Nuclear Nonproliferation	**1,807,916**	**1,901,916**
Naval Reactors		
Naval reactors operations and infrastructure	449,682	449,682
Naval reactors development	437,338	437,338
Ohio replacement reactor systems development	213,700	213,700
S8G Prototype refueling	124,000	124,000
Program direction	47,100	47,100
Construction:		
17–D–911, BL Fire System Upgrade	1,400	1,400
15–D–904 NRF Overpack Storage Expansion 3	700	700
15–D–902 KS Engineroom team trainer facility	33,300	33,300
14–D–901 Spent fuel handling recapitalization project, NRF	100,000	100,000
10–D–903, Security upgrades, KAPL	12,900	12,900
Total, Construction	**148,300**	**148,300**
Total, Naval Reactors	**1,420,120**	**1,420,120**
Federal Salaries And Expenses		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2017 Request	House Authorized
Program direction	412,817	372,817
Program decrease		[–40,000]
Total, Office Of The Administrator	**412,817**	**372,817**
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	9,389	9,389
Hanford site:		
River corridor and other cleanup operations	69,755	114,755
Acceleration of priority programs		[45,000]
Central plateau remediation	620,869	628,869
Acceleration of priority programs		[8,000]
Richland community and regulatory support	14,701	14,701
Construction:		
15–D–401 Containerized sludge removal annex, RL	11,486	11,486
Total, Hanford site	**716,811**	**769,811**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	359,088	359,088
Idaho community and regulatory support	3,000	3,000
Total, Idaho National Laboratory	**362,088**	**362,088**
Los Alamos National Laboratory		
EMLA cleanup activities	185,606	185,606
EMLA community and regulatory support	3,394	3,394
Total, Los Alamos National Laboratory	**189,000**	**189,000**
NNSA sites		
Lawrence Livermore National Laboratory	1,396	1,396
Separations Process Research Unit	3,685	3,685
Nevada	62,176	62,176
Sandia National Laboratories	4,130	4,130
Total, NNSA sites and Nevada off-sites	**71,387**	**71,387**
Oak Ridge Reservation:		
OR Nuclear facility D & D		
OR Nuclear facility D & D	93,851	93,851
Construction:		
14–D–403 Outfall 200 Mercury Treatment Facility	5,100	5,100
Total, OR Nuclear facility D & D	**98,951**	**98,951**
U233 Disposition Program	37,311	37,311
OR cleanup and disposition	54,557	54,557
OR reservation community and regulatory support	4,400	4,400
Oak Ridge technology development	3,000	3,000
Total, Oak Ridge Reservation	**198,219**	**198,219**
Office of River Protection:		
Waste treatment and immobilization plant		
WTP operations	3,000	3,000
15–D–409 Low activity waste pretreatment system, ORP	73,000	73,000
01–D–416 A-D/ORP-0060 / Major construction	690,000	690,000
Total, Waste treatment and immobilization plant	**766,000**	**766,000**
Tank farm activities		
Rad liquid tank waste stabilization and disposition	721,456	721,456
Total, Tank farm activities	**721,456**	**721,456**
Total, Office of River protection	**1,487,456**	**1,487,456**
Savannah River sites:		
Nuclear Material Management	311,062	311,062
Environmental Cleanup	152,504	152,504
SR community and regulatory support	11,249	11,249
Radioactive liquid tank waste:		
Radioactive liquid tank waste stabilization and disposition	645,332	645,332
Construction:		
15–D–402—Saltstone Disposal Unit #6, SRS	7,577	7,577
17–D–401—Saltstone Disposal Unit #7	9,729	9,729
05–D–405 Salt waste processing facility, Savannah River Site	160,000	160,000
Total, Construction	**177,306**	**177,306**
Total, Radioactive liquid tank waste	**822,638**	**822,638**
Total, Savannah River site	**1,297,453**	**1,297,453**
Waste Isolation Pilot Plant		
Operations and maintenance	257,188	257,188
Construction:		
15–D–411 Safety significant confinement ventilation system, WIPP	2,532	2,532
15–D–412 Exhaust shaft, WIPP	2,533	2,533

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2017 Request	House Authorized
Total, Construction	**5,065**	**5,065**
Total, Waste Isolation Pilot Plant	**262,253**	**262,253**
Program direction	*290,050*	*290,050*
Program support	*14,979*	*14,979*
Safeguards and Security	*255,973*	*255,973*
Technology development	*30,000*	*40,000*
NAS study on technology development, acceleration of priority efforts		*[10,000]*
Infrastructure recapitalization	*41,892*	*41,892*
Defense Uranium enrichment D&D	*155,100*	*0*
Ahead of need		*[–155,100]*
Subtotal, Defense environmental cleanup	**5,382,050**	**5,289,950**
Total, Defense Environmental Cleanup	**5,382,050**	**5,289,950**
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security	*130,693*	*130,693*
Program direction	*66,519*	*66,519*
Total, Environment, Health, safety and security	**197,212**	**197,212**
Independent enterprise assessments		
Independent enterprise assessments	*24,580*	*24,580*
Program direction	*51,893*	*51,893*
Total, Independent enterprise assessments	**76,473**	**76,473**
Specialized security activities	*237,912*	*246,912*
IT infrastructure and red teaming		*[9,000]*
Office of Legacy Management		
Legacy management	*140,306*	*140,306*
Program direction	*14,014*	*14,014*
Total, Office of Legacy Management	**154,320**	**154,320**
Defense-related activities		
Defense related administrative support		
Chief financial officer	*23,642*	*23,642*
Chief information officer	*93,074*	*93,074*
Project management oversight and assessments	*3,000*	*3,000*
Total, Defense related administrative support	**119,716**	**119,716**
Office of hearings and appeals	*5,919*	*5,919*
Subtotal, Other defense activities	**791,552**	**800,552**
Total, Other Defense Activities	**791,552**	**800,552**

DIVISION E—MILITARY JUSTICE

SEC. 6000. SHORT TITLE.

This division may be cited as the ''Military Justice Act of 2016''.

TITLE LX—GENERAL PROVISIONS

SEC. 6001. DEFINITIONS.

(a) DEFINITION OF MILITARY JUDGE.—Paragraph (10) of section 801 of title 10, United States Code (article 1 of the Uniform Code of Military Justice), is amended to read as follows:

''(10) The term 'military judge' means a judge advocate designated under section 826(c) of this title (article 26(c)) who is detailed under section 826(a) of this title (article 26(a)).''.

(b) DEFINITION OF JUDGE ADVOCATE.—Paragraph (13) of such section (article) is amended—

(1) in subparagraph (A), by striking ''the Army or the Navy'' and inserting ''the Army, the Navy, or the Air Force''; and

(2) in subparagraph (B), by striking ''the Air Force or''.

SEC. 6002. CLARIFICATION OF PERSONS SUBJECT TO UCMJ WHILE ON INACTIVE-DUTY TRAINING.

Paragraph (3) of section 802(a) of title 10, United States Code (article 2(a) of the Uniform Code of Military Justice), is amended to read as follows:

''(3)(A) While on inactive-duty training and during any of the periods specified in subparagraph (B)—

''(i) members of a reserve component; and

''(ii) members of the Army National Guard of the United States or the Air National Guard of the United States, but only when in Federal service.

''(B) The periods referred to in subparagraph (A) are the following:

''(i) Travel to and from the inactive-duty training site of the member, pursuant to orders or regulations.

''(ii) Intervals between consecutive periods of inactive-duty training on the same day, pursuant to orders or regulations.

''(iii) Intervals between inactive-duty training on consecutive days, pursuant to orders or regulations.''.

SEC. 6003. STAFF JUDGE ADVOCATE DISQUALIFICATION DUE TO PRIOR INVOLVEMENT IN CASE.

Subsection (c) of section 806 of title 10, United States Code (article 6 of the Uniform Code of Military Justice), is amended to read as follows:

''(c)(1) No person who, with respect to a case, serves in a capacity specified in paragraph (2) may later serve as a staff judge advocate or legal officer to any reviewing or convening authority upon the same case.

''(2) The capacities referred to in paragraph (1) are, with respect to the case involved, any of the following:

''(A) Preliminary hearing officer, court member, military judge, military magistrate, or appellate judge.

''(B) Counsel who have acted in the same case or appeared in any proceeding before a military judge, military magistrate, preliminary hearing officer, or appellate court.''.

SEC. 6004. CONFORMING AMENDMENT RELATING TO MILITARY MAGISTRATES.

The first sentence of section 806a(a) of title 10, United States Code (article 6a(a) of the Uniform Code of Military Justice), is amended by striking ''military judge'' and all that follows through the end of the sentence and inserting ''military appellate judge, military judge, or military magistrate to perform the duties of the position involved.''.

SEC. 6005. RIGHTS OF VICTIM.

(a) DESIGNATION OF REPRESENTATIVE.—Subsection (c) of section 806b of title 10, United States Code (article 6b of the Uniform Code of Military Justice), is amended in the first sentence by striking ''the military judge'' and all that follows through the end of the sentence and inserting the following: ''the legal guardians of the victim or the representatives of the victim's estate, family members, or any other person designated as suitable by the military judge, may assume the rights of the victim under this section.''.

(b) RULE OF CONSTRUCTION.—Subsection (d) of such section (article) is amended—

(1) by striking ''or'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(3) to impair the exercise of discretion under sections 830 and 834 of this title (articles 30 and 34).''.

(c) INTERVIEW OF VICTIM.—Such section (article) is amended by adding at the end the following new subsection:

''(f) COUNSEL FOR ACCUSED INTERVIEW OF VICTIM OF ALLEGED OFFENSE.—(1) Upon notice by counsel for the Government to counsel for the accused of the name of an alleged victim of an offense under this chapter who counsel for the Government intends to call as a witness at a proceeding under this chapter, counsel for the accused shall make any request to interview the victim through the Special Victim's Counsel or other counsel for the victim, if applicable.

''(2) If requested by an alleged victim who is subject to a request for interview under paragraph (1), any interview of the victim by counsel for the accused shall take place only in the presence of the counsel for the Government, a counsel for the victim, or, if applicable, a victim advocate.''.

TITLE LXI—APPREHENSION AND RESTRAINT

SEC. 6101. RESTRAINT OF PERSONS CHARGED.

Section 810 of title 10, United States Code (article 10 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 810. Art. 10. Restraint of person charged

''(a) IN GENERAL.—(1) Subject to paragraph (2), any person subject to this chapter who is charged with an offense under this chapter may be ordered into arrest or confinement as the circumstances require.

''(2) When a person subject to this chapter is charged only with an offense that is normally tried by summary court-martial, the person ordinarily shall not be ordered into confinement.

''(b) NOTIFICATION TO ACCUSED AND RELATED PROCEDURES.—(1) When a person subject to this chapter is ordered into arrest or confinement before trial, immediate steps shall be taken—

''(A) to inform the person of the specific offense of which the person is accused; and

''(B) to try the person or to dismiss the charges and release the person.

''(2) To facilitate compliance with paragraph (1), the President shall prescribe regulations setting forth procedures relating to referral for trial, including procedures for prompt forwarding of the charges and specifications and, if applicable, the preliminary hearing report submitted under section 832 of this title (article 32).''.

SEC. 6102. MODIFICATION OF PROHIBITION OF CONFINEMENT OF ARMED FORCES MEMBERS WITH ENEMY PRISONERS AND CERTAIN OTHERS.

Section 812 of title 10, United States Code (article 12 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 812. Art. 12. Prohibition of confinement of armed forces members with enemy prisoners and certain others

''No member of the armed forces may be placed in confinement in immediate association with—

''(1) enemy prisoners; or

''(2) other individuals—

''(A) who are detained under the law of war and are foreign nationals; and

''(B) who are not members of the armed forces.''.

TITLE LXII—NON-JUDICIAL PUNISHMENT

SEC. 6201. MODIFICATION OF CONFINEMENT AS NON-JUDICIAL PUNISHMENT.

Section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice), is amended—

(1) in subsection (b)—

(A) in paragraph (2)(A), by striking ''on bread and water or diminished rations''; and

(B) in the undesignated matter after paragraph (2), by striking ''on bread and water or diminished rations'' in the sentence beginning ''No two or more''; and

(2) in subsection (d), by striking ''on bread and water or diminished rations'' in paragraphs (2) and (3).

TITLE LXIII—COURT-MARTIAL JURISDICTION

SEC. 6301. COURTS-MARTIAL CLASSIFIED.

Section 816 of title 10, United States Code (article 16 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 816. Art 16. Courts-martial classified

''(a) IN GENERAL.—The three kinds of courts-martial in each of the armed forces are the following:

''(1) General courts-martial, as described in subsection (b).

''(2) Special courts-martial, as described in subsection (c).

''(3) Summary courts-martial, as described in subsection (d).

''(b) GENERAL COURTS-MARTIAL.—General courts-martial are of the following three types:

''(1) A general court-martial consisting of a military judge and eight members, subject to sections 825(d)(3) and 829 of this title (articles 25(d)(3) and 29).

''(2) In a capital case, a general court-martial consisting of a military judge and the number of members determined under section 825a of this title (article 25a), subject to sections 825(d)(3) and 829 of this title (articles 25(d)(3) and 29).

''(3) A general court-martial consisting of a military judge alone, if, before the court is assembled, the accused, knowing the identity of the military judge and after consultation with defense counsel, requests, orally on the record or in writing, a court composed of a military judge alone and the military judge approves the request.

''(c) SPECIAL COURTS-MARTIAL.—Special courts-martial are of the following two types:

''(1) A special court-martial, consisting of a military judge and four members, subject to sections 825(d)(3) and 829 of this title (articles 25(d)(3) and 29).

''(2) A special court-martial consisting of a military judge alone—

''(A) if the case is so referred by the convening authority, subject to section 819 of this title (article 19) and such limitations as the President may prescribe by regulation; or

''(B) if the case is referred under paragraph (1) and, before the court is assembled, the accused, knowing the identity of the military judge and after consultation with defense counsel, requests, orally on the record or in writing, a court composed of a military judge alone and the military judge approves the request.

''(d) SUMMARY COURT-MARTIAL.—A summary court-martial consists of one commissioned officer.''.

SEC. 6302. JURISDICTION OF GENERAL COURTS-MARTIAL.

Section 818 of title 10, United States Code (article 18 of the Uniform Code of Military Justice), is amended—

(1) in subsection (b), by striking ''section 816(1)(B) of this title (article 16(1)(B))'' and inserting ''section 816(b)(3) of this title (article 16(b)(3))''; and

(2) by striking subsection (c) and inserting the following:

''(c) Consistent with sections 819 and 820 of this title (articles 19 and 20), only general courts-martial have jurisdiction over the following offenses:

''(1) A violation of subsection (a) or (b) of section 920 of this title (article 120).

''(2) A violation of subsection (a) or (b) of section 920b of this title (article 120b).

''(3) An attempt to commit an offense specified in paragraph (1) or (2) that is punishable under section 880 of this title (article 80).''.

SEC. 6303. JURISDICTION OF SPECIAL COURTS-MARTIAL.

Section 819 of title 10, United States Code (article 19 of the Uniform Code of Military Justice), is amended—

(1) by striking ''Subject to'' in the first sentence and inserting the following:

''(a) IN GENERAL.—Subject to'';

(2) by striking ''A bad-conduct discharge'' and all that follows through the end; and

(3) by adding after subsection (a), as designated by paragraph (1), the following new subsections:

''(b) ADDITIONAL LIMITATION.—Neither a bad-conduct discharge, nor confinement for more than six months, nor forfeiture of pay for more than six months may be adjudged if charges and specifications are referred to a special court-martial consisting of a military judge alone under section 816(c)(2)(A) of this title (article 16(c)(2)(A)).

''(c) MILITARY MAGISTRATE.—If charges and specifications are referred to a special court-martial consisting of a military judge alone under section 816(c)(2)(A) of this title (article 16(c)(2)(A)), the military judge, with the consent of the parties, may designate a military magistrate to preside over the special court-martial.''.

SEC. 6304. SUMMARY COURT-MARTIAL AS NON-CRIMINAL FORUM.

Section 820 of title 10, United States Code (article 20 of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(a) **IN GENERAL.**—'' *before ''Subject to''; and*

(2) by adding at the end the following new subsection:

''(b) NON-CRIMINAL FORUM.—A summary court-martial is a non-criminal forum. A finding of guilty at a summary court-martial does not constitute a criminal conviction.''.

TITLE LXIV—COMPOSITION OF COURTS-MARTIAL

SEC. 6401. TECHNICAL AMENDMENT RELATING TO PERSONS AUTHORIZED TO CONVENE GENERAL COURTS-MARTIAL.

Section 822(a)(6) of title 10, United States Code (article 22(a)(6) of the Uniform Code of Military Justice), is amended by striking ''in chief''.

SEC. 6402. WHO MAY SERVE ON COURTS-MARTIAL; DETAIL OF MEMBERS.

(a) WHO MAY SERVE ON COURTS-MARTIAL.—Subsection (c) of section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), is amended to read as follows:

''(c)(1) Any enlisted member on active duty is eligible to serve on a general or special court-martial for the trial of any other enlisted member.

''(2) Before a court-martial with a military judge and members is assembled for trial, an enlisted member who is an accused may personally request, orally on the record or in writing, that—

''(A) the membership of the court-martial be comprised entirely of officers; or

''(B) enlisted members comprise at least one-third of the membership of the court-martial, regardless of whether enlisted members have been detailed to the court-martial.

''(3) Except as provided in paragraph (4), after such a request, the accused may not be tried by a general or special court-martial if the membership of the court-martial is inconsistent with the request.

''(4) If, because of physical conditions or military exigencies, a sufficient number of eligible officers or enlisted members, as the case may be, are not available to carry out paragraph (2), the trial may nevertheless be held. In that event, the convening authority shall make a detailed written statement of the reasons for nonavailability. The statement shall be appended to the record.''.

(b) DETAIL OF MEMBERS.—Subsection (d) of such section (article) is amended by adding at the end the following new paragraph:

''(3) The convening authority shall detail not less than the number of members necessary to impanel the court-martial under section 829 of this title (article 29).''.

SEC. 6403. NUMBER OF COURT-MARTIAL MEMBERS IN CAPITAL CASES.

Section 825a of title 10, United States Code (article 25a of the Uniform Code of Military Justice), is amended to read as follows:

"§ 825a. Art. 25a. Number of court-martial members in capital cases

''(a) IN GENERAL.—In a case in which the accused may be sentenced to death, the number of members shall be 12.

''(b) CASE NO LONGER CAPITAL.—Subject to section 829 of this title (article 29)—

''(1) if a case is referred for trial as a capital case and, before the members are impaneled, the accused may no longer be sentenced to death, the number of members shall be eight; and

''(2) if a case is referred for trial as a capital case and, after the members are impaneled, the accused may no longer be sentenced to death, the number of members shall remain 12.''.

SEC. 6404. DETAILING, QUALIFICATIONS, ETC. OF MILITARY JUDGES.

(a) SPECIAL COURTS-MARTIAL.—Subsection (a) of section 826 of title 10, United States Code (article 26 of the Uniform Code of Military Justice), is amended—

(1) in the first sentence, by inserting after ''each general'' the following: ''and special''; and

(2) by striking the second sentence.

(b) QUALIFICATIONS.—Subsection (b) of such section (article) is amended by striking ''qualified for duty'' and inserting ''qualified, by reason of education, training, experience, and judicial temperament, for duty''.

(c) DETAIL AND ASSIGNMENT.—Subsection (c) of such section (article) is amended to read as follows:

''(c)(1) In accordance with regulations prescribed under subsection (a), a military judge of a general or special court-martial shall be designated for detail by the Judge Advocate General of the armed force of which the military judge is a member.

''(2) Neither the convening authority nor any member of the staff of the convening authority shall prepare or review any report concerning the effectiveness, fitness, or efficiency of the military judge so detailed, which relates to the military judge's performance of duty as a military judge.

''(3) A commissioned officer who is certified to be qualified for duty as a military judge of a general court-martial—

''(A) may perform such duties only when the officer is assigned and directly responsible to the Judge Advocate General of the armed force of which the military judge is a member; and

''(B) may perform duties of a judicial or nonjudicial nature other than those relating to the officer's primary duty as a military judge of a general court-martial when such duties are assigned to the officer by or with the approval of that Judge Advocate General.

''(4) In accordance with regulations prescribed by the President, assignments of military judges under this section (article) shall be for appropriate minimum periods, subject to such exceptions as may be authorized in the regulations.''.

(d) DETAIL TO A DIFFERENT ARMED FORCE.—Such section (article) is further amended by adding at the end the following new subsection:

''(f) A military judge may be detailed under subsection (a) to a court-martial that is convened in a different armed force, when so permitted by the Judge Advocate General of the armed force of which the military judge is a member.''.

(e) CHIEF TRIAL JUDGES.—Such section (article), as amended by subsection (d), is further amended by adding at the end the following new subsection:

''(g) In accordance with regulations prescribed by the President, each Judge Advocate General shall designate a chief trial judge from among the members of the applicable trial judiciary.''.

SEC. 6405. QUALIFICATIONS OF TRIAL COUNSEL AND DEFENSE COUNSEL.

Section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice), is amended—

(1) in the first sentence of paragraph (2) of subsection (a), by striking ''No person'' and all that follows through ''trial counsel,'' the first place it appears and inserting the following: ''No person who, with respect to a case, has served as a preliminary hearing officer, court member, military judge, military magistrate, or appellate judge, may later serve as trial counsel,'';

(2) in the first sentence of subsection (b), by striking ''Trial counsel or defense counsel'' and inserting ''Trial counsel, defense counsel, or assistant defense counsel''; and

(3) by striking subsection (c) and inserting the following new subsections:

''(c)(1) Defense counsel and assistant defense counsel detailed for a special court-martial shall have the qualifications set forth in subsection (b).

''(2) Trial counsel and assistant trial counsel detailed for a special court-martial and assistant trial counsel detailed for a general court-martial must be determined to be competent to perform such duties by the Judge Advocate General, under such rules as the President may prescribe.

''(d) To the greatest extent practicable, in any capital case, at least one defense counsel shall, as determined by the Judge Advocate General, be learned in the law applicable to such cases. If necessary, this counsel may be a civilian and, if so, may be compensated in accordance with regulations prescribed by the Secretary of Defense.''.

SEC. 6406. ASSEMBLY AND IMPANELING OF MEMBERS; DETAIL OF NEW MEMBERS AND MILITARY JUDGES.

Section 829 of title 10, United States Code (article 29 of the Uniform Code of Military Justice), is amended to read as follows:

"§ 829. Art. 29. Assembly and impaneling of members; detail of new members and military judges

''(a) ASSEMBLY.—The military judge shall announce the assembly of a general or special court-martial with members. After such a court-martial is assembled, no member may be absent, unless the member is excused—

''(1) as a result of a challenge;

''(2) under subsection (b)(1)(B); or

''(3) by order of the military judge or the convening authority for disability or other good cause.

''(b) IMPANELING.—(1) Under rules prescribed by the President, the military judge of a general or special court-martial with members shall—

''(A) after determination of challenges, impanel the court-martial; and

''(B) excuse the members who, having been assembled, are not impaneled.

''(2) In a general court-martial, the military judge shall impanel—

''(A) 12 members in a capital case; and

''(B) eight members in a noncapital case.

''(3) In a special court-martial, the military judge shall impanel four members.

''(c) ALTERNATE MEMBERS.—In addition to members under subsection (b), the military judge shall impanel alternate members, if the convening authority authorizes alternate members.

''(d) DETAIL OF NEW MEMBERS.—(1) If, after members are impaneled, the membership of the court-martial is reduced to—

''(A) fewer than 12 members with respect to a general court-martial in a capital case;

''(B) fewer than six members with respect to a general court-martial in a noncapital case; or

''(C) fewer than four members with respect to a special court-martial;

the trial may not proceed unless the convening authority details new members and, from among the members so detailed, the military judge impanels new members sufficient in number to provide the membership specified in paragraph (2).

''(2) The membership referred to in paragraph (1) is as follows:

''(A) 12 members with respect to a general court-martial in a capital case.

''(B) At least six but not more than eight members with respect to a general court-martial in a noncapital case.

''(C) Four members with respect to a special court-martial.

''(e) DETAIL OF NEW MILITARY JUDGE.—If the military judge is unable to proceed with the trial because of disability or otherwise, a new military judge shall be detailed to the court-martial.

''(f) EVIDENCE.—(1) In the case of new members under subsection (d), the trial may proceed with the new members present after the evidence previously introduced is read or, in the case of audiotape, videotape, or similar recording, is played, in the presence of the new members, the military judge, the accused, and counsel for both sides.

''(2) In the case of a new military judge under subsection (e), the trial shall proceed as if no evidence had been introduced, unless the evidence previously introduced is read or, in the case of audiotape, videotape, or similar recording, is played, in the presence of the new military judge, the accused, and counsel for both sides.''.

SEC. 6407. MILITARY MAGISTRATES.

Subchapter V of chapter 47 of title 10, United States Code, is amended by inserting after section 826 (article 26 of the Uniform Code of Military Justice) the following new section (article):

"§ 826a. Art. 26a. Military magistrates

''(a) QUALIFICATIONS.—A military magistrate shall be a commissioned officer of the armed forces who—

''(1) is a member of the bar of a Federal court or a member of the bar of the highest court of a State; and

''(2) is certified to be qualified, by reason of education, training, experience, and judicial temperament, for duty as a military magistrate by the Judge Advocate General of the armed force of which the officer is a member.

''(b) DUTIES.—In accordance with regulations prescribed by the Secretary concerned, in addition to duties when designated under section 819 of this title (article 19), a military magistrate may be assigned to perform other duties of a nonjudicial nature.''.

TITLE LXV—PRE-TRIAL PROCEDURE

SEC. 6501. CHARGES AND SPECIFICATIONS.

Section 830 of title 10, United States Code (article 30 of the Uniform Code of Military Justice), is amended to read as follows:

"§ 830. Art. 30. Charges and specifications

''(a) IN GENERAL.—Charges and specifications—

''(1) may be preferred only by a person subject to this chapter; and

''(2) shall be preferred by presentment in writing, signed under oath before a commissioned officer of the armed forces who is authorized to administer oaths.

''(b) REQUIRED CONTENT.—The writing under subsection (a) shall state that—

''(1) the signer has personal knowledge of, or has investigated, the matters set forth in the charges and specifications; and

''(2) the charges and specifications are true, to the best of the knowledge and belief of the signer.

''(c) DUTY OF PROPER AUTHORITY.—When charges and specifications are preferred under subsection (a), the proper authority shall, as soon as practicable—

''(1) inform the person accused of the charges and specifications; and

''(2) determine what disposition should be made of the charges and specifications in the interest of justice and discipline.''.

SEC. 6502. PRELIMINARY HEARING REQUIRED BEFORE REFERRAL TO GENERAL COURT-MARTIAL.

(a) IN GENERAL.—Section 832 of title 10, United States Code (article 32 of the Uniform Code of Military Justice), is amended by striking the section heading and subsections (a), (b), and (c), and inserting the following:

"§ 832. Art. 32. Preliminary hearing required before referral to general court-martial

''(a) IN GENERAL.—(1)(A) Except as provided in subparagraph (B), a preliminary hearing shall be held before referral of charges and specifications for trial by general court-martial. The preliminary hearing shall be conducted by an impartial hearing officer, detailed by the convening authority in accordance with subsection (b).

''(B) Under regulations prescribed by the President, a preliminary hearing need not be held if the accused submits a written waiver to the convening authority and the convening authority determines that a hearing is not required.

''(2) The issues for determination at a preliminary hearing are limited to the following:

''(A) Whether or not the specification alleges an offense under this chapter.

''(B) Whether or not there is probable cause to believe that the accused committed the offense charged.

''(C) Whether or not the convening authority has court-martial jurisdiction over the accused and over the offense.

''(D) A recommendation as to the disposition that should be made of the case.

''(b) HEARING OFFICER.—(1) A preliminary hearing under this section shall be conducted by an impartial hearing officer, who—

''(A) whenever practicable, shall be a judge advocate who is certified under section 827(b)(2) of this title (article 27(b)(2)); or

''(B) in exceptional circumstances, shall be an impartial hearing officer, who is not a judge advocate so certified.

''(2) In the case of a hearing officer under paragraph (1)(B), a judge advocate who is certified under section 827(b)(2) of this title (article 27(b)(2)) shall be available to provide legal advice to the hearing officer.

''(3) Whenever practicable, the hearing officer shall be equal in grade or senior in grade to military counsel who are detailed to represent the accused or the Government at the preliminary hearing.

''(c) REPORT TO CONVENING AUTHORITY.—After a preliminary hearing under this section, the hearing officer shall submit to the convening authority a written report (accompanied by a recording of the preliminary hearing under subsection (e)) that includes the following:

''(1) For each specification, a statement of the reasoning and conclusions of the hearing officer with respect to determinations under subsection (a)(2), including a summary of relevant witness testimony and documentary evidence presented at the hearing and any observations of the hearing officer concerning the testimony of witnesses and the availability and admissibility of evidence at trial.

''(2) Recommendations for any necessary modifications to the form of the charges or specifications.

''(3) An analysis of any additional information submitted after the hearing by the parties or by a victim of an offense, that, under such rules as the President may prescribe, is relevant to disposition under sections 830 and 834 of this title (articles 30 and 34).

''(4) A statement of action taken on evidence adduced with respect to uncharged offenses, as described in subsection (f).''.

(b) SUNDRY AMENDMENTS.—Subsection (d) of such section (article) is amended—

(1) in paragraph (1), by striking ''subsection (a)'' in the first sentence and inserting ''this section'';

(2) in paragraph (2), by striking ''in defense'' and all that follows through the end and inserting ''that is relevant to the issues for determination under subsection (a)(2).'';

(3) in paragraph (3), by adding at the end the following new sentence: ''A declination under this paragraph shall not serve as the sole basis for ordering a deposition under section 849 of this title (article 49).''; and

(4) in paragraph (4), by striking ''the limited purposes of the hearing, as provided in subsection (a)(2).'' and inserting the following: ''determinations under subsection (a)(2).''.

(c) REFERENCE TO MCM.—Subsection (e) of such section (article) is amended by striking ''as prescribed by the Manual for Courts-Martial'' in the second sentence and inserting ''under such rules as the President may prescribe''.

(d) EFFECT OF VIOLATION.—Subsection (g) of such section (article) is amended by adding at the end the following new sentence: ''A defect in a report under subsection (c) is not a basis for relief if the report is in substantial compliance with that subsection.''.

SEC. 6503. DISPOSITION GUIDANCE.

Section 833 of title 10, United States Code (article 33 of the Uniform Code of Military Justice), is amended to read as follows:

"§ 833. Art 33. Disposition guidance

''The President shall direct the Secretary of Defense to issue, in consultation with the Secretary of the department in which the Coast Guard is operating when it is not operating as a service in the Navy, non-binding guidance regarding factors that commanders, convening authorities, staff judge advocates, and judge advocates should take into account when exercising their duties with respect to disposition of charges and specifications in the interest of justice and discipline under sections 830 and 834 of this title (articles 30 and 34). Such guidance shall take into account, with appropriate consideration of military requirements, the principles contained in official guidance of the Attorney General to attorneys for the Government with respect to disposition of Federal criminal cases in accordance with the principle of fair and evenhanded administration of Federal criminal law.''.

SEC. 6504. ADVICE TO CONVENING AUTHORITY BEFORE REFERRAL FOR TRIAL.

Section 834 of title 10, United States Code (article 34 of the Uniform Code of Military Justice), is amended to read as follows:

"§ 834. Art. 34. Advice to convening authority before referral for trial

''(a) GENERAL COURT-MARTIAL.—

''(1) STAFF JUDGE ADVOCATE ADVICE REQUIRED BEFORE REFERRAL.—Before referral of charges and specifications to a general court-martial for trial, the convening authority shall submit the matter to the staff judge advocate for advice, which the staff judge advocate shall provide to the convening authority in writing. The convening authority may not refer a specification under a charge to a general court-martial unless the staff judge advocate advises the convening authority in writing that—

''(A) the specification alleges an offense under this chapter;

''(B) there is probable cause to believe that the accused committed the offense charged; and

''(C) a court-martial would have jurisdiction over the accused and the offense.

''(2) STAFF JUDGE ADVOCATE RECOMMENDATION AS TO DISPOSITION.—Together with the written advice provided under paragraph (1), the staff judge advocate shall provide a written recommendation to the convening authority as to the disposition that should be made of the specification in the interest of justice and discipline.

''(3) STAFF JUDGE ADVOCATE ADVICE AND RECOMMENDATION TO ACCOMPANY REFERRAL.—When a convening authority makes a referral for trial by general court-martial, the written advice of the staff judge advocate under paragraph (1) and the written recommendation of the staff judge advocate under paragraph (2) with respect to each specification shall accompany the referral.

''(b) SPECIAL COURT-MARTIAL; CONVENING AUTHORITY CONSULTATION WITH JUDGE ADVOCATE.—Before referral of charges and specifications to a special court-martial for trial, the convening authority shall consult a judge advocate on relevant legal issues.

''(c) GENERAL AND SPECIAL COURTS-MARTIAL; CORRECTION OF CHARGES AND SPECIFICATIONS BEFORE REFERRAL.—Before referral for trial by general court-martial or special court-martial, changes may be made to charges and specifications—

''(1) to correct errors in form; and

''(2) when applicable, to conform to the substance of the evidence contained in a report under section 832(c) of this title (article 32(c)).

''(d) DEFINITION.—In this section, the term 'referral' means the order of a convening authority that charges and specifications against an accused be tried by a specified court-martial.''.

SEC. 6505. SERVICE OF CHARGES AND COMMENCEMENT OF TRIAL.

Section 835 of title 10, United States Code (article 35 of the Uniform Code of Military Justice), is amended to read as follows:

"§ 835. Art. 35. Service of charges; commencement of trial

''(a) IN GENERAL.—Trial counsel detailed for a court-martial under section 827 of this title (article 27) shall cause to be served upon the accused a copy of the charges and specifications referred for trial.

''(b) COMMENCEMENT OF TRIAL.—(1) Subject to paragraphs (2) and (3), no trial or other proceeding of a general court-martial or a special court-martial (including any session under section 839(a) of this title (article 39(a)) may be held over the objection of the accused—

''(A) with respect to a general court-martial, from the time of service through the fifth day after the date of service; or

''(B) with respect to a special court-martial, from the time of service through the third day after the date of service.

''(2) An objection under paragraph (1) may be raised only at the first session of the trial or other proceeding and only if the first session occurs before the end of the applicable period under paragraph (1)(A) or (1)(B). If the first session occurs before the end of the applicable period, the military judge shall, at that session, inquire as to whether the defense objects under this subsection.

''(3) This subsection shall not apply in time of war.''.

TITLE LXVI—TRIAL PROCEDURE

SEC. 6601. DUTIES OF ASSISTANT DEFENSE COUNSEL.

Subsection (e) of section 838 of title 10, United States Code (article 38 of the Uniform Code of Military Justice), is amended by striking '', under the direction'' and all that follows through ''(article 27),''.

SEC. 6602. SESSIONS.

Section 839 of title 10, United States Code (article 39 of the Uniform Code of Military Justice), is amended—

(1) in subsection (a)—

(A) by redesignating paragraph (4) as paragraph (5); and

(B) by striking paragraph (3) and inserting the following new paragraphs:

''(3) holding the arraignment and receiving the pleas of the accused;

''(4) conducting a sentencing proceeding and sentencing the accused; and''; and

(2) in the second sentence of subsection (c), by striking '', in cases in which a military judge has been detailed to the court,''.

SEC. 6603. TECHNICAL AMENDMENT RELATING TO CONTINUANCES.

Section 840 of title 10, United States Code (article 40 of the Uniform Code of Military Justice),

is amended by striking ''court-martial without a military judge'' and inserting ''summary court-martial''.

SEC. 6604. CONFORMING AMENDMENTS RELATING TO CHALLENGES.

Section 841 of title 10, United States Code (article 41 of the Uniform Code of Military Justice), is amended—

(1) in subsection (a)(1), by striking '', or, if none, the court,'' in the second sentence;

(2) in subsection (a)(2) by striking ''minimum'' in the first sentence; and

(3) in subsection (b)(2), by striking ''minimum''.

SEC. 6605. STATUTE OF LIMITATIONS.

(a) INCREASE IN PERIOD FOR CHILD ABUSE OFFENSES.—Subsection (b)(2)(A) of section 843 of title 10, United States Code (article 43 of the Uniform Code of Military Justice), is amended by striking ''five years'' and inserting ''ten years''.

(b) INCREASE IN PERIOD FOR FRAUDULENT ENLISTMENT OR APPOINTMENT OFFENSES.—Such section (article) is further amended by adding at the end the following new subsection:

''(h) FRAUDULENT ENLISTMENT OR APPOINTMENT.—A person charged with fraudulent enlistment or fraudulent appointment under section 904a(1) of this title (article 104a(1)) may be tried by court-martial if the sworn charges and specifications are received by an officer exercising summary court-martial jurisdiction with respect to that person, as follows:

''(1) In the case of an enlisted member, during the period of the enlistment or five years, whichever provides a longer period.

''(2) In the case of an officer, during the period of the appointment or five years, whichever provides a longer period.''.

(c) DNA EVIDENCE.—Such section (article), as amended by subsection (b), is further amended by adding at the end the following new subsection:

''(i) DNA EVIDENCE.—If DNA testing implicates an identified person in the commission of an offense punishable by confinement for more than one year, no statute of limitations that would otherwise preclude prosecution of the offense shall preclude such prosecution until a period of time following the implication of the person by DNA testing has elapsed that is equal to the otherwise applicable limitation period.''.

(d) CONFORMING AMENDMENTS.—Such section (article) is further amended in subsection (b)(2)(B) by striking clauses (i) through (v) and inserting the following:

''(i) Any offense in violation of section 920, 920a, 920b, 920c, or 930 of this title (article 120, 120a, 120b, 120c, or 130), unless the offense is covered by subsection (a).

''(ii) Maiming in violation of section 928a of this title (article 128a).

''(iii) Aggravated assault, assault consummated by a battery, or assault with intent to commit specified offenses in violation of section 928 of this title (article 128).

''(iv) Kidnapping in violation of section 925 of this title (article 125).''.

(e) APPLICATION.—The amendments made by subsections (a), (b), (c), and (d) shall apply to the prosecution of any offense committed before, on, or after the date of the enactment of this subsection if the applicable limitation period has not yet expired.

SEC. 6606. FORMER JEOPARDY.

Subsection (c) of section 844 of title 10, United States Code (article 44 of the Uniform Code of Military Justice), is amended to read as follows:

''(c)(1) A court-martial with a military judge alone is a trial in the sense of this section (article) if, without fault of the accused—

''(A) after introduction of evidence; and

''(B) before announcement of findings under section 853 of this title (article 53);

the case is dismissed or terminated by the convening authority or on motion of the prosecution for failure of available evidence or witnesses.

''(2) A court-martial with a military judge and members is a trial in the sense of this section (article) if, without fault of the accused—

''(A) after the members, having taken an oath as members under section 842 of this title (article 42) and after completion of challenges under section 841 of this title (article 41), are impaneled; and

''(B) before announcement of findings under section 853 of this title (article 53);

the case is dismissed or terminated by the convening authority or on motion of the prosecution for failure of available evidence or witnesses.''.

SEC. 6607. PLEAS OF THE ACCUSED.

(a) PLEAS OF GUILTY.—Subsection (b) of section 845 of title 10, United States Code (article 45 of the Uniform Code of Military Justice), is amended—

(1) in the first sentence, by striking ''may be adjudged'' and inserting ''is mandatory''; and

(2) in the second sentence—

(A) by striking ''or by a court-martial without a military judge''; and

(B) by striking '', if permitted by regulations of the Secretary concerned,''.

(b) HARMLESS ERROR.—Such section (article) is further amended by adding at the end the following new subsection:

''(c) HARMLESS ERROR.—A variance from the requirements of this article is harmless error if the variance does not materially prejudice the substantial rights of the accused.''.

SEC. 6608. CONTEMPT.

(a) AUTHORITY TO PUNISH.—Subsection (a) of section 848 of title 10, United States Code (article 48 of the Uniform Code of Military Justice), is amended to read as follows:

''(a) AUTHORITY TO PUNISH.—(1) With respect to any proceeding under this chapter, a judicial officer specified in paragraph (2) may punish for contempt any person who—

''(A) uses any menacing word, sign, or gesture in the presence of the judicial officer during the proceeding;

''(B) disturbs the proceeding by any riot or disorder; or

''(C) willfully disobeys a lawful writ, process, order, rule, decree, or command issued with respect to the proceeding.

''(2) A judicial officer referred to in paragraph (1) is any of the following:

''(A) Any judge of the Court of Appeals for the Armed Forces and any judge of a Court of Criminal Appeals under section 866 of this title (article 66).

''(B) Any military judge detailed to a court-martial, a provost court, a military commission, or any other proceeding under this chapter.

''(C) Any military magistrate designated to preside under section 819 of this title (article 19).''.

(b) REVIEW.—Such section (article) is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) REVIEW.—A punishment under this section—

''(1) if imposed by a military judge or military magistrate, may be reviewed by the Court of Criminal Appeals in accordance with the uniform rules of procedure for the Courts of Criminal Appeals under section 866(g) of this title (article 66(g)); and

''(2) if imposed by a judge of the Court of Appeals for the Armed Forces or a judge of a Court of Criminal Appeals, shall constitute a judgment of the court, subject to review under the applicable provisions of section 867 or 867a of this title (article 67 or 67a).''.

(c) SECTION HEADING.—The heading for such section (article) is amended to read as follows:

''§ 848. Art. 48. Contempt''.

SEC. 6609. DEPOSITIONS.

Section 849 of title 10, United States Code (article 49 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 849. Art. 49. Depositions

''(a) IN GENERAL.—(1) Subject to paragraph (2), a convening authority or a military judge may order depositions at the request of any party.

''(2) A deposition may be ordered under paragraph (1) only if the requesting party demonstrates that, due to exceptional circumstances, it is in the interest of justice that the testimony of a prospective witness be preserved for use at a court-martial, military commission, court of inquiry, or other military court or board.

''(3) A party who requests a deposition under this section shall give to every other party reasonable written notice of the time and place for the deposition.

''(4) A deposition under this section shall be taken before, and authenticated by, an impartial officer, as follows:

''(A) Whenever practicable, by an impartial judge advocate certified under section 827(b) of this title (article 27(b)).

''(B) In exceptional circumstances, by an impartial military or civil officer authorized to administer oaths by (i) the laws of the United States or (ii) the laws of the place where the deposition is taken.

''(b) REPRESENTATION BY COUNSEL.—Representation of the parties with respect to a deposition shall be by counsel detailed in the same manner as trial counsel and defense counsel are detailed under section 827 of this title (article 27). In addition, the accused shall have the right to be represented by civilian or military counsel in the same manner as such counsel are provided for in section 838(b) of this title (article 38(b)).

''(c) ADMISSIBILITY AND USE AS EVIDENCE.—A deposition order under subsection (a) does not control the admissibility of the deposition in a court-martial or other proceeding under this chapter. Except as provided by subsection (d), a party may use all or part of a deposition as provided by the rules of evidence.

''(d) CAPITAL CASES.—Testimony by deposition may be presented in capital cases only by the defense.''.

SEC. 6610. ADMISSIBILITY OF SWORN TESTIMONY BY AUDIOTAPE OR VIDEOTAPE FROM RECORDS OF COURTS OF INQUIRY.

(a) IN GENERAL.—Section 850 of title 10, United States Code (article 50 of the Uniform Code of Military Justice), is amended by adding at the end the following new subsection:

''(d) AUDIOTAPE OR VIDEOTAPE.—Sworn testimony that—

''(1) is recorded by audiotape, videotape, or similar method; and

''(2) is contained in the duly authenticated record of proceedings of a court of inquiry;

is admissible before a court-martial, military commission, court of inquiry, or military board, to the same extent as sworn testimony may be read in evidence before any such body under subsection (a), (b), or (c).''.

(b) SECTION HEADING.—The heading for such section (article) is amended to read as follows:

''§ 850. Art. 50. Admissibility of sworn testimony from records of courts of inquiry''.

SEC. 6611. CONFORMING AMENDMENT RELATING TO DEFENSE OF LACK OF MENTAL RESPONSIBILITY.

Section 850a(c) of title 10, United States Code (article 50a(c) of the Uniform Code of Military Justice), is amended by striking '', or the president of a court-martial without a military judge,''.

SEC. 6612. VOTING AND RULINGS.

Section 851 of title 10, United States Code (article 51 of the Uniform Code of Military Justice), is amended—

(1) in subsection (a), by striking '', and by members of a court-martial without a military judge upon questions of challenge,'' in the first sentence;

(2) in subsection (b)—

(A) by striking ''and, except for questions of challenge, the president of a court-martial without a military judge'' in the first sentence; and

(B) by striking '', or by the president'' in the second sentence and all that follows through the end of the subsection and inserting ''is final and constitutes the ruling of the court, except that the military judge may change a ruling at any time during trial.''; and

(3) in subsection (c), by striking ''or the president of a court-martial without a military judge'' in the matter before paragraph (1).

SEC. 6613. VOTES REQUIRED FOR CONVICTION, SENTENCING, AND OTHER MATTERS.

Section 852 of title 10, United States Code (article 52 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 852. Art. 52. Votes required for conviction, sentencing, and other matters

''(a) IN GENERAL.—No person may be convicted of an offense in a general or special court-martial, other than—

''(1) after a plea of guilty under section 845(b) of this title (article 45(b));

''(2) by a military judge in a court-martial with a military judge alone, under section 816 of this title (article 16); or

''(3) in a court-martial with members under section 816 of this title (article 16), by the concurrence of at least three-fourths of the members present when the vote is taken.

''(b) LEVEL OF CONCURRENCE REQUIRED.—

''(1) IN GENERAL.—Except as provided in subsection (a) and in paragraph (2), all matters to be decided by members of a general or special court-martial shall be determined by a majority vote, but a reconsideration of a finding of guilty or reconsideration of a sentence, with a view toward decreasing the sentence, may be made by any lesser vote which indicates that the reconsideration is not opposed by the number of votes required for that finding or sentence.

''(2) SENTENCING.—A sentence of death requires (A) a unanimous finding of guilty of an offense in this chapter expressly made punishable by death and (B) a unanimous determination by the members that the sentence for that offense shall include death. All other sentences imposed by members shall be determined by the concurrence of at least three-fourths of the members present when the vote is taken.''.

SEC. 6614. PLEA AGREEMENTS.

Subchapter VII of chapter 47 of title 10, United States Code, is amended by inserting after section 853 (article 53 of the Uniform Code of Military Justice) the following:

''§ 853a. Art. 53a. Plea agreements

''(a) IN GENERAL.—(1) At any time before the announcement of findings under section 853 of this title (article 53), the convening authority and the accused may enter into a plea agreement with respect to such matters as—

''(A) the manner in which the convening authority will dispose of one or more charges and specifications; and

''(B) limitations on the sentence that may be adjudged for one or more charges and specifications.

''(2) The military judge of a general or special court-martial may not participate in discussions between the parties concerning prospective terms and conditions of a plea agreement.

''(b) ACCEPTANCE OF PLEA AGREEMENT.—Subject to subsection (c), the military judge of a general or special court-martial shall accept a plea agreement submitted by the parties, except that the military judge may reject a plea agreement that proposes a sentence if the military judge determines that the proposed sentence is plainly unreasonable.

''(c) LIMITATION ON ACCEPTANCE OF PLEA AGREEMENTS.—The military judge of a general or special court-martial shall reject a plea agreement that—

''(1) contains a provision that has not been accepted by both parties;

''(2) contains a provision that is not understood by the accused; or

''(3) except as provided in subsection (d), contains a provision for a sentence that is less than the mandatory minimum sentence applicable to an offense referred to in section 856(b)(2) of this title (article 56(b)(2)).

''(d) LIMITED CONDITIONS FOR ACCEPTANCE OF PLEA AGREEMENT FOR SENTENCE BELOW MANDATORY MINIMUM FOR CERTAIN OFFENSES.—With respect to an offense referred to in section 856(b)(2) of this title (article 56(b)(2))—

''(1) the military judge may accept a plea agreement that provides for a sentence of bad conduct discharge; and

''(2) upon recommendation of the trial counsel, in exchange for substantial assistance by the accused in the investigation or prosecution of another person who has committed an offense, the military judge may accept a plea agreement that provides for a sentence that is less than the mandatory minimum sentence for the offense charged.

''(e) BINDING EFFECT OF PLEA AGREEMENT.—Upon acceptance by the military judge of a general or special court-martial, a plea agreement shall bind the parties and the military judge.''.

SEC. 6615. RECORD OF TRIAL.

Section 854 of title 10, United States Code (article 54 of the Uniform Code of Military Justice), is amended—

(1) by striking subsection (a) and inserting the following:

''(a) GENERAL AND SPECIAL COURTS-MARTIAL.—Each general or special court-martial shall keep a separate record of the proceedings in each case brought before it. The record shall be certified by a court-reporter, except that in the case of death, disability, or absence of a court reporter, the record shall be certified by an official selected as the President may prescribe by regulation.'';

(2) in subsection (b)—

(A) by striking ''(b) Each special and summary court-martial'' and inserting''(b) SUMMARY COURT-MARTIAL.—Each summary court-martial''; and

(B) by striking ''authenticated'' and inserting ''certified'';

(3) by striking subsection (c) and inserting the following:

''(c) CONTENTS OF RECORD.—(1) Except as provided in paragraph (2), the record shall contain such matters as the President may prescribe by regulation.

''(2) In accordance with regulations prescribed by the President, a complete record of proceedings and testimony shall be prepared in any case of a sentence of death, dismissal, discharge, confinement for more than six months, or forfeiture of pay for more than six months.''.

(4) in subsection (d)—

(A) by striking ''(d) A copy'' and inserting ''(d) EVIDENCE.—A copy''; and

(B) by striking ''authenticated'' and inserting ''certified''; and

(5) in subsection (e)—

(A) by striking ''involving a sexual assault or other offense covered by section 920 of this title (article 120)'' in the first sentence and inserting ''upon request,''; and

(B) by striking ''authenticated'' in the second sentence and inserting ''certified''.

TITLE LXVII—SENTENCES

SEC. 6701. SENTENCING.

(a) IN GENERAL.—Section 856 of title 10, United States Code (article 56 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 856. Art. 56. Sentencing

''(a) SENTENCE MAXIMUMS.—The punishment which a court-martial may direct for an offense may not exceed such limits as the President may prescribe for that offense.

''(b) SENTENCE MINIMUMS FOR CERTAIN OFFENSES.—(1) Except as provided in subsection (d) of section 853a of this title (article 53a), punishment for any offense specified in paragraph (2) shall include dismissal or dishonorable discharge, as applicable.

''(2) The offenses referred to in paragraph (1) are as follows:

''(A) Rape under subsection (a) of section 920 of this title (article 120).

''(B) Sexual assault under subsection (b) of such section (article).

''(C) Rape of a child under subsection (a) of section 920b of this title (article 120b).

''(D) Sexual assault of a child under subsection (b) of such section (article).

''(E) An attempt to commit an offense specified in subparagraph (A), (B), (C), or (D) that is punishable under section 880 of this title (article 80).

''(c) IMPOSITION OF SENTENCE.—

''(1) IN GENERAL.—In sentencing an accused under section 853 of this title (article 53), a court-martial shall impose punishment that is sufficient, but not greater than necessary, to promote justice and to maintain good order and discipline in the armed forces, taking into consideration—

''(A) the nature and circumstances of the offense and the history and characteristics of the accused;

''(B) the impact of the offense on—

''(i) the financial, social, psychological, or medical well-being of any victim of the offense; and

''(ii) the mission, discipline, or efficiency of the command of the accused and any victim of the offense;

''(C) the need for the sentence—

''(i) to reflect the seriousness of the offense;

''(ii) to promote respect for the law;

''(iii) to provide just punishment for the offense;

''(iv) to promote adequate deterrence of misconduct;

''(v) to protect others from further crimes by the accused;

''(vi) to rehabilitate the accused; and

''(vii) to provide, in appropriate cases, the opportunity for retraining and return to duty to meet the needs of the service; and

''(D) the sentences available under this chapter.

''(2) OFFENSE BASED SENTENCING IN GENERAL AND SPECIAL COURTS-MARTIAL.—In announcing the sentence under section 853 of this title (article 53) in a general or special court-martial, the court-martial shall, with respect to each offense of which the accused is found guilty, specify the term of confinement, if any, and the amount of the fine, if any. If the accused is sentenced to confinement for more than one offense, the court-martial shall specify whether the terms of confinement are to run consecutively or concurrently.

''(3) SENTENCE OF CONFINEMENT FOR LIFE WITHOUT ELIGIBILITY FOR PAROLE.—(A) If an offense is subject to a sentence of confinement for life, a court-martial may impose a sentence of confinement for life without eligibility for parole.

''(B) An accused who is sentenced to confinement for life without eligibility for parole shall be confined for the remainder of the accused's life unless—

''(i) the sentence is set aside or otherwise modified as a result of—

''(I) action taken by the convening authority or the Secretary concerned; or

''(II) any other action taken during post-trial procedure and review under any other provision of subchapter IX of this chapter;

''(ii) the sentence is set aside or otherwise modified as a result of action taken by a Court of Criminal Appeals, the Court of Appeals for the Armed Forces, or the Supreme Court; or

''(iii) the accused is pardoned.

''(d) APPEAL OF SENTENCE BY THE UNITED STATES.—(1) With the approval of the Judge Advocate General concerned, the Government may

appeal a sentence to the Court of Criminal Appeals, on the grounds that—

''(A) the sentence violates the law; or

''(B) the sentence is plainly unreasonable.

''(2) An appeal under this subsection must be filed within 60 days after the date on which the judgment of a court-martial is entered into the record under section 860c of this title (article 60c).''.

(b) CONFORMING AMENDMENT.—Section 856a of title 10, United States Code (article 56a of the Uniform Code of Military Justice), is repealed.

SEC. 6701A. MINIMUM CONFINEMENT PERIOD REQUIRED FOR CONVICTION OF CERTAIN SEX-RELATED OFFENSES COMMITTED BY MEMBERS OF THE ARMED FORCES.

(a) MANDATORY PUNISHMENTS.—Subsection (b)(1) of section 856 of title 10, United States Code (article 56 of the Uniform Code of Military Justice), as amended by section 6701, is further amended by striking ''shall include dismissal or dishonorable discharge, as applicable.'' and inserting the following: ''shall include, at a minimum—

''(A) dismissal or dishonorable discharge, as applicable; and

''(B) confinement for two years.''.

(b) APPLICATION OF AMENDMENT.—Subparagraph (B) of paragraph (1) of section 856(b) of title 10, United States Code (article 56(b) of the Uniform Code of Military Justice), as added by subsection (a), shall apply to offenses specified in paragraph (2) of such section committed on or after the date that is 180 days after the date of the enactment of this Act.

SEC. 6702. EFFECTIVE DATE OF SENTENCES.

(a) IN GENERAL.—Section 857 of title 10, United States Code (article 57 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 857. Art. 57. Effective date of sentences

''(a) EXECUTION OF SENTENCES.—A court-martial sentence shall be executed and take effect as follows:

''(1) FORFEITURE AND REDUCTION.—A forfeiture of pay or allowances shall be applicable to pay and allowances accruing on and after the date on which the sentence takes effect. Any forfeiture of pay or allowances or reduction in grade that is included in a sentence of a court-martial takes effect on the earlier of—

''(A) the date that is 14 days after the date on which the sentence is adjudged; or

''(B) in the case of a summary court-martial, the date on which the sentence is approved by the convening authority.

''(2) CONFINEMENT.—Any period of confinement included in a sentence of a court-martial begins to run from the date the sentence is adjudged by the court-martial, but periods during which the sentence to confinement is suspended or deferred shall be excluded in computing the service of the term of confinement.

''(3) APPROVAL OF SENTENCE OF DEATH.—If the sentence of the court-martial extends to death, that part of the sentence providing for death may not be executed until approved by the President. In such a case, the President may commute, remit, or suspend the sentence, or any part thereof, as the President sees fit. That part of the sentence providing for death may not be suspended.

''(4) APPROVAL OF DISMISSAL.—If in the case of a commissioned officer, cadet, or midshipman, the sentence of a court-martial extends to dismissal, that part of the sentence providing for dismissal may not be executed until approved by the Secretary concerned or such Under Secretary or Assistant Secretary as may be designated by the Secretary concerned. In such a case, the Secretary, Under Secretary, or Assistant Secretary, as the case may be, may commute, remit, or suspend the sentence, or any part of the sentence, as the Secretary sees fit. In time of war or national emergency he may commute a sentence of dismissal to reduction to any enlisted grade. A person so reduced may be required to serve for the duration of the war or emergency and six months thereafter.

''(5) COMPLETION OF APPELLATE REVIEW.—If a sentence extends to death, dismissal, or a dishonorable or bad-conduct discharge, that part of the sentence extending to death, dismissal, or a dishonorable or bad-conduct discharge may be executed, in accordance with service regulations, after completion of appellate review (and, with respect to death or dismissal, approval under paragraph (3) or (4), as appropriate).

''(6) OTHER SENTENCES.—Except as otherwise provided in this subsection, a general or special court-martial sentence is effective upon entry of judgment and a summary court-martial sentence is effective when the convening authority acts on the sentence.

''(b) DEFERRAL OF SENTENCES.—(1) On application by an accused, the convening authority or, if the accused is no longer under his jurisdiction, the officer exercising general court-martial jurisdiction over the command to which the accused is currently assigned, may, in his or her sole discretion, defer the effective date of a sentence of confinement, reduction, or forfeiture. The deferment shall terminate upon entry of judgment or, in the case of a summary court-martial, when the convening authority acts on the sentence. The deferment may be rescinded at any time by the officer who granted it or, if the accused is no longer under his jurisdiction, by the officer exercising general court-martial jurisdiction over the command to which the accused is currently assigned.

''(2) In any case in which a court-martial sentences a person referred to in paragraph (3) to confinement, the convening authority may defer the service of the sentence to confinement, without the consent of that person, until after the person has been permanently released to the armed forces by a State or foreign country referred to in that paragraph.

''(3) Paragraph (2) applies to a person subject to this chapter who—

''(A) while in the custody of a State or foreign country is temporarily returned by that State or foreign country to the armed forces for trial by court-martial; and

''(B) after the court-martial, is returned to that State or foreign country under the authority of a mutual agreement or treaty, as the case may be.

''(4) In this subsection, the term 'State' includes the District of Columbia and any Commonwealth, territory, or possession of the United States.

''(5) In any case in which a court-martial sentences a person to confinement, but in which review of the case under section 867(a)(2) of this title (article 67(a)(2)) is pending, the Secretary concerned may defer further service of the sentence to confinement while that review is pending.

''(c) APPELLATE REVIEW.—(1) Appellate review is complete under this section when—

''(A) a review under section 865 of this title (article 65) is completed; or

''(B) a review under section 866 of this title (article 66) is completed by a Court of Criminal Appeals and—

''(i) the time for the accused to file a petition for review by the Court of Appeals for the Armed Forces has expired and the accused has not filed a timely petition for such review and the case is not otherwise under review by that Court;

''(ii) such a petition is rejected by the Court of Appeals for the Armed Forces; or

''(iii) review is completed in accordance with the judgment of the Court of Appeals for the Armed Forces and—

''(I) a petition for a writ of certiorari is not filed within the time limits prescribed by the Supreme Court;

''(II) such a petition is rejected by the Supreme Court; or

''(III) review is otherwise completed in accordance with the judgment of the Supreme Court.

''(2) The completion of appellate review shall constitute a final judgment as to the legality of the proceedings.''.

(b) CONFORMING AMENDMENTS.—(1) Subchapter VIII of chapter 47 of title 10, United States Code, is amended by striking section 857a (article 57a of the Uniform Code of Military Justice).

(2) Subchapter IX of chapter 47 of title 10, United States Code, is amended by striking section 871 (article 71 of the Uniform Code of Military Justice).

(3) The second sentence of subsection (a)(1) of section 858b of title 10, United States Code (article 58b of the Uniform Code of Military Justice), is amended by striking ''section 857(a) of this title (article 57(a))'' and inserting ''section 857 of this title (article 57)''.

SEC. 6703. SENTENCE OF REDUCTION IN ENLISTED GRADE.

Section 858a of title 10, United States Code (article 58a of the Uniform Code of Military Justice), is amended—

(1) in subsection (a)—

(A) by striking ''Unless otherwise provided in regulations to be prescribed by the Secretary concerned, a'' and inserting ''A'';

(B) by striking ''as approved by the convening authority'' and inserting ''as set forth in the judgment of the court-martial entered into the record under section 860c of this title (article 60c)''; and

(C) in the matter after paragraph (3), by striking ''of that approval'' and inserting ''on which the judgment is so entered''; and

(2) in subsection (b), by striking ''disapproved, or, as finally approved'' and inserting ''reduced, or, as finally affirmed''.

TITLE LXVIII—POST-TRIAL PROCEDURE AND REVIEW OF COURTS-MARTIAL

SEC. 6801. POST-TRIAL PROCESSING IN GENERAL AND SPECIAL COURTS-MARTIAL.

Section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 860. Art. 60. Post-trial processing in general and special courts-martial

''(a) STATEMENT OF TRIAL RESULTS.—(1) The military judge of a general or special court-martial shall enter into the record of trial a document entitled 'Statement of Trial Results', which shall set forth—

''(A) each plea and finding;

''(B) the sentence, if any; and

''(C) such other information as the President may prescribe by regulation.

''(2) Copies of the Statement of Trial Results shall be provided promptly to the convening authority, the accused, and any victim of the offense.

''(b) POST-TRIAL MOTIONS.—In accordance with regulations prescribed by the President, the military judge in a general or special court-martial shall address all post-trial motions and other post-trial matters that—

''(1) may affect a plea, a finding, the sentence, the Statement of Trial Results, the record of trial, or any post-trial action by the convening authority; and

''(2) are subject to resolution by the military judge before entry of judgment.''.

SEC. 6802. LIMITED AUTHORITY TO ACT ON SENTENCE IN SPECIFIED POST-TRIAL CIRCUMSTANCES.

Subchapter IX of chapter 47 of title 10, United States Code, is amended by inserting after section 860 (article 60 of the Uniform Code of Military Justice), as amended by section 6801, the following new section (article):

''§ 860a. Art. 60a. Limited authority to act on sentence in specified post-trial circumstances

''(a) IN GENERAL.—(1) The convening authority of a general or special court-martial described in paragraph (2)—

''(A) may act on the sentence of the court-martial only as provided in subsection (b), (c), or (d); and

''(B) may not act on the findings of the court-martial.

''(2) The courts-martial referred to in paragraph (1) are the following:

''(A) A general or special court-martial in which the maximum sentence of confinement established under subsection (a) of section 856 of this title (article 56) for any offense of which the accused is found guilty is more than two years.

''(B) A general or special court-martial in which the total of the sentences of confinement imposed, running consecutively, is more than six months.

''(C) A general or special court-martial in which the sentence imposed includes a dismissal, dishonorable discharge, or bad-conduct discharge.

''(D) A general or special court-martial in which the accused is found guilty of a violation of subsection (a) or (b) of section 920 of this title (article 120), section 920b of this title (article 120b), or such other offense as the Secretary of Defense may specify by regulation.

''(3) Except as provided in subsection (d), the convening authority may act under this section only before entry of judgment.

''(4) Under regulations prescribed by the Secretary concerned, a commissioned officer commanding for the time being, a successor in command, or any person exercising general court-martial jurisdiction may act under this section in place of the convening authority.

''(b) REDUCTION, COMMUTATION, AND SUSPENSION OF SENTENCES GENERALLY.—(1) Except as provided in subsection (c) or (d), the convening authority may not reduce, commute, or suspend any of the following sentences:

''(A) A sentence of confinement, if the total period of confinement imposed for all offenses involved, running consecutively, is greater than six months.

''(B) A sentence of dismissal, dishonorable discharge, or bad-conduct discharge.

''(C) A sentence of death.

''(2) The convening authority may reduce, commute, or suspend any sentence not specified in paragraph (1).

''(c) SUSPENSION OF CERTAIN SENTENCES UPON RECOMMENDATION OF MILITARY JUDGE.—(1) Upon recommendation of the military judge, as included in the Statement of Trial Results, together with an explanation of the facts supporting the recommendation, the convening authority may suspend—

''(A) a sentence of confinement, in whole or in part; or

''(B) a sentence of dismissal, dishonorable discharge, or bad-conduct discharge.

''(2) The convening authority may not, under paragraph (1)—

''(A) suspend a mandatory minimum sentence; or

''(B) suspend a sentence to an extent in excess of the suspension recommended by the military judge.

''(d) REDUCTION OF SENTENCE FOR SUBSTANTIAL ASSISTANCE BY ACCUSED.—(1) Upon a recommendation by the trial counsel, if the accused, after sentencing and before entry of judgment, provides substantial assistance in the investigation or prosecution of another person, the convening authority may reduce, commute, or suspend a sentence, in whole or in part, including any mandatory minimum sentence.

''(2) Upon a recommendation by a trial counsel, designated in accordance with rules prescribed by the President, if the accused, after entry of judgment, provides substantial assistance in the investigation or prosecution of another person, a convening authority, designated under such regulations, may reduce, commute, or suspend a sentence, in whole or in part, including any mandatory minimum sentence.

''(3) In evaluating whether the accused has provided substantial assistance under this subsection, the convening authority may consider the presentence assistance of the accused.

''(e) SUBMISSIONS BY ACCUSED AND VICTIM.—(1) In accordance with rules prescribed by the President, in determining whether to act under this section, the convening authority shall consider matters submitted in writing by the accused or any victim of an offense. Such rules shall include—

''(A) procedures for notice of the opportunity to make such submissions;

''(B) the deadlines for such submissions; and

''(C) procedures for providing the accused and any victim of an offense with a copy of the recording of any open sessions of the court-martial and copies of, or access to, any admitted, unsealed exhibits.

''(2) The convening authority shall not consider under this section any submitted matters that relate to the character of a victim unless such matters were presented as evidence at trial and not excluded at trial.

''(f) DECISION OF CONVENING AUTHORITY.—(1) The decision of the convening authority under this section shall be forwarded to the military judge, with copies provided to the accused and to any victim of the offense.

''(2) If, under this section, the convening authority reduces, commutes, or suspends the sentence, the decision of the convening authority shall include a written explanation of the reasons for such action.

''(3) If, under subsection (d)(2), the convening authority reduces, commutes, or suspends the sentence, the decision of the convening authority shall be forwarded to the chief trial judge for appropriate modification of the entry of judgment, which shall be transmitted to the Judge Advocate General for appropriate action.''.

SEC. 6803. POST-TRIAL ACTIONS IN SUMMARY COURTS-MARTIAL AND CERTAIN GENERAL AND SPECIAL COURTS-MARTIAL.

Subchapter IX of chapter 47 of title 10, United States Code, is amended by inserting after section 860a (article 60a of the Uniform Code of Military Justice), as amended by section 6802, the following new section (article):

''§ 860b. Art. 60b. Post-trial actions in summary courts-martial and certain general and special courts-martial

''(a) IN GENERAL.—(1) In a court-martial not specified in subsection (a)(2) of section 860a of this title (article 60a), the convening authority may—

''(A) dismiss any charge or specification by setting aside the finding of guilty;

''(B) change a finding of guilty to a charge or specification to a finding of guilty to a lesser included offense;

''(C) disapprove the findings and the sentence and dismiss the charges and specifications;

''(D) disapprove the findings and the sentence and order a rehearing as to the findings and the sentence;

''(E) disapprove, commute, or suspend the sentence, in whole or in part; or

''(F) disapprove the sentence and order a rehearing as to the sentence.

''(2) In a summary court-martial, the convening authority shall approve the sentence or take other action on the sentence under paragraph (1).

''(3) Except as provided in paragraph (4), the convening authority may act under this section only before entry of judgment.

''(4) The convening authority may act under this section after entry of judgment in a general or special court-martial in the same manner as the convening authority may act under subsection (d)(2) of section 860a of this title (article 60a). Such action shall be forwarded to the chief trial judge, who shall ensure appropriate modification to the entry of judgment and shall transmit the entry of judgment to the Judge Advocate General for appropriate action.

''(5) Under regulations prescribed by the Secretary concerned, a commissioned officer commanding for the time being, a successor in command, or any person exercising general court-martial jurisdiction may act under this section in place of the convening authority.

''(b) LIMITATIONS ON REHEARINGS.—The convening authority may not order a rehearing under this section—

''(1) as to the findings, if there is insufficient evidence in the record to support the findings;

''(2) to reconsider a finding of not guilty of any specification or a ruling which amounts to a finding of not guilty; or

''(3) to reconsider a finding of not guilty of any charge, unless there has been a finding of guilty under a specification laid under that charge, which sufficiently alleges a violation of some article of this chapter.

''(c) SUBMISSIONS BY ACCUSED AND VICTIM.—In accordance with rules prescribed by the President, in determining whether to act under this section, the convening authority shall consider matters submitted in writing by the accused or any victim of the offense. Such rules shall include the matter required by subsection (e) of section 860a of this title (article 60a).

''(d) DECISION OF CONVENING AUTHORITY.—(1) In a general or special court-martial, the decision of the convening authority under this section shall be forwarded to the military judge, with copies provided to the accused and to any victim of the offense.

''(2) If the convening authority acts on the findings or the sentence under subsection (a)(1), the decision of the convening authority shall include a written explanation of the reasons for such action.''.

SEC. 6804. ENTRY OF JUDGMENT.

Subchapter IX of chapter 47 of title 10, United States Code, is amended by inserting after section 860b (article 60b of the Uniform Code of Military Justice), as added by section 903, the following new section (article):

''§ 860c. Art. 60c. Entry of judgment

''(a) ENTRY OF JUDGMENT OF GENERAL OR SPECIAL COURT-MARTIAL.—(1) In accordance with rules prescribed by the President, in a general or special court-martial, the military judge shall enter into the record of trial the judgment of the court. The judgment of the court shall consist of the following:

''(A) The Statement of Trial Results under section 860 of this title (article 60).

''(B) Any modifications of, or supplements to, the Statement of Trial Results by reason of—

''(i) any post-trial action by the convening authority; or

''(ii) any ruling, order, or other determination of the military judge that affects a plea, a finding, or the sentence.

''(2) Under rules prescribed by the President, the judgment under paragraph (1) shall be—

''(A) provided to the accused and to any victim of the offense; and

''(B) made available to the public.

''(b) SUMMARY COURT-MARTIAL JUDGMENT.—The findings and sentence of a summary court-martial, as modified by any post-trial action by the convening authority under section 860b of this title (article 60b), constitutes the judgment of the court-martial and shall be recorded and distributed under rules prescribed by the President.''.

SEC. 6805. WAIVER OF RIGHT TO APPEAL AND WITHDRAWAL OF APPEAL.

Section 861 of title 10, United States Code (article 61 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 861. Art. 61. Waiver of right to appeal; withdrawal of appeal

''(a) WAIVER OF RIGHT TO APPEAL.—After entry of judgment in a general or special court-martial, under procedures prescribed by the Secretary concerned, the accused may waive the right to appellate review in each case subject to such review under section 866 (article 66). Such a waiver shall be—

''(1) signed by the accused and by defense counsel; and

''(2) attached to the record of trial.

''(b) WITHDRAWAL OF APPEAL.—In a general or special court-martial, the accused may withdraw an appeal at any time.

''(c) DEATH PENALTY CASE EXCEPTION.—Notwithstanding subsections (a) and (b), an accused may not waive the right to appeal or withdraw an appeal with respect to a judgment that includes a sentence of death.

''(d) WAIVER OR WITHDRAWAL AS BAR.—A waiver or withdrawal under this section bars review under section 866 of this title (article 66).''.

SEC. 6806. APPEAL BY THE UNITED STATES.

Section 862 of title 10, United States Code (article 62 of the Uniform Code of Military Justice), is amended—

(1) in paragraph (1) of subsection (a)—

(A) in the matter before subparagraph (A), by striking ''court-martial'' and all that follows through the colon at the end and inserting ''general or special court-martial, the United States may appeal the following:''; and

(B) by adding at the end the following new subparagraph:

''(G) An order or ruling of the military judge entering a finding of not guilty with respect to a charge or specification following the return of a finding of guilty by the members.'';

(2) in paragraph (2) of subsection (a)—

(A) by striking ''(2)'' and inserting ''(2)(A)''; and

(B) by adding at the end the following new subparagraph:

''(B) An appeal of an order or ruling may not be taken when prohibited by section 844 of this title (article 44).''; and

(3) by adding at the end the following:

''(d) The United States may appeal a ruling or order of a military magistrate in the same manner as had the ruling or order been made by a military judge, except that the issue shall first be presented to the military judge who designated the military magistrate or to a military judge detailed to hear the issue.

''(e) The provisions of this article shall be liberally construed to effect its purposes.''.

SEC. 6807. REHEARINGS.

Section 863 of title 10, United States Code (article 63 of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(a)'' before ''Each rehearing'';

(2) in the second sentence, by striking ''may be approved'' and inserting ''may be adjudged'';

(3) by striking the third sentence; and

(4) by adding at the end the following new subsections:

''(b) If the sentence adjudged by the first court-martial was in accordance with a plea agreement under section 853a of this title (article 53a) and the accused at the rehearing does not comply with the agreement, or if a plea of guilty was entered for an offense at the first court-martial and a plea of not guilty was entered at the rehearing, the sentence as to those charges or specifications may include any punishment not in excess of that which could have been adjudged at the first court-martial.

''(c) If, after appeal by the Government under section 856(d) of this title (article 56(d)), the sentence adjudged is set aside and a rehearing on sentence is ordered by the Court of Criminal Appeals or Court of Appeals for the Armed Forces, the court-martial may impose any sentence that is in accordance with the order or ruling setting aside the adjudged sentence.''.

SEC. 6808. JUDGE ADVOCATE REVIEW OF FINDING OF GUILTY IN SUMMARY COURT-MARTIAL.

(a) IN GENERAL.—Subsection (a) of section 864 of title 10, United States Code (article 64 of the Uniform Code of Military Justice), is amended by striking the first two sentences and inserting the following:

''(a) IN GENERAL.—Under regulations prescribed by the Secretary concerned, each summary court-martial in which there is a finding of guilty shall be reviewed by a judge advocate. A judge advocate may not review a case under this subsection if the judge advocate has acted in the same case as an accuser, preliminary hearing officer, member of the court, military judge, or counsel or has otherwise acted on behalf of the prosecution or defense.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—(1) The heading for such section (article) is amended to read as follows:

''§ 864. Art. 64. Judge advocate review of finding of guilty in summary court-martial''.

(2) Subsection (b) of such section is amended—

(A) by striking ''(b) The record'' and inserting ''RECORD.—The record'';

(B) by inserting ''or'' at the end of paragraph (1);

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2).

(3) Subsection (c)(3) of such section (article) is amended by striking ''section 869(b) of this title (article 69(b)).'' and inserting ''section 869 of this title (article 69).''.

SEC. 6809. TRANSMITTAL AND REVIEW OF RECORDS.

Section 865 of title 10, United States Code (article 65 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 865. Art. 65. Transmittal and review of records

''(a) TRANSMITTAL OF RECORDS.—(1) If the judgment of a general or special court-martial entered under section 860c of this title (article 60c) includes a finding of guilty, the record shall be transmitted to the Judge Advocate General.

''(2) In all other cases, records of trial by court-martial and related documents shall be transmitted and disposed of as the Secretary concerned may prescribe by regulation.

''(b) REVIEW BY JUDGE ADVOCATE GENERAL.—

''(1) BY WHOM.—A review conducted under this subsection may be conducted by an attorney within the Office of the Judge Advocate General or another attorney designated under regulations prescribed by the Secretary concerned.

''(2) REVIEW OF CASES NOT ELIGIBLE FOR APPELLATE REVIEW BY A COURT OF CRIMINAL APPEALS.—

''(A) A review under subparagraph (B) shall be completed in each general and special court-martial that is not eligible for appellate review under paragraph (1) or (2) of section 866(b) of this title (article 66(b)).

''(B) A review referred to in subparagraph (A) shall include a written decision providing each of the following:

''(i) A conclusion as to whether the court had jurisdiction over the accused and the offense.

''(ii) A conclusion as to whether the charge and specification stated an offense.

''(iii) A conclusion as to whether the sentence was within the limits prescribed as a matter of law.

''(iv) A response to each allegation of error made in writing by the accused.

''(3) REVIEW WHEN APPELLATE REVIEW BY A COURT OF CRIMINAL APPEALS IS WAIVED OR WITHDRAWN.—

''(A) A review under subparagraph (B) shall be completed in each general and special court-martial if the accused waives the right to appellate review or withdraws appeal under section 861 of this title (article 61).

''(B) A review referred to in subparagraph (A) shall include a written decision limited to providing conclusions on the matters specified in clauses (i), (ii), and (iii) of paragraph (2)(B).

''(c) REMEDY.—(1) If after a review of a record under subsection (b), the attorney conducting the review believes corrective action may be required, the record shall be forwarded to the Judge Advocate General, who may set aside the findings or sentence, in whole or in part.

''(2) In setting aside findings or sentence, the Judge Advocate General may order a rehearing, except that a rehearing may not be ordered in violation of section 844 of this title (article 44).

''(3)(A) If the Judge Advocate General sets aside findings and sentence and does not order a rehearing, the Judge Advocate General shall dismiss the charges.

''(B) If the Judge Advocate General sets aside findings and orders a rehearing and the convening authority determines that a rehearing would be impractical, the convening authority shall dismiss the charges.''.

SEC. 6810. COURTS OF CRIMINAL APPEALS.

(a) APPELLATE MILITARY JUDGES.—Subsection (a) of section 866 of chapter 47 of title 10, United States Code (article 66 of the Uniform Code of Military Justice), is amended—

(1) in the second sentence, by striking ''subsection (f)'' and inserting ''subsection (g)'';

(2) in the fourth sentence, by inserting after ''highest court of a State'' the following: ''and must be certified by the Judge Advocate General as qualified, by reason of education, training, experience, and judicial temperament, for duty as an appellate military judge''; and

(3) by adding at the end the following new sentence: ''In accordance with regulations prescribed by the President, assignments of appellate military judges under this section (article) shall be for appropriate minimum periods, subject to such exceptions as may be authorized in the regulations.''.

(b) REVISION OF APPELLATE PROCEDURES.—Such section (article) is further amended—

(1) by redesignating subsections (e), (f), (g), and (h) as subsections (f), (g), (h), and (i), respectively; and

(2) by striking subsections (b), (c), and (d) and inserting the following new subsections:

''(b) REVIEW.—(1) The Judge Advocate General shall refer to a Court of Criminal Appeals the record in any of the following cases of trial by court-martial:

''(A) A case in which the judgment entered into the record under section 860c of this title (article 60c) includes a sentence of death, dismissal of a commissioned officer, cadet, or midshipman, dishonorable or bad-conduct discharge, or confinement for more than six months.

''(B) A case in which the Government previously filed an appeal under sections 856(d) or 862 of this title (articles 56(d) or 62).

''(C) A case in which the right to appellate review has not been waived or an appeal has not been withdrawn under section 861 of this title (article 61), except in the case of a sentence extending to death.

''(2) A Court of Criminal Appeals shall have jurisdiction to review the judgment of a court-martial, entered into the record under section 860c of this title (article 60c), in a case in which the accused filed an application for review with the Court under section 869(d)(1)(B) of this title (article 69(d)(1)(B)) and the application has been granted by the Court.

''(c) DUTIES.—(1) In a case referred to it, the Court of Criminal Appeals may act only with respect to the findings and sentence as entered into the record under section 860c of this title (article 60c). It may affirm only such findings of guilty, and the sentence or such part or amount of the sentence, as it finds correct in law and fact and determines, on the basis of the entire record, should be approved. In considering the record, it may weigh the evidence, judge the credibility of witnesses, and determine controverted questions of fact, recognizing that the trial court saw and heard the witnesses.

''(2) In any case before the Court of Criminal Appeals under paragraph (1) or (2) of subsection (b), the Court may provide appropriate relief if the accused demonstrates error or excessive delay in the processing of the court-martial after the judgment was entered into the record under section 860c of this title (article 60c).

''(3) In review of a sentence to death or to life in prison without eligibility for parole determined by the members in a capital case under section 853 of this title (article 53), the Court of Criminal Appeals must consider whether the sentence is otherwise appropriate, under rules prescribed by the President.

''(4) If the Court of Criminal Appeals sets aside the findings and sentence, it may, except where the setting aside is based on lack of sufficient evidence in the record to support the findings, order a rehearing. If it sets aside the findings and sentence and does not order a rehearing, it shall order that the charges be dismissed.

''(d) CONSIDERATION OF APPEAL OF SENTENCE BY THE UNITED STATES.—(1) In considering a sentence on appeal, other than as provided in section 856(d) of this title (article 56(d)), the Court of Criminal Appeals may consider—

''(A) whether the sentence violates the law; and

''(B) whether the sentence is plainly unreasonable.

''(2) In an appeal under section 856(d) of this title (article 56(d)), the record on appeal shall consist of—

''(A) any portion of the record in the case that is designated as pertinent by either of the parties;

''(B) the information submitted during the sentencing proceeding; and

''(C) any information required by rule or order of the Court of Criminal Appeals.

''(e) LIMITS OF AUTHORITY.—(1)(A) If the Court of Criminal Appeals sets aside the findings, the Court—

''(i) may affirm any lesser included offense; and

''(ii) may, except when prohibited by section 844 of this title (article 44), order a rehearing.

''(B) If the Court of Criminal Appeals orders a rehearing on a charge and the convening authority finds a rehearing impracticable, the convening authority may dismiss the charge.

''(C) If the Court of Criminal Appeals sets aside the findings and does not order a rehearing, the Court shall order that the charges be dismissed.

''(2) If the Court of Criminal Appeals sets aside the sentence, the Court may—

''(A) modify the sentence to a lesser sentence; or

''(B) order a rehearing.

''(3) If the Court determines that additional proceedings are warranted, the Court may order a hearing as may be necessary to address a substantial issue, subject to such limitations as the Court may direct and under such regulations as the President may prescribe.''.

(c) ACTION WHEN REHEARING IMPRACTICABLE AFTER REHEARING ORDER.—Subsection (f) of such section (article), as redesignated by subsection (b)(1), is amended—

(1) in the first sentence, by striking ''convening authority'' and inserting ''appropriate authority''; and

(2) by striking the last sentence.

(d) ELIGIBILITY TO REVIEW THE RECORD.—Subsection (i) of such section (article), as redesignated by subsection (b)(1), is amended by striking ''an investigating officer'' and inserting ''an investigating or a preliminary hearing officer''.

(e) SECTION HEADING.—The heading for such section (article) is amended to read as follows:

''§ 866. Art. 66. Courts of Criminal Appeals''.

SEC. 6811. REVIEW BY COURT OF APPEALS FOR THE ARMED FORCES.

(a) JAG NOTIFICATION.—Subsection (a)(2) of section 867 of title 10, United States Code (article 67 of the Uniform Code of Military Justice), is amended by inserting after ''the Judge Advocate General'' the following: '', after appropriate notification to the other Judge Advocates General and to the Staff Judge Advocate to the Commandant of the Marine Corps,''.

(b) BASIS FOR REVIEW.—Subsection (c) of such section (article) is amended—

(1) by inserting ''(1)'' after ''(c)'';

(2) by designating the second sentence as paragraph (2);

(3) by designating the third sentence as paragraph (3);

(4) by designating the fourth sentence as paragraph (4); and

(5) in paragraph (1), as designated by paragraph (1) of this subsection, by striking ''only with respect to'' and all that follows through the end of the sentence and inserting the following:

''(1) ''only with respect to—

''(A) the findings and sentence set forth in the entry of judgment, as affirmed or set aside as incorrect in law by the Court of Criminal Appeals; or

''(B) a decision, judgment, or order by a military judge, as affirmed or set aside as incorrect in law by the Court of Criminal Appeals.''.

SEC. 6812. SUPREME COURT REVIEW.

The second sentence of subsection (a) of section 867a of title 10, United States Code (article 67a of the Uniform Code of Military Justice), is amended by inserting before ''Court of Appeals'' the following: ''United States''.

SEC. 6813. REVIEW BY JUDGE ADVOCATE GENERAL.

Section 869 of title 10, United States Code (article 69 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 869. Art. 69. Review by Judge Advocate General

''(a) IN GENERAL.—Upon application by the accused and subject to subsections (b), (c), and (d), the Judge Advocate General may modify or set aside, in whole or in part, the findings and sentence in a court-martial that is not reviewed under section 866 of this title (article 66).

''(b) TIMING.—To qualify for consideration, an application under subsection (a) must be submitted to the Judge Advocate General not later than one year after the date of completion of review under section 864 or 865 of this title (article 64 or 65), as the case may be. The Judge Advocate General may, for good cause shown, extend the period for submission of an application, but may not consider an application submitted more than three years after such completion date.

''(c) SCOPE.—(1)(A) In a case reviewed under section 864 or section 865(b) of this title (article 64 or 65(b)), the Judge Advocate General may set aside the findings or sentence, in whole or in part on the grounds of newly discovered evidence, fraud on the court, lack of jurisdiction over the accused or the offense, error prejudicial to the substantial rights of the accused, or the appropriateness of the sentence.

''(B) In setting aside findings or sentence, the Judge Advocate General may order a rehearing, except that a rehearing may not be ordered in violation of section 844 of this title (Article 44).

''(C) If the Judge Advocate General sets aside findings and sentence and does not order a rehearing, the Judge Advocate General shall dismiss the charges.

''(D) If the Judge Advocate General sets aside findings and orders a rehearing and the convening authority determines that a rehearing would be impractical, the convening authority shall dismiss the charges.

''(2) In a case reviewed under section 865(b) of this title (article 65(b)), review under this section is limited to the issue of whether the waiver or withdrawal of an appeal was invalid under the law. If the Judge Advocate General determines that the waiver or withdrawal of an appeal was invalid, the Judge Advocate General shall order appropriate corrective action under rules prescribed by the President.

''(d) COURT OF CRIMINAL APPEALS.—(1) A Court of Criminal Appeals may review the action taken by the Judge Advocate General under subsection (c)—

''(A) in a case sent to the Court of Criminal Appeals by order of the Judge Advocate General; or

''(B) in a case submitted to the Court of Criminal Appeals by the accused in an application for review.

''(2) The Court of Criminal Appeals may grant an application under paragraph (1)(B) only if—

''(A) the application demonstrates a substantial basis for concluding that the action on review under subsection (c) constituted prejudicial error; and

''(B) the application is filed not later than the earlier of—

''(i) 60 days after the date on which the accused is notified of the decision of the Judge Advocate General; or

''(ii) 60 days after the date on which a copy of the decision of the Judge Advocate General is deposited in the United States mails for delivery by first-class certified mail to the accused at an address provided by the accused or, if no such address has been provided by the accused, at the latest address listed for the accused in his official service record.

''(3) The submission of an application for review under this subsection does not constitute a proceeding before the Court of Criminal Appeals for purposes of section 870(c)(1) of this title (article 70(c)(1)).

''(e) Notwithstanding section 866 of this title (article 66), in any case reviewed by a Court of Criminal Appeals under subsection (d), the Court may take action only with respect to matters of law.''.

SEC. 6814. APPELLATE DEFENSE COUNSEL IN DEATH PENALTY CASES.

Section 870 of title 10, United States Code (article 70 of the Uniform Code of Military Justice), is amended by adding at the end the following new subsection:

''(f) To the greatest extent practicable, in any capital case, at least one defense counsel under subsection (c) shall, as determined by the Judge Advocate General, be learned in the law applicable to such cases. If necessary, this counsel may be a civilian and, if so, may be compensated in accordance with regulations prescribed by the Secretary of Defense.''.

SEC. 6815. AUTHORITY FOR HEARING ON VACATION OF SUSPENSION OF SENTENCE TO BE CONDUCTED BY QUALIFIED JUDGE ADVOCATE.

(a) IN GENERAL.—Subsection (a) of section 872 of title 10, United States Code (article 72) of the Uniform Code of Military Justice), is amended by inserting after the first sentence the following new sentence: ''The special court-martial convening authority may detail a judge advocate, who is certified under section 827(b) of this title (article 27(b)), to conduct the hearing.''.

(b) TECHNICAL AMENDMENTS.—Such section (article) is further amended—

(1) in the last sentence of subsection (a), by striking ''if he so desires'' and inserting ''if the probationer so desires''; and

(2) in the second sentence of subsection (b)—

(A) by striking ''If he'' and inserting ''If the officer exercising general court-martial jurisdiction''; and

(B) by striking ''section 871(c) of this title (article 71(c)).'' and inserting ''section 857 of this title (article 57)).''.

SEC. 6816. EXTENSION OF TIME FOR PETITION FOR NEW TRIAL.

The first sentence of section 873 of title 10, United States Code (article 73 of the Uniform Code of Military Justice), is amended by striking ''two years after approval by the convening authority of a court-martial sentence,'' and inserting ''three years after the date of the entry of judgment under section 860c of this title (article 60c),''.

SEC. 6817. RESTORATION.

Section 875 of title 10, United States Code (article 75 of the Uniform Code of Military Justice), is amended by adding at the end the following new subsection:

''(d) The President shall prescribe regulations, with such limitations as the President considers appropriate, governing eligibility for pay and allowances for the period after the date on which an executed part of a court-martial sentence is set aside.''.

SEC. 6818. LEAVE REQUIREMENTS PENDING REVIEW OF CERTAIN COURT-MARTIAL CONVICTIONS.

Section 876a of title 10, United States Code (article 76a of the Uniform Code of Military Justice), is amended—

(1) in the first sentence, by striking '', as approved under section 860 of this title (article 60),''; and

(2) in the second sentence, by striking ''on which the sentence is approved under section 860 of this title (article 60)'' and inserting ''of the entry of judgment under section 860c of this title (article 60c)''.

TITLE LXIX—PUNITIVE ARTICLES

SEC. 6901. REORGANIZATION OF PUNITIVE ARTICLES.

Sections of subchapter X of chapter 47 of title 10, United States Code (articles of the Uniform Code of Military Justice), are transferred within subchapter X and redesignated as follows:

(1) ENLISTMENT AND SEPARATION.—Sections 883 and 884 (articles 83 and 84) are transferred so as to appear (in that order) after section 904 (article 104) and are redesignated as sections 904a and 904b (articles 104a and 104b), respectively.

(2) RESISTANCE, FLIGHT, BREACH OF ARREST, AND ESCAPE.—Section 895 (article 95) is transferred so as to appear after section 887 (article 87) and is redesignated as section 887a (article 87a).

(3) NONCOMPLIANCE WITH PROCEDURAL RULES.—Section 898 (article 98) is transferred so as to appear after section 931 (article 131) and is redesignated as section 931f (article 131f).

(4) CAPTURED OR ABANDONED PROPERTY.—Section 903 (article 103) is transferred so as to appear after section 908 (article 108) and is redesignated as section 908a (article 108a).

(5) AIDING THE ENEMY.—Section 904 (article 104) is redesignated as section 903b (article 103b).

(6) MISCONDUCT AS PRISONER.—Section 905 (article 105) is transferred so as to appear after section 897 (article 97) and is redesignated as section 898 (article 98).

(7) SPIES; ESPIONAGE.—Sections 906 and 906a (articles 106 and 106a) are transferred so as to appear (in that order) after section 902 (article 102) and are redesignated as sections 903 and 903a (articles 103 and 103a), respectively.

(8) MISBEHAVIOR OF SENTINEL.—Section 913 (article 113) is transferred so as to appear after section 894 (article 94) and is redesignated as section 895 (article 95).

(9) DRUNKEN OR RECKLESS OPERATION OF A VEHICLE, AIRCRAFT, OR VESSEL.—Section 911 (article 111) is transferred so as to appear after section 912a (article 912a) and is redesignated as section 913 (article 113).

(10) HOUSEBREAKING.—Section 930 (article 130) is redesignated as section 929a (article 129a).

(11) STALKING.—Section 920a (article 120a) is transferred so as to appear after section 929a (article 129a), as redesignated by paragraph (10), and is redesignated as section 930 (article 130).

(12) FORGERY.—Section 923 (article 123) is transferred so as to appear after section 904b (article 104b), as transferred and redesignated by paragraph (1), and is redesignated as section 905 (article 105).

(13) MAIMING.—Section 924 (article 124) is transferred so as to appear after section 928 (article 128) and is redesignated as section 928a (article 128a).

(14) FRAUDS AGAINST THE UNITED STATES.—Section 932 of (article 132) is transferred so as to appear after section 923a (article 123a) and is redesignated as section 924 (article 124).

SEC. 6902. CONVICTION OF OFFENSE CHARGED, LESSER INCLUDED OFFENSES, AND ATTEMPTS.

Section 879 of title 10, United States Code (article 79 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 879. Art. 79. Conviction of offense charged, lesser included offenses, and attempts

''(a) IN GENERAL.—An accused may be found guilty of any of the following:

''(1) The offense charged.

''(2) A lesser included offense.

''(3) An attempt to commit the offense charged.

''(4) An attempt to commit a lesser included offense, if the attempt is an offense in its own right.

''(b) DEFINITION.—In this section (article), the term 'lesser included offense' means—

''(1) an offense that is necessarily included in the offense charged; and

''(2) any lesser included offense so designated by regulation prescribed by the President.

''(c) REGULATORY AUTHORITY.—Any designation of a lesser included offense in a regulation referred to in subsection (b) shall be reasonably included in the greater offense.''.

SEC. 6903. SOLICITING COMMISSION OF OFFENSES.

Section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 882. Art. 82. Soliciting commission of offenses

''(a) SOLICITING COMMISSION OF OFFENSES GENERALLY.—Any person subject to this chapter who solicits or advises another to commit an offense under this chapter (other than an offense specified in subsection (b)) shall be punished as a court-martial may direct.

''(b) SOLICITING DESERTION, MUTINY, SEDITION, OR MISBEHAVIOR BEFORE THE ENEMY.—Any person subject to this chapter who solicits or advises another to violate section 885 of this title (article 85), section 894 of this title (article 94), or section 899 of this title (article 99)—

''(1) if the offense solicited or advised is attempted or is committed, shall be punished with the punishment provided for the commission of the offense; and

''(2) if the offense solicited or advised is not attempted or committed, shall be punished as a court-martial may direct.''.

SEC. 6904. MALINGERING.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 882 (article 82 of the Uniform Code of Military Justice), as amended by section 6903, the following new section (article):

''§ 883. Art. 83. Malingering

''Any person subject to this chapter who, with the intent to avoid work, duty, or service—

''(1) feigns illness, physical disablement, mental lapse, or mental derangement; or

''(2) intentionally inflicts self-injury;

shall be punished as a court-martial may direct.''.

SEC. 6905. BREACH OF MEDICAL QUARANTINE.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 883 (article 83 of the Uniform Code of Military Justice), as added by section 6904, the following new section (article):

''§ 884. Art. 84. Breach of medical quarantine

''Any person subject to this chapter—

''(1) who is ordered into medical quarantine by a person authorized to issue such order; and

''(2) who, with knowledge of the quarantine and the limits of the quarantine, goes beyond those limits before being released from the quarantine by proper authority;

shall be punished as a court-martial may direct.''.

SEC. 6906. MISSING MOVEMENT; JUMPING FROM VESSEL.

Section 887 of title 10, United States Code (article 87 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 887. Art. 87. Missing movement; jumping from vessel

''(a) MISSING MOVEMENT.—Any person subject to this chapter who, through neglect or design, misses the movement of a ship, aircraft, or unit with which the person is required in the course of duty to move shall be punished as a court-martial may direct.

''(b) JUMPING FROM VESSEL INTO THE WATER.—Any person subject to this chapter who wrongfully and intentionally jumps into the water from a vessel in use by the armed forces shall be punished as a court-martial may direct.''.

SEC. 6907. OFFENSES AGAINST CORRECTIONAL CUSTODY AND RESTRICTION.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 887a (article 87a of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(2), the following new section (article):

''§ 887b. Art. 87b. Offenses against correctional custody and restriction

''(a) ESCAPE FROM CORRECTIONAL CUSTODY.—Any person subject to this chapter—

''(1) who is placed in correctional custody by a person authorized to do so;

''(2) who, while in correctional custody, is under physical restraint; and

''(3) who escapes from the physical restraint before being released from the physical restraint by proper authority;

shall be punished as a court-martial may direct.

''(b) BREACH OF CORRECTIONAL CUSTODY.—Any person subject to this chapter—

''(1) who is placed in correctional custody by a person authorized to do so;

''(2) who, while in correctional custody, is under restraint other than physical restraint; and

''(3) who goes beyond the limits of the restraint before being released from the correctional custody or relieved of the restraint by proper authority;

shall be punished as a court-martial may direct.

''(c) BREACH OF RESTRICTION.—Any person subject to this chapter—

''(1) who is ordered to be restricted to certain limits by a person authorized to do so; and

''(2) who, with knowledge of the limits of the restriction, goes beyond those limits before being released by proper authority;

shall be punished as a court-martial may direct.''.

SEC. 6908. DISRESPECT TOWARD SUPERIOR COMMISSIONED OFFICER; ASSAULT OF SUPERIOR COMMISSIONED OFFICER.

Section 889 of title 10, United States Code (article 89 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 889. Art. 89. Disrespect toward superior commissioned officer; assault of superior commissioned officer

''(a) DISRESPECT.—Any person subject to this chapter who behaves with disrespect toward that person's superior commissioned officer shall be punished as a court-martial may direct.

''(b) ASSAULT.—Any person subject to this chapter who strikes that person's superior commissioned officer or draws or lifts up any weapon or offers any violence against that officer while the officer is in the execution of the officer's office shall be punished—

''(1) if the offense is committed in time of war, by death or such other punishment as a court-martial may direct; and

''(2) if the offense is committed at any other time, by such punishment, other than death, as a court-martial may direct.''.

SEC. 6909. WILLFULLY DISOBEYING SUPERIOR COMMISSIONED OFFICER.

Section 890 of title 10, United States Code (article 90 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 890. Art. 90. Willfully disobeying superior commissioned officer

''Any person subject to this chapter who willfully disobeys a lawful command of that person's superior commissioned officer shall be punished—

''(1) if the offense is committed in time of war, by death or such other punishment as a court-martial may direct; and

''(2) if the offense is committed at any other time, by such punishment, other than death, as a court-martial may direct.''.

SEC. 6910. PROHIBITED ACTIVITIES WITH MILITARY RECRUIT OR TRAINEE BY PERSON IN POSITION OF SPECIAL TRUST.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 893 (article 93 of the Uniform Code of Military Justice), the following new section (article):

''§ 893a. Art. 93a. Prohibited activities with military recruit or trainee by person in position of special trust

''(a) ABUSE OF TRAINING LEADERSHIP POSITION.—Any person subject to this chapter—

''(1) who is an officer, a noncommissioned officer, or a petty officer;

''(2) who is in a training leadership position with respect to a specially protected junior member of the armed forces; and

''(3) who engages in prohibited sexual activity with such specially protected junior member of the armed forces;

shall be punished as a court-martial may direct.

''(b) ABUSE OF POSITION AS MILITARY RECRUITER.—Any person subject to this chapter—

''(1) who is a military recruiter and engages in prohibited sexual activity with an applicant for military service; or

''(2) who is a military recruiter and engages in prohibited sexual activity with a specially protected junior member of the armed forces who is enlisted under a delayed entry program;

shall be punished as a court-martial may direct.

''(c) CONSENT.—Consent is not a defense for any conduct at issue in a prosecution under this section (article).

''(d) DEFINITIONS.—In this section (article):

''(1) SPECIALLY PROTECTED JUNIOR MEMBER OF THE ARMED FORCES.—The term 'specially protected junior member of the armed forces' means—

''(A) a member of the armed forces who is assigned to, or is awaiting assignment to, basic training or other initial active duty for training, including a member who is enlisted under a delayed entry program;

''(B) a member of the armed forces who is a cadet, a midshipman, an officer candidate, or a student in any other officer qualification program; and

''(C) a member of the armed forces in any program that, by regulation prescribed by the Secretary concerned, is identified as a training program for initial career qualification.

''(2) TRAINING LEADERSHIP POSITION.—The term 'training leadership position' means, with respect to a specially protected junior member of the armed forces, any of the following:

''(A) Any drill instructor position or other leadership position in a basic training program, an officer candidate school, a reserve officers' training corps unit, a training program for entry into the armed forces, or any program that, by regulation prescribed by the Secretary concerned, is identified as a training program for initial career qualification.

''(B) Faculty and staff of the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, and the United States Coast Guard Academy.

''(3) APPLICANT FOR MILITARY SERVICE.—The term 'applicant for military service' means a person who, under regulations prescribed by the Secretary concerned, is an applicant for original enlistment or appointment in the armed forces.

''(4) MILITARY RECRUITER.—The term 'military recruiter' means a person who, under regulations prescribed by the Secretary concerned, has the primary duty to recruit persons for military service.

''(5) PROHIBITED SEXUAL ACTIVITY.—The term 'prohibited sexual activity' means, as specified in regulations prescribed by the Secretary concerned, inappropriate physical intimacy under circumstances described in such regulations.''.

SEC. 6911. OFFENSES BY SENTINEL OR LOOKOUT.

Section 895 of title 10, United States Code (article 95 of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(8), is amended to read as follows:

''§ 895. Art. 95. Offenses by sentinel or lookout

''(a) DRUNK OR SLEEPING ON POST, OR LEAVING POST BEFORE BEING RELIEVED.—Any sentinel or lookout who is drunk on post, who sleeps on post, or who leaves post before being regularly relieved, shall be punished—

''(1) if the offense is committed in time of war, by death or such other punishment as a court-martial may direct; and

''(2) if the offense is committed other than in time of war, by such punishment, other than death, as a court-martial may direct.

''(b) LOITERING OR WRONGFULLY SITTING ON POST.—Any sentinel or lookout who loiters or wrongfully sits down on post shall be punished as a court-martial may direct.''.

SEC. 6912. DISRESPECT TOWARD SENTINEL OR LOOKOUT.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 895 (article 95 of the Uniform Code of Military Justice), as amended by section 6911, the following new section (article):

''§ 895a. Art. 95a. Disrespect toward sentinel or lookout

''(a) DISRESPECTFUL LANGUAGE TOWARD SENTINEL OR LOOKOUT.—Any person subject to this chapter who, knowing that another person is a sentinel or lookout, uses wrongful and disrespectful language that is directed toward and within the hearing of the sentinel or lookout, who is in the execution of duties as a sentinel or lookout, shall be punished as a court-martial may direct.

''(b) DISRESPECTFUL BEHAVIOR TOWARD SENTINEL OR LOOKOUT.—Any person subject to this chapter who, knowing that another person is a sentinel or lookout, behaves in a wrongful and disrespectful manner that is directed toward and within the sight of the sentinel or lookout, who is in the execution of duties as a sentinel or lookout, shall be punished as a court-martial may direct.''.

SEC. 6913. RELEASE OF PRISONER WITHOUT AUTHORITY; DRINKING WITH PRISONER.

Section 896 of title 10, United States Code (article 96 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 896. Art. 96. Release of prisoner without authority; drinking with prisoner

''(a) RELEASE OF PRISONER WITHOUT AUTHORITY.—Any person subject to this chapter—

''(1) who, without authority to do so, releases a prisoner; or

''(2) who, through neglect or design, allows a prisoner to escape;

shall be punished as a court-martial may direct, whether or not the prisoner was committed in strict compliance with the law.

''(b) DRINKING WITH PRISONER.—Any person subject to this chapter who unlawfully drinks any alcoholic beverage with a prisoner shall be punished as a court-martial may direct.''.

SEC. 6914. PENALTY FOR ACTING AS A SPY.

Section 903 of title 10, United States Code (article 103 of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(7), is amended by inserting before the period at the end of the first sentence the following: ''or such other punishment as a court-martial or a military commission may direct''.

SEC. 6915. PUBLIC RECORDS OFFENSES.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 903b (article 103b of the Uniform Code of Military Justice), as redesignated by section 6901(5), the following new section (article):

''§ 904. Art. 104. Public records offenses

''Any person subject to this chapter who, willfully and unlawfully—

''(1) alters, conceals, removes, mutilates, obliterates, or destroys a public record; or

''(2) takes a public record with the intent to alter, conceal, remove, mutilate, obliterate, or destroy the public record;

shall be punished as a court-martial may direct.''.

SEC. 6916. FALSE OR UNAUTHORIZED PASS OFFENSES.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 905 (article 105 of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(12), the following new section (article):

''§ 905a. Art. 105a. False or unauthorized pass offenses

''(a) WRONGFUL MAKING, ALTERING, ETC.—Any person subject to this chapter who, wrongfully and falsely, makes, alters, counterfeits, or tampers with a military or official pass, permit, discharge certificate, or identification card shall be punished as a court-martial may direct.

''(b) WRONGFUL SALE, ETC.—Any person subject to this chapter who wrongfully sells, gives, lends, or disposes of a false or unauthorized military or official pass, permit, discharge certificate, or identification card, knowing that the pass, permit, discharge certificate, or identification card is false or unauthorized, shall be punished as a court-martial may direct.

''(c) WRONGFUL USE OR POSSESSION.—Any person subject to this chapter who wrongfully uses or possesses a false or unauthorized military or official pass, permit, discharge certificate, or identification card, knowing that the pass, permit, discharge certificate, or identification card is false or unauthorized, shall be punished as a court-martial may direct.''.

SEC. 6917. IMPERSONATION OFFENSES.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 905a (article 105a of the Uniform Code of Military Justice), as added by section 6916, the following new section (article):

''§ 906. Art. 106. Impersonation of officer, noncommissioned or petty officer, or agent or official

''(a) IN GENERAL.—Any person subject to this chapter who, wrongfully and willfully, impersonates—

''(1) an officer, a noncommissioned officer, or a petty officer;

''(2) an agent of superior authority of one of the armed forces; or

''(3) an official of a government;

shall be punished as a court-martial may direct.

''(b) IMPERSONATION WITH INTENT TO DEFRAUD.—Any person subject to this chapter who, wrongfully, willfully, and with intent to defraud, impersonates any person referred to in paragraph (1), (2), or (3) of subsection (a) shall be punished as a court-martial may direct.

''(c) IMPERSONATION OF GOVERNMENT OFFICIAL WITHOUT INTENT TO DEFRAUD.—Any person subject to this chapter who, wrongfully, willfully, and without intent to defraud, impersonates an official of a government by committing an act that exercises or asserts the authority of the office that the person claims to have shall be punished as a court-martial may direct.''.

SEC. 6918. INSIGNIA OFFENSES.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 906 (article 106 of the Uniform Code of Military Justice), as added by section 6917, the following new section (article):

''§ 906a. Art. 106a. Wearing unauthorized insignia, decoration, badge, ribbon, device, or lapel button

''Any person subject to this chapter—

''(1) who is not authorized to wear an insignia, decoration, badge, ribbon, device, or lapel button; and

''(2) who wrongfully wears such insignia, decoration, badge, ribbon, device, or lapel button upon the person's uniform or civilian clothing;

shall be punished as a court-martial may direct.''.

SEC. 6919. FALSE OFFICIAL STATEMENTS; FALSE SWEARING.

Section 907 of title 10, United States Code (article 107 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 907. Art. 107. False official statements; false swearing

''(a) FALSE OFFICIAL STATEMENTS.—Any person subject to this chapter who, with intent to deceive—

''(1) signs any false record, return, regulation, order, or other official document, knowing it to be false; or

''(2) makes any other false official statement knowing it to be false;

shall be punished as a court-martial may direct.

''(b) FALSE SWEARING.—Any person subject to this chapter—

''(1) who takes an oath that—

''(A) is administered in a matter in which such oath is required or authorized by law; and

''(B) is administered by a person with authority to do so; and

''(2) who, upon such oath, makes or subscribes to a statement;

if the statement is false and at the time of taking the oath, the person does not believe the statement to be true, shall be punished as a court-martial may direct.''.

SEC. 6920. PAROLE VIOLATION.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 907 (article 107 of the Uniform Code of Military Justice), as amended by section 6919, the following new section (article):

''§ 907a. Art. 107a. Parole violation

''Any person subject to this chapter—

''(1) who, having been a prisoner as the result of a court-martial conviction or other criminal proceeding, is on parole with conditions; and

''(2) who violates the conditions of parole;

shall be punished as a court-martial may direct.''.

SEC. 6921. WRONGFUL TAKING, OPENING, ETC. OF MAIL MATTER.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 909 (article 109 of the Uniform Code of Military Justice), the following new section (article):

''§ 909a. Art. 109a. Mail matter: wrongful taking, opening, etc.

''(a) TAKING.—Any person subject to this chapter who, with the intent to obstruct the correspondence of, or to pry into the business or secrets of, any person or organization, wrongfully takes mail matter before the mail matter is delivered to or received by the addressee shall be punished as a court-martial may direct.

''(b) OPENING, SECRETING, DESTROYING, STEALING.—Any person subject to this chapter who wrongfully opens, secretes, destroys, or steals mail matter before the mail matter is delivered to or received by the addressee shall be punished as a court-martial may direct.''.

SEC. 6922. IMPROPER HAZARDING OF VESSEL OR AIRCRAFT.

Section 910 of title 10, United States Code (article 110 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 910. Art. 110. Improper hazarding of vessel or aircraft

''(a) WILLFUL AND WRONGFUL HAZARDING.—Any person subject to this chapter who, willfully and wrongfully, hazards or suffers to be hazarded any vessel or aircraft of the armed forces shall be punished by death or such other punishment as a court-martial may direct.

''(b) NEGLIGENT HAZARDING.—Any person subject to this chapter who negligently hazards or suffers to be hazarded any vessel or aircraft of the armed forces shall be punished as a court-martial may direct.''.

SEC. 6923. LEAVING SCENE OF VEHICLE ACCIDENT.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 910 (article 110 of the Uniform Code of Military Justice), as amended by section 6922, the following new section (article):

''§ 911. Art. 111. Leaving scene of vehicle accident

''(a) DRIVER.—Any person subject to this chapter—

''(1) who is the driver of a vehicle that is involved in an accident that results in personal injury or property damage; and

''(2) who wrongfully leaves the scene of the accident—

''(A) without providing assistance to an injured person; or

''(B) without providing personal identification to others involved in the accident or to appropriate authorities;

shall be punished as a court-martial may direct.

''(b) SENIOR PASSENGER.—Any person subject to this chapter—

''(1) who is a passenger in a vehicle that is involved in an accident that results in personal injury or property damage;

''(2) who is the superior commissioned or noncommissioned officer of the driver of the vehicle or is the commander of the vehicle; and

''(3) who wrongfully and unlawfully orders, causes, or permits the driver to leave the scene of the accident—

''(A) without providing assistance to an injured person; or

''(B) without providing personal identification to others involved in the accident or to appropriate authorities;

shall be punished as a court-martial may direct.''.

SEC. 6924. DRUNKENNESS AND OTHER INCAPACITATION OFFENSES.

Section 912 of title 10, United States Code (article 112 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 912. Art. 112. Drunkenness and other incapacitation offenses

''(a) DRUNK ON DUTY.—Any person subject to this chapter who is drunk on duty shall be punished as a court-martial may direct.

''(b) INCAPACITATION FOR DUTY FROM DRUNKENNESS OR DRUG USE.—Any person subject to this chapter who, as a result of indulgence in any alcoholic beverage or any drug, is incapacitated for the proper performance of duty shall be punished as a court-martial may direct.

''(c) DRUNK PRISONER.—Any person subject to this chapter who is a prisoner and, while in such status, is drunk shall be punished as a court-martial may direct.''.

SEC. 6925. LOWER BLOOD ALCOHOL CONTENT LIMITS FOR CONVICTION OF DRUNKEN OR RECKLESS OPERATION OF VEHICLE, AIRCRAFT, OR VESSEL.

Subsection (b)(3) of section 913 of title 10, United States Code (article 113 of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(9), is amended—

(1) by striking ''0.10 grams'' both places it appears and inserting ''0.08 grams''; and

(2) by adding at the end the following new sentence: ''The Secretary may by regulation prescribe limits that are lower than the limits specified in the preceding sentence, if such lower limits are based on scientific developments, as reflected in Federal law of general applicability.''.

SEC. 6926. ENDANGERMENT OFFENSES.

Section 914 of title 10, United States Code (article 114 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 914. Art. 114. Endangerment offenses

''(a) RECKLESS ENDANGERMENT.—Any person subject to this chapter who engages in conduct that—

''(1) is wrongful and reckless or is wanton; and

''(2) is likely to produce death or grievous bodily harm to another person;

shall be punished as a court-martial may direct.

''(b) DUELING.—Any person subject to this chapter—

''(1) who fights or promotes, or is concerned in or connives at fighting a duel; or

''(2) who, having knowledge of a challenge sent or about to be sent, fails to report the facts promptly to the proper authority;

shall be punished as a court-martial may direct.

''(c) FIREARM DISCHARGE, ENDANGERING HUMAN LIFE.—Any person subject to this chapter who, willfully and wrongly, discharges a firearm, under circumstances such as to endanger human life shall be punished as a court-martial may direct.

''(d) CARRYING CONCEALED WEAPON.—Any person subject to this chapter who unlawfully carries a dangerous weapon concealed on or about his person shall be punished as a court-martial may direct.''.

SEC. 6927. COMMUNICATING THREATS.

Section 915 of title 10, United States Code (article 115 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 915. Art. 115. Communicating threats

''(a) COMMUNICATING THREATS GENERALLY.—Any person subject to this chapter who wrongfully communicates a threat to injure the person, property, or reputation of another shall be punished as a court-martial may direct.

''(b) COMMUNICATING THREAT TO USE EXPLOSIVE, ETC.—Any person subject to this chapter who wrongfully communicates a threat to injure the person or property of another by use of (1) an explosive, (2) a weapon of mass destruction, (3) a biological or chemical agent, substance, or weapon, or (4) a hazardous material, shall be punished as a court-martial may direct.

''(c) COMMUNICATING FALSE THREAT CONCERNING USE OF EXPLOSIVE, ETC.—Any person subject to this chapter who maliciously communicates a false threat concerning injury to the person or property of another by use of (1) an explosive, (2) a weapon of mass destruction, (3) a biological or chemical agent, substance, or weapon, or (4) a hazardous material, shall be punished as a court-martial may direct. As used in the preceding sentence, the term 'false threat' means a threat that, at the time the threat is communicated, is known to be false by the person communicating the threat.''.

SEC. 6928. TECHNICAL AMENDMENT RELATING TO MURDER.

Section 918(4) of title 10, United States Code (article 118(4) of the Uniform Code of Military Justice), is amended by striking ''forcible sodomy,''.

SEC. 6929. CHILD ENDANGERMENT.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 919a (article 119a of the Uniform Code of Military Justice), the following new section (article):

''§ 919b. Art. 119b. Child endangerment

''Any person subject to this chapter—

''(1) who has a duty for the care of a child under the age of 16 years; and

''(2) who, through design or culpable negligence, endangers the child's mental or physical health, safety, or welfare;

shall be punished as a court-martial may direct.''.

SEC. 6930. DEPOSIT OF OBSCENE MATTER IN THE MAIL.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 920 (article 120 of the Uniform Code of Military Justice), the following new section (article):

''§ 920a. Art. 120a. Mails: deposit of obscene matter

''Any person subject to this chapter who, wrongfully and knowingly, deposits obscene

matter for mailing and delivery shall be punished as a court-martial may direct.''.

SEC. 6931. FRAUDULENT USE OF CREDIT CARDS, DEBIT CARDS, AND OTHER ACCESS DEVICES.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 921 (article 121 of the Uniform Code of Military Justice), the following new section (article):

''§ 921a. Art. 121a. Fraudulent use of credit cards, debit cards, and other access devices

''(a) IN GENERAL.—Any person subject to this chapter who, with intent to defraud, uses—

''(1) a stolen credit card, debit card, or other access device;

''(2) a revoked, cancelled, or otherwise invalid credit card, debit card, or other access device; or

''(3) a credit card, debit card, or other access device without the authorization of a person whose authorization is required for such use;

to obtain money, property, services, or anything else of value shall be punished as a court-martial may direct.

''(b) DEFINITION.—In this section (article), the term 'access device' has the meaning given that term in section 1029 of title 18.''.

SEC. 6932. FALSE PRETENSES TO OBTAIN SERVICES.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 921a (article 121a of the Uniform Code of Military Justice), as added by section 6931, the following new section (article):

''§ 921b. Art. 121b. False pretenses to obtain services

''Any person subject to this chapter who, with intent to defraud, knowingly uses false pretenses to obtain services shall be punished as a court-martial may direct.''.

SEC. 6933. ROBBERY.

Section 922 of title 10, United States Code (article 122 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 922. Art. 122. Robbery

''Any person subject to this chapter who takes anything of value from the person or in the presence of another, against his will, by means of force or violence or fear of immediate or future injury to his person or property or to the person or property of a relative or member of his family or of anyone in his company at the time of the robbery, is guilty of robbery and shall be punished as a court-martial may direct.''.

SEC. 6934. RECEIVING STOLEN PROPERTY.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 922 (article 122 of the Uniform Code of Military Justice), as amended by section 6933, the following new section (article):

''§ 922a. Art. 122a. Receiving stolen property

''Any person subject to this chapter who wrongfully receives, buys, or conceals stolen property, knowing the property to be stolen property, shall be punished as a court-martial may direct.''.

SEC. 6935. OFFENSES CONCERNING GOVERNMENT COMPUTERS.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 922a (article 122a of the Uniform Code of Military Justice), as added by section 6934, the following new section (article):

''§ 923. Art. 123. Offenses concerning government computers

''(a) IN GENERAL.—Any person subject to this chapter who—

''(1) knowingly accesses a Government computer, with an unauthorized purpose, and by doing so obtains classified information, with reason to believe such information could be used to the injury of the United States, or to the advantage of any foreign nation, and intentionally communicates, delivers, transmits, or causes to be communicated, delivered, or transmitted such information to any person not entitled to receive it;

''(2) intentionally accesses a Government computer, with an unauthorized purpose, and thereby obtains classified or other protected information from any such Government computer; or

''(3) knowingly causes the transmission of a program, information, code, or command, and as a result of such conduct, intentionally causes damage without authorization, to a Government computer;

shall be punished as a court-martial may direct.

''(b) DEFINITIONS.—In this section:

''(1) The term 'computer' has the meaning given that term in section 1030 of title 18.

''(2) The term 'Government computer' means a computer owned or operated by or on behalf of the United States Government.

''(3) The term 'damage' has the meaning given that term in section 1030 of title 18.''.

SEC. 6936. BRIBERY.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 924 (article 124 of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(14), the following new section (article):

''§ 924a. Art. 124a. Bribery

''(a) ASKING, ACCEPTING, OR RECEIVING THING OF VALUE.—Any person subject to this chapter—

''(1) who occupies an official position or who has official duties; and

''(2) who wrongfully asks, accepts, or receives a thing of value with the intent to have the person's decision or action influenced with respect to an official matter in which the United States is interested;

shall be punished as a court-martial may direct.

''(b) PROMISING, OFFERING, OR GIVING THING OF VALUE.—Any person subject to this chapter who wrongfully promises, offers, or gives a thing of value to another person, who occupies an official position or who has official duties, with the intent to influence the decision or action of the other person with respect to an official matter in which the United States is interested, shall be punished as a court-martial may direct.''.

SEC. 6937. GRAFT.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 924a (article 124a of the Uniform Code of Military Justice), as added by section 6936, the following new section (article):

''§ 924b. Art. 124b. Graft

''(a) ASKING, ACCEPTING, OR RECEIVING THING OF VALUE.—Any person subject to this chapter—

''(1) who occupies an official position or who has official duties; and

''(2) who wrongfully asks, accepts, or receives a thing of value as compensation for or in recognition of services rendered or to be rendered by the person with respect to an official matter in which the United States is interested;

shall be punished as a court-martial may direct.

''(b) PROMISING, OFFERING, OR GIVING THING OF VALUE.—Any person subject to this chapter who wrongfully promises, offers, or gives a thing of value to another person, who occupies an official position or who has official duties, as compensation for or in recognition of services rendered or to be rendered by the other person with respect to an official matter in which the United States is interested, shall be punished as a court-martial may direct.''.

SEC. 6938. KIDNAPPING.

Section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 925. Art. 125. Kidnapping

''Any person subject to this chapter who wrongfully—

''(1) seizes, confines, inveigles, decoys, or carries away another person; and

''(2) holds the other person against that person's will;

shall be punished as a court-martial may direct.''.

SEC. 6939. ARSON; BURNING PROPERTY WITH INTENT TO DEFRAUD.

Section 926 of title 10, United States Code (article 126 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 926. Art. 126. Arson; burning property with intent to defraud

''(a) AGGRAVATED ARSON.—Any person subject to this chapter who, willfully and maliciously, burns or sets on fire an inhabited dwelling, or any other structure, movable or immovable, wherein, to the knowledge of that person, there is at the time a human being, is guilty of aggravated arson and shall be punished as a court-martial may direct.

''(b) SIMPLE ARSON.—Any person subject to this chapter who, willfully and maliciously, burns or sets fire to the property of another is guilty of simple arson and shall be punished as a court-martial may direct.

''(c) BURNING PROPERTY WITH INTENT TO DEFRAUD.—Any person subject to this chapter who, willfully, maliciously, and with intent to defraud, burns or sets fire to any property shall be punished as a court-martial may direct.''.

SEC. 6940. ASSAULT.

Section 928 of title 10, United States Code (article 128 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 928. Art. 128. Assault

''(a) ASSAULT.—Any person subject to this chapter who, unlawfully and with force or violence—

''(1) attempts to do bodily harm to another person;

''(2) offers to do bodily harm to another person; or

''(3) does bodily harm to another person;

is guilty of assault and shall be punished as a court-martial may direct.

''(b) AGGRAVATED ASSAULT.—Any person subject to this chapter—

''(1) who, with the intent to do bodily harm, offers to do bodily harm with a dangerous weapon; or

''(2) who, in committing an assault, inflicts substantial bodily harm, or grievous bodily harm on another person;

is guilty of aggravated assault and shall be punished as a court-martial may direct.

''(c) ASSAULT WITH INTENT TO COMMIT SPECIFIED OFFENSES.—

''(1) IN GENERAL.—Any person subject to this chapter who commits assault with intent to commit an offense specified in paragraph (2) shall be punished as a court-martial may direct.

''(2) OFFENSES SPECIFIED.—The offenses referred to in paragraph (1) are murder, voluntary manslaughter, rape, sexual assault, rape of a child, sexual assault of a child, robbery, arson, burglary, and kidnapping.''.

SEC. 6941. BURGLARY AND UNLAWFUL ENTRY.

Section 929 of title 10, United States Code (article 129 of the Uniform Code of Military Justice), and section 929a of such title (article 129a), as redesignated by section 6901(10), are amended to read as follows:

''§ 929. Art. 129. Burglary; unlawful entry

''(a) BURGLARY.—Any person subject to this chapter who, with intent to commit an offense under this chapter, breaks and enters the building or structure of another shall be punished as a court-martial may direct.

''(b) UNLAWFUL ENTRY.—Any person subject to this chapter who unlawfully enters—

''(1) the real property of another; or

''(2) the personal property of another which amounts to a structure usually used for habitation or storage;

shall be punished as a court-martial may direct.''.

SEC. 6942. STALKING.

Section 930 of title 10, United States Code (article 130 of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(11), is amended to read as follows:

"§ 930. Art. 130. Stalking

''(a) IN GENERAL.—Any person subject to this chapter—

''(1) who wrongfully engages in a course of conduct directed at a specific person that would cause a reasonable person to fear death or bodily harm, including sexual assault, to himself or herself, to a member of his or her immediate family, or to his or her intimate partner;

''(2) who has knowledge, or should have knowledge, that the specific person will be placed in reasonable fear of death or bodily harm, including sexual assault, to himself or herself, to a member of his or her immediate family, or to his or her intimate partner; and

''(3) whose conduct induces reasonable fear in the specific person of death or bodily harm, including sexual assault, to himself or herself, to a member of his or her immediate family, or to his or her intimate partner;

is guilty of stalking and shall be punished as a court-martial may direct.

''(b) DEFINITIONS.—In this section:

''(1) The term 'conduct' means conduct of any kind, including use of surveillance, the mails, an interactive computer service, an electronic communication service, or an electronic communication system.

''(2) The term 'course of conduct' means—

''(A) a repeated maintenance of visual or physical proximity to a specific person;

''(B) a repeated conveyance of verbal threat, written threats, or threats implied by conduct, or a combination of such threats, directed at or toward a specific person; or

''(C) a pattern of conduct composed of repeated acts evidencing a continuity of purpose.

''(3) The term 'repeated', with respect to conduct, means two or more occasions of such conduct.

''(4) The term 'immediate family', in the case of a specific person, means—

''(A) that person's spouse, parent, brother or sister, child, or other person to whom he or she stands in loco parentis; or

''(B) any other person living in his or her household and related to him or her by blood or marriage.

''(5) The term 'intimate partner' in the case of a specific person, means—

''(A) a former spouse of the specific person, a person who shares a child in common with the specific person, or a person who cohabits with or has cohabited as a spouse with the specific person; or

''(B) a person who has been in a social relationship of a romantic or intimate nature with the specific person, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.''.

SEC. 6943. SUBORNATION OF PERJURY.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931 (article 131 of the Uniform Code of Military Justice), the following new section (article):

"§ 931a. Art. 131a. Subornation of perjury

''(a) IN GENERAL.—Any person subject to this chapter who induces and procures another person—

''(1) to take an oath; and

''(2) to falsely testify, depose, or state upon such oath;

shall, if the conditions specified in subsection (b) are satisfied, be punished as a court-martial may direct.

''(b) CONDITIONS.—The conditions referred to in subsection (a) are the following:

''(1) The oath is administered with respect to a matter for which such oath is required or authorized by law.

''(2) The oath is administered by a person having authority to do so.

''(3) Upon the oath, the other person willfully makes or subscribes a statement.

''(4) The statement is material.

''(5) The statement is false.

''(6) When the statement is made or subscribed, the person subject to this chapter and the other person do not believe that the statement is true.''.

SEC. 6944. OBSTRUCTING JUSTICE.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931a (article 131a of the Uniform Code of Military Justice), as added by section 6943, the following new section (article):

"§ 931b. Art. 131b. Obstructing justice

''Any person subject to this chapter who engages in conduct in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending, with intent to influence, impede, or otherwise obstruct the due administration of justice shall be punished as a court-martial may direct.''.

SEC. 6945. MISPRISION OF SERIOUS OFFENSE.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931b (article 131b of the Uniform Code of Military Justice), as added by section 6944, the following new section (article):

"§ 931c. Art. 131c. Misprision of serious offense

''Any person subject to this chapter—

''(1) who knows that another person has committed a serious offense; and

''(2) wrongfully conceals the commission of the offense and fails to make the commission of the offense known to civilian or military authorities as soon as possible;

shall be punished as a court-martial may direct.''.

SEC. 6946. WRONGFUL REFUSAL TO TESTIFY.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931c (article 131c of the Uniform Code of Military Justice), as added by section 6945, the following new section (article):

"§ 931d. Art. 131d. Wrongful refusal to testify

''Any person subject to this chapter who, in the presence of a court-martial, a board of officers, a military commission, a court of inquiry, preliminary hearing, or an officer taking a deposition, of or for the United States, wrongfully refuses to qualify as a witness or to answer a question after having been directed to do so by the person presiding shall be punished as a court-martial may direct.''.

SEC. 6947. PREVENTION OF AUTHORIZED SEIZURE OF PROPERTY.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931d (article 131d of the Uniform Code of Military Justice), as added by section 6946, the following new section (article):

"§ 931e. Art. 131e. Prevention of authorized seizure of property

''Any person subject to this chapter who, knowing that one or more persons authorized to make searches and seizures are seizing, are about to seize, or are endeavoring to seize property, destroys, removes, or otherwise disposes of the property with intent to prevent the seizure thereof shall be punished as a court-martial may direct.''.

SEC. 6948. WRONGFUL INTERFERENCE WITH ADVERSE ADMINISTRATIVE PROCEEDING.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931f (article 131f of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(3), the following new section (article):

"§ 931g. Art. 131g. Wrongful interference with adverse administrative proceeding

''Any person subject to this chapter who, having reason to believe that an adverse administrative proceeding is pending against any person subject to this chapter, wrongfully acts with the intent—

''(1) to influence, impede, or obstruct the conduct of the proceeding; or

''(2) otherwise to obstruct the due administration of justice;

shall be punished as a court-martial may direct.''.

SEC. 6949. RETALIATION.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931g (article 131g of the Uniform Code of Military Justice), as added by section 6948, the following new section (article):

"§ 932. Art. 132. Retaliation

''Any person subject to this chapter who, with the intent to retaliate against any person for reporting or planning to report a criminal offense, or with the intent to discourage any person from reporting a criminal offense—

''(1) wrongfully takes or threatens to take an adverse personnel action against any person; or

''(2) wrongfully withholds or threatens to withhold a favorable personnel action with respect to any person;

shall be punished as a court-martial may direct.''.

SEC. 6950. EXTRATERRITORIAL APPLICATION OF CERTAIN OFFENSES.

Section 934 of title 10, United States Code (article 134 of the Uniform Code of Military Justice), is amended by adding at the end the following new sentence: ''As used in the preceding sentence, the term 'crimes and offenses not capital' includes any conduct engaged in outside the United States, as defined in section 5 of title 18, that would constitute a crime or offense not capital if the conduct had been engaged in within the special maritime and territorial jurisdiction of the United States, as defined in section 7 of title 18.''.

SEC. 6951. TABLE OF SECTIONS.

The table of sections at the beginning of subchapter X of chapter 47 of title 10, United States Code, is amended to read as follows:

''Sec. Art.
''877. 77. Principals.
''878. 78. Accessory after the fact.
''879. 79. Conviction of offense charged, lesser included offenses, and attempts.
''880. 80. Attempts.
''881. 81. Conspiracy.
''882. 82. Soliciting commission of offenses.
''883. 83. Malingering.
''884. 84. Breach of medical quarantine.
''885. 85. Desertion.
''886. 86. Absence without leave.
''887. 87. Missing movement; jumping from vessel.
''887a. 87a. Resistance, flight, breach of arrest, and escape.
''887b. 87b. Offenses against correctional custody and restriction.
''888. 88. Contempt toward officials.
''889. 89. Disrespect toward superior commissioned officer; assault of superior commissioned officer.
''890. 90. Willfully disobeying superior commissioned officer.
''891. 91. Insubordinate conduct toward warrant officer, noncommissioned officer, or petty officer.
''892. 92. Failure to obey order or regulation.
''893. 93. Cruelty and maltreatment.
''893a. 93a. Prohibited activities with military recruit or trainee by person in position of special trust.
''894. 94. Mutiny or sedition.
''895. 95. Offenses by sentinel or lookout.
''895a. 95a. Disrespect toward sentinel or lookout.
''896. 96. Release of prisoner without authority; drinking with prisoner.
''897. 97. Unlawful detention.
''898. 98. Misconduct as prisoner.

''899. 99. Misbehavior before the enemy.
''900. 100. Subordinate compelling surrender.
''901. 101. Improper use of countersign.
''902. 102. Forcing a safeguard.
''903. 103. Spies.
''903a. 103a. Espionage.
''903b. 103b. Aiding the enemy.
''904. 104. Public records offenses.
''904a. 104a. Fraudulent enlistment, appointment, or separation.
''904b. 104b. Unlawful enlistment, appointment, or separation.
''905. 105. Forgery.
''905a. 105a. False or unauthorized pass offenses.
''906. 106. Impersonation of officer, noncommissioned or petty officer, or agent of official.
''906a. 106a. Wearing unauthorized insignia, decoration, badge, ribbon, device, or lapel button.
''907. 107. False official statements; false swearing.
''907a. 107a. Parole violation.
''908. 108. Military property of United States—Loss, damage, destruction, or wrongful, disposition.
''908a. 108a. Captured or abandoned property.
''909. 109. Property other than military property of United States—Waste, spoilage, or destruction.
''909a 109a. Mail matter: wrongful taking, opening, etc.
''910. 110. Improper hazarding of vessel or aircraft.
''911. 111. Leaving scene of vehicle accident.
''912. 112. Drunkenness and other incapacitation offenses.
''912a. 112a. Wrongful use, possession, etc., of controlled substances.
''913. 113. Drunken or reckless operation of vehicle, aircraft, or vessel.
''914. 114. Endangerment offenses.
''915. 115. Communicating threats.
''916. 116. Riot or breach or peace.
''917. 117. Provoking speeches or gestures.
''918. 118. Murder.
''919. 119. Manslaughter.
''919a. 119a. Death or injury of an unborn child.
''919b. 119b. Child endangerment.
''920. 120. Rape and sexual assault generally.
''920a. 120a. Mails: deposit of obscene matter.
''920b. 120b. Rape and sexual assault of a child.
''920c. 120c. Other sexual misconduct.
''921. 121. Larceny and wrong appropriation.
''921a. 121a. Fraudulent use of credit cards, debit cards, and other access devices.
''921b. 121b. False pretenses to obtain services.
''922. 122. Robbery.
''922a. 122a. Receiving stolen property.
''923. 213. Offenses concerning Government computers.
''923a. 123a. Making, drawing, or uttering check, draft, or order without sufficient funds.
''924. 124. Frauds against the United States.
''924a. 124. Bribery.
''924b. 124b. Graft.
''925. 125. Kidnapping.
''926. 126. Arson; burning property with intent to defraud.
''927. 127. Extortion.
''928. 128. Assault.
''928a. 128a. Maiming.
''929. 129. Burglary; unlawful entry.
''930. 130 Stalking.
''931. 131. Perjury.
''931a. 131a. Subornation of perjury.
''931b. 131b. Obstruction justice.
''931c. 131c. Misprision of serious offense.
''931d. 131d. Wrongful refusal to testify.
''931e. 131e. Prevention of authorized seizure of property.
''931f. 131f. Noncompliance with procedural rules.
''931g. 131g. Wrongful interference with adverse administrative proceeding.
''932. 132. Retaliation.
''933. 133. Conduct unbecoming an officer and a gentleman.
''934. 134. General article.''.

TITLE LXX—MISCELLANEOUS PROVISIONS

SEC. 7001. TECHNICAL AMENDMENT RELATING TO COURTS OF INQUIRY.

Section 935(c) of title 10, United States Code (article 135(c) of the Uniform Code of Military Justice), is amended—

(1) by striking ''(c) Any person'' and inserting ''(c)(1) Any person'';

(2) by designating the second and third sentences as paragraphs (2) and (3), respectively; and

(3) in paragraph (2), as so designated, by striking ''subject to this chapter or employed by the Department of Defense'' and inserting ''who is (A) subject to this chapter, (B) employed by the Department of Defense, or (C) with respect to the Coast Guard, employed by the department in which the Coast Guard is operating when it is not operating as a service in the Navy, and''.

SEC. 7002. TECHNICAL AMENDMENT TO ARTICLE 136.

Section 936 of title 10, United States Code (article 136 of the Uniform Code of Military Justice), is amended by striking the last five words in the section heading.

SEC. 7003. ARTICLES OF UNIFORM CODE OF MILITARY JUSTICE TO BE EXPLAINED TO OFFICERS UPON COMMISSIONING.

Section 937 of title 10, United States Code (article 137 of the Uniform Code of Military Justice), is amended—

(1) in subsection (a), by striking ''(a)(1) The sections of this title (articles of the Uniform Code of Military Justice)'' and inserting ''(a) ENLISTED MEMBERS.—(1) The sections (articles) of this chapter (the Uniform Code of Military Justice)'';

(2) by striking subsection (b); and

(3) by inserting after subsection (a) the following new subsections:

''(b) OFFICERS.—(1) The sections (articles) of this chapter (the Uniform Code of Military Justice) specified in paragraph (2) shall be carefully explained to each officer at the time of (or within six months after)—

''(A) the initial entrance of the officer on active duty as an officer; or

''(B) the initial commissioning of the officer in a reserve component.

''(2) This subsection applies with respect to the sections (articles) specified in subsection (a)(3) and such other sections (articles) as the Secretary concerned may prescribe by regulation.

''(c) TRAINING FOR CERTAIN OFFICERS.—Under regulations prescribed by the Secretary concerned, officers with the authority to convene courts-martial or to impose non-judicial punishment shall receive periodic training regarding the purposes and administration of this chapter. Under regulations prescribed by the Secretary of Defense, officers assigned to duty in a combatant command, who have such authority, shall receive additional specialized training regarding the purposes and administration of this chapter.

''(d) AVAILABILITY AND MAINTENANCE OF TEXT.—The text of this chapter (the Uniform Code of Military Justice) and the text of the regulations prescribed by the President under this chapter shall be—

''(1) made available to a member on active duty or to a member of a reserve component, upon request by the member, for the member's personal examination; and

''(2) maintained by the Secretary of Defense in electronic formats that are updated periodically and made available on the Internet.''.

SEC. 7004. MILITARY JUSTICE CASE MANAGEMENT; DATA COLLECTION AND ACCESSIBILITY.

(a) IN GENERAL.—Subchapter XI of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by adding at the end the following new section (article):

''§ 940a. Art. 140a. Case management; data collection and accessibility

''The Secretary of Defense shall prescribe uniform standards and criteria for conduct of each of the following functions at all stages of the military justice system, including pretrial, trial, post-trial, and appellate processes, using, insofar as practicable, the best practices of Federal and State courts:

''(1) Collection and analysis of data concerning substantive offenses and procedural matters in a manner that facilitates case management and decision making within the military justice system, and that enhances the quality of periodic reviews under section 946 of this title (article 146).

''(2) Case processing and management.

''(3) Timely, efficient, and accurate production and distribution of records of trial within the military justice system.

''(4) Facilitation of access to docket information, filings, and records, taking into consideration restrictions appropriate to judicial proceedings and military records.''.

(b) EFFECTIVE DATES.—(1) Not later than 2 years after the date of the enactment of this Act, the Secretary of Defense shall carry out section 940a of title 10, United States Code (article 140a of the Uniform Code of Military Justice), as added by subsection (a).

(2) Not later than 4 years after the date of the enactment of this Act, the standards and criteria under section 940a of title 10, United States Code (article 140a of the Uniform Code of Military Justice), as added by subsection (a), shall take effect.

TITLE LXXI—MILITARY JUSTICE REVIEW PANEL AND ANNUAL REPORTS

SEC. 7101. MILITARY JUSTICE REVIEW PANEL.

Section 946 of title 10, United States Code (article 146 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 946. Art. 146. Military Justice Review Panel

''(a) ESTABLISHMENT.—The Secretary of Defense shall establish a panel to conduct independent periodic reviews and assessments of the operation of this chapter. The panel shall be known as the 'Military Justice Review Panel', in this section referred to as the 'Panel'.

''(b) MEMBERS.—(1) The Panel shall be composed of thirteen members.

''(2) Each of the following shall select one member of the Panel:

''(A) The Secretary of Defense (in consultation with the Secretary of the department in which the Coast Guard is operating when it is not operating as a service in the Navy).

''(B) The Attorney General.

''(C) The Judge Advocates General of the Army, Navy, Air Force, and Coast Guard, and the Staff Judge Advocate to the Commandant of the Marine Corps.

''(3) The Secretary of Defense shall select the remaining members of the Panel, taking into consideration recommendations made by each of the following:

''(A) The chairman and ranking minority member of the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

''(B) The Chief Justice of the United States.

''(C) The Chief Judge of the United States Court of Appeals for the Armed Forces.

''(c) QUALIFICATIONS OF MEMBERS.—The members of the Panel shall be appointed from among private United States citizens with expertise in criminal law, as well as appropriate and diverse experience in investigation, prosecution, defense, victim representation, or adjudication with respect to courts-martial, Federal civilian courts, or State courts.

''(d) CHAIR.—The Secretary of Defense shall select the chair of the Panel from among the members.

''(e) TERM; VACANCIES.—Each member shall be appointed for a term of eight years, and no

member may serve more than one term. Any vacancy shall be filled in the same manner as the original appointment.

''(f) REVIEWS AND REPORTS.—

''(1) INITIAL REVIEW OF RECENT AMENDMENTS TO UCMJ.—During fiscal year 2020, the Panel shall conduct an initial review and assessment of the implementation of the amendments made to this chapter during the preceding five years. In conducting the initial review and assessment, the Panel may review such other aspects of the operation of this chapter as the Panel considers appropriate.

''(2) PERIODIC COMPREHENSIVE REVIEWS.—During fiscal year 2024 and every eight years thereafter, the Panel shall conduct a comprehensive review and assessment of the operation of this chapter.

''(3) PERIODIC INTERIM REVIEWS.—During fiscal year 2028 and every eight years thereafter, the Panel shall conduct an interim review and assessment of such other aspects of the operation of this chapter as the Panel considers appropriate. In addition, at the request of the Secretary of Defense, the Panel may, at any time, review and assess other specific matters relating to the operation of this chapter.

''(4) REPORTS.—Not later than December 31 of each year during which the Panel conducts a review and assessment under this subsection, the Panel shall submit a report on the results, including the Panel's findings and recommendations, through the Secretary of Defense to the Committees on Armed Services of the Senate and the House of Representatives.

''(g) HEARINGS.—The Panel may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Panel considers appropriate to carry out its duties under this section.

''(h) INFORMATION FROM FEDERAL AGENCIES.—Upon request of the chair of the Panel, a department or agency of the Federal Government shall provide information that the Panel considers necessary to carry out its duties under this section.

''(i) ADMINISTRATIVE MATTERS.—

''(1) MEMBERS TO SERVE WITHOUT PAY.—Members of the Panel shall serve without pay, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, while away from their homes or regular places of business in the performance of services for the Panel.

''(2) STAFFING AND RESOURCES.—The Secretary of Defense shall provide staffing and resources to support the Panel.

''(j) NO TERMINATION.—The authority of the Panel under this section does not terminate.''.

SEC. 7102. ANNUAL REPORTS.

Subchapter XII of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by adding at the end the following new section (article):

''§ 946a. Art. 146a. Annual reports

''(a) COURT OF APPEALS FOR THE ARMED FORCES.—Not later than December 31 of each year, the Court of Appeals for the Armed Forces shall submit a report that, with respect to the previous fiscal year, provides information on the number and status of pending cases and such other matters as the Court considers appropriate regarding the operation of this chapter.

''(b) SERVICE REPORTS.—Not later than December 31 of each year, the Judge Advocates General and the Staff Judge Advocate to the Commandant of the Marine Corps shall each submit a report, with respect to the preceding fiscal year, containing the following:

''(1) Data on the number and status of pending cases.

''(2) Information on the appellate review process, including—

''(A) information on compliance with processing time goals;

''(B) descriptions of the circumstances surrounding cases in which general or special court-martial convictions were (i) reversed because of command influence or denial of the right to speedy review or (ii) otherwise remitted because of loss of records of trial or other administrative deficiencies; and

''(C) an analysis of each case in which a provision of this chapter was held unconstitutional.

''(3)(A) An explanation of measures implemented by the armed force involved to ensure the ability of judge advocates—

''(i) to participate competently as trial counsel and defense counsel in cases under this chapter;

''(ii) to preside as military judges in cases under this chapter; and

''(iii) to perform the duties of Special Victims' Counsel, when so designated under section 1044e of this title.

''(B) The explanation under subparagraph (A) shall specifically identify the measures that focus on capital cases, national security cases, sexual assault cases, and proceedings of military commissions.

''(4) The independent views of each Judge Advocate General and of the Staff Judge Advocate to the Commandant of the Marine Corps as to the sufficiency of resources available within the respective armed forces, including total workforce, funding, training, and officer and enlisted grade structure, to capably perform military justice functions.

''(5) Such other matters regarding the operation of this chapter as may be appropriate.

''(c) SUBMISSION.—Each report under this section shall be submitted—

''(1) to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

''(2) to the Secretary of Defense, the Secretaries of the military departments, and the Secretary of the department in which the Coast Guard is operating when it is not operating as a service in the Navy.''.

TITLE LXXII—CONFORMING AMENDMENTS AND EFFECTIVE DATES

SEC. 7201. AMENDMENTS TO UCMJ SUBCHAPTER TABLES OF SECTIONS.

The tables of sections for the specified subchapters of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), are amended as follows:

(1) The table of sections at the beginning of subchapter II is amended by striking the item relating to section 810 and inserting the following new item:

''810. 10. Restraint of persons charged.''.

(2) The table of sections at the beginning of subchapter II, as amended by paragraph (1), is amended by striking the item relating to section 812 and inserting the following new item:

''812. 12. Prohibition of confinement of armed forces members with enemy prisoners and certain others.''.

(3) The table of sections at the beginning of subchapter V is amended by striking the item relating to section 825a and inserting the following new item:

''825. 25a. Number of court-martial members in capital cases.''.

(4) The table of sections at the beginning of subchapter V, as amended by paragraph (3), is amended by inserting after the item relating to section 826 the following new item:

''826a. 26a. Military magistrates.''.

(5) The table of sections at the beginning of subchapter V, as amended by paragraphs (3) and (4), is amended by striking the item relating to section 829 and inserting the following new item:

''829. 29. Assembly and impaneling of members; detail of new members and military judges.''.

(6) The table of sections at the beginning of subchapter VI is amended by inserting after the item relating to section 830 the following new item:

''830. 30a. Proceedings conducted before referral.''.

(7) The table of sections at the beginning of subchapter VI, as amended by paragraph (6), is amended by striking the item relating to section 832 and inserting the following new item:

''832. 32. Preliminary hearing required before referral to general court-martial.''.

(8) The table of sections at the beginning of subchapter VI, as amended by paragraphs (6) and (7), is amended by striking the item relating to section 833 and inserting the following new item:

''833. 33. Disposition guidance.''.

(9) The table of sections at the beginning of subchapter VI, as amended by paragraphs (6), (7), and (8), is amended by striking the item relating to section 834 and inserting the following new item:

''834. 34. Advice to convening authority before referral for trial.''.

(10) The table of sections at the beginning of subchapter VI, as amended by paragraphs (6), (7), (8), and (9), is amended by striking the item relating to section 835 and inserting the following new item:

''835. 35. Service of charges; commencement of trial.''.

(11) The table of sections at the beginning of subchapter VII is amended by striking the item relating to section 847 and inserting the following new item:

''8470. 47. Refusal of person not subject to chapter to appear, testify, or produce evidence.''.

(12) The table of sections at the beginning of subchapter VII, as amended by paragraph (11), is amended by striking the item relating to section 848 and inserting the following new item:

''848. 48. Contempt.''.

(13) The table of sections at the beginning of subchapter VII, as amended by paragraphs (11) and (12), is amended by striking the item relating to section 850 and inserting the following new item:

''850. 50. Admissibility of sworn testimony from records of courts of inquiry.''.

(14) The table of sections at the beginning of subchapter VII, as amended by paragraphs (11), (12), and (13), is amended by striking the item relating to section 852 and inserting the following new item:

''852. 52. Votes required for conviction, sentencing, and other matters.''.

(15) The table of sections at the beginning of subchapter VII, as amended by paragraphs (11), (12), (13), and (14), is amended by striking the item relating to section 853 and inserting the following new item:

''853. 53. Findings and sentencing.''.

(16) The table of sections at the beginning of subchapter VIII is amended by striking the item relating to section 856 and inserting the following new item:

''856. 56. Sentencing.''.

(17) The table of sections at the beginning of subchapter VIII, as amended by paragraph (16), is amended by striking the items relating to section 856a and 857a.

(18) The table of sections at the beginning of subchapter IX is amended by striking the item relating to section 860 and inserting the following new item:

''860. 60. Post-trial processing in general and special courts-martial.''.

(19) The table of sections at the beginning of subchapter IX is amended by inserting after the item relating to section 860, as amended by paragraph (18), the following new items:

''860a. 60a. Limited authority to act on sentence in specified post-trial circumstances.

''860b. 60b. Post-trial actions in summary courts-martial and certain general and special courts-martial.

''860c. 60c. Entry of judgment.''.

(20) The table of sections at the beginning of subchapter IX, as amended by paragraphs (18)

and (19), is amended by striking the item relating to section 861 and inserting the following new item:

''861. 61. Waiver of right to appeal; withdrawal of appeal.''.

(21) The table of sections at the beginning of subchapter IX, as amended by paragraphs (18), (19), and (20), is amended by striking the item relating to section 864 and inserting the following new item:

''864. 64. Judge advocate review of finding of guilty in summary court-martial.''.

(22) The table of sections at the beginning of subchapter IX, as amended by paragraphs (18), (19), (20), and (21), is amended by striking the item relating to section 865 and inserting the following new item:

''865. 65. Transmittal and review of records.''.

(23) The table of sections at the beginning of subchapter IX, as amended by paragraphs (18), (19), (20), (21), and (22), is amended by striking the item relating to section 866 and inserting the following new item:

''866. 66. Courts of Criminal Appeals.''.

(24) The table of sections at the beginning of subchapter IX, as amended by paragraphs (18), (19), (20), and (21), (22), and (23), is amended by striking the item relating to section 869 and inserting the following new item:

''869. 69. Review by Judge Advocate General.''.

(25) The table of sections at the beginning of subchapter IX, as amended by paragraphs (18), (19), (20), (21), (22), (23), and (24), is amended by striking the item relating to section 871 and inserting the following new item:

''871. 71. [Repealed.]''.

(26) The table of sections at the beginning of subchapter XI is amended by striking the item relating to section 936 and inserting the following new item:

''936. 136. Authority to administer oaths.''.

(27) The table of sections at the beginning of subchapter XI, as amended by paragraph (26), is amended by inserting after the item relating to section 940 the following new item:

''940a. 140a. Case management; data collection and accessibility.''.

(28) The table of sections at the beginning of subchapter XII is amended by striking the item relating to section 946 and inserting the following new items:

''946. 146. Military Justice Review Panel.
''946a. 146a. Annual reports.''.

SEC. 7202. EFFECTIVE DATES.

(a) Except as otherwise provided in this division, the amendments made by this division shall take effect on the first day of the first calendar month that begins two years after the date of the enactment of this Act.

(b) The amendments made by this division shall not apply to any case in which charges are referred to trial by court-martial before the effective date of such amendments. Proceedings in any such case shall be held in the same manner and with the same effect as if such amendments had not been enacted.

(c)(1)(A) The amendments made by title LX shall not apply to any offense committed before the effective date of such amendments.

(B) Nothing in subparagraph (A) shall be construed to invalidate the prosecution of any offense committed before the effective date of such amendments.

(2) The regulations prescribing the authorized punishments for any offense committed before the effective date of the amendments made by title LVIII shall apply the authorized punishments for the offense, as in effect at the time the offense is committed.

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report and amendments en bloc described in section 3 of House Resolution 732.

Each further amendment printed in part B of the report shall be considered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part B of the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes, equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. THORNBERRY

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114–569.

Mr. THORNBERRY. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 727, line 5, insert after ''may'' the following: '', as specified in advance by appropriations Acts,''.

The CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. THORNBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

□ 1600

Mr. THORNBERRY. Mr. Chair, I yield myself such time as I may consume.

I appreciate the opportunity to offer this amendment, which I do not believe is controversial.

Mr. Chairman, one of the many parts of this bill, on which Members on both sides of the aisle have contributed, is to try to improve our acquisition system, partly to get more value out of the taxpayer money that is spent and partly to try to get technology into the field, into the hands of our warfighters faster because technology evolves and the threats evolve so quickly.

Members on both sides of the aisle have contributed to that effort, and we have consulted with folks in the Pentagon and in industry to try to make improvements in this part of the bill.

This amendment is a technical amendment, which just deals with some of those issues, to ensure that whatever process we set up here, obviously, the money has to be appropriated as well.

Mr. Chairman, I don't think it is controversial, but I want to reiterate that most of this bill is built from the ground up on a bipartisan basis, including each of the five major reform areas. I think acquisition reform is very important that we pursue, that we continue to try to improve the equipment and the weapons that we provide our personnel. That is what helps make them more ready to conduct the missions that the country asks them to conduct.

Mr. VEASEY. Will the gentleman yield?

Mr. THORNBERRY. I yield to the gentleman from Texas.

Mr. VEASEY. Mr. Chairman, I am not in opposition to the amendment.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. ROTHFUS). The question is on the amendment offered by the gentleman from Texas (Mr. THORNBERRY).

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. THORNBERRY

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 732, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 4, 5, 6, 7, 8, 9, 15, 17, 20, 21, 23, and 27 printed in House Report 114–569, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 4 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

At the end of subtitle A of title III, add the following new section:

SEC. 3___. INCREASE IN FUNDING FOR CIVIL MILITARY PROGRAMS.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, for Civil Military Programs is hereby increased by $15,000,000 (to be used in support of the National Guard Youth Challenge Program).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, for Operation and Maintenance, Defense-wide is hereby reduced by $15,000,000.

AMENDMENT NO. 5 OFFERED BY MR. GUTHRIE OF KENTUCKY

Page 81, insert after line 14 the following:

SEC. 312. PRODUCTION AND USE OF NATURAL GAS AT FORT KNOX.

(a) PRODUCTION AND USE OF NATURAL GAS AT FORT KNOX.—Chapter 449 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4781. Natural gas: production, treatment, management, and use at Fort Knox, Kentucky

''(a) AUTHORITY.—(1) The Secretary of the Army may provide for the production, treatment, management, and use of natural gas located under Fort Knox, Kentucky, without regard to section 3 of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 352).

''(2) The Secretary is authorized to enter into a contract with an appropriate entity to carry out paragraph (1).

''(b) LIMITATION ON USES.—Any natural gas produced under subsection (a) may be used

only to support activities and operations at Fort Knox and may not be sold for use elsewhere.

''(c) OWNERSHIP OF FACILITIES.—The Secretary of the Army may take ownership of any gas production and treatment equipment and facilities and associated infrastructure from an entity with which the Secretary has entered into a contract under subsection (a) in accordance with the terms of the contract.

''(d) APPLICABILITY.—The authority of the Secretary of the Army under this section is effective as of August 2, 2007.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''4781. Natural gas: production, treatment, management, and use at Fort Knox, Kentucky.''.

AMENDMENT NO. 6 OFFERED BY MR. GALLEGO OF ARIZONA

At the end of subtitle C of title VII, add the following:

SEC. _____. REQUIREMENT TO REVIEW AND MONITOR PRESCRIBING PRACTICES AT MILITARY TREATMENT FACILITIES OF PHARMACEUTICAL AGENTS FOR TREATMENT OF POST-TRAUMATIC STRESS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) conduct a comprehensive review of the prescribing practices at military treatment facilities of pharmaceutical agents for the treatment of post-traumatic stress;

(2) implement a process or processes to monitor the prescribing practices at military treatment facilities of pharmaceutical agents that are discouraged from use under the VA/DOD Clinical Practice Guideline for Management of Post-Traumatic Stress; and

(3) implement a plan to address any deviations from such guideline in prescribing practices of pharmaceutical agents for management of post-traumatic stress at such facilities.

(b) PHARMACEUTICAL AGENT DEFINED.—In this section, the term ''pharmaceutical agent'' has the meaning given that term in section 1074g(g) of title 10, United States Code.

AMENDMENT NO. 7 OFFERED BY MR. GRAVES OF MISSOURI

At the end of title VIII, add the following new section:

SEC. 843. IMPROVEMENTS TO THE DESIGN-BUILD CONSTRUCTION PROCESS FOR DEFENSE CONTRACTS.

(a) IN GENERAL.—Section 2305a of title 10, United States Code, is amended—

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

''(b) CRITERIA FOR USE.—

''(1) CONTRACTS WITH A VALUE OF AT LEAST $4,000,000.—Two-phase selection procedures shall be used for entering into a contract for the design and construction of a public building, facility, or work when a contracting officer determines that the contract has a value of $4,000,000 or greater.

''(2) CONTRACTS WITH A VALUE LESS THAN $4,000,000.—For projects that a contracting officer determines have a value of less than $4,000,000, the contracting officer shall make a determination whether two-phase selection procedures are appropriate for use for entering into a contract for the design and construction of a public building, facility, or work when—

''(A) the contracting officer anticipates that 3 or more offers will be received for the contract;

''(B) design work must be performed before an offeror can develop a price or cost proposal for the contract;

''(C) the offeror will incur a substantial amount of expense in preparing the offer; and

''(D) the contracting officer has considered information such as—

''(i) the extent to which the project requirements have been adequately defined;

''(ii) the time constraints for delivery of the project;

''(iii) the capability and experience of potential contractors;

''(iv) the suitability of the project for use of the two-phase selection procedures;

''(v) the capability of the agency to manage the two-phase selection process; and

''(vi) other criteria established by the agency.'';

(2) by striking the second sentence in subsection (d) and inserting the following: ''The maximum number specified in the solicitation shall not be greater than 5 unless the head of the contracting activity (or a designee of the head who is in a position not lower than the supervisor of the contracting officer) approves the contracting officer's justification with respect to an individual solicitation that a specified number greater than 5 is in the Federal Government's interest.''; and

(3) by adding at the end the following new subsection:

''(g) ANNUAL REPORTS.—

''(1) IN GENERAL.—Not later than November 30 of each of the years 2016 through 2020, the Secretary of Defense shall submit to the Director of the Office of Management and Budget an annual report containing each instance in which the agency awarded a design-build contract pursuant to section 2305a of this title, during the preceding fiscal year in which—

''(A) more than 5 finalists were selected for phase-two requests for proposals; or

''(B) the contract was awarded without using two-phase selection procedures.

''(2) PUBLIC AVAILABILITY.—The Director of the Office of Management and Budget shall make available to the public, including on the Internet, the annual reports described in paragraph (1), and publish a notice of the availability of each report in the Federal Register.''.

(b) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 270 days after November 30, 2020, the Comptroller General of the United States shall issue a report analyzing the compliance of the various Federal agencies with the requirements of subsection (g) of section 2305a of title 10, United States Code (as added by subsection (a)(3)).

AMENDMENT NO. 8 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of title VIII, add the following new section:

SEC. 843. ASSESSMENT OF OUTREACH FOR SMALL BUSINESS CONCERNS OWNED AND ONTROLLED BY WOMEN AND MINORITIES REQUIRED BEFORE CONVERSION OF CERTAIN FUNCTIONS TO CONTRACTOR PERFORMANCE.

No Department of Defense function that is performed by Department of Defense civilian employees and is tied to a certain military base may be converted to performance by a contractor until the Secretary of Defense conducts an assessment to determine if the Department of Defense has carried out sufficient outreach programs to assist small business concerns owned and controlled by women (as such term is defined in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D))) and small business concerns owned and controlled by socially and economically disadvantaged individuals (as such term is defined in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C))) that are located in the geographic area near the military base.

AMENDMENT NO. 9 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of title VIII (page 326, after line 4), insert the following:

SEC. 843. INCLUSION OF INFORMATION ON COMMON GROUNDS FOR SUSTAINING BID PROTESTS IN ANNUAL GOVERNMENT ACCOUNTABILITY OFFICE REPORTS TO CONGRESS.

The Comptroller General of the United States shall include in the annual report to Congress on the Government Accountability Office each year a list of the most common grounds for sustaining protests relating to bids for contracts during such year.

AMENDMENT NO. 15 OFFERED BY MR. HUNTER OF CALIFORNIA

Page 462, after line 13, insert the following:

SEC. 1098. USE OF TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL TO GAIN ACCESS AT DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) ACCESS TO INSTALLATIONS FOR CREDENTIALED TRANSPORTATION WORKERS.—During the period that the Secretary is developing and fielding physical access standards, capabilities, processes, and electronic access control systems, the Secretary shall, to the maximum extent practicable, ensure that the Transportation Worker Identification Credential (TWIC) shall be accepted as a valid credential for unescorted access to Department of Defense installations by transportation workers.

(b) CREDENTIALED TRANSPORTATION WORKERS WITH SECRET CLEARANCE.—TWIC-carrying transportation workers who also have a current Secret Level Clearance issued by the Department of Defense shall be considered exempt from further vetting when seeking unescorted access at Department of Defense facilities. Access security personnel shall verify such person's security clearance in a timely manner and provide them with unescorted access to complete their freight service.

(c) REPORT ON CREDENTIALED PERSONS DENIED ACCESS TO DEPARTMENT OF DEFENSE INSTALLATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall begin documenting each instance when a credentialed transportation worker is denied unescorted access to a military facility in the Continental United States, Hawaii, Alaska, Guam, or Native American lands. The report shall include, but not be limited to, the reasons for such denial, and the amount of time the credentialed party denied entrance waited to obtain access. The report shall be submitted to the Armed Services Committees of the House and Senate no later than the first day of February of each year until complete fielding of Identity Management Enterprise Services Architecture and electronic access control systems are achieved.

AMENDMENT NO. 17 OFFERED BY MR. ROYCE OF CALIFORNIA

At the end of title X, add the following:

Subtitle H—United States Naval Station Guantanamo Bay Preservation Act

SEC. 10xx. SHORT TITLE.

This subtitle may be cited as the ''United States Naval Station Guantanamo Bay Preservation Act''.

SEC. 10xx. FINDINGS.

Congress makes the following findings:

(1) United States Naval Station, Guantanamo Bay, Cuba, has been a strategic military asset critical to the defense of the United States and the maintenance of regional security for more than a century.

(2) The United States continues to exercise control over the area of United States Naval Station, Guantanamo Bay, Cuba, pursuant to the Guantanamo Lease Agreements, which

were initiated and concluded pursuant to an Act of Congress.

(3) Senior United States military leaders have consistently voiced strong support for maintaining United States Naval Station, Guantanamo Bay, Cuba, noting its strategic value for military basing and logistics, disaster relief, humanitarian work, terrorist detention, and counter-narcotics purposes.

(4) On February 29, 2016, Secretary of Defense Ashton B. Carter, discussing United States Naval Station, Guantanamo Bay, Cuba, stated that ''it's a strategic location, we've had it for a long time, it's important to us and we intend to hold onto it''.

(5) On March 12, 2015, Commander of United States Southern Command, General John Kelly, testified that the United States facilities at Naval Station Guantanamo Bay ''are indispensable to the Departments of Defense, Homeland Security, and State's operational and contingency plans. . . . As the only permanent U.S. military base in Latin America and the Caribbean, its location provides persistent U.S. presence and immediate access to the region, as well as supporting a layered defense to secure the air and maritime approaches to the United States''.

(6) In testimony before Congress in 2012, then-Commander of United States Southern Command, General Douglas Fraser, stated that ''the strategic capability provided by U.S. Naval Station Guantanamo Bay remains essential for executing national priorities throughout the Caribbean, Latin America, and South America''.

(7) Following a 1991 coup in Haiti that prompted a mass exodus of people by boat, United States Naval Station, Guantanamo Bay, Cuba, provided a location for temporary housing and the orderly adjudication of asylum claims outside of the continental United States.

(8) In 2010, United States Naval Station, Guantanamo Bay, Cuba, was a critical hub for the provision of humanitarian disaster relief following the devastating earthquakes in Haiti.

(9) The United States presence at United States Naval Station, Guantanamo Bay, Cuba, has its origins in Acts of Congress undertaken pursuant to the powers of Congress expressly enumerated in the Constitution of the United States.

(10) By joint resolution approved on April 20, 1898, Congress ''directed and empowered'' the President ''to use the entire land and naval forces of the United States'' as necessary to ensure that the Government of Spain ''relinquish its authority and government in the island of Cuba, and withdraw its land and naval forces from Cuba and Cuban waters''.

(11) Congress declared war against Spain on April 25, 1898, which lasted until December 10, 1898, when the United States and Spain signed the Treaty of Paris, in which Spain relinquished all claims of sovereignty over Cuba, and United States governance of Cuba was established.

(12) Nearly three years later, in the Act of March 2, 1901 (Chapter 803; 31 Stat. 898), Congress granted the President the authority to return ''the government and control of the island of Cuba to its people'' subject to several express conditions including, in article VII of the Act of March 2, 1901, the sale or lease by Cuba to the United States of lands necessary for naval stations.

(13) Pursuant to the authority granted by article VII of the Act of March 2, 1901, the United States negotiated the Guantanamo Lease Agreements, which specified the area of, and United States jurisdiction and control over, what became United States Naval Station, Guantanamo Bay, Cuba.

(14) On October 2, 1903, when approving the Lease to the United States by the Government of Cuba of Certain Areas of Land and Water for Naval or Coaling Stations, signed in Havana on July 2, 1903, President Theodore Roosevelt cited the Act of March 2, 1901, as providing his authority to do so: ''I, Theodore Roosevelt, President of the United States of America, having seen and considered the foregoing lease, do hereby approve the same, by virtue of the authority conferred by the seventh of the provisions defining the relations which are to exist between the United States and Cuba, contained in the Act of Congress approved March 2, 1901, entitled 'An Act making appropriation for the support of the Army for the fiscal year ending June 30, 1902.' ''.

(15) Obtaining United States naval station rights in Cuba was an express condition of the authority that Congress gave the President to return control and governance of Cuba to the people of Cuba. In exercising that authority and concluding the Guantanamo Lease Agreements, President Theodore Roosevelt recognized the source of that authority as the Act of March 2, 1901.

(16) The Treaty of Relations between the United States of America and the Republic of Cuba, signed at Washington, May 29, 1934, did not supersede, abrogate, or modify the Guantanamo Lease Agreements, but noted that the stipulations of those agreements ''shall continue in effect'' until the United States and Cuba agree to modify them.

(17) The Constitution of the United States expressly grants to Congress the power to provide for the common defense of the United States, the power to provide and maintain a Navy, and the power ''to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States''.

SEC. 10xx. PROHIBITION ON MODIFICATION, ABROGATION, OR OTHER RELATED ACTIONS WITH RESPECT TO UNITED STATES JURISDICTION AND CONTROL OVER UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, WITHOUT CONGRESSIONAL ACTION.

No action may be taken to modify, abrogate, or replace the stipulations, agreements, and commitments contained in the Guantanamo Lease Agreements, or to impair or abandon the jurisdiction and control of the United States over United States Naval Station, Guantanamo Bay, Cuba, unless specifically authorized or otherwise provided by—

(1) a statute that is enacted on or after the date of the enactment of this Act;

(2) a treaty that is ratified with the advice and consent of the Senate on or after the date of the enactment of this Act; or

(3) a modification of the Treaty Between the United States of America and Cuba signed at Washington, DC, on May 29, 1934, that is ratified with the advice and consent of the Senate on or after the date of the enactment of this Act.

SEC. 10xx. GUANTANAMO LEASE AGREEMENTS DEFINED.

In this subtitle, the term ''Guantanamo Lease Agreements'' means—

(1) the Agreement Between the United States of America and the Republic of Cuba for the Lease to the United States of Lands in Cuba for coaling and naval stations, signed by the President of the United States on February 23, 1903; and

(2) the Lease to the United States by the Government of Cuba of Certain Areas of Land and Water for Naval or Coaling Stations, signed by the President of the United States on October 2, 1903.

AMENDMENT NO. 20 OFFERED BY MS. MOORE OF WISCONSIN

At the end of subtitle C of title XII, add the following:

SEC. 12xx. SENSE OF CONGRESS CONDEMNING CONTINUING ATTACKS ON MEDICAL FACILITIES IN SYRIA.

(a) FINDINGS.—Congress finds the following:

(1) Attacks intentionally targeting civilians, medical personnel, or medical facilities constitute grave violations of international humanitarian law.

(2) In Syria, schools, markets, and hospitals are routinely destroyed in attacks and medical providers routinely targeted for attacks.

(3) Physicians for Human Rights has documented at least 350 airstrikes against medical facilities and the deaths of over 700 medical personnel in Syria since 2011.

(4) So far in May 2016, there have been at least six attacks on medical facilities in the city of Aleppo alone in less than a week killing dozens, including the last pediatrician still working in Aleppo.

(5) These attacks seriously hinder access to medical care and are compounded by ongoing efforts by the Syrian regime to block or limit humanitarian aid to Syrians.

(6) Secretary of State John Kerry has condemned these attacks arguing, ''there is no justification for this horrific violence that targets civilians or medical facilities or first responders no matter who it is, whether it's a member of the opposition retaliating or the regime in its brutality against the civilians which has continued for five years.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department of Defense and all other appropriate United States Government agencies should continue to strongly condemn and call for an immediate end to attacks on medical facilities and medical providers in Syria and work to ensure that doctors can do their job and provide care to the those in need;

(2) humanitarian crises in Syria and Iraq, exacerbated by targeted attacks on medical facilities, personnel, and schools, threaten the achievement of United States goals in the region, such as destroying and dismantling the Islamic State in Iraq and the Levant (ISIL) and peace and stability in the region, including Syria;

(3) the United States and international community should do more to support medical professionals and medical nonprofit organizations working in Syria, at great risk to their personal well-being, to treat the ill and infirm and ensure some level of medical care for Syrians; and

(4) the Department of Defense is strongly encouraged to support, where appropriate, other appropriate United States Government agencies and entities engaged in meeting urgent and increasing humanitarian and medical needs in Syria, especially in areas where medical facilities and providers have been targeted by the Syrian regime, ISIL, or Al-Qaeda.

AMENDMENT NO. 21 OFFERED BY MR. FORBES OF VIRGINIA

At the end of subtitle E of title XII, add the following:

SEC. 12xx. ANNUAL REPORT ON FOREIGN MILITARY SALES TO TAIWAN.

Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following:

''(j) At the end of each fiscal year, the Secretary of Defense shall submit to the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representatives a report that lists each request received from Taiwan and each letter of offer to sell any defense articles or services under this Act to Taiwan during

such fiscal year. The report shall be submitted in unclassified form, but may contain a classified annex.''.

AMENDMENT NO. 23 OFFERED BY MR. GRAVES OF MISSOURI

In the table of contents for bill, insert after the item pertaining to section 1867 the following:

Subtitle F—Small Business Development Centers Improvements

Sec. 1871. Short title.
Sec. 1872. Use of authorized entrepreneurial development programs.
Sec. 1873. Marketing of services.
Sec. 1874. Data collection.
Sec. 1875. Fees from private partnerships and cosponsorships.
Sec. 1876. Equity for small business development centers.
Sec. 1877. Confidentiality requirements.
Sec. 1878. Limitation on award of grants to small business development centers.

Page 832, insert after line 5 the following:

Subtitle F—Small Business Development Centers Improvements

SEC. 1871. SHORT TITLE.

This subtitle may be cited as the ''Small Business Development Centers Improvement Act of 2016''

SEC. 1872. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended by adding at the end the following:

''SEC. 48. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

''(a) EXPANDED SUPPORT FOR ENTREPRENEURS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Administrator shall only use the programs authorized in sections 7(j), 7(m), 8(a), 8(b)(1), 21, 22, 29, and 32 of this Act, and sections 358 and 389 of the Small Business Investment Act to deliver entrepreneurial development services, entrepreneurial education, support for the development and maintenance of clusters, or business training.

''(2) EXCEPTION.—This section shall not apply to services provided to assist small business concerns owned by an Indian tribe (as such term is defined in section 8(a)(13)).

''(b) ANNUAL REPORT.—Beginning on the first December 1 after the date of enactment of this subsection, the Administrator shall annually report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on all entrepreneurial development activities undertaken in the current fiscal year. This report shall include—

''(1) a description and operating details for each program and activity;

''(2) operating circulars, manuals, and standard operating procedures for each program and activity;

''(3) a description of the process used to award grants under each program and activity;

''(4) a list of all awardees, contractors, and vendors (including organization name and location) and the amount of awards for the current fiscal year for each program and activity;

''(5) the amount of funding obligated for the current fiscal year for each program and activity; and

''(6) the names and titles for those individuals responsible for each program and activity.''.

SEC. 1873. MARKETING OF SERVICES.

Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following:

''(o) NO PROHIBITION OF MARKETING OF SERVICES.—The Administrator shall not prohibit applicants receiving grants under this section from marketing and advertising their services to individuals and small business concerns.''.

SEC. 1874. DATA COLLECTION.

(a) IN GENERAL.—Section 21(a)(3)(A) of the Small Business Act (15 U.S.C. 648(a)(3)(A)) is amended—

(1) by striking ''as provided in this section and'' and inserting ''as provided in this section,''; and

(2) by inserting before the period at the end the following: '', and (iv) governing data collection activities related to applicants receiving grants under this section''.

(b) ANNUAL REPORT ON DATA COLLECTION.—Section 21 of the Small Business Act (15 U.S.C. 648), as amended by section 1873 of this Act, is further amended by adding at the end the following:

''(p) ANNUAL REPORT ON DATA COLLECTION.—The Administrator shall report annually to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on any data collection activities related to the Small Business Development Center program.''.

(c) WORKING GROUP TO IMPROVE DATA COLLECTION.—

(1) ESTABLISHMENT AND STUDY.—The Administrator of the Small Business Administration shall establish a Data Collection Working Group consisting of members from entrepreneurial development grant recipients associations and organizations and Administration officials, to carry out a study to determine the best way to capture data collection and create or revise existing systems dedicated to data collection.

(2) REPORT.—Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Data Collection Working Group shall issue a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate containing the findings and determinations made in carrying out the study required under paragraph (1), including—

(A) recommendations for revising existing data collection practices; and

(B) a proposed plan for the Small Business Administration to implement such recommendations.

SEC. 1875. FEES FROM PRIVATE PARTNERSHIPS AND COSPONSORSHIPS.

Section 21(a)(3) of the Small Business Act (15 U.S.C. 648(a)(3)(C)), as amended by section 1874, is further amended by adding at the end the following:

''(D) FEES FROM PRIVATE PARTNERSHIPS AND COSPONSORSHIPS.—Participation in private partnerships and cosponsorships with the Administration shall not limit small business development centers from collecting fees or other income related to the operation of such private partnerships and cosponsorships.''.

SEC. 1876. EQUITY FOR SMALL BUSINESS DEVELOPMENT CENTERS.

Subclause (I) of section 21(a)(4)(C)(v) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(v)) is amended to read as follows:

''(I) IN GENERAL.—Of the amounts made available in any fiscal year to carry out this section not more than $600,000 may be used by the Administration to pay expenses enumerated in subparagraphs (B) through (D) of section 20(a)(1).''.

SEC. 1877. CONFIDENTIALITY REQUIREMENTS.

Section 21(a)(7)(A) of the Small Business Act (15 U.S.C. 648(a)(7)(A)) is amended by inserting after ''under this section'' the following: ''to any State, local or Federal agency, or third party''.

SEC. 1878. LIMITATION ON AWARD OF GRANTS TO SMALL BUSINESS DEVELOPMENT CENTERS.

(a) IN GENERAL.—Section 21 of the Small Business Act (15 U.S.C. 648), as amended by section 1874, is further amended—

(1) in subsection (a)(1), by striking ''any women's business center operating pursuant to section 29,'';

(2) by adding at the end the following:

''(q) LIMITATION ON AWARD OF GRANTS.—Except for not-for-profit institutions of higher education, and notwithstanding any other provision of law, the Administrator may not award grants (including contracts and cooperative agreements) under this section to any entity other than those that received grants (including contracts and cooperative agreements) under this section prior to the date of the enactment of this subsection, and that seek to renew such grants (including contracts and cooperative agreements) after such date.''.

(b) RULE OF CONSTRUCTION.—The amendments made by this section may not be construed as prohibiting a women's business center from receiving a subgrant from an entity receiving a grant under section 21 of the Small Business Act (15 U.S.C. 648).

AMENDMENT NO. 27 OFFERED BY MS. ADAMS OF NORTH CAROLINA

In the table of contents for bill, insert after the item pertaining to section 1852 the following:

Sec. 1853. Online component.
Sec. 1854. Study and report on the future of the SCORE program.
Sec. 1855. Technical and conforming amendments.

Page 819, insert after line 2 the following:

SEC. 1853. ONLINE COMPONENT.

(a) IN GENERAL.—Section 8(c) of the Small Business Act (15 U.S.C. 637(c)), as amended by section 1852, is further amended by adding at the end the following:

''(6) ONLINE COMPONENT.—In carrying out this subsection, the SCORE Association shall make use of online counseling, including by developing and implementing webinars and an electronic mentoring platform to expand access to services provided under this subsection and to further support entrepreneurs.''.

(b) ONLINE COMPONENT REPORT.—

(1) IN GENERAL.—At the end of fiscal year 2018, the SCORE Association shall issue a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on the effectiveness of the online counseling and webinars required as part of the SCORE program, including—

(A) how the SCORE Association determines electronic mentoring and webinar needs, develops training for electronic mentoring, establishes webinar criteria curricula, and evaluates webinar and electronic mentoring results;

(B) describing the internal controls that are used and a summary of the topics covered by the webinars; and

(C) performance metrics, including the number of small business concerns counseled by, the number of small business concerns created by, the number of jobs created and retained by, and the funding amounts directed towards such online counseling and webinars.

(2) DEFINITIONS.—For purposes of this subsection, the terms ''SCORE Association'' and ''SCORE program'' have the meaning given those terms, respectively, under section 8(c)(1) of the Small Business Act (15 U.S.C. 637(c)(1)).

SEC. 1854. STUDY AND REPORT ON THE FUTURE ROLE OF THE SCORE PROGRAM.

(a) STUDY.—The SCORE Association shall carry out a study on the future role of the

SCORE program and develop a strategic plan for how the SCORE program will evolve to meet the needs of small business concerns and potential future small business concerns over the course of the 5 years following the date of enactment of this Act, with markers and specific objectives for year 1, year 3, and year 5.

(b) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the SCORE Association shall issue a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate containing—

(1) all findings and determination made in carrying out the study required under subsection (a);

(2) the strategic plan developed under subsection (a);

(3) an explanation of how the SCORE Association plans to achieve the strategic plan, assuming both stagnant and increased funding levels.

(c) DEFINITIONS.—For purposes of this section, the terms ''SCORE Association'' and ''SCORE program'' have the meaning given those terms, respectively, under section 8(c)(1) of the Small Business Act (15 U.S.C. 637(c)(1)).

SEC. 1855. TECHNICAL AND CONFORMING AMENDMENTS.

(a) SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 7(m)(3)(A)(i)(VIII) (15 U.S.C. 636(m)(3)(A)(i)(VIII)), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(2) in section 22 (15 U.S.C. 649)—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(ii) in paragraph (3), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(B) in subsection (c)(12), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''.

(b) OTHER LAWS.—

(1) Section 621 of the Children's Health Insurance Program Reauthorization Act of 2009 (15 U.S.C. 657p) is amended—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

''(4) the term 'SCORE program' means the SCORE program authorized by section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B));''; and

(B) in subsection (b)(4)(A)(iv), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''.

(2) Section 337(d)(2)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6307(d)(2)(A)) is amended by striking ''Service Corps of Retired Executives (SCORE)'' and inserting ''SCORE program''.

Mr. THORNBERRY. Mr. Chair, I ask unanimous consent that amendment No. 7 in House Report 114–569 be modified by the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

MODIFICATION TO AMENDMENT NO. 7 OFFERED BY MR. THORNBERRY OF TEXAS

At the end of title VIII, add the following new section:

SEC. 843. BRIEFING ON DESIGN-BUILD CONSTRUCTION PROCESS FOR DEFENSE CONTRACTS.

Not later than February 1, 2017, the Secretary of Defense shall provide to the Committee on Armed Services of the House of Representatives a briefing on the use and implementation of the two-phase design-build selection procedures. The briefing shall address the following:

(1) How the Department of Defense continues to implement the updates to the Federal Acquisition Regulation that implemented the 2015 amendments to section 2305a, title 10, United States Code.

(2) A list of instances in which the Department awarded a design-build contract pursuant to section 2305a of title 10, United States Code, that had more than five finalists for phase-two requests for proposals during fiscal year 2016, and the list of design-build requests for proposals that used a one-step process.

(3) Any feedback the Department has received from industry.

(4) Any challenges to the implementation of the statute.

(5) Any additional criteria identified by the Secretary.

Mr. THORNBERRY (during the reading). Mr. Chairman, I ask unanimous consent that the reading of the modification be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Is there objection to the modification?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Texas (Mr. VEASEY) each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, these amendments have been worked out with the minority. I believe that they should be acceptable to all Members.

I reserve the balance of my time.

Mr. VEASEY. Mr. Chairman, I am not in opposition to the amendments. At this time, I am waiting for a speaker.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. Mr. Chairman, I rise in strong support of our national defense. We have a constitutional responsibility to provide for and maintain our military forces. And this legislation, H.R. 4909, prevents the President from reducing our troops' pay raises and, most importantly, provides our military with the resources they need to restore our readiness levels.

Today, as we all know, we are facing threats from all around the world, and many of our adversaries are using new technologies and methods that require our forces to be able to adapt and respond more quickly than ever before.

Our U.S. Cyber Command being unified and fully funded is a critical aspect of the whole picture, including Fort Gordon's Cyber Center of Excellence. It will enable our military to be better prepared to respond to the threats we are facing today.

Mr. Chairman, over the past several years, we have all been inundated with stories of the White House staffers who fall under the NSC umbrella, micromanaging both our foreign policy and our defense policy, even going so far as to circumvent or ignore senior officials altogether.

I am strongly supportive of Chairman THORNBERRY's amendment to reduce the size of the National Security Council. He is absolutely right that 400 people is not the makeup of an advisory committee; that is the size of another executive agency.

So I am in full support of H.R. 4909. I urge my colleagues to support that bill as well.

Mr. VEASEY. Mr. Chairman, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. GIBSON), a valued member of the House Committee on Armed Services.

Mr. GIBSON. Mr. Chairman, I rise in strong support of this bill. I thank the chairman and the ranking member. I think we have made significant progress in restoring readiness to our Armed Forces and also a marked progress in reform, which is very necessary to our national security going forward.

Mr. Chairman, I want to express my gratitude to the chairman and ranking member for including a bill that I drafted along with the help of so many others—Chairman TURNER, Representative WALZ of Minnesota—that stops the drawdown of our Armed Forces. So critically important for restoring deterrents, peace through strength, is that we not give pink slips to the 67,000-plus troops that were heading in that direction in the next 2 years. This committee working together in a bipartisan way stopped that drawdown, and I think that is critically important.

Related, I would say that the work that we are doing on the global response force, the GRF, is also critically important to deterrents. And I believe that ultimately it strengthens the hands of diplomats when we have the ability to strategically maneuver. I am appreciative of the resources and the oversight in this bill to strengthen the GRF.

Finally, let me say how much I really appreciate the pay raise to the troops. After 29 years in uniform, I can't adequately describe how much I appreciate the sacrifices and the service of our servicemen and -women. Giving them this pay raise, I think, was critically important.

I urge all my colleagues to support this bill.

Mr. VEASEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chair, I thank the chairman and ranking member for their support.

My amendment would condemn the continuing attacks against and the intentional targeting of medical facilities and medical providers in Syria. I

want to remind my colleagues that these facilities are entitled to protection under international law. Yet, we continue to hear about airstrikes in Syria targeting these hospitals and medical facilities. Just pick up the newspaper. In 1 week, six facilities in Aleppo were targeted.

Intentional attacks against hospitals, surgeons, nurses, and other healthcare workers is not a norm that we should accept.

Neither is the Syrian Government's blocking of humanitarian aid, including medical aid. Just last week, a U.N.-Red Cross aid convoy, including medical aid to a besieged Syrian city, was blocked by the Syrian Government. A former top U.N. humanitarian official tweeted his disgust that the aid had been blocked ''because it carried baby milk.''

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. VEASEY. Mr. Chairman, I yield 15 seconds to the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Chair, I commend the courageous healthcare providers and nonprofit groups that are working in the midst of these attacks to provide health care to the millions under siege in Syria. Too many have died and too many more will die if we continue to be sorry.

Mr. THORNBERRY. Mr. Chair, I yield 2 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT), another valuable member of the House Armed Services Committee.

Mr. AUSTIN SCOTT of Georgia. Mr. Chair, the world has become an increasingly unstable place due to conflicts in the Middle East and provocations by Russia, China, and North Korea. In order to maintain our national security in this environment, we must ensure that the United States military remains the best trained and most well-equipped fighting force in the world.

My home State of Georgia plays an essential role in maintaining military readiness as we are the home to nine major military installations. As the only Republican from Georgia on the House Committee on Armed Services, it is an honor to serve as Georgia's primary voice in Congress on military issues.

My top priority is to offer effective representation of Robins Air Force Base and Moody Air Force Base, in addition to all of Georgia's military installations. That is why I am proud to support the House version of the National Defense Authorization Act for Fiscal Year 2017, which came out of the House Committee on Armed Services with a bipartisan vote of 60–2.

This legislation takes many important steps to rectify the damage to our military readiness done by President Obama's cuts to our defense budget over the last few years.

We have got some big wins for Georgia in this NDAA. We, again, fought to make sure that two of the Air Force's most valuable platforms stay in the air: the A–10 flown out of Moody Air Force Base and E–8C Joint Surveillance Target Attack Radar System, better known as JSTARS, flown out of Robins Air Force Base.

Both of these fleets are taking the fight to the enemy right now. The A–10 is currently engaged in the fight against ISIS in the Middle East and supporting our Special Forces by carrying out precision strikes against these terrorists.

Additionally, I am grateful that the committee adopted my amendment to delay retirement of the JSTARS through fiscal year 2018. This legislation also provides for the recapitalization of that fleet.

During the committee process, we moved to protect the C–130 depot workload. Robins is an efficient and effective depot center and has the potential to become the C–130 center of excellence for our country.

I believe the House version of the NDAA sets us on a course that sustains military readiness, makes appropriate investments for future threats, continues to reform the DOD's outdated acquisition strategy, and supports the significant contributions that Robins, Moody, and other Georgia military institutions make to our national defense.

I urge my colleagues to support our troops, get our military readiness back on track, and pass H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017.

Mr. VEASEY. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. GALLEGO).

Mr. GALLEGO. Mr. Chairman, today I rise on behalf of the estimated one in five veterans of the Iraq and Afghanistan wars who suffer with post-traumatic stress disorder, or PTSD.

The Department of Defense and the Veterans Health Administration have collaborated to develop clinical practice guidelines for PTSD. According to a GAO report earlier this year, the Veterans Health Administration currently monitors the prescribing of medications that are included in these guidelines, but DOD and the Army do not. This discrepancy could result in negative consequences for our men and women in uniform undergoing treatment in military medical facilities.

My amendment would require each branch of the armed services to monitor the prescribing practices of medications to treat symptoms of PTSD among servicemembers. By monitoring the prescribing practices, we can make sure our returning warfighters receive the proper treatment necessary to alleviate the symptoms of PTSD.

I urge my colleagues to support my amendment.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time.

Mr. VEASEY. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

□ 1615

Ms. JACKSON LEE. Mr. Chair, coming from the State of Texas, let me express my continued appreciation for the men and women of the United States military, so many of them living in our State, so many different bases, so many veterans living in our State as well, which has caused me to continue to support the men and women who are posted overseas, those who are here domestically as well on bases here in the United States, and, of course, our veterans.

As we move toward Memorial Day, it is important that we look holistically at our military and look at them as an entity that includes personnel. I want to take note of the fact that there is a 2.1 percent pay increase for military personnel and that this bill does update the Uniform Code of Military Justice to include new protections for victims of military sexual assaults.

I am concerned, however, that the bill shortchanges war funding for efforts against ISIS and redirects funds that should continue to be used for base budget projects toward nonwar-related base budget projects. Let me be clear that I think some of these projects are very important, but I would have wanted this legislation to deal with the fight against ISIS and not go into the contingency fund. As I indicated, I heard the debate and there was some suggestion that the President's budget went into the contingency fund, but in the way that it is done in this bill, it is larger than should be.

I also want to take note of the fact that I have concerns regarding an amendment in the bill, and I hope that we will be able to address it because this amendment allows any religious corporation, religious association, religious educational institution, or religious society that receives a Federal grant or grant to claim religious exemptions from antidiscrimination protections of LGBT individuals whom they may employ.

I believe in the First Amendment and the separation of church and State and, as well, religious freedom, but under the Federal funding where we as taxpayers have the responsibility not to discriminate against anyone, this goes against that duty, and it also undermines President Obama's landmark 2014 executive order banning all Federal contractors and grantees from discrimination on the basis of sexual orientation or gender identity. So I am hoping, Mr. Chairman, that we will have the opportunity to work through this legislation and to move forward in a way that embraces all Americans.

I do want to thank, however, Chairman THORNBERRY and Ranking Member SMITH and the Committee on Rules for making two of my amendments in order. They are in the en bloc No. 1 and No. 2.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. VEASEY. Mr. Chair, I yield an additional 1 minute to the gentlewoman from Texas.

Ms. JACKSON LEE. The amendments are amendment No. 8 and amendment No. 9.

Amendment No. 8 calls for outreach for small-business concerns owned and controlled by women and minorities prior to conversion of certain functions to contract upfront performance.

Amendment No. 9 requires the Government Accountability Office to include in its annual report to Congress a list of the most common grounds for sustaining protests relating to bids for contracts.

These are important amendments because they help to grow small businesses owned and controlled by women and minorities before conversation of certain functions of contractor performance. This amendment seeks to provide information to businesses that may have little experience in government contracting to make them aware of new opportunities.

Amendment No. 9 seeks a report to be provided to oversight committees to better understand the circumstances that impact when a company wins a Federal contract award that is challenged. These challenges often come from companies that are big, competing for the same contract, and little companies can't stand up. Successfully competing for a Federal contract can be difficult and costly, especially for new entrants into Federal contracting competition.

I would ask my colleagues to support the included amendments and look forward to us working through this bill on some of the issues of concern.

Mr. Chair, I thank Chairman THORNBERRY and Ranking Member ADAM SMITH and the Rules Committee for making in order and including in En Bloc Number 1 two of the amendments I have offered to "National Defense Authorization Act for Fiscal Year 2017."

The first of these amendments, Amendment Number 8 calls for outreach to small business concerns owned and controlled by women and minorities prior to conversion of certain functions to contractor performance.

The second amendment, Jackson Lee Amendment Number 9, requires the Government Accountability Office to include in its annual report to Congress a list of the most common grounds for sustaining protests relating to bids for contracts.

Amendment Number 8 will provide information to businesses that may have little experience in government contracting to make them aware of new opportunities to contract for business with the Department of Defense.

There are instances where it is prudent and appropriate for agencies to engage in sole source contracting.

This can occur if the work is highly specialized and only one source can meet the needs of a component or agency.

A sole source contract arrangement might arise because the work is only for a brief period of time.

However, these sole source contracting arrangements may over time be converted to a competitive bidding process.

The Jackson Lee amendment ensures that the Department of Defense make known to small and minority owned businesses when a sole source contract will be converted to a competitive bidding process.

Having more competition for government contracting is the goal.

Receiving notice that a new competitive bidding opportunity is coming does not mean that an award will be made to that business.

However, the more businesses who compete for Federal government business the better off the government and the economy will be.

Amendment Number 9 requires GAO to conduct a study and report to Congress on the successful challenges to competitive bid awards.

Challenges to federal contract awarded by competitive bidding often come from companies that were unsuccessful in winning the contract in the bidding process.

Successfully competing for a federal contract can be difficult and costly especially for new entrants into federal competitive contracting.

Challenges to federal contract awards, especially when the winner is a small business can make it difficult for these businesses to pursue opportunities they have won.

The amendment provides Congress relevant and useful information regarding how often challenges to a contract award are sustained and awards withdrawn, and upon which grounds.

I thank Chairman THORNBERRY and Ranking Member SMITH for including these amendments in the En Bloc Amendment Number 1, and I urge all Members to join me in voting for its adoption.

Mr. VEASEY. Mr. Chair, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

Mr. ROYCE. Mr. Chair, I rise in strong support of this amendment, the text of which was previously adopted and favorably reported by the Committee on Foreign Affairs as H.R. 4678.

This amendment focuses on asserting Congress's longstanding constitutional and legal authority to determine the future of the U.S. military base at Guantanamo, which senior military officers continue to view as "indispensable" to our national security and to our strategic and humanitarian operations in this Hemisphere.

For decades—and most recently during the President's trip to Havana—the Cuban regime has demanded the return of the base as a prerequisite to the normalization of relations with the United States.

This amendment lays out the legal and historical case why a President may not weaken U.S. "jurisdiction and control" over the base without affirmative Congressional action—either a new statute or a treaty concluded with Senate consent.

U.S. Naval Station Guantanamo Bay is not a typical basing situation, and U.S. control is not premised on a treaty. Its history is wholly unique and has its roots in Acts of Congress.

Cuba became an American protectorate after the U.S. prevailed in the Spanish-American War, which Congress had declared in 1898. In 1901, Congress rightly granted the President conditional authority to return control and governance of the island to the people of Cuba, subject to the express requirement of securing U.S. Naval basing rights there. In fact, the Administration stated that it did not have the power to return governance until that Congressional condition had been met.

When the President signed the 1903 Guantanamo Lease—the agreements under which the U.S. continues to exercise "complete jurisdiction and control" over the base—the President specifically cited the 1901 Act of Congress as providing his authority to do so.

The last Treaty of Relations between the U.S. and Cuba (in 1934) did not nullify, replace, or change the 1903 lease agreements, but noted that they "shall continue in effect" until the U.S. and Cuba agree to modify them.

This means that any executive attempt to impair the United States' "jurisdiction and control" over Naval Station Guantanamo Bay without congressional authority would illegally nullify the 1901 Act of Congress, and infringe on Congress's exercise of its express constitutional powers.

Some say giving up Guantanamo isn't in the cards. Why worry? The Assistant Secretary of State for Legislative Affairs has recently written, stating that "the United States has no plans to alter any of the arrangements regarding the base."

But saying that you "have no plans" to do something is not the same as saying that you will not do something. As we have seen in any number of prior situations—whether it be unfulfilled pledges of consultation with Congress prior to any Cuba policy change, or the 11th hour lifting of missile restrictions as part of the Iran nuclear deal—plans can change very quickly, for the worse, with no prior warning to Congress.

And we should be concerned about the next Administration's plans. This amendment is about protecting congressional prerogative during this Administration, and the next, and the next.

Congress needs to make clear its role in any decision to relinquish U.S. Naval Station Guantanamo Bay, which remains indispensable to our nation's defense, and our support for regional stability. This amendment does this, and deserves our support.

The Acting CHAIR. The question is on the amendments en bloc, as modified, offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments, as modified, were agreed to.

AMENDMENT NO. 2 OFFERED BY MR. WESTERMAN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114–569.

Mr. WESTERMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title I, add the following new section:

SEC. 1___. FUNDING FOR SURFACE-TO-AIR MISSILE SYSTEM.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for procurement, as specified in the corresponding funding table in section 4101, for missile procurement, Army, surface-to-air missile system, MSE missile (Line 002) is hereby increased by $82,400,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D,

the amount authorized to be appropriated for Department of Energy national security programs, as specified in the corresponding funding table in section 4701, for Defense Nuclear Nonproliferation, Defense Nuclear Nonproliferation Programs, Defense Nuclear Nonproliferation R&D, Material management and minimization is hereby reduced by $82,400,000.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Arkansas (Mr. WESTERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. WESTERMAN. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of my amendment for a budget neutral increase in funding for Army surface-to-air missile systems. The Patriot Advanced Capability-3 Missile Segment Enhancement, or the MSE, is the next generation of the battle-proven PAC–3 interceptor for the Patriot air defense system. Along with its earlier generation PAC–3 interceptor, the Missile Segment Enhancement is the world's most capable air and missile defense missile.

PAC–3 missiles are high-velocity interceptors that destroy incoming targets with direct body-to-body impact. This hit-to-kill impact produces a tremendous amount of energy that defeats tactical ballistic missiles carrying weapons of mass destruction and/or submunition payloads, cruise missiles, unmanned aerial vehicles and aircraft.

The MSE missile provides a 50 percent improvement in altitude and 100 percent improvement in range over earlier PAC–3 interceptors and is required to address advance air and missile defense threats.

MSE capability is in great demand across the deployed force. In fact, the MSE missiles have been on the Army's unfunded request top priorities list. Additional missiles have been on the Army UFR the past 2 years and have been funded by Congress.

This amendment would allow approximately 20 new missiles to be purchased in fiscal year 2017, which would put the total at 105 missiles, which is still below the fiscal year 2015 and fiscal year 2016 levels. If we add these additional 20 missiles, the unit cost of the missiles would go down as well because of the quantity of scale in the program.

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

Mr. VEASEY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. VEASEY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Chair, yes, we would surely like to do what my colleague suggests. However, it does leave us rather vulnerable to terrorism, terrorism that would be carried out by those who might want to get their hands on highly enriched uranium or other elements to either make a bomb or to create a dirty bomb.

The money comes from a very, very important fund, a fund that the National Nuclear Security Administration uses to secure loose nukes and highly enriched uranium and other kinds of material that might be used in making a bomb. It would be wonderful if we could carry out what our colleague would like to do for the surface-to-air missiles. I mean, those are important. But don't take the money from this account.

This account is extremely important in preventing the proliferation of nuclear materials as well as how we need to convert those reactors around the world, including here in the United States, that are capable of producing plutonium and highly enriched uranium.

I don't have a problem with where the gentleman tends to augment the surface-to-air missile defense program or the air-to-surface program but, rather, from where he is taking, the account. I would suggest to the gentleman that we would be far better off finding a different place, one that has far less risk to us.

The terrorists are out there. They are looking to get their hands on this kind of fissile material, and they will be able to do so unless we use the money in this program from the National Nuclear Security Administration, atomic agency, to secure these sites and materials.

Mr. WESTERMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Mr. Chairman, I rise in support of the gentleman from Arkansas' amendment.

The Army included Patriot MSE procurement as number 12 on its fiscal year 2017 UFR list to ''mitigate critical shortfall in Army war reserve requirements.''

The ballistic missile threat from Russia, China, Pakistan, Iran, and North Korea is growing. We owe it to our men and women in uniform to give them the tools they need to defend themselves when we send them into harm's way.

I know that on the other side of the aisle they look at every dollar that goes to the defense nuclear nonproliferation budget as sacrosanct, but I know that the House Subcommittee on Energy and Water Development, and Related Agencies mark also has skepticism about whether this technology is ready for prime time.

As the chairman of the Subcommittee on Strategic Forces, I urge the support of this amendment offered by the gentleman from Arkansas.

Mr. VEASEY. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Mr. Chair, Senator MARK KIRK, who used to be a Member of this body, told me a story a while back. He was a bomber pilot during the Bosnian war, and during that war he literally carried a map in his hands, and there was a red circle drawn around a particular point on that map, and it said, ''Do not bomb here.''

What was there? Loose nuclear materials, unsecured, that could have been a disaster had we inadvertently struck that target.

Loose nuclear materials are all around the world. We have a very specialized program here called the global material security initiative program that helps secure these materials, brings down the risk that they will get into the wrong hands, brings down the risk of a nuclear explosion—which is an absolutely critical national security priority—to as close to zero as possible. I know it is not the intention of the author of the amendment, my friend Mr. WESTERMAN, to undermine this program.

In fact, I support the underlying intent of enhancing the surface-to-air missile program, but this is the wrong place to take this money from. The Department of State, the Department of the Treasury, the Department of Defense, and the Department of Energy as well as other agencies are sharing in the multitasked effort to try to have a multipronged effect on reducing the probability of a nuclear weapons explosion, reducing the probability of nuclear materials getting into the wrong hands to, again, as close to zero as possible.

That is why, as we move forward in looking at how to enhance important programs like my friend has raised, we should look for it in the right places and not undermine a critical aspect of our national security.

I thank the gentleman from Texas for yielding.

Mr. WESTERMAN. Mr. Chairman, I would also like to commend the Material Management and Minimization program for the work that they have done, but as was stated before, the House Subcommittee on Energy and Water Development, and Related Agencies of the Committee on Appropriations said:

A significant portion of the highly enriched uranium minimization efforts going forward will involve multiyear research and development activities. To better align research and development-related activities with resident expertise for managing such activities within the Office of Defense Nuclear Nonproliferation, the recommendation shifts funding responsibility for the development of fuel for high-performance research reactors and for demonstrating and commercially deploying domestic-based technologies for the production of the medical isotope Mo-99 to defense nuclear proliferation research and development.

Mr. Chairman, I believe this is the appropriate place to offset the funding for these additional missiles. These missiles are critical to our Nation's defense.

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

Mr. VEASEY. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Chair, I think most of us are very interested in supporting the MSE portion of this. I just worry about the offset. It is very important that we make sure we do not raid the nonproliferation account in order to pay for what may be a very worthy priority.

You remember that Secretary of Defense Robert Gates didn't even allow an unfunded request to be transmitted to Congress. That removed a certain temptation from us. We all know there are a number of these requests, and some of them should be funded, but to raid the nuclear safety account—because that is basically what nonproliferation is—is a very dangerous precedent. I would urge the gentleman to reconsider.

We hope to work on this amendment in conference, but this is not a piggy bank we are raiding. This is not a slush fund. This is an account that could keep America safe from a nuclear attack. I would urge the gentleman, as he pursues his very worthy priorities, to not pursue an offset in this area.

I thank the gentleman. He is an excellent Member, but I think that we should all be very aware of the importance of the nonproliferation account.

□ 1630

Mr. WESTERMAN. Mr. Chairman, I would like to emphasize that, even with these additional 20 missiles, we will still be below the numbers for FY 2015 and FY 2016. This is an unfunded request and high priority for the Army, and I encourage a positive vote on this amendment.

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

Mr. VEASEY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arkansas (Mr. WESTERMAN).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. GARAMENDI

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 114–569.

Mr. GARAMENDI. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I, add the following new section:

SEC. 1___. FUNDING FOR LARGE AIRCRAFT INFRARED COUNTERMEASURES.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, there is authorized to be appropriated $17,930,000 for procurement, Air Force, Large Aircraft Infrared Countermeasures.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for research, development, test, and evaluation, as specified in the corresponding funding table in section 4201, for advanced component development & prototypes, Ground Based Strategic Deterrent (Line 044) is hereby reduced by $17,930,000.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, every day men and women from Travis Air Force Base fly the big C–17s and C–130s and other heavy, large aircraft into harm's way in Iraq, Afghanistan, and over and around Syria. Every day they are at risk. They are at risk from being shot down by a shoulder-fired missile.

There is a defense for this. It is called the Large Aircraft Infrared Countermeasures defense system. It is one of the unfunded requests that the Air Force has made of us. This amendment would fund at least part of that request and provide a higher level of safety to the men and women in the Air Force that fly these large aircraft into harm's way.

I don't think there is one of us here on the floor, in the House, or even in the Senate that would deny that flying these aircraft into the airfields of Afghanistan, even into Bagram, and certainly into Baghdad, is always safe. It is not.

There is a proliferation of these shoulder-fired MPADS, and they are increasingly available to the bad guys, who our men and women are trying to take out.

So we are looking here to move $17-plus million from an account that is not needed—at least, the money is not needed at this time—over to something that is desperately needed, a defensive system for our large Air Force aircraft, removing the money from the new Minuteman IV intercontinental ballistic missile program, which is not scheduled to be fielded until 12 years from now, and taking that just short of $18 million out of that account and moving it over so that our pilots and crew members can be safer.

We don't need that money for these new intercontinental ballistic missiles that are 12 years away. What we need is to protect our men and women today with Large Aircraft Infrared Countermeasures equipment. That is what this is all about.

It is pretty simple. It is a matter of choices: do we choose to protect our men and women today or augment a program that doesn't need the money, according to the GAO. I choose to protect our men and women today and not to fund a program that the GAO says doesn't need this $17.9 million.

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

Mr. ROGERS of Alabama. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, I strongly oppose the amendment, and so does the United States Air Force. The Air Force opposes the offset in this amendment, which would take $17.9 million from the Ground-Based Strategic Deterrent, also called GBSD, program.

I and the Air Force oppose the offset because the $17.9 million is already being used in a pending reprogramming action. Taking the money via this amendment would delay this program.

This is what the Air Force says about taking this money:

> Removing these funds . . . would be a double-take to the program, hindering the GBSD contractors' ability to fully fund their Technology Maturation and Risk Reduction phase contracts. This would prevent the winning contractors from appropriately ramping up their efforts . . . and result in a 5-month delay.

Furthermore, GAO does not support this reduction. The gentleman is basing his argument on GAO's initial draft budget fact sheet released over a month ago, which said that the $17 million offset may be available.

However, in its final GAO budget fact sheet released today, GAO says:

> The Air Force's Fiscal Year 2017 request for GBSD could be reduced by a total of $17.93 million—as long as the funds are not reprogrammed.

In their final fact sheet, GAO also said that the GBSD account for FY 2017 should only be reduced to offset the excess $17.93 million if the funds remain with the program and are not reprogrammed as currently planned.

So both the GAO and the Air Force oppose the offset in this amendment.

Furthermore, two successive Secretaries of Defense say that nuclear deterrence is DOD's most important mission.

Here is Secretary Hagel:

> Our nuclear deterrent plays a critical role in assuring U.S. national security, and it is DOD's highest priority mission. No other capability we have is more important.

And here is Secretary Carter:

> The nuclear mission is the bedrock of our security. It is what stands in the background and looms over every action this country takes on the world stage. It is the foundation for everything we do.

In short, GBSD is the future of one leg of the triad and must remain on schedule. According to the Air Force and GAO, this amendment delays that schedule. Let's be clear. This is an antinuclear disarmament amendment disguised as something else.

I urge my colleagues to vote ''no'' on the amendment.

I reserve the balance of my time.

Mr. GARAMENDI. Mr. Chair, this is most assuredly not a disarmament. We are scheduled to spend a trillion dollars on this kind of program. It is hardly a disarmament. We are talking about $17.9 million; yet, this nuclear security program is a trillion over the next 25 years. It is hardly a disarmament.

The reality is that this money is not needed now. This money is going to be

reprogrammed by the Air Force to be spent next year—without our authority, but I suppose with summary programing authority—when we know that the Air Force has C–17s, C–130s, and other large aircraft that can be shot out of the sky now, not in 2028 and beyond, but now.

Are we unwilling to protect our airmen and -women that are on these airplanes? This is not disarmament. This is about protecting the men and women that are flying dangerous missions into Afghanistan, into Iraq, into other places where the terrorists do have MPADS and can shoot them out of the sky.

Don't give me that business that this has something to do with disarmament. This has to do with protecting the men and women that are flying our large aircraft and giving them the protection that they need.

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

Mr. ROGERS of Alabama. Mr. Chair, this is about disarmament.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The amendment was rejected.

AMENDMENT NO. 10 OFFERED BY MR. MCKINLEY

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 114–569.

Mr. MCKINLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title VIII the following new section:

SEC. 843. POLICY REGARDING SOLID ROCKET MOTORS USED IN TACTICAL MISSILES.

(a) POLICY.—The Secretary of Defense shall ensure that every tactical missile program of the Department of Defense that uses solid propellant as the primary propulsion system shall have at least two fully certified rocket motor suppliers in the event that one of the rocket motor suppliers is outside the national technology and industrial base (as defined in section 2500(1) of title 10, United States Code).

(b) WAIVER.—The Secretary may waive subsection (a) in the case of compelling national security reasons.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, this bipartisan amendment seeks to address the problem of America's declining defense industrial base.

Consider these facts. Since the 1980s, the number of American rocket motor companies has declined by 60 percent with only two companies remaining able to manufacture motors that propel our missiles.

The Department of Defense has already published seven reports going back to 2009 and all the way up to last year, all talking about specifically warning of the danger of this decline of our solid rocket motor industrial base. In these reports, they use terms like ''at risk,'' ''vulnerable,'' ''shrinking,'' ''atrophying,'' and ''fragile.''

Despite these reports, the Air Force has permitted outsourcing of rocket motors for tactical missiles to foreign companies without even giving other U.S. companies the opportunity to compete.

Mr. Chairman, this illustrates why so many Americans are frustrated with Washington. The DOD has identified a problem, but they haven't done anything about it since these reports have been surfacing.

This amendment will help correct the problem, strengthen the solid rocket motor industrial base, and possibly create American manufacturing jobs.

The amendment simply says that, if there is a foreign supplier for solid rocket motors on our missiles, the DOD must ensure there is a second supplier available. The second supplier can be domestic or it can be foreign.

Last year a similar provision passed in the House NDAA, but was removed in conference with the Senate. Since that time, we have modified this amendment to try to find a compromise that would be acceptable.

Now, the bottom line is: This is about an opportunity to strengthen America's industrial base and American jobs.

The question remains: Does Congress stand for American jobs or with continued foreign outsourcing and weakening our fragile manufacturing capacity?

Mr. Chairman, let's give our firms in America an opportunity to compete.

I would like to thank Chairman THORNBERRY for his support of this amendment and his staff for working with us as well as our bipartisan sponsors of this amendment.

I urge a ''yes'' vote on this amendment.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I yield to the gentlewoman from Arizona (Ms. MCSALLY).

Ms. MCSALLY. Mr. Chair, I rise today in strong opposition to this proposed amendment. Although I have respect for my colleague and teammate, I have strong reservations and opposition to this amendment.

This amendment is a solution in search of a problem. It would delay critical missile capabilities to the warfighter and will be more costly to the taxpayer.

Only two tactical missile programs in production today use international motors, and both of them are made by our friend, Norway.

If enacted, prime contractors will have to pause production of critical tactical missiles and spend tens of millions in compliance costs to certify an alternative product that does not currently exist.

What is more, while we wait for the second company to develop a working product line, we will slow production of missiles needed by warfighters today.

The history for why past programs have used international motors is important to keep in mind. In 2011, after a history of success, the AMRAAM missile, which is a critical air-to-air missile—and, as a fighter pilot, I know a little bit about capabilities—that was built by a domestic company, but began to fail in cold weather.

Think about that. You are a fighter pilot. You have been called to engage with the enemy. You have got them in your sight.

□ 1645

You hit the pickle button and the missile fails on you; puts your life at risk and the risk of air superiority and our military capabilities and the military mission.

In that circumstance, the domestic company was unable to solve the problem, so we turned to a back-up company in Norway. Our NATO ally, Norway, stepped in to fill the production gap for the AMRAAM program, which produces missiles we sell to dozens of our partner nations to guarantee air superiority in any contingency.

Without our foreign partner, the AMRAAM program could have been shut down for up to 5 years. Instead, we turned around a 2-year production lag and put the missile program ahead of schedule.

If this amendment passes, it will put a dangerous pause on this critical air-to-air missile program, risking air superiority for us and our allies.

If the domestic producer, which will benefit from this amendment, wants its rocket motors back on the AMRAAM missile, they need to fix their quality issues and compete when the shortfalls are addressed instead of asking Congress to take up the slack with an earmark-like amendment like this one.

The amendment puts parochial interests above what is best for our fighter pilots, our warfighters, and our military readiness. That is not right, and we owe it to our troops to shoot it down.

In closing, the Department of Defense, the Navy and the Air Force have all expressed strong opposition to this amendment.

The Pentagon believes this language would require significant program investment and ultimately result in increased program costs that will be passed on to the taxpayer or come at the expense of other important defense spending and readiness, which we are trying to fix in this bill today. We simply cannot afford it.

Current law already provides the authority for the Department of Defense to address this issue. Mandating two vendors is merely a clever effort to essentially put an earmark for a specific

defense company into this bill. This same amendment was debated last year, but it was dropped in conference. It will ultimately harm our warfighters in a time that we need to be giving them every advantage, ensuring the equipment that they have is reliable.

I strongly urge a ''no'' vote on this amendment.

Mr. MCKINLEY. Mr. Chairman, how much time do I have?

The Acting CHAIR. The gentleman from West Virginia has 2¼ minutes remaining.

Mr. MCKINLEY. Mr. Chair, I yield myself such time as I may consume.

Let's try to clarify this. And I do appreciate the remarks of my colleague.

We are talking about a situation that when the performance specification was changed, there was a problem. I recognize that.

But the problem here, or the issue here is that the defense already was embarking on going overseas to find a supplier before there were any problems that had surfaced with this. This has been cleared. We understand that.

Now, let's go further with this. We are not talking about just an American firm. There are two, possibly there could be another one that could emerge, three or four. Remember, we used to have far more rocket motor manufacturers in America. We are down to two now.

Now, maybe there is going to be a foreign corporation, someone else that surfaces with this. We know there are others. But it just seems patently shortsighted for us in America, with all this purchasing power that we have, to limit ourselves to one supplier, one supplier.

So what we are saying is, fulfill the specifications, find out whether or not you can get another firm as qualified to be able to do this, whether it is foreign or domestic. But let's have competition. For the American public and our defense and our spending, I think it is a fiscally responsible thing to do to try to find a way to be responsible in our dollars. So it may be an American firm. Quite frankly, I hope it is. And then we can stimulate our declining industrial defense base. But if it is someone else, at least we are going to find we have competition. And unless I am wrong, I always thought that the American way was finding competition to be able to compete with us.

This amendment gives us an opportunity. Since 2009, our government has come out with report after report after report after report that there is a problem. We need to address it.

But they have done nothing other than outsourcing this material. I think it is time that we take action, we allow an opportunity for a second firm to compete.

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

Mr. SMITH of Washington. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MCKINLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from West Virginia will be postponed.

The Committee will rise informally.

The Speaker pro tempore (Mr. HOLDING) assumed the chair.

FURTHER MESSAGE FROM THE SENATE

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

S. 2040. An act to deter terrorism, provide justice for victims, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The Committee resumed its sitting.

AMENDMENT NO. 11 OFFERED BY MR. THORNBERRY

The Acting CHAIR (Mr. ROTHFUS). It is now in order to consider amendment No. 11 printed in part B of House Report 114–569.

Mr. THORNBERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title IX, add the following new section:

SEC. 9___. REFORM OF NATIONAL SECURITY COUNCIL.

(a) FINDINGS.—Congress finds the following:

(1) The National Security Council has increasingly micromanaged military operations and centralized decisionmaking within the staff of the National Security Council. The size of the staff has contributed this problem.

(2) As stated by former Secretary of Defense Robert M. Gates, ''It was the operational micromanagement that drove me nuts of White House and [National Security Council] staffers calling senior commanders out in the field and asking them questions, second guessing commanders'', and by another former Secretary of Defense Leon Panetta, ''[B]ecause of that centralization of that authority at the White House, there are too few voices being heard in terms of the ability to make decisions and that includes members of the cabinet.''.

(3) Gates stated, ''You have 25 people working on a single military problem... They are going to be doing things they shouldn't be doing,'' and Panetta noted, ''The National Security Council has grown enormously, which means you have a lot more staff people running around at the White House on these foreign policy issues.''.

(4) Press reports indicate that National Security Council micromanagement has included selecting targets in ongoing military operations, specifying detailed parameters and limitations on military operations, and managing military planning and the execution of plans.

(5) As stated in section 101(a) of the National Security Act of 1947 (50 U.S.C. 3021(a)), the ''function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security''.

(6) As stated in the November 1961 staff reports and recommendations on ''Organizing for National Security'' submitted to the Committee on Government Operations of the Senate by the Subcommittee on National Policy Machinery, ''The Council is an interagency committee: It can inform, debate, review, adjust, and validate... The Council is not a decisionmaking body; it does not itself make policy. It serves only in an advisory capacity to the President, helping him arrive at decisions which he alone can make.''.

(7) As noted in the 1987 Report of the President's Special Review Board (commonly known as the ''Tower Commission Report''), ''As a general matter, the [National Security Council] staff should not engage in the implementation of policy or the conduct of operations. This compromises their oversight role and usurps the responsibilities of the departments and agencies.''.

(8) As noted in the ''Addendum on Structure and Process Analyses: Volume II – Executive Office of the President,'' accompanying the February 2001 U.S. Commission on National Security/21st Century (commonly known as the ''Hart-Rudman Commission''), ''[T]he degree to which the [National Security Council] gets involved in operational issues raises a question of congressional oversight. Today there is limited congressional oversight of the [National Security Council]... Assigning the [National Security Council] greater operational responsibility would likely result in calls for more congressional oversight and legislative control...''.

(9) According to analysis from the Brookings Institution's National Security Council Project, the size of the National Security Council staff from the early 1960s to the mid-1990s remained consistently under 60 personnel. Since then, it has grown significantly in size.

(10) As former National Security Advisor, Zbigniew Brzezinski, wrote in ''The NSC's Midlife Crisis'' in Foreign Policy, Winter 1987–1988, ''There is no magic number, but it would appear that for successful strategic planning and policy coordination 30-40 senior staff members are probably adequate. However, to ensure effective supervision over policy implementation as well, the size of the staff should be somewhat larger. An optimal figure for the senior staff probably would be about 50 senior staff members.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the function of the National Security Council, consistent with the National Security Act of 1947 (50 U.S.C. 3001 et seq.), is to advise the President as an independent honest broker on national security matters, to coordinate national security activities across departments and agencies, and to make recommendations to the President regarding national security objectives and policy, and the size of the staff of the National Security Council should be appropriately aligned to this function;

(2) the President is entitled to privacy in the Office of the President and to a confidential relationship with the National Security Advisor and the National Security Council; and

(3) however, a National Security Council, enabled by a large staff, that assumes a central policymaking or operational role is no longer advisory and should be publicly accountable to the American people through Senate confirmation of its leadership and the activities of the Council subject to direct oversight by Congress.

(c) AMENDMENTS TO NATIONAL SECURITY ACT OF 1947.—Section 101 of the National Security Act of 1947 (50 U.S.C. 3021), is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking ''and'';

(B) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(C) by adding after paragraph (6) the following new paragraph:

''(7) the Assistant to the President for National Security Affairs.'';

(2) in subsection (c), by striking ''shall receive compensation at the rate of $10,000 a year.'' and inserting ''shall report to, and be under the general supervision of, the Assistant to the President for National Security Affairs.'';

(3) by redesignating subsections (d) through (l) as subsections (e) through (m), respectively; and

(4) by inserting after subsection (c) the following new subsection:

''(d)(1)(A) Except as provided by subparagraph (B), the Assistant to the President for National Security Affairs shall be appointed by the President.

''(B) If the staff of the Council exceeds 100 covered employees at any point during a term of the President, and for the duration of such term (without regard to any changes to the number of such covered employees), the Assistant to the President for National Security Affairs shall be appointed by the President, by and with the advice and consent of the Senate.

''(2)(A) Beginning on the date on which the staff of the Council exceeds 100 covered employees, the person appointed as the Assistant under paragraph (1)(A), the person nominated by the President to be appointed the Assistant under paragraph (1)(B), or any other person designated by the President to serve as the Assistant in an acting capacity, may serve in an acting capacity for no longer than 210 days.

''(B) If the person nominated by the President to be appointed the Assistant under paragraph (1)(B) is rejected by the Senate, withdrawn, or returned to the President by the Senate, the President shall nominate another person and the person serving as the acting Assistant may continue to serve—

''(i) until the second nomination is confirmed; or

''(ii) for no more than 210 days after the second nomination is rejected, withdrawn, or returned.

''(3) The President shall notify Congress in writing not more than seven days after the date on which the staff of the Council exceeds 100 covered employees.

''(4) In this subsection, the term 'covered employees' means each of the following officers and employees (counted without regard to full-time equivalent basis):

''(A) Officers and employees occupying a position funded by the Executive Office of the President performing a function of the Council.

''(B) Officers, employees, and members of the Armed Forces from any department, agency, or independent establishment of the executive branch of the Government that are on detail to the Council performing a function of the Council.''.

(d) CONFORMING AMENDMENT.—Section 3(12) of the International Religious Freedom Act of 1998 (22 U.S.C. 6402(12)) is amended by striking ''section 101(i)'' and inserting ''section 101(l)''.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. THORNBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment goes to an issue that relates to the ability of Congress to do its job under the Constitution and the appropriate balance of powers because I think everybody agrees that a President ought to have advisers, and that there ought to be a zone, a protected zone for those advisers to offer advice to the President.

But the problem is when those advisers do more than advise, when they direct, and when they, in fact, get into the operational military chain of command, that is a problem.

What we have seen in recent years is a tremendous increase in the number of staff at the National Security Council. And what we have also seen is an astonishing increase in micromanagement and direction of military forces that come from these NSC staffers.

In effect, they insert themselves into the military chain of command and, yet, they are not confirmed by the Senate, nor is their supervisor, and they never have to come testify to us about the direction they give the military.

That is the reason that there has developed an imbalance in the balance of powers as constructed under the Constitution.

Every previous Secretary of Defense in the Obama administration has complained about this. Typical are the comments of Secretary Gates: It was the operational micromanagement that drove me nuts of the White House and national security staffers calling senior commanders out in the field second-guessing commanders.

Secretary Panetta and Secretary Hagel have said similar things, as has former Under Secretary Michele Flournoy.

So my amendment does not tell the President how many people he can have. He can have 10,000 if he wants, but if he goes above a certain number, they are not just advising, they are directing, and the National Security Adviser must then be confirmed by the Senate.

This will not affect President Obama. It is the next President. But the next President will have a choice. Do you have a relatively small or the historically average number of advisers? If you do more, you have to get confirmed by the Senate.

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

Mr. SMITH of Washington. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I yield myself 2 minutes.

The problem is—just two quick points here—first of all, as we have discussed throughout the conversation about the Department of Defense authorization bill this year, the threat environment has grown much more complex, and the rise in the size of the national security staff is a reflection of that, of the various different challenges that are throughout the world.

They have tried to find expertise in all of these different areas, and limiting them to 100, at this point, given the responsibilities that they have, would basically take it all the way down to the point where the admin staff would be the most that they could put in place. They have needs for the number of people that they have.

Now, the second problem that Mr. THORNBERRY points out, I think, is a very legitimate problem. The thing is, whether you have 100 or 400, the President's NSC staff can do the same thing; they can not pay attention to the Department of Defense to the degree that they should. That has nothing to do with how many people there happen to be at the NSC. I agree with Mr. THORNBERRY that that has been a problem.

Certainly we would like Commanders in Chief to be more in touch with the Department of Defense and with the commanders in the field, and not be overridden by the NSC, but that is a problem that exists, regardless of the numbers or even what you call the President's staff.

So I think this amendment would significantly hamper the ability of the National Security Council to do the job that it was appointed or created to do, which is to keep the President advised of all the various different threats that are out there. And to give them the ability to do that, they are going to need more than 100 people.

So I will oppose this amendment.

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

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Utah (Mr. CHAFFETZ), the distinguished chairman of the Committee on Oversight and Government Reform.

Mr. CHAFFETZ. Mr. Chair, I stand in whole support of what Chairman THORNBERRY is proposing.

Section 101 of the National Security Act of 1947 says: ''The function of the Council shall be to advise the President . . . ''

Obviously, we want the President to get the best advice possible, but, historically, the National Security Act designated—they had between 50 and 60 people between the 1960s and the mid 1990s. But now it has grown to hundreds of people. We are talking about literally 400 people, by some counts, and we have got an NSC that is now not necessarily accountable. I would like to see the Senate confirmation if it moves about 100.

What we see is the NSC is not only engaging in direction on the field, but also engaging in public relations battles and doing things well outside, I think, the scope that was originally put forward.

Mr. Chairman, today we had a hearing. We had called Ben Rhodes to come testify to this hearing. But then, claiming executive privilege, Neil Eggleston, the General Counsel, said this person could not come.

Ben Rhodes goes and talks to the media, he talks to his echo chamber. Ben Rhodes will go out and do public speaking. He will do everything except come testify in front of Congress, and then hides behind this shield that does not allow for openness and transparency.

We want an NSC that helps make policy and direct operations and should be publicly accountable, if that is what they are going to be doing.

The President has a choice. Keep the NSC small and advisory to maintain the status quo. That is what it was originally intended to do, but it has gone far more than that. It has become a public relations machine. It has become something that is problematic at every level.

I think Chairman THORNBERRY is exactly right. I think all of our colleagues should support this amendment. It is the right thing to do, and I stand in whole support of it.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Chair, H.L. Mencken once said that for every human problem there is a solution that is simple, neat, and wrong.

I have a lot of sympathy for Mr. THORNBERRY's amendment and for what is behind it.

He talks about micromanagement. Micromanagement goes back to the very founding of the National Security Council. You think that Richard Nixon's Secretary of State and Secretary of Defense didn't think Henry Kissinger micromanaged when he was the National Security Adviser?

He surreptitiously altered the U.S. policy to China, on his own, with his staff at NSC.

There is a long tradition of micromanagement and interference, and I have no doubt that Mr. THORNBERRY is right. Every Secretary of Defense and every Secretary of State would have a similar complaint. Of course they would, and they might be right.

To elevate this job over 100 people, to Senate confirmation, actually aggravates the problem. Now you are going to codify the micromanagement. You are actually going to make this a policymaking apparatus, in direct competition with the very department you are trying to help, the Department of Defense and the Department of State. It is the wrong answer to the growing size of an NSC.

I don't remember Republican complaints about the growth of the NSC under the previous administration, and maybe we can work together in the future to try to make sure that we have a more manageable size.

I applaud, certainly, the fact that the current NSC administrator has reduced the NSC by 12 percent. I know we can do better. But I don't think this amendment is the way to do it, respectfully.

□ 1700

Mr. THORNBERRY. Mr. Chairman, I would inform the gentleman that I have no further speakers and am prepared to close on this side if the gentleman is.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time just to reiterate the argument.

The National Security Council was formed for the very specific purpose of allowing the President to have that type of confidential advisement where people could speak frankly and give the President the advice that he needs to make decisions on matters of national security. Regrettably, our national security environment has grown more complex.

I will point out that the current National Security Adviser has actually shrunk the size of the National Security Council since she took over. It was 411, and it is now down to 365. So they are making efforts to get that under control. But to shrink this to 100 and, as Mr. CONNOLLY pointed out, to make it subject to Senate confirmation would simply lock it in as a competing force to the very entities that the sponsor of this amendment would like to see have a greater voice, and therefore it would be counterproductive and would not achieve its goal even though, again, I certainly agree that there should be greater transparency.

I don't think there is a Member of Congress who has not complained at some point throughout the history about the lack of transparency between the White House and Congress on matters of national security. That battle will continue whether this amendment passes or not. I don't think this amendment will advance the interests of national security, and, therefore, I oppose it.

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

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this amendment does not require any President to do anything. There is a choice, and the choice that any President will face is, if you go above a certain number, then I think common sense tells us that these folks are doing more than advising; they are in operations.

As a matter of fact, the former Under Secretary of Defense for Policy in the Obama administration Pentagon, Ms. Flournoy, has testified that, as the staffs grow, they tend to get more into operational details and tactical kinds of oversight. Historically, when you have had smaller national security staffs—for example, the Scowcroft era—they had a very clear understanding of what their role was.

This is a matter of common sense. Absolutely, there are no guarantees. You might have one person who would try to direct; but, generally, the more people you have got, the more stuff they are going to try to micromanage.

So I don't prevent a President from doing anything with this amendment. I simply say that it is a choice. You can have 100 people or fewer and not go before the Senate. If you have more than that, you have got to get Senate confirmed like the Director of OMB is now. I think that is what makes sense. I hope Members will support the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. THORNBERRY).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. NADLER

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 114–569.

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 1032 and 1033.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment would strike sections 1032 and 1033 of the bill, which prohibit the use of funds to transfer detainees from Guantanamo Bay, Cuba, to the United States or to construct or expand any facility in the U.S. to house any individual currently detained at Guantanamo.

Simply put, the section is designed to prevent the closure of the detention facility at Guantanamo and to make it as difficult as possible to transfer detainees to a different facility. My amendment is intended to do the opposite and to finally bring to a close a shameful chapter of American history.

The President's Statement of Administration Policy says the following: ''The administration strongly objects to several provisions of the bill that relate to the detention facility at Guantanamo Bay, Cuba. As the administration has said many times before, operating this facility weakens our national security by draining resources, damaging our relationships with key allies and partners, and emboldening violent extremists. In February, the administration submitted a comprehensive plan to safely and responsibly close the detention facility at Guantanamo Bay, Cuba, and to bring this chapter of our history to a close. Rather than taking steps to close the facility, this bill aims to extend its operation. Sections 1032 and 1033 would continue to prohibit the use of funds to transfer Guantanamo detainees to the

United States or even to construct or modify any facility in the United States to house detainees. These restrictions would limit the ability of the executive branch to take the steps necessary to develop alternative locations for a detention facility, and from fulfilling its commitment to close the facility at Guantanamo.''

Mr. Chairman, it is truly astonishing that in 2016 the United States continues to hold people indefinitely who have not been charged, let alone convicted, of any crime and who, in some cases, have been judged not to pose any threat to the United States. By continuing to hold prisoners indefinitely without charging them and without trial is inconsistent with our professed support of liberty.

Now, I know some will say the detainees are dangerous terrorists, and some undoubtedly are. But some of them are not. They are merely people who were captured in some way but who have not been charged or judged as terrorists. Some of them are simply victims of the fact that the United States paid bounties to people in Afghanistan years ago to turn in people who they said were terrorists. The Hatfields turned in the McCoys because—why not? We were giving them a bounty of a few thousand dollars a head.

For the truly dangerous, we ought to prosecute them and, if convicted, punish them appropriately. We have, for those who need it, supermax prisons in the United States from which no one has ever escaped. There is no reason to spend so much money in Guantanamo and have this continuing shame on the reputation of the United States.

Speaking of money, GTMO is the world's most expensive prison by far. We are spending about $2.9 million annually per prisoner. It costs us less than $35,000 per prisoner to hold someone in a supermax facility in the United States. Frankly, they don't deserve the spending. We should be spending that money here in the United States, not on terrorists, but on teachers or maybe on defense. No one will argue that that money could not be spent better somewhere else.

Finally, Mr. Chairman, I include in the RECORD a letter signed by more than 30 retired generals urging the Congress to responsibly close the detention facility at Guantanamo. They quote President George Bush when he said that the facility had become a ''propaganda tool for our enemies.''

MARCH 1, 2016.

Senator JOHN MCCAIN,
Chairman, Senate Armed Services Committee, Russell Senate Building, Washington, DC.
Senator JACK REED,
Ranking Member, Senate Armed Service Committee, Russell Senate Building, Washington, DC.
Representative MAC THORNBERRY,
Chairman, House Armed Services Committee, Rayburn House Office Building, Washington, DC.
Representative ADAM SMITH,
Ranking Member, House Armed Services Committee, Rayburn House Office Building. Washington, DC.

DEAR CHAIRMEN AND RANKING MEMBERS: For over seven years we, a group of retired flag and general officers of the United States Armed Forces, have advocated the responsible closure of the detention facility at Guantanamo Bay. We have done this because it is what is best for our country. It is in our national security interests, and above all, it is about reestablishing who we are as a country.

Last week the administration presented its plan for closing the Guantanamo Bay detention facility. As the chairmen and ranking members of the House and Senate Armed Service Committees, yours is a solemn responsibility. We write to encourage you to use this plan as a foundation to come together and find a path to finally shutter the detention facility. This should not be a political issue. Former President George W. Bush determined that Guantanamo should be closed because, in his words, ''. . . the detention facility had become a propaganda tool for our enemies and a distraction for our allies. I worked to find a way to close the prison without compromising security.'' The current plan similarly seeks to achieve that objective, following the advice of our nation's top military, intelligence, and law enforcement leaders.

Closing Guantanamo will not be easy, but it is the right thing to do, and we call on you to work together to accomplish it. We take heart that our nation has elected people who will exercise their conscientious judgment, but who will not allow politics to obscure courage. Compromise for the common good is the true exercise of leadership and courage.

Sincerely,

General Charles Krulak, USMC (Ret); Vice Admiral Richard H. Carmona, USPHS (Ret.); Lieutenant General Robert G. Gard, Jr., USA (Ret.); Lieutenant General Richard L. Kelly, USMC (Ret.); Lieutenant General Charles Otstott, USA (Ret.); Lieutenant General Keith J. Stalder, USMC (Ret.); Major General Eugene Fox, USA (Ret.); Rear Admiral John D. Hutson, JAGC, USN (Ret.); Major General Michael R. Lehnert, USMC (Ret.); Major General Eric T. Olson, USA (Ret.); Major General Walter L. Stewart, Jr., USA (Ret.); Major General Margaret Woodward, USAF (Ret.); Brigadier General David M. Brahms, USMC (Ret.); Brigadier General James P. Cullen, USA (Ret.).

General David M. Maddox, USA (Ret.); Lieutenant General John Castellaw, USMC (Ret.); Vice Admiral Lee F. Gunn, USN (Ret.); Lieutenant General Claudia J. Kennedy, USA (Ret.); Lieutenant General Norman R. Seip, USAF (Ret.); Major General Paul D. Eaton, USA (Ret.); Rear Admiral Don Guter, JAGC, USN (Ret.); Major General Carl B. Jensen, USMC (Ret.); Major General William L. Nash, USA (Ret.); Major General Thomas J. Romig, USA (Ret.); Major General Antonio M. Taguba, USA (Ret.); Brigadier General John Adams, USA (Ret.); Brigadier General Stephen A. Cheney, USMC (Ret.); Brigadier General Evelyn P. Foote, USA (Ret.).

Brigadier General Alan K. Fry, USA (Ret.); Brigadier General David R. Irvine, USA (Ret.); Brigadier General Richard O'Meara, USA (Ret.); Brigadier General Daniel P. Woodward, USAF (Ret.); Brigadier General Leif H. Hendrickson, USMC (Ret.); Brigadier General John H. Johns, USA (Ret.); Brigadier General Murray G. Sagsveen, USA (Ret.); Brigadier General Stephen N. Xenakis, USA (Ret.).

Mr. NADLER. So, again, for all these reasons—it weakens our security, it drains our resources, it emboldens our enemies, and it is contrary to liberty and everything that we stand for—I urge my colleagues to support this amendment and to lift these restrictions on closing the detention facility at Guantanamo Bay. If people must be kept in prison, then they can be kept here a heck of a lot more cheaply and without subjecting us to the continued propaganda against Guantanamo.

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

Mr. THORNBERRY. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentlewoman from Indiana (Mrs. WALORSKI), a distinguished member of the Armed Services Committee.

Mrs. WALORSKI. Mr. Chairman, I rise in strong opposition to the gentleman's amendment.

Mr. Chairman, I want to take particular issue with a point made by the gentleman from New York. He is saying we can't afford to keep Guantanamo open. I stand here today and declare to you that we can't afford to close it.

Let's look at the numbers. According to SOUTHCOM, which runs the detention facility, the annual operating cost is just over $100 million. However, according to this administration's own figures, the cost to renovate a facility in the United States is nearly half a billion dollars, not including the annual operating costs.

Mr. Chairman, what is the life of an American worth? Is the gentleman from New York willing to stand here and have that conversation? I don't think so.

This is a misguided amendment that would not make Americans safer. It is in the best interests of our national security to keep Guantanamo Bay open, and, as the numbers show, it is also in the best interests of the American taxpayer.

I just also want to respond to another quick comment over here where he talked about some of those people are just merely detained. I just want to remind us in this Chamber that these are the worst of the worst. These are the most hardened terrorists the world has ever seen, and, more importantly, they have the blood of Americans on their hands and should be kept in a safe facility where they are.

Mr. Chairman, I urge my colleagues reject this amendment.

Mr. NADLER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from New York has 1 minute remaining.

Mr. NADLER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we have heard again the mantra from the other side: These people are the worst of the worst. They have American blood on their hands.

Some of them may, but many of them don't. They have not been tried. I don't know with what authority you say they are the worst of the worst; they have American blood on their hands. True of some, not of others.

What kind of system is it for the United States to simply take people, not try them, not accuse them, and hold them indefinitely because somebody says that they are the worst of the worst? On what authority and on what proof?

As for the funding, it costs between $3 million and $5 million—$2.9 million here in 2013, closer to $5 million now—per person per year. It costs $35,000 to hold someone in a supermax facility. I don't know why we have to build new supermax facilities, but if we do, we should. The point is it is incredibly expensive to keep them there for no reason.

Again, some of those people ought to be tried and sentenced to life imprisonment or whatever, some of them ought to be freed. Some of them have been judged not to be, have already been found not to be a danger to the United States. Simply repeating over and over again that they are all the worst of the worst, they all have American blood on their hands, when it is simply not true—some of them yes, some of them no—does not make the case.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio (Mr. WENSTRUP) of the Armed Services Committee.

Mr. WENSTRUP. Mr. Chairman, I rise in opposition to the Nadler amendment because the amendment would allow detainees currently housed at Guantanamo to be transferred to the United States. Why? Why do you want to do that, to endanger our communities? That is what I ask, Mr. Chairman.

I served at Abu Ghraib prison in Iraq. We were attacked three, four times a week. Why? To try to release these prisoners. We have seen that our enemy is capable of planning and, in some instances, launching attacks within the United States.

Currently, this move is not allowed. We asked the President for details on a plan. It was said that it was comprehensive. It didn't say where they would be housed or what the housing would entail or how much it would cost the taxpayer. This was not a serious plan.

What we do need, however, is a consistent policy on how to deal with future terrorist detainees. I would agree with that. Guantanamo remains our best option right now. It is a safe and appropriate location to hold detainees. It is secure and distant from our homeland.

Guantanamo also provides humane conditions for the detainees. They have appropriate access to health care, the same as our troops have there. They have recreational activities, culture, and religious materials.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Kansas (Mr. POMPEO), who serves on the Permanent Select Committee on Intelligence.

Mr. POMPEO. Mr. Chairman, I rise in opposition to the Nadler amendment as well. These are, in fact, the worst of the worst. The detainees that remain now, well under 100, are not cooks and bottle washers, but serious men who meant to do serious harm to the United States.

I want to spend the time that I have talking about a particularly pernicious argument that has been made in favor of closing this facility. It is an argument that says that these men attacked America because of the existence of Guantanamo Bay. It is inaccurate, it is false, and the facts don't support that claim.

Indeed, we have evidence, 34 translated messages from al Qaeda, from terrorists, talking about the reasons for their attacks, and only 7 times was Guantanamo Bay ever mentioned. It was mentioned in each case as a glancing issue. Iraq, Afghanistan, and even the Crusades were mentioned hundreds of times, but Guantanamo Bay is not the reason that they attacked America.

I can tell you that we wrote a letter to the Director of National Intelligence, Mr. Clapper. He, too, confirmed that this is not a motivation for the attacks. We should remember that these attacks began well before the existence of Guantanamo Bay.

The fact that Guantanamo Bay acts as an agent to promote terrorism is false and must be rejected, as must this amendment.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Colorado (Mr. COFFMAN), who is a member of the House Armed Services Committee.

Mr. COFFMAN. Mr. Chairman, I rise today in strong opposition to this amendment. The Obama administration's efforts to close the prison at Guantanamo Bay are both irresponsible and dangerous.

A report from January of this year by the Office of the Director of National Intelligence indicates that the number of Guantanamo detainees released by the Obama administration and suspected of returning to the battlefield has doubled since the last recidivism report in 2015.

Those who remain in Guantanamo Bay are the worst of the worst; so it is safe to presume that, if released, an even higher percentage of them would remain a threat to our national security. These are not U.S. citizens. They are foreign, unlawful enemy combatants that have directly supported hostilities against the United States and our allies.

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Mr. Chairman, I have and will continue to oppose any attempt to transfer these detainees to my home State of Colorado or to any other State. They must be kept at Guantanamo Bay.

The Acting CHAIR. The time of the gentleman has expired.

Mr. THORNBERRY. I yield the gentleman an additional 10 seconds.

Mr. COFFMAN. Congress has a responsibility to the American people to ensure that these unlawful enemy combatants are not brought to the United States. Mr. Chairman, these congressional restrictions must remain in place.

Mr. SMITH of Washington. Mr. Chairman, how much time does the other side have remaining?

The Acting CHAIR. The gentleman from Texas has 45 seconds remaining.

Mr. THORNBERRY. Mr. Chairman, I yield the balance of my time to the gentlewoman from Missouri (Mrs. HARTZLER), the chair of the Oversight and Investigations Subcommittee.

Mrs. HARTZLER. Mr. Chairman, it is reckless to propose this amendment. Not only does it allow them to come here on our own shores and live in our own neighborhoods, but the administration has estimated it would cost potentially $475 million just to move them here.

It also removes the prohibition that these detainees could be transferred to Somalia, Libya, and Syria. We do not want these terrorists released back onto the battlefield where they could kill our soldiers.

This is a reckless amendment. It needs to be defeated. We need to keep them at GTMO, use our taxpayer dollars wisely, and ensure the safety of our neighborhoods.

Mr. THORNBERRY. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NADLER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 13 OFFERED BY MRS. WALORSKI

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 114–569.

Mrs. WALORSKI. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title X, add the following:

SEC. 10___. APPLICATION OF THE FREEDOM OF INFORMATION ACT TO THE NATIONAL SECURITY COUNCIL.

(a) IN GENERAL.—Section 552(f)(1) of title 5, United States Code (commonly referred to as the Freedom of Information Act), is amended by inserting ''and the National Security Council'' after ''the Executive Office of the President''.

(b) EFFECTIVE DATE; APPLICATION.—

(1) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date on which the first Assistant to the President for National Security Affairs is appointed by the President, by and with the advice and consent of the Senate, pursuant to section 101(d)(1)(B) of the National Security Act of 1947 (50 U.S.C. 3021(d)(1)(B)), as added by title IX of this Act.

(2) APPLICATION.—The amendment made by subsection (a) shall apply with respect to any record created by the National Security Council on or after the date specified in paragraph (1).

The Acting CHAIR. Pursuant to House Resolution 732, the gentlewoman from Indiana (Mrs. WALORSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Indiana.

Mrs. WALORSKI. Mr. Chair, I yield myself such time as I may consume.

I rise today to offer an amendment which addresses both the incredibly important role played by the President's National Security Council, but also the concerning trend of consolidation of authority in the White House.

Over the past two administrations, the NSC has transformed from simply a coordination and advisory body to something else entirely.

We recently heard from President Obama's three former Secretaries of Defense—Gates, Panetta, and Hagel—each outlining the challenges they faced in trying to manage the Defense Department and combat operations in the face of a more intrusive NSC.

Most notably, Secretary Gates said: ''It was the operational micromanagement that drove me nuts of White House and NSC (National Security Council) staffers calling senior commanders in the field . . . second guessing commanders.''

The NSC was never intended to operate in this manner. It was intended to be an advisory body and interagency coordination center for the President. However, its size has exploded from roughly 100 staffers under President Clinton, to 200 under President Bush, and now 400 under President Obama.

Moving decisionmaking away from the departments undermines the authority of Secretaries and General officers who have been confirmed by the Senate and concentrates power with unelected, unconfirmed, and unaccountable bureaucrats who care more about optics and narratives.

This is best illustrated in the recent profile of Deputy National Security Advisor Ben Rhodes, who has a master's in creative writing and no practical experience in foreign policy.

Mr. Chairman, the National Security Council has moved far beyond its original advisory role to one in which NSC staffers make critical operational decisions.

My amendment simply restores accountability to this operational organization by requiring the NSC to participate in the Freedom of Information Act, or FOIA, upon coordination of the National Security Advisor by the Senate.

Bringing the NSC under FOIA is not without precedent. The NSC actually maintained a FOIA program and complied with requests under Presidents Ford, Carter, Reagan, Bush, and Clinton. However, a 1996 court case ruled that, since it was an advisory body, it did not need to participate.

The NSC is not simply an advisory body anymore. It is time to bring it back under FOIA and shine light on its activities.

This amendment fits well into Chairman THORNBERRY's broader NSC reform efforts. I thank him for making this a priority in this year's NDAA.

As the chairman outlined earlier, these provisions will make it clear to future administrations that the NSC cannot continue to just grow in size and mission without consequential oversight measures.

I yield 1 minute to the gentleman from Texas (Mr. THORNBERRY), the esteemed chairman of the House Armed Services Committee.

Mr. THORNBERRY. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, the gentlewoman makes the point very well that, at a certain point, you get enough people that the institution of the National Security Council staff takes on different characteristics.

When it has those different characteristics, then you have to comply with FOIA, then you have to be confirmed by the Senate, and then you have to be able to come before Congress and justify the decisions that you have made.

That is the point with both of our amendments, that there comes a point that basic nature changes and there are implications of that, including the one that is related to the gentlewoman's amendment.

I support her amendment, and I hope Members will support it.

Mrs. WALORSKI. Mr. Chairman, I thank the chairman for his strong support.

Mr. Chairman, I yield 1 minute to the gentleman from Montana (Mr. ZINKE), my friend and colleague on the Armed Services Committee.

Mr. ZINKE. Mr. Chairman, I rise today to support my colleague from Indiana's amendment.

The amendment is simply about restoring public accountability and transparency to the National Security Council.

As a former Deputy Commander of Special Operations in Iraq, I have personally seen what happens. Oftentimes, our rules of engagement that dictate how we fight are politicized and it diminishes our ability to fight. I have seen it. It is time to change.

If they move out of an advisory role to a role where they are commanding and interpreting commands, then we need FOIA. America deserves accountability. America deserves our ability to look at who is calling the shots and why.

This is not a hit on the administration. This is an American issue. When a role is advisory and comes from advisory to command, then that command needs to be held accountable. That is what we do.

Mrs. WALORSKI. Mr. Chair, I thank the gentleman from Montana.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, none of what has been said really changes under these amendments. What all this really is is an argument to get rid of the NSC, to say that this group of folks should not exist. As we argued before, the reason the National Security Council was created was to offer the President close and confidential advice.

Now, that National Security Council, as was pointed out by other people who have made arguments about this, has consistently been criticized by the other Departments, going all the way back, I imagine, to when the NSC was formed. Whether there is 100, 200, or 300 of them, that really doesn't change that basic conflict.

Do you believe the President needs these confidential advisers? If you do, then you should oppose these amendments. They should get rid of the NSC. If you are going to take away the advice and their ability to do that, then we should just have the DOD and the President shouldn't have these advisers.

But there is a reason the NSC was created in the first place, to give the President those close advisers. Further restricting it in this manner effectively eliminates the NSC.

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

Mrs. WALORSKI. Mr. Chairman, this is absolutely not an amendment to get rid of the NSC. This just simply brings accountability and transparency into a very important agency, into a White House that has taken this to no longer just an advisory agency role on behalf of the American people who we serve.

I ask my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI).

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 732, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 19, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38 printed in part B of House Report 114–569, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 19 OFFERED BY MR. CALVERT OF CALIFORNIA

At the end of title XI, add the following new section:

SEC. 1112. REPORT ON DEPARTMENT OF DEFENSE CIVILIAN WORKFORCE PERSONNEL AND CONTRACTORS.

(a) FINDINGS.—Congress finds the following:

(1) A large, disproportionate, and duplicative civilian work force coupled with bureaucratic, structural inefficiencies has detracted from the Pentagon's production of combat power and its ability to modernize.

(2) The recent uniformed military drawdown has not been accompanied by an equivalent reduction of either the civilian or contractor work force. Right sizing the civilian workforce must be statutory in number but implemented with executive discretion. Across-the-board cuts to the defense civilian workforce are not the answer.

(3) Spending on contract services is over 50 percent of all Department of Defense purchases even as the total defense budget has dropped. Expenditures in services contracting lack appropriate oversight, accountability, and scrutiny.

(b) REPORTS.—

(1) IN GENERAL.—The Secretary of Defense shall submit a preliminary report within 90 days after the date of the enactment of this Act, and a final report within 180 days after such date, to the congressional defense committees detailing the structure and number of the civilian workforce and contractors of the Department of Defense.

(2) CONTENTS.—Except as provided in paragraph (3), each report shall include the following for each of fiscal years 2017 through 2020, including a breakdown in location, job function, General Schedule (GS) level, and date of when the job was created for the following individuals:

(A) The total number of full time equivalent employees, including each of the following:

(i) The total number of Senior Executive Service employees and their assignments.

(ii) The total number of civilian employees of the Department of Defense within the military health care system.

(iii) The total number of civilian employees of the Department employed at depots, arsenals, and ammunition facilities.

(B) The total number of civilian contractors of the Department of Defense, including each of the following:

(i) The total number of civilian contractors for weapons acquisitions.

(ii) The total number of civilian contractors for services or labor for non-weapon systems acquisitions.

(iii) The total number of civilian contractors employed at depots, arsenals, and ammunition facilities.

(3) PRELIMINARY REPORT.—The preliminary report provided under this subsection—

(A) shall cover the contents described in paragraph (2) in as much detail as is ascertainable within 90 days after the date of the enactment of this Act; and

(B) shall include an explanation of any impediments to developing a complete and final report by 180 days after such date of enactment.

AMENDMENT NO. 28 OFFERED BY MR. COLLINS OF NEW YORK

At the end of subtitle B of title III, insert the following new section:

SEC. 3___. ALTERNATIVE TECHNOLOGIES FOR MUNITIONS DISPOSAL.

In carrying out the disposal of munitions in the stockpile of conventional ammunition awaiting demilitarization and disposal (commonly referred to as munitions in the ''B5A account'') the Secretary of the Army shall consider using cost-competitive technologies that minimize waste generation and air emissions as alternatives to disposal by open burning, open detonation, direct contact combustion, and incineration.

AMENDMENT NO. 29 OFFERED BY MR. RUSSELL OF OKLAHOMA

At the end of title III, add the following new section:

SEC. 3___. MOTOR CARRIER SAFETY PERFORMANCE AND SAFETY TECHNOLOGY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, acting through the commander of the United States Transportation Command, should reassess the guidelines for the evaluation of motor carrier safety performance under the Transportation Protective Services program taking into consideration the Government Accountability Office report numbered GAO-16-82 and titled ''Defense Transportation; DoD Needs to Improve the Evaluation of Safety and Performance Information for Carriers Transporting Security-Sensitive Materials''.

(b) EVALUATION OF SAFETY TECHNOLOGY.—To avoid catastrophic accidents and exposure of material, the Secretary shall evaluate the need for proven safety technology in vehicles transporting Transportation Protective Services shipments, such as electronic logging devices, roll stability control, forward collision avoidance, lane departure warning systems, and speed limiters.

AMENDMENT NO. 30 OFFERED BY MR. COSTA OF CALIFORNIA

At the end of title III, add the following new section:

SEC. 3___. BRIEFING ON WELL-DRILLING CAPABILITIES OF ACTIVE DUTY AND RESERVE COMPONENTS.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives (and other congressional defense committees on request) a briefing on the well-drilling capabilities of the active and reserve components.

(b) ELEMENTS.—The briefing under subsection (a) shall include a description of—

(1) the training requirements of active and reserve units with well-drilling capabilities;

(2) the locations at which such units conduct training relating to well-drilling; and

(3) the cost and feasibility of rotating the training locations of such units to areas in the United States that are affected by drought conditions.

AMENDMENT NO. 31 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

At the end of subtitle B of title V (page 119, after line 18), add the following new section:

SEC. 515. ELECTRONIC TRACKING OF OPERATIONAL ACTIVE-DUTY SERVICE PERFORMED BY MEMBERS OF THE READY RESERVE OF THE ARMED FORCES.

The Secretary of Defense shall establish an electronic means by which members of the Ready Reserve of the Armed Forces can track their operational active-duty service performed after January 28, 2008, under section 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10, United States Code. The tour calculator shall specify early retirement credit authorized for each qualifying tour of active duty, as well as cumulative early reserve retirement credit authorized to date under section 12731(f) of such title.

AMENDMENT NO. 32 OFFERED BY MS. MENG OF NEW YORK

At the end of subtitle E of title V, add the following:

SEC. 568. REPORT ON COMPOSITION OF SERVICE ACADEMIES.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on the demographic composition of service academies that includes—

(1) an analysis of—

(A) the demographic composition of each service academy's—

(i) recruits;

(ii) nominees;

(iii) applicants;

(iv) qualified applicants;

(v) admits;

(vi) enrollees;

(vii) graduates; and

(viii) graduate occupation placement;

(B) how such composition compares to the demographic composition of—

(i) the United States;

(ii) enlisted members of the Armed Forces;

(iii) officers of the Armed Forces; and

(iv) other institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)); and

(C) the demographic composition of each quintile of academic ranking for each service academy's graduating class;

(2) a description of the considerations given to demographic composition in each service academy's—

(A) recruitment efforts (including funding decisions made to further such efforts);

(B) qualification decisions; and

(C) admissions decisions; and

(3) recommendations for best—

(A) recruitment practices;

(B) nominating practices;

(C) qualification decision practices; and

(D) admissions practices.

(b) DEFINITION.—In this section the term ''service academy'' means each of the following:

(1) The United States Military Academy.

(2) The United States Naval Academy.

(3) The United States Air Force Academy.

(4) The United States Coast Guard Academy.

(5) The United States Merchant Marine Academy.

(c) SCOPE OF REPORT.—The report required by this section shall examine each service academy class admitted following the date of enactment of section 543 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160).

AMENDMENT NO. 33 OFFERED BY MR. PALMER OF ALABAMA

At the end of subtitle G of title V (page 162, after line 20), add the following new section:

SEC. 585. AUTHORIZATION FOR AWARD OF DISTINGUISHED-SERVICE CROSS TO FIRST LIEUTENANT MELVIN M. SPRUIELL FOR ACTS OF VALOR DURING WORLD WAR II.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished-Service Cross under section 3742 of such title to First Lieutenant Melvin M. Spruiell of the Army for the acts of valor during World War II described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of First Lieutenant Melvin M. Spruiell

on June 10 and 11, 1944, as a member of the Army serving in France with the 377th Parachute Field Artillery, 101st Airborne Division.

AMENDMENT NO. 34 OFFERED BY MS. SEWELL OF ALABAMA

Page 143, line 3, add after the period the following: ''The cyber institute may place a special emphasis on entering into a partnership under this subsection with a local educational agency located in a rural, underserved, or underrepresented community.''.

AMENDMENT NO. 35 OFFERED BY MR. TAKANO OF CALIFORNIA

Page 150, after line 4, insert the following:

(C) A comparison of the pilot program to other programs conducted by the Department of Defense and Department of Veterans Affairs to provide unemployment and underemployment support to members of the reserve components and veterans.

Page 150, line 5, strike ''(C)'' and insert ''(D)''.

AMENDMENT NO. 36 OFFERED BY MR. GRAYSON OF FLORIDA

At the end of subtitle E of title V (page 153, after line 9), add the following new section:

SEC. 568. INCLUSION OF ALCOHOL, PRESCRIPTION DRUG, OPIOID, AND OTHER SUBSTANCE ABUSE COUNSELING AS PART OF REQUIRED PRESEPARATION COUNSELING.

Section 1142(b)(11) of title 10, United States Code, is amended by inserting before the period the following: ''and information concerning the availability of treatment options and resources to address substance abuse, including alcohol, prescription drug, and opioid abuse''.

AMENDMENT NO. 37 OFFERED BY MR. BOST OF ILLINOIS

At the end of subtitle F of title V insert the following:

SEC. _____. IMPACT AID.

Notwithstanding section 5(d) of the Every Student Succeeds Act (Public Law 114–95; 129 Stat. 1806), the amendment made by section 7004(1) of such Act (Public Law 114–95; 129 Stat. 2077)—

(1) for fiscal year 2016, shall—

(A) be applied as if amending section 8003(a)(5)(A) of the Elementary and Secondary Education Act of 1965, as in effect on the day before the date of enactment of the Every Student Succeeds Act (Public Law 114–95; 129 Stat. 1802); and

(B) be in effect with respect to appropriations for use under title VIII of the Elementary and Secondary Education Act of 1965, as in effect on the day before the date of enactment of the Every Student Succeeds Act; and

(2) for fiscal year 2017 and each succeeding fiscal year, shall be in effect with respect to appropriations for use under title VII of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (Public Law 114–95; 129 Stat. 1802).

AMENDMENT NO. 38 OFFERED BY MS. DELBENE OF WASHINGTON

At the end of subtitle F of title V (page 156, after line 23), add the following new section:

SEC. 573. ELIMINATION OF TWO-YEAR ELIGIBILITY LIMITATION FOR NONCOMPETITIVE APPOINTMENT OF SPOUSES OF MEMBERS OF THE ARMED FORCES.

Section 3330d(c) of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(3) NO TIME LIMITATION ON APPOINTMENT.—A relocating spouse of a member of the Armed Forces remains eligible for noncompetitive appointment under this section for the duration of the spouse's relocation to the permanent duty station of the member.''.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Texas (Mr. O'ROURKE) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, each of these amendments have been coordinated with both sides of the aisle. I urge Members to support this en bloc package.

I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I thank the chairman for yielding me the time in today's debate.

Mr. Chairman, as part of the Department of Defense's Innovative Readiness Training, a mission that provides military training and resources and supports local communities throughout the country, there are four National Guard teams that are currently practicing the fine art of well drilling in the United States prior to deploying abroad. Clearly, we know in parts of the Middle East having the water resources available to support our troops is absolutely essential.

My amendment has the potential to help areas, though, in our country today as part of this training program. Regions throughout the country have experienced devastating droughts. Those in the area that I represent, the San Joaquin Valley of California, have experienced a loss of drinking water supplies as a result of these serious drought conditions they have had to face.

In California alone, there have literally been thousands and thousands and thousands of households that have been without access to drinking water.

The Acting CHAIR. The time of the gentleman has expired.

Mr. O'ROURKE. I yield the gentleman an additional 1 minute.

Mr. COSTA. Mr. Chair, I thank the gentleman.

This amendment would try to respond to those thousands of households that have lost their source of drinking water. This amendment would require the Department of Defense to provide a report to Congress on the well drilling capabilities of military units and the feasibility of rotating their training locations so that they can do their training in areas where the devastating droughts have impacted to the greatest degree, primarily in western States.

I think this is a commonsense amendment. I ask that it be adopted.

Mr. O'ROURKE. Mr. Chair, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I urge adoption.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, I rise to note my reservations about the characterization of civilian employees in the Calvert amendment to the Fiscal Year 2017 National Defense Authorization Act. Although I believe it is important that we have a good assessment of the number and location of our civilian and contractor personnel who work at the Department of Defense, I believe it is also important that we accurately reflect the critical role that our federal civilians play in ensuring the military readiness of our nation.

I have the distinct privilege of representing Hill Air Force Base in Ogden, Utah and serving on the House Armed Services Committee, Subcommittee on Readiness. As such, I have had a front row seat reviewing our nation's combat power and the role played by the civilian workforce in generating and supporting combat power. I can tell you that our civilian workforce does not detract from combat power, but serves as a force multiplier and as part of the backbone of military readiness. Without the men and women who serve at the Ogden Air Logistics Complex at Hill Air Force Base, as well as the other Air Logistics Complexes and military depots around the country in all of the services, we would have mission failure in any number of military aircraft on a daily basis, failing our warfighters, and costing lives. It is time that we stand up and salute our nation's federal civilians who work at the Department of Defense. Their work is valuable and their contributions are numerous.

I think we need to tread very carefully in asserting Congressional findings that would cast a wide-net of negative aspersions on thousands of defense civilians who directly support the war fighter, and often make substantial sacrifices to do so. I am concerned that they are not unfairly pegged as being wasteful or superfluous to readiness. Yes, let's conduct oversight and study the defense civilian workforce, but let's hold off making such findings until after the facts are in and the defense committees have had adequate time to review and analyze the results. To do otherwise puts the cart before the horse, and is frankly unfair to thousands of my constituents who have suffered under this Administration's illegal decision to direct furloughs of working capital fund employees without pay. We cannot continue to treat our depot civilians in this manner without profound negative consequences to hard working families and ultimately to the warfighter.

Mr. COLE. Mr. Chair, I rise to express my concern with only certain aspects of the Calvert amendment that is included in part of the second en bloc of amendments to the Fiscal Year 2017 National Defense Authorization Act. I respect my colleague from California and his attempt to catalogue the numbers of civilians and contractors performing work for the Department of Defense; however, I object to the characterization of civilian employees and their role in the military structure.

I have the great privilege of representing the men and women who serve our nation at Tinker Air Force Base and Fort Sill. There is no finer group of people anywhere in the world. They are patriots. And they serve as the backbone of military readiness for the U.S. Air Force and for the United States military. Without the work performed at Tinker, located in Oklahoma City, many of our most complex aircraft simply would not be mission ready. The aircraft could not be flown and our nation's defense would be greatly degraded. Therefore, to find that our civilian workforce is disproportionate, duplicative and is detracting from combat power is incorrect. Civilian employees are essential to the operations and readiness of our military. We simply cannot do the mission without them.

I agree with the finding that across-the-board cuts to the defense civilian workforce are not the answer. However, it is important to note, that all areas of the workforce do not need additional cuts. For example, depots had already taken a greater percentage cut than the military and now we find ourselves in the unfortunate position that for military readiness purposes—for the absolute necessity of supporting our warfighter—we are in the position of requiring some of our Air Logistics Complexes to hire over 1,000 additional personnel per year for a 2 year period. In fact, this bill contains a provision which will provide direct hire authority so that the services can hire the people they need, quickly and efficiently. Sometimes in our zeal to limit or cut our civilians, we lose sight of the mission and make assumptions that are not rooted in fact.

Again, I want to commend and thank our outstanding civilian workforce and particularly those who live and work in the great State of Oklahoma for their skill and their dedication to the military mission. Their contributions to our great country should be acknowledged and commended.

Mr. CALVERT. Mr. Chair, Chairman MAC THORNBERRY, and Ranking Member ADAM SMITH, I rise in support of Rules Amendment Number 161 to H.R. 4909, the National Defense Authorization Act (NDAA) for Fiscal year 2017. However, I would first like to thank you for your thoughtful approach in writing this year's bill; it was not an easy task. The particular focus on end-force readiness restoration is to be commended; we cannot ask members of the armed forces to defend their country and democracy without adequately outfitting and training the soldier, unit and force. Additionally, I am pleased to see the NDAA's approach toward much needed acquisition reform, healthcare reform, Goldwater Nichols reform and more.

However, as we debate today it is incumbent on us as Members of Congress to continue the discussion about the right mix of active duty, civilian and contractors at the Department of Defense.

The recent uniformed military drawdown has not been accompanied by an equivalent reduction of either the civilian or contractor work force as in drawdowns in the past.

A large, disproportionate, and duplicative work force coupled with bureaucratic, structural inefficiencies has detracted from the Pentagon's production of combat power and its ability to modernize.

Right sizing the civilian workforce must be multifaceted, statutory in number, and implemented with executive discretion. Across the board cuts to the defense civilian workforce are not the answer.

Spending on contract services is over 50 percent of all Department of Defense purchases even as the total defense budget has dropped. Expenditures in service contracting lack appropriate oversight, accountability, and scrutiny.

However, no proper approach to addressing the civilian workforce may be accomplished without first understanding who these civilian workers are, where they are located, and what jobs they are performing. My amendment, Rules Committee Number 161, seeks a report by the Department of Defense on the total civilian workforce picture. In the past, reports have been requested but are fragmented in nature. The report I am requesting will require a projection from fiscal years 2017 through 2020 of Full Time Equivalent (FTE) and contractor employees broken down into several sub-categories including location, job function, General Schedule (GS) level, and date of when the job was created.

As we debate the Fiscal Year 2017 National Defense Authorization Act (NDAA), it is incumbent on us as Members of Congress to continue the discussion about the right mix of active duty, civilian and contractors at DoD.

Mr. BEYER. Mr. Chair, I rise to express my concern with certain aspects of the Calvert amendment that is included in part of the en bloc amendments to the Fiscal Year 2017 National Defense Authorization Act that we will pass by voice vote. My colleague from California has every right to attempt to catalogue the quantity of civilian and contractors within the Department of Defense. But I must object to his characterization of our civilian defense employees' roles.

I am lucky enough to represent nearly 80,000 federal employees, many of whom work at the Pentagon, Joint Base Myer-Henderson Hall, Fort Belvoir, or one of the myriad Department of Defense installations around Northern Virginia. This includes ground breaking work at the Defense Advanced Research Projects Agency, important work to keep us safe at Defense Threat Reduction Agency, and the jobs supplying our military with the tools it needs at the Defense Logistics Agency. Our nation, its people, and its defenses would not by possible without the dedicated work of these individuals.

Mr. CALVERT's effort to categorize these civilian defense employees as disproportionate or duplicative undermines the incredible work they do every day to keep our military running. The ability to produce combat power, modernize, and keep our troops healthy and safe are critical functions at the Department of Defense. Moreover, they are critical functions performed by highly intelligent, accomplished, and dedicated civilian employees.

Our civilian workforce has already weathered years of uncertain budgets, pay freezes, a government shutdown, and sequester furloughs. We should not further demean the important work they do with this amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENT NO. 14 OFFERED BY MR. POE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 114–569.

Mr. POE of Texas. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 394, after line 5, insert the following:

SEC. 1048. REQUIREMENT RELATING TO TRANSFER OF EXCESS DEPARTMENT OF DEFENSE EQUIPMENT TO FEDERAL AND STATE AGENCIES.

Section 2576a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) PREFERENCE FOR BORDER SECURITY PURPOSES.—(1) In transferring the personal property described in paragraph (2) under this section, the Secretary of Defense shall give preference to Federal and State agencies that agree to use the property primarily for the purpose of strengthening border security along the southern border of the United States.

''(2) The personal property described in this section is—

''(A) surveillance unmanned aerial vehicles, including the MQ-9 Reaper (also known as the 'Predator B') and the Aerostat radar system;

''(B) night-vision goggles; and

''(C) high mobility multi-purpose wheel vehicles (commonly known as 'humvees').''.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. POE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Mr. Chairman, I ask unanimous consent that amendment No. 14 be modified in the manner that I have placed and filed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

MODIFICATION TO AMENDMENT NO. 14 OFFERED BY MR. POE OF TEXAS

Page 394, after line 5, insert the following:

SEC. 1048. REQUIREMENT RELATING TO TRANSFER OF EXCESS DEPARTMENT OF DEFENSE EQUIPMENT TO FEDERAL AND STATE AGENCIES.

Section 2576a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) PREFERENCE FOR BORDER SECURITY PURPOSES.—(1) In transferring the personal property described in paragraph (2) under this section, the Secretary of Defense may give first preference to the Department of Homeland Security and then to Federal and State agencies that agree to use the property primarily for the purpose of strengthening border security along the southern border of the United States.

''(2) The personal property described in this section is—

''(A) unmanned aerial vehicles;

''(B) the Aerostat radar system;

''(C) night-vision goggles; and

''(D) high mobility multi-purpose wheel vehicles (commonly known as 'humvees').''.

Mr. POE of Texas (during the reading). Mr. Chair, I ask unanimous consent that the modification be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Is there objection to the modification?

There was no objection.

□ 1730

Mr. POE of Texas. I thank the chairman of the full committee.

Mr. Chair, this amendment is very similar to amendments that have been on this House floor before, presented by me and others, and is similar to an amendment that passed unanimously in the FY 2015 NDAA. It is called the SEND Act. It addresses the process of sending excess military equipment, which is not being used, to our border security folks to help them secure the border. That is the purpose of previous

amendments and legislation that started all the way back in 2011.

One way that the Department of Defense helps the Border Patrol is through the transfer of equipment that it deems to be in excess to its needs. Under current law, the transfer of this excess equipment gives some preference to counterdrug, counterterrorism, and some border security activities.

This amendment simply takes that preference a step further, giving border security preference for a few specific pieces of equipment which are particularly useful for border security applications: unmanned surveillance vehicles, including aerostat blimps that are now being used, night vision goggles, and Humvees.

The Border Patrol, as we all know, is the first and last line of defense against criminal gangs that come into the United States. In my home State of Texas, I have been to the border numerous times, and we have the same issue that other border States have with the criminal drug cartels, which are involved in not only bringing drugs into the United States, but in trafficking humans for sex slavery, labor slavery, and other purposes.

After talking with them about many, many issues, we found out the situation on the border regarding equipment. A Texas ranger once told me that the drug cartels outman, outgun, out-finance, and out-equip the Border Patrol and those who are on the border who are trying to protect us from those criminal gangs that are coming into the United States.

One of the issues the last time I was down at the border 2 or 3 weeks ago was that the Border Patrol was actually excited about these aerostats that are being used. That is a blimp that they put up in the sky, and it helps in surveillance along the border. They need more of those on the border. Of course, this amendment does exactly that. It gives a preference to those specific items that are mentioned in the amendment for the Border Patrol to use for border security purposes.

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

Mr. O'ROURKE. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. O'ROURKE. Mr. Chair, I yield myself 3 minutes.

This amendment is a solution in search of a problem. In fact, I think it will exacerbate some of the security problems we already have.

As the gentleman knows, the border security agencies can already apply for this excess military equipment, but I ask those representatives who represent the people who live on the U.S. side of the U.S.-Mexico border—cities like San Diego, California; Nogales, Arizona; El Paso, Laredo, and Brownsville, Texas—whether they want UAVs, or unmanned aerial vehicles, which could also be MQ–9 Reapers, flying over their homes, their schools, their neighborhoods, prying into their backyards each and every day.

This is at a time when we are already spending $18 billion a year to secure our border with Mexico and when we are seeing less than zero migration from Mexico itself. In the year 2000, we had 1.6 million apprehensions. This last year, we didn't even reach 400,000 apprehensions.

Of any border of which we are told by the Director of the National Counterterrorism Center, by the Director of the FBI, by the Secretary of Homeland Security that there has never been nor is there now a terrorist, a terrorist organization, or a terrorist plot that is seeking to exploit the border with Mexico, what this does is further takes our eye off the ball where we have known risks and known threats to this country and to the homeland. It stokes fear and anxiety and, in some cases, hatred towards our neighbor to the south, towards those communities on the U.S. side of the U.S.-Mexico border—communities like my own El Paso, Texas, which happens to be the safest city in the United States today.

Mr. Chair, I urge my colleagues to vote against this amendment that does not solve any problems and, I argue, would make some of the security issues that we already have worse.

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

Mr. POE of Texas. Mr. Chair, the first thing is that this amendment does not include the MQ–9 Reaper that the gentleman mentioned. It does not make a preference for that. I also take exception to the ''hatred'' comment that was made here.

Look, the border security in the United States has issues. The Border Patrol says we need to help find those illegal gangs that are coming into the United States. This is not about the surveillance of Americans and spying on Americans. It is on the border.

I yield such time as he may consume to the gentleman from Texas (Mr. CUELLAR), who represents part of the Texas border, the city of Laredo.

Mr. CUELLAR. Mr. Chair, I do support Mr. POE's amendment.

With all due respect to my good friend, we do want to secure the border. We just want to do it in the right way.

While some people are talking about securing the border with a wall—a 14th century solution—I think if we use the aerostats, we can provide coverage and surveillance to make sure that we secure the border. In fact, in south Texas, including in my district, we have five of those aerostats right now. The communities support them. The Border Patrol certainly supports them. In fact, in appropriations, I am asking for five new aerostats so we can go ahead and secure the border. Each aerostat covers about 20 miles. So if you want to cover the border—1,954 miles of border—divided by 20, with about 97 or 98 aerostats, minus the 5 that we already have in place, we will secure the border in an electronic way.

This also helps us secure the border on the Mexico side. In talking to the Border Patrol, they have used some of that information because they can go 20 miles into Mexico, and already we have coordinated some of those activities with the Mexican law enforcement officials to stop those drug gangs before they come over to the U.S. You turn the camera 20 miles into Mexico, and with about 97 aerostats, we can secure the whole border.

Again, I support this amendment, and I thank the gentleman very much for yielding.

Mr. O'ROURKE. Mr. Chair, I inquire as to how much time remains on my side.

The Acting CHAIR. The gentleman from Texas (Mr. O'ROURKE) has 3 minutes remaining.

Mr. O'ROURKE. Mr. Chair, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. I thank the gentleman from Texas.

Mr. Chair, I rise in opposition to the Poe amendment.

This amendment would expand the military's authority under the 1033 program to flood our streets with surplus battle-ready military equipment straight from the battlefields of Iraq and Afghanistan.

Specifically, this amendment would allow the Defense Department to transfer equipment, such as the MQ–9 Reaper drone, to Federal and State law enforcement agencies. This is a cynical attack, cloaked in the name of border security on President Obama's executive order, that limits the proliferation of military equipment within the borders of America.

Typically, the 1033 program feeds more than $4.3 billion in surplus military grade weaponry, including armored vehicles and tanks, into the United States annually. Now we have Republicans looking to expand the type of weaponry that is distributed to law enforcement under the 1033 program to include military drones.

While border security should remain at the forefront of our political discourse, the use of Grim Reaper drones and other military equipment to track and hunt down human beings is not the answer. An increase in manpower, training and facilities, not MQ–9 Reapers, is the way that we should go about our efforts in protecting our borders without sacrificing our values of respect for basic human rights and dignity.

Moreover, allowing military equipment, such as predator drones, into America's airspace puts Americans at risk. Federal agencies have already lost hundreds of guns and grenade launchers that have been donated to police departments, and many of these weapons have shown up for sale on eBay or have been reported stolen. I don't want to see this happen with equipment, such as military drones, being doled out to border security.

Further, the militarization of our State and Federal border security agencies will make the border more volatile and not safe. Therefore, I rise in opposition, and I ask my colleagues to support me in my opposition.

Mr. POE of Texas. Mr. Chair, how much time remains on my side?

The Acting CHAIR. The gentleman from Texas (Mr. POE) has 30 seconds remaining.

Mr. POE of Texas. I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chair, the gentleman from Texas says that the MQ–9 Reaper is not specifically addressed in this amendment. However, UAVs are—unmanned aerial vehicles—and the MQ–9 is one of them.

The point that I am trying to make is that we do not need to further militarize the border at a time when it is safer than it has ever been and when, in fact, U.S. cities on the U.S. side of the U.S.-Mexico border are far safer than the average city in the interior of this country. If we need to send surplus military equipment elsewhere, let it be prioritized based on need, based on known threat. When we send security resources where we don't have proven threats, we take them away from where we do. That makes this country less safe.

I urge my colleagues to vote against this amendment.

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

Mr. POE of Texas. Mr. Chair, I yield myself the balance of my time.

The government already has a plan to send excess equipment to law enforcement. What this bill does is prioritize that equipment to the Border Patrol. For those concerned about national spying that takes place in the United States, which they claim, they would support this because its priority is to the border. It is not to other agencies.

The gentleman from Laredo said it best. Mr. Chair, believe it or not, we cooperate with the Mexican Government, and they get information from us when we use those aerostats over the border, and they capture the bad guys before they come into the United States.

We need to support this amendment, prioritize it, and give them the equipment that they need.

And that is just the way it is.

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

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Texas (Mr. POE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POE of Texas. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment, as modified, offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 16 OFFERED BY MR. KELLY OF PENNSYLVANIA

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part B of House Report 114–569.

Mr. KELLY of Pennsylvania. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 462, after line 13, insert the following:

SEC. _____. LIMITATION ON AVAILABILITY OF FUNDS FOR DESTRUCTION OF CERTAIN LANDMINES AND REPORT ON DEVELOPMENT OF REPLACEMENT ANTI-PERSONNEL LANDMINE MUNITIONS.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Defense may be obligated or expended for the destruction of anti-personnel landmine munitions before the date on which the Secretary of Defense submits the report required by subsection (c).

(b) EXCEPTION FOR SAFETY.—Subsection (a) shall not apply to any anti-personnel landmine munitions that the Secretary determines are unsafe or could pose a safety risk if not demilitarized or destroyed.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Congress a report that includes the following:

(A) An assessment of the current state of research into operational alternatives to anti-personnel landmines.

(B) Any other matter that the Secretary determines should be included in the report.

(2) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) ANTI-PERSONNEL LANDMINE MUNITIONS DEFINED.—In this section, the term ''anti-personnel landmine munitions'' includes anti-personnel landmines and sub-munitions as defined by the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, as determined by the Secretary.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Pennsylvania (Mr. KELLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. KELLY of Pennsylvania. Mr. Chair, I rise in strong support of amendment No. 16, to prohibit the use of funds to dismantle the U.S. stockpile of anti-personnel landmines, APLs, unless the Secretary of Defense submits a report to Congress on the operational alternatives to APLs.

Further, my amendment contains an exception for the destruction of APLs that would be unsafe to store. This amendment would effectively renew the ban that was passed by the full Congress and signed into law by the President in Public Law No. 114–92, the National Defense Authorization Act for Fiscal Year 2016.

Mr. Chair, our military commanders have spoken clearly regarding the value and the need for APLs. On March 6, 2014, the United States' highest ranking military officer, Martin Dempsey, the Chairman of the Joint Chiefs of Staff, called anti-personnel landmines an important tool in the arsenal of the United States.

□ 1745

When he was head of the U.S. European Command, General Wesley Clark agreed, saying that ''our field commanders count on APLs to protect the force, influence, maneuver, and shape the battle space, and mass combat power for decisive engagement.'' He also added that the need for APLs was increasing.

Furthermore, two major studies, one conducted by the National Research Council and the other by NATO, have concluded that APLs provide crucial tactical advantages on the battlefield.

Yet on September 29, 2014, President Obama announced that outside of the Korean Peninsula, the U.S. would not use APLs in order to ''underscore its commitment to the spirit and humanitarian aims of the Ottawa Convention.'' The President's actions were, by his own admission, taken to move the U.S. towards full compliance with a treaty, commonly known as the Ottawa Convention, to which the Senate has not given its advice and consent. Moreover, this was created by an NGO-led process that openly sought to ''push aside the central feature of state sovereignty.''

The process that created the treaty was bad. The treaty has not been approved by the Senate, not signed by the President, and our senior military officials state that it would deprive us of an important weapon. Yet the Obama administration seeks to move us forward in compliance with it.

The U.S. has taken action on APLs. We give more funding for APL clearance than any other nation in the world. We are party to amended Protocol II to the Convention on Certain Conventional Weapons, the CCW, which requires U.S. APLs to be designed to deactivate or self-destruct.

Our APLs meet those standards. U.S. APLs are not killing civilians. Like all weapons, APLs can be used rightly or wrongly. When used responsibly, as U.S. APLs are, they protect our forces, the forces of our allies, and civilians alike.

Landmine opponents, like the administration, state that the Ottawa Convention ''shows our leadership'' and that it is reducing the threat of landmines around the world. That is simply not true. Many IEDs, legally speaking, are APLs. From February 2015 to January 2016, the Pentagon's own Joint Improvised-Threat Defeat Agency recorded over 50,000 worldwide casualties as a result of IED attacks.

The Ottawa Convention isn't solving the landmine problem; it is simply disarming the good guys. In this environment, we need weapons that can protect camps, cities, roads, and bases

from insurgent attack. Today, one of those weapons is the APL.

Unless we have an alternative to APLs that is equal to or better than APLs at keeping our troops safe, we should not, and dare not, get rid of our stockpile of APLs. The safety of our sons and daughters in uniform is of the utmost importance.

Mr. Chairman, I want to thank Chairman THORNBERRY and his staff for working with my office on this important issue.

I urge adoption of this amendment.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR (Mr. HULTGREN). The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I yield myself such time as I may consume.

I oppose this amendment because it restricts, the President restricts, the Department of Defense from taking actions that they feel are necessary in the best interest of the national security of our country by prohibiting their ability to get rid of the landmines that they wish to get rid of.

The problem with landmines and the reason there was such an international outcry is, after conflicts, they tend to be left in the areas of conflict; and throughout the world, many innocents have wound up being killed by these landmines that are left over. They are a weapon that can indiscriminately hit civilians.

I think the IED example is an excellent example of how pernicious these weapons are. They do attack, indiscriminately, civilians and military personnel alike.

What the President is attempting to do is to get us to the point we are in compliance with the treaty that was reached. It has not been confirmed by the Senate, that is true. But as Commander in Chief, the President has the authority to decide what weapons we should or should not have.

And it is important that they do maintain the exception of Korea, where we have the very specific threat from North Korea, to make sure that we preserve that option. Outside of that, the President and our commanders at the Department of Defense have determined that this option is not one that we need to provide for national security, and it is one that the international community has condemned.

We have had attempts—the Geneva Convention and others—at limiting the carnage given by warfare. One of the ways to limit that would be to limit the amount of landmines that are available. That is what the President is attempting to do. This amendment, I believe, would unfairly restrict him in his ability to do that. He has the ability, as Commander in Chief, to make those decisions in consultation with the DOD. This restricts him in a way that I do not support, and I urge this body to oppose the amendment.

I reserve the balance of my time.

Mr. KELLY of Pennsylvania. Mr. Chair, I respect the gentleman's opinion. I understand the President is the Commander in Chief, but I also understand that the APLs, the ones that we use, protect our forces, our friends, and our allies.

As far as the danger of them, we lead on landmine clearance, and we have lived up to all the international obligations we have accepted. The landmine ban treaty disarms us, not our enemies. Dismantling our APLs is not showing leadership. Instead, it would be the height of irresponsibility.

I know that sometimes in this House we get to the point where politics takes precedence over policy. If, at the end of the day, this House can't do everything possible to protect our daughters and sons in uniform and our allies and friends around the world—we are the most responsible user of APLs. We are doing more than anybody else to disarm IEDs.

The problem comes down to where does the United States stand. We need to stand, and we need to be resolute behind our Armed Forces. That is why I stand strong on this amendment.

Make sure the APLs stay in place.

I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I yield myself the balance of my time to close.

We are going to make the responsible decisions about what is best to protect our Armed Forces, and I believe the President will do that. This restricts him in one specific area that has not been shown—yes, we are the most responsible users of landmines, but that is not exactly a high bar to jump over. No matter how you use them, no matter where you use them—yes, we are trying to clear them, and I think that is great. But if we didn't put them out there in the first place, we wouldn't have to worry about, then, going in there and clearing them.

What has been determined by the Department of Defense and by the President is that there are other, better ways to protect our troops that do not unnecessarily endanger civilian populations. That is why the President is going down the path that he is going down. I think he is right to do it, and I think we should reject this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. KELLY).

The amendment was agreed to.

AMENDMENT NO. 18 OFFERED BY MRS. WALORSKI

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in part B of House Report 114–569.

Mrs. WALORSKI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the appropriate place in title X, add the following:

SEC. 10___. REQUIREMENT FOR MEMORANDUM OF UNDERSTANDING REGARDING TRANSFER OF DETAINEES.

Section 1034(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 969; 10 U.S.C. 801 note) is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period and inserting ''; and'' at the end of paragraph (4); and

(3) by adding at the end the following new paragraph:

''(5) the United States Government and the government of the foreign country have entered into a written memorandum of understanding regarding the transfer of the individual and such memorandum of understanding has previously been transmitted to the appropriate committees of Congress.''.

The Acting CHAIR. Pursuant to House Resolution 732, the gentlewoman from Indiana (Mrs. WALORSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Indiana.

Mrs. WALORSKI. Mr. Chairman, I yield myself such time as I may consume.

My amendment is very common sense. It is as simple in its concept as it is in requirements. My amendment simply increases the transparency and accountability surrounding transfers from Guantanamo Bay by requiring the U.S. and the foreign government receiving the detainee to sign a written memo of understanding outlining the terms of the transfer and to provide copies of that memo to Congress. These transfers are too significant and the stakes are too high for a simple handshake or verbal agreement.

As Paul Lewis, the President's own Special Envoy for Guantanamo Detention Closure, recently confirmed, detainees that were released have returned to the battlefield and killed Americans. The administration, itself, estimates the recidivism rate of detainees at nearly one out of three.

In my 4 years on the Armed Services Committee, I have consistently been disappointed by the lack of transparency surrounding these transfers. In its plan for closure of the Guantanamo Bay detention facility that was released in February, the administration insisted it received security assurances and humane treatment assurances from countries receiving detainees. This includes travel restrictions, monitoring, and information sharing. However, in December last year, reports began surfacing that a detainee who was released to Sudan in July 2012 was now in Yemen operating as a senior leader of al Qaeda in the Arabian Peninsula, AQAP.

Setting aside the fact that a dangerous terrorist was transferred to Sudan in the first place, a state sponsor of terrorism, I requested a classified briefing to find out exactly what type of assurances the administration received from the Sudanese Government that they would keep an eye on this detainee and what punitive measures they took against the Sudanese

when it was discovered they let him out of their sight. Mr. Chairman, I came away from that briefing with more questions than answers.

That is why I am offering this amendment today. A written memo of understanding between the U.S. and the foreign country receiving the detainee will provide a greater degree of transparency and accountability than exists right now.

Mr. Chairman, one American casualty is too many. We must do more to ensure that every precaution is taken if and when individuals are transferred from GTMO. By providing this memo to the relevant oversight committees of this body, we take one more step toward real accountability for both the administration and for the foreign nation accepting these detainees.

I would like to thank the gentleman from Montana (Mr. ZINKE) for his cosponsorship. I would also like to commend the Senator from Arkansas (Mr. COTTON) for his work in offering this same requirement in the Senate bill.

I include in the RECORD the letters I sent to the administration requesting information on the transfer of detainees, which are the basis for this amendment.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 15, 2015.

President BARACK OBAMA,
The White House,
Washington, DC.

DEAR PRESIDENT OBAMA: I write with grave concerns about statements you made regarding the detention facility at Guantánamo Bay, Cuba during a recent interview with Yahoo News. In particular, I was troubled by your comments on recidivism and on the process for selecting detainees for release.

In the interview, you said of released detainees re-entering the fight: ''Out of four-, five-, six-hundred people that get released.. .a handful of them are going to be embittered and still engaging in anti-US activities.'' However, the Director of National Intelligence identified 196 former detainees as either being confirmed or suspected of returning to the battlefield in its September 2015 Report on the Reengagement of Detainees Formerly Held at Guantánamo Bay, Cuba. That's a recidivism rate over 30 percent—this is hardly a handful.

At the heart of the issue, however, is not the rate of recidivism, but rather its intensity. One of the 196 is Ibrahim al-Qosi. He was released in July 2012 to his home country of Sudan, a country designated as a State Sponsor of Terrorism by the State Department. Since his release, he has become a senior leader of al Qaeda in the Arabian Peninsula (AQAP), which took credit for the attack on Charlie Hebdo in Paris in January 2015. A month later, Vincent Stewart, the Director of the Defense Intelligence Agency, testified before Congress that AQAP ''remains committed to attacking the West.'' We may disagree over what constitutes a handful, but we cannot underestimate the difference another set of hands can mean to these terrorist organizations.

The fact that al-Qosi was released to live in a US government-designated State Sponsor of Terrorism is troubling enough, but comments you made in the interview concerning the release vetting process prompts more questions than it answers. On that topic, you said:

''The judgment that we're continually making is: are there individuals [in Guantánamo] who are significantly more dangerous than the people who are already out there who are fighting? What do they add? Do they have special skills? Do they have special knowledge that ends up making them a significant threat to the United States?''

Accordingly, I would like to request a classified briefing on how the administration has been evaluating the remaining detainees for release. Specifically, I would like the briefing to address:

1. What criteria, quantifiable or otherwise, are used to determine if a detainee is more or less dangerous than those currently on the battlefield

2. The groups or specific individuals currently on the battlefield that detainees are being compared to in order to make those determinations

a. If the Islamic State in Iraq and Syria (ISIS) or its leaders are part of this set, please also detail how the weight given to the threat they pose has changed since January 2014

3. Flow the special skills and knowledge are defined and quantified

4. Any additional scrutiny given to detainees being released to State Sponsors of Terror

It is disturbing that your administration seems to continue underestimating the danger posed by former Guantánamo detainees returning to the fight. One more terrorist on the battlefield is too many because one more terrorist can be all it takes to cause more death and destruction. I strongly urge you to reconsider such consistent downplaying of this threat and I look forward to your timely response.

Sincerely,

JACKIE WALORSKI,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 1, 2016.

President BARACK OBAMA,
The White House,
Washington, DC.

DEAR PRESIDENT OBAMA: I am writing to follow up on a letter I sent on December 15, 2015 regarding your policy on the detention facility at Guantánamo Bay, Cuba and questions surrounding the problem of recidivism. I am extremely disappointed that, two-and-a-half months later, I have not received any response. I am also troubled by the lack of detail in your recent Plan for Closing the Guantánamo Bay Detention Facility released last week, which provided no clarity on the issues raised in the letter either.

Last week alone, Hamed Abderrahaman Ahmed, a former detainee that was transferred to Spain, was arrested on Tuesday, February 23 for recruiting fighters for the Islamic State in Iraq and Syria (ISIS). Two days later, Ibrahim al-Qosi, a former detainee that was transferred to Sudan, released a message on Thursday encouraging jihad in Somalia. He had also urged his followers to carry out attacks on New Years Eve celebrations, particularly in New York City and Paris. Recidivism is clearly a very real issue, but seems to be underestimated by your administration.

In my December 15 letter, I had specifically raised the case of Ibrahim al-Qosi who is now a senior leader of al Qaeda in the Arabian Peninsula (AQAP), which took credit for the attack on Charlie Hebdo in Paris in January 2015. He was also, curiously, transferred to a country that is designated as a State Sponsor of Terrorism by the U.S. State Department.

The recently-released Plan for Closing the Guantánamo Bay Detention Facility states that the U.S. government obtains security assurances and humane treatment assurances from a country before transferring a detainee. Among the security assurances are restrictions on travel, monitoring of the detainee, and periodic information sharing. However, al-Qosi is currently operating out of Yemen. Obviously, there was a breakdown in these security assurances.

Thus, I want to reiterate my request for a classified briefing that covers the questions raised in my December 15 letter, which I am enclosing. I would also like the briefing to address these additional questions:

1. Security assurances your administration received from the government of Sudan before the transfer of Ibrahim al-Qosi

2. The frequency and type of monitoring agreed to by the government of Sudan on Ibrahim al-Qosi and measures taken by the U.S. government to verify that this monitoring was taking place

3. The frequency and type of information shared by the government of Sudan on Ibrahim alQosi, his whereabouts, and his activities after his transfer

4. The date that the government of Sudan informed the U.S. government that Ibrahim alQosi was no longer in Sudan

5. Any punitive measures taken against the government of Sudan or members of the government in connection with its failure to live up to its commitments regarding the transfer of Ibrahim al-Qosi

6. Humane treatment assurances your administration received from the government of Sudan, whose head of state, Omar al-Bashir, has an arrest warrant pending with the International Criminal Court for war crimes and crimes against humanity, before the transfer of Ibrahim al-Qosi

7. Questions 1, 2, 3, and 6 as they pertain to the two other detainees your administration transferred to Sudan: Noor Uthman Muhammed and Ibrahim Othman Ibrahim Idris

8. Questions 4 and 5 as they pertain to Noor Uthman Muhammed and Ibrahim Othman Ibrahim Idris if they are no longer in Sudan

9. Any extra security and humane treatment assurances your administration seeks from countries that are on the U.S. State Department's list of State Sponsors of Terrorism

10. Any ongoing negotiations with the governments of Iran and Sudan regarding future transfer of Guantánamo detainees

Transferring Guantánamo detainees—known terrorists—to countries that are State Sponsors of Terrorism is an incredibly dangerous and misguided policy. No reasonable person should trust these governments to follow through on any promises they make to ensure detainees do not rejoin the battle. I strongly urge you not to complete any future transfers to these countries and I look forward to your timely response to my request for a briefing.

Sincerely,

JACKIE WALORSKI,
Member of Congress.

Mrs. WALORSKI. Mr. Chair, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I yield myself such time as I may consume.

There are 80 detainees left at Guantanamo. A number have been transferred. Of those 80, I could be wrong, but I believe it is somewhere in the neighborhood of 34 of them have been cleared for transfer, basically deemed not to be

risks to the United States. Restricting their ability to be transferred simply drives up the cost of Guantanamo unnecessarily.

We have transferred a great many detainees out of Guantanamo. The statistics cited go all the way back to the Bush administration when, regrettably, we did let people go without proper vetting.

We, through this bill, in past years, have put a number of provisions in place that require national security certifications that the people being transferred are not a risk to the United States. That is already required. This simply makes it more difficult to do that for no good reason.

The recidivism in recent years has been drastically lower. It has been less than 10 percent, nowhere near the 33 percent figure cited. And the ones that are left to be transferred, like I said, are ones that have been determined not to be a risk.

Now, we take our time in transferring these people to make sure that we have a place to transfer them, that it is safe and secure, willing to accept them and all of that. There are already multiple provisions in law to try and make sure that we don't take any chances.

Unfortunately, when you release people, there are always risks; but detaining people forever without charge and after you have determined that they are not a risk is also a risk. Basically, it goes against the very values of the United States of America. We could just never release anyone from prison in the United States under these standards, under the fact that, well, they might commit another crime. And they might. So why don't we just lock them up forever?

We have a process, a very careful process, that has been worked out in a bipartisan fashion to determine who needs to be held and who can be released. Then, after we determine they can be released, even then, we go through a process of where they are released to and work with the host country and try to determine what the best and safest available alternative is. This piles on to the bureaucracy and makes it more difficult to do transfers that are in the best interest of the national security of our country.

I oppose the amendment for those reasons.

I reserve the balance of my time.

Mrs. WALORSKI. Mr. Chairman, I yield 1 minute to the gentleman from Montana (Mr. ZINKE), a cosponsor of this amendment.

Mr. ZINKE. Mr. Chair, well, how soon we forget why they are there. How soon we forget.

Why are they there? Go to New York and look at the names engraved of the ladder men, the commercial pilots, the innocent.

I did a lot to put them there. I don't remember reading Miranda rights or warrants. Yet some people want to bring them back to the United States under U.S. law where rules of evidence and Miranda rights would apply. Yet that is ignored.

Now we are asking for tighter controls overseas because one-third go back to the battlefield. Is it a risk we should incur? The answer is no. Why? Because what is left is the bottom. These are the guys that are not hanging around evil. These are the guys that are evil. They are absolutely evil, and we have seen it.

So putting more controls, more restrictions to protect American lives is what we must do in Congress. This is not a Democratic or Republican issue. This is an American issue.

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Mr. SMITH of Washington. Mr. Chair, I yield myself the balance of my time.

I think that is the question: Why are they there? In the case of 26 of them, they are there because mistakes were made in picking them up. This happened with many people at Guantanamo, particularly in the early days, and these people have been there for a long time, where we basically weren't taking any chances on whom we picked up. We threw out a wide net and brought people in.

Now, there are estimated to be 44 of the folks there who are the baddest of the bad, who we have direct connections to active terrorism, who we know are a threat to the United States of America, and I am not proposing whatsoever that we should release those.

But the question of why are they there is absolutely right, and it is not for the reasons that the previous gentleman stated in the cases of at least 26 of these inmates. They are there through a combination of mistakes, misidentification, misinformation, many different reasons why they were picked up, and the problem is, now: How do we transfer them out? How do we find a home country to send them to?

I totally agree, if you are talking about incredibly dangerous people who have done what the previous speaker said, we have got to keep those people to protect America, but that is not the case with some of the inmates at Guantanamo. That is why we have been working to return these inmates to countries where they can be safely returned.

It is not everybody at Guantanamo who falls into that category. That is the reason I oppose this amendment.

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

Mrs. WALORSKI. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Indiana has 1¼ minutes remaining.

Mrs. WALORSKI. Mr. Chairman, I guess in answer to the questions that have been asked here, again, back to the fact that I think this is a very commonsense amendment, this is talking about transparency and accountability.

How did a detainee go from Sudan to Yemen? Because the rules are too loose.

Let's just bring accountability and transparency into this issue so the American people can see and so there is some accountability in this country on where these people end up.

These are the worst of the worst. They have American blood on their hands. The ones we are talking about from this point forward continue to have unbelievable issues, unbelievably dangerous criminal attached to their title. I am just simply asking for accountability and transparency.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI).

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. THORNBERRY

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 732, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consisting of amendment Nos. 22, 24, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, and 50 printed in part B of House Report No. 114–569, offered by Mr. THORNBERRY:

AMENDMENT NO. 22 OFFERED BY MR. TURNER OF OHIO

At the end of subtitle E of title XII, add the following:

SEC. 12xx. SENSE OF CONGRESS ON JULY 2016 NATO SUMMIT IN WARSAW, POLAND.

(a) FINDINGS.—Congress finds the following:

(1) The North Atlantic Treaty Organization (NATO) has been the cornerstone of transatlantic security cooperation and an enduring instrument for promoting stability in Europe and around the world for over 65 years.

(2) NATO currently faces a range of evolving security challenges, including Russian aggression in Eastern Europe, and instability and conflict in the Middle East and North Africa. In the face of these varied challenges, NATO must deter threats and, if necessary, defend NATO member states against adversaries.

(3) Since NATO's 2014 summit in Wales, NATO member states have made progress in implementing a Readiness Action Plan to enhance allied readiness and collective defense in response to Russian aggression. However, much work remains to be done.

(4) NATO's solidarity is strengthened by the bolstering of NATO's conventional and nuclear deterrence, increased defense spending by NATO member states, and continued enlargement of the Alliance.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) at the July 2016 NATO Summit in Warsaw, Poland and beyond, the United States should—

(A) welcome Montenegro's accession to NATO;

(B) continue to work with aspirant countries to prepare them for entry into NATO;

(C) continue supporting a Membership Action Plan (MAP) for Georgia;

(D) encourage the leaders of Macedonia and Greece to find a mutually agreeable solution to the name dispute between the two countries;

(E) seek a Dayton II agreement to resolve the constitutional issues of Bosnia and Herzegovina;

(F) work with the Republic of Kosovo to prepare the country for entrance into the Partnership for Peace (PfP) program;

(G) take a leading role in working with NATO member states to identify, through consensus, the current and future security threats facing the Alliance; and

(H) take a leading role to work with other NATO member states to ensure the alliance maintains the required capabilities, including the gains in interoperability from combat in Afghanistan, necessary to meet the security threats to the Alliance;

(2) in Warsaw, NATO member states should build upon the progress made since the 2014 Wales Summit, by committing additional resources to NATO's Readiness Action Plan and related measures to enhance allied readiness and deterrence;

(3) NATO member states should review defense spending to ensure sufficient funding is obligated to meet NATO responsibilities, including to allocate at least 2 percent of Gross Domestic Product (GDP) to defense spending, and to devote at least 20 percent of defense spending to defense modernization and new equipment;

(4) the United States should commit to maintaining a robust military presence in Europe as a means of promoting allied interoperability, providing visible assurance to NATO allies, and deterring Russian aggression in the region; and

(5) the United States reaffirms and remains committed to the policies enumerated by NATO member states in the Deterrence and Defense Posture Review, dated May 20, 2012, and the Wales Summit Declaration of September 2014, including the following statement: ''Deterrence, based on an appropriate mix of nuclear, conventional, and missile defence capabilities, remains a core element of our overall strategy.''.

AMENDMENT NO. 24 OFFERED BY MR. HANNA OF NEW YORK

In the table of contents for bill, insert after the item pertaining to section 1867 the following:

Sec. 1868. Role of small business development centers in cyber security and preparedness.
Sec. 1869. Additional cyber security assistance for small business development centers.
Sec. 1870. Cybersecurity outreach for small business development centers.
Sec. 1871. GAO study on small business cyber support services and small business development center cyber strategy.
Sec. 1872. Prohibition on additional funds.

Page 832, insert after line 5 the following:

SEC. 1868. ROLE OF SMALL BUSINESS DEVELOPMENT CENTERS IN CYBER SECURITY AND PREPAREDNESS.

Section 21 of the Small Business Act (15 U.S.C. 648) is amended—

(1) in subsection (a)(1), by striking ''and providing access to business analysts who can refer small business concerns to available experts:'' and inserting ''providing access to business analysts who can refer small business concerns to available experts; and, to the extent practicable, providing assistance in furtherance of the Small Business Development Center Cyber Strategy developed under section 1871(b) of the National Defense Authorization Act for Fiscal Year 2017:''; and

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (E), by striking ''and'' at the end;

(ii) in subparagraph (F), by striking the period and inserting ''; and''; and

(iii) by adding at the end of the following:

''(G) access to cyber security specialists to counsel, assist, and inform small business concern clients, in furtherance of the Small Business Development Center Cyber Strategy developed under section .''.

SEC. 1869. ADDITIONAL CYBER SECURITY ASSISTANCE FOR SMALL BUSINESS DEVELOPMENT CENTERS.

Section 21(a) of the Small Business Act (15 U.S.C. 648(a)) is amended by adding at the end the following:

''(8) CYBER SECURITY ASSISTANCE.—The Department of Homeland Security, and any other Federal department or agency in coordination with the Department of Homeland Security, may provide assistance to small business development centers, through the dissemination of cybersecurity risk information and other homeland security information, to help small business concerns in developing or enhancing cyber security infrastructure, cyber threat awareness, and cyber training programs for employees.''.

SEC. 1870. CYBERSECURITY OUTREACH FOR SMALL BUSINESS DEVELOPMENT CENTERS.

Section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148) is amended—

(1) by redesignating subsection (l) as subsection (m); and

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

''(l) CYBERSECURITY OUTREACH.—

''(1) IN GENERAL.—The Secretary may provide assistance to small business development centers, through the dissemination of cybersecurity risk information and other homeland security information, to help small business concerns in developing or enhancing cyber security infrastructure, cyber threat awareness, and cyber training programs for employees.

''(2) DEFINITIONS.—For purposes of this subsection, the terms 'small business concern' and 'small business development center' have the meaning given such terms, respectively, under section 3 of the Small Business Act.''.

SEC. 1871. GAO STUDY ON SMALL BUSINESS CYBER SUPPORT SERVICES AND SMALL BUSINESS DEVELOPMENT CENTER CYBER STRATEGY.

(a) REVIEW OF CURRENT CYBER SECURITY RESOURCES.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of current cyber security resources at the Federal level aimed at assisting small business concerns with developing or enhancing cyber security infrastructure, cyber threat awareness, or cyber training programs for employees.

(2) CONTENT.—The review required under paragraph (1) shall include the following:

(A) An accounting and description of all Federal Government programs, projects, and activities that currently provide assistance to small business concerns in developing or enhancing cyber security infrastructure, cyber threat awareness, or cyber training programs for employees.

(B) An assessment of how widely utilized the resources described under subparagraph (A) are by small business concerns and a review of whether or not such resources are duplicative of other programs and structured in a manner that makes them accessible to and supportive of small business concerns.

(3) REPORT.—The Comptroller General shall issue a report to the Congress, the Small Business Administrator, the Secretary of Homeland Security, and any association recognized under section 21(a)(3)(A) of the Small Business Act containing all findings and determinations made in carrying out the review required under paragraph (1).

(b) SMALL BUSINESS DEVELOPMENT CENTER CYBER STRATEGY.—

(1) IN GENERAL.—Not later than 90 days after the issuance of the report under subsection (a)(3), the Small Business Administrator and the Secretary of Homeland Security shall work collaboratively to develop a Small Business Development Center Cyber Strategy.

(2) CONSULTATION.—In developing the strategy under this subsection, the Small Business Administrator and the Secretary of Homeland Security shall consult with entities representing the concerns of small business development centers, including any association recognized under section 21(a)(3)(A) of the Small Business Act.

(3) CONTENT.—The strategy required under paragraph (1) shall include, at minimum, the following:

(A) Plans for incorporating small business development centers (hereinafter in this section referred to as ''SBDCs'') into existing cyber programs to enhance services and streamline cyber assistance to small business concerns.

(B) To the extent practicable, methods for the provision of counsel and assistance to improve a small business concern's cyber security infrastructure, cyber threat awareness, and cyber training programs for employees, including—

(i) working to ensure individuals are aware of best practices in the areas of cyber security, cyber threat awareness, and cyber training;

(ii) working with individuals to develop cost-effective plans for implementing best practices in these areas;

(iii) entering into agreements, where practical, with Information Sharing and Analysis Centers or similar cyber information sharing entities to gain an awareness of actionable threat information that may be beneficial to small business concerns; and

(iv) providing referrals to area specialists when necessary.

(C) An analysis of—

(i) how Federal Government programs, projects, and activities identified by the Comptroller General in the report issued under subsection (a)(1) can be leveraged by SBDCs to improve access to high-quality cyber support for small business concerns;

(ii) additional resources SBDCs may need to effectively carry out their role; and

(iii) how SBDCs can leverage existing partnerships and develop new ones with Federal, State, and local government entities as well as private entities to improve the quality of cyber support services to small business concerns.

(4) DELIVERY OF STRATEGY.—Not later than 180 days after the issuance of the report under subsection (a)(3), the Small Business Development Center Cyber Strategy shall be issued to the Committees on Homeland Security and Small Business of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and Small Business and Entrepreneurship of the Senate.

SEC. 1872. PROHIBITION ON ADDITIONAL FUNDS.

No additional funds are authorized to be appropriated to carry out sections 1868 through 1871 or the amendments made by such sections.

AMENDMENT NO. 39 OFFERED BY MR. BERA OF CALIFORNIA

At the end of subtitle H of title V, add the following new section:

SEC. ____. REPORT ON AVAILABILITY OF COLLEGE CREDIT FOR SKILLS ACQUIRED DURING MILITARY SERVICE.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of Veterans Affairs, Education, and Labor, shall submit to Congress a report on the transfer of skills into equivalent college credits or technical certifications for members of the Armed Forces

leaving the military. Such report shall describe each the following:

(1) Each skill that may be acquired during military service that is eligible for transfer into an equivalent college credit or technical certification.

(2) The academic level of the equivalent college credit or technical certification for which each such skill is eligible.

(3) Each academic institution that awards an equivalent college credit or technical certification for such skills, including—

(A) whether each such academic institution is public or private and whether such institution is for profit; and

(B) the number of veterans that applied to such academic institutions who were able to receive equivalent college credits or technical certifications in the last fiscal year, and the academic level of the credits or certifications.

(4) The number of members of the Armed Forces who left the military in the last fiscal year and the number of those individuals who met with an academic or technical training advisor as part of their participation in the Transition Assistance Program.

AMENDMENT NO. 40 OFFERED BY MR. MCGOVERN OF MASSACHUETTS

Page 173, after line 2, add the following new section:

SEC. 599A. ATOMIC VETERANS SERVICE MEDAL.

(a) SERVICE MEDAL REQUIRED.—The Secretary of Defense shall design and produce a military service medal, to be known as the ''Atomic Veterans Service Medal'', to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code).

(b) DISTRIBUTION OF MEDAL.—

(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.

(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Medal to the next-of-kin of the person.

(3) APPLICATION.—The Secretary shall prepare and disseminate as appropriate an application by which radiation-exposed veterans and their next-of-kin may apply to receive the Atomic Veterans Service Medal.

AMENDMENT NO. 41 OFFERED BY MR. GRAYSON OF FLORIDA

Page 243, strike lines 14 and 15 and insert the following:

''chapter—

''(A) in a more effective, efficient, or economical manner; and

''(B) at a level of quality at least comparable to the quality of services beneficiaries would receive from a military medical treatment facility; or''

AMENDMENT NO. 42 OFFERED BY MR. CARTER OF TEXAS

At the end of subtitle C of title VII, add the following new section:

SEC. 7___. USE OF MEFLOQUINE FOR MALARIA.

(a) MEFLOQUINE.—In providing health care to members of the Armed Forces, the Secretary of Defense shall require—

(1) that the use of mefloquine for the prophylaxis of malaria be limited to members with intolerance or contraindications to other chemoprophylaxis;

(2) that mefloquine be prescribed by a licensed medical provider on an individual basis, and

(3) that members prescribed mefloquine for malaria prophylaxis be counseled by the medical provider about the potential side effects of the drug and be provided the Food and Drug Administration-required patient information handouts.

(b) PROCESS AND REVIEW.—

(1) PROCESS.—Not later than 180 days after the date of the enactment of this Act, in providing health care to members of the Armed Forces, the Secretary shall develop a standardized process to document the screening for contraindications and patient education, including a prior authorization form, to be used by all medical providers prescribing mefloquine for malaria prophylaxis.

(2) ANNUAL REVIEW.—The Secretary shall conduct an annual review of each mefloquine prescription at all military medical treatment facilities to evaluate the documentation of the assessment for contraindications, justification for not using other chemoprophylaxis, and patient education for the safe use of mefloquine and its side effects.

(c) ADVERSE HEALTH EFFECTS OF MEFLOQUINE.—The Secretary of Defense shall expand the missions of the Hearing Center of Excellence, the Vision Center of Excellence, the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury (including the Deployment Health Clinical Center), and the Center for Deployment Health Research to include, as appropriate, improving the clinical evaluation, diagnosis, management, and epidemiological study of adverse health effects among members of the Armed Forces following exposure to mefloquine.

AMENDMENT NO. 43 OFFERED BY MR. WILSON OF SOUTH CAROLINA

Section 825 is amended by inserting at the end of subsection (f) (page 304, after line 12) the following:

(3) TERMINATION OF REPORT REQUIREMENT.—The requirement to submit a report under this subsection shall terminate on the date occurring five years after the date of the enactment of this Act.

AMENDMENT NO. 44 OFFERED BY MR. WILSON OF SOUTH CAROLINA

At the end of title VIII, add the following new section:

SEC. 843. REVISION OF EFFECTIVE DATE FOR AMENDMENTS RELATING TO UNDER SECRETARY OF DEFENSE FOR BUSINESS MANAGEMENT AND INFORMATION.

Section 901(a)(1) of the Carl Levin and Howard P. ''Buck'' Mckeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3462; 10 U.S.C. 132a note) is amended by striking ''February 1, 2017'' and inserting ''February 1, 2018''.

AMENDMENT NO. 45 OFFERED BY MR. BEYER OF VIRGINIA

At the end of title VIII, add the following new section:

SEC. 843. PROMOTION OF VALUE-BASED DEFENSE PROCUREMENT.

(a) STATEMENT OF POLICY.—It shall be the policy of the Department of Defense to avoid using lowest price technically acceptable source selection criteria in inappropriate circumstances that potentially deny the Department the benefits of cost and technical tradeoffs in the source selection process.

(b) REQUIREMENT FOR SOLICITATIONS.—For new solicitations issued on or after the date that is 120 days after the date of the enactment of this Act, lowest price technically acceptable source selection criteria shall be used only in situations in which—

(1) the Department of Defense is able to comprehensively and clearly describe the minimum requirements expressed in term of performance objectives, measures, and standards that will be used to determine acceptability of offers;

(2) the Department would realize no, or minimal, value from a contract proposal exceeding the minimum technical or performance requirements set forth in the request for proposal;

(3) the proposed technical approaches will require no, or minimal, subjective judgment by the source selection authority as to the desirability of one offeror's proposal versus a competing proposal;

(4) a review of technical proposals of offerors other than the lowest bidder would result in no, or minimal, benefit to the Department; and

(5) the contracting officer has included a justification for the use of a lowest price technically acceptable evaluation methodology in the contract file, if the contract to be awarded is predominately for the acquisition of information technology services, systems engineering and technical assistance services, or other knowledge-based professional services.

(c) AVOIDANCE OF USE OF LOWEST PRICE TECHNICALLY ACCEPTABLE SOURCE SELECTION CRITERIA IN PROCUREMENTS OF INFORMATION TECHNOLOGY AND AUDITING.—To the maximum extent practicable, the use of lowest price technically acceptable source selection criteria shall be avoided when the procurement is predominately for the acquisition of information technology services, systems engineering and technical assistance services, audit or audit readiness services, or other knowledge-based professional services.

(d) REPORTING.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 3 years, the Secretary of Defense shall submit to the congressional defense committees a report on the number of instances in which lowest-price technically acceptable source selection criteria is used, including an explanation of how the criteria was considered when making a determination to use lowest price technically acceptable source selection criteria.

AMENDMENT NO. 46 OFFERED BY MR. BURGESS OF TEXAS

At the end of subtitle A of title X (page 370, after line 17), insert the following new section:

SEC. 1003. REPORT ON AUDITABLE FINANCIAL STATEMENTS.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law. The report should not include information otherwise available in other reports to Congress.

AMENDMENT NO. 47 OFFERED BY MR. TURNER OF OHIO

Add at the end of subtitle F of title X the following new section:

SEC. 10___. BRIEFING ON CRITERIA FOR DETERMINING LOCATIONS OF AIR FORCE INSTALLATION AND MISSION SUPPORT CENTER HEADQUARTERS.

(a) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall provide a briefing to the Committee on Armed Services of the House of Representatives on the Department of the Air Force's process and reasoning for using proximity to primary medium commercial hub airports as part of the mission criteria for the Air Force Installation and Mission Support Center headquarters strategic basing process.

(b) CONTENTS OF BRIEFING.—The briefing under subsection (a) will specifically address the rationale behind the distance categories used to allocate points under this mission criteria referred to in subsection (a), and shall provide references to any existing government guidance that supports use of these distance categories. In addition, the briefing

shall include an analysis regarding the reasons why the Department did not consider commuting times as a more equitable way of determining proximity to commercial hub airports that would account for the impact of different traffic conditions across the candidate locations.

AMENDMENT NO. 49 OFFERED BY MS. FRANKEL OF FLORIDA

Page 462, after line 13, insert the following new section:

SEC. 1098. SENSE OF CONGRESS REGARDING AMERICAN VETERANS DISABLED FOR LIFE.

(a) FINDINGS.—Congress finds the following:

(1) There are at least 3,600,000 veterans currently living with service-connected disabilities.

(2) As a result of their service, many veterans are permanently disabled throughout their lives and in many cases must rely on the support of their families and friends when these visible and invisible burdens become too much to bear alone.

(3) October 5, which is the anniversary of the dedication of the American Veterans Disabled for Life Memorial, has been recognized as an appropriate day on which to honor American veterans disabled for life each year.

(b) SENSE OF CONGRESS.—Congress—

(1) expresses its appreciation to the men and women left permanently wounded, ill, or injured as a result of their service in the Armed Forces;

(2) supports the annual recognition of American veterans disabled for life each year; and

(3) encourages the American people to honor American veterans disabled for life each year with appropriate programs and activities.

AMENDMENT NO. 50 OFFERED BY MR. BEYER OF VIRGINIA

Page 462, after line 13, insert the following:

SEC. 1098. STUDY ON MILITARY HELICOPTER NOISE.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Administrator of the Federal Aviation Administration, shall—

(1) conduct a study on the effects of military helicopter noise on National Capital Region communities and individuals; and

(2) develop recommendations for the reduction of the effects of military helicopter noise on individuals, structures, and property values in the National Capital Region.

(b) FOCUS.—In conducting the study under subsection (a) , the Secretary and the Administrator shall focus on air traffic control, airspace design, airspace management, and types of aircraft, to address helicopter noise problems and shall take into account the needs of law enforcement, emergency, and military operations.

(c) CONSIDERATION OF VIEWS.—In conducting the study under subsection (a), the Secretary shall consider the views of representatives of—

(1) members of the Armed Forces;

(2) law enforcement agencies;

(3) community stakeholders, including residents and local government officials; and

(4) organizations with an interest in reducing military helicopter noise.

(d) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the results of the study conducted under subsection (a).

(2) AVAILABILITY TO THE PUBLIC.—The Secretary shall make the report required under paragraph (1) publicly available.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Texas (Mr. O'ROURKE) each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, each of these amendments in this en bloc package has been worked on both sides of the aisle. I believe this package deserves Members' support.

I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chair, I would like to thank the chairman from Texas for adding my amendment to this en bloc.

Mr. Chairman, my amendment today would require the Defense Department and FAA to study the impact of military helicopter noise in the national capital region and to develop recommendations to reduce the effect of noise on people and property.

The airspace around Washington, D.C., is more restricted and more highly congested than in any other part of the country. On average, 144 helicopter operations take place here every day, 75 percent of which are military, encompassing all types of military aircraft. One recent addition to our airspace is the V–22 Osprey, a hybrid helicopter and airplane with the width of an 8-story building. It has been deployed to war zones in Iraq and Afghanistan, rescue missions in Haiti and the San Juan Mountains, and now the peaceful communities of northern Virginia.

As most of my colleagues probably know, the Osprey can transition from a turboprop plane to a conventional helicopter, all while hovering at a low altitude. This noisy transition takes place directly over the Fairlington neighborhood in my district in Arlington, Virginia.

Mr. Chairman, the communities in my district are realistic about the noise helicopters generate and are sensitive to the operational needs of the military, but the routes and altitude caps dictated by the FAA follow best practices for public and private aircraft, not military aircraft designed for a conflict zone.

A total quieting of the skies in northern Virginia is not possible or even practical; but given the military's insistence on using such heavy, loud aircraft, it is only right that they work with the FAA to reexamine the existing route structure and offer some possible solutions.

I urge my fellow Members to support this amendment en bloc.

Mr. THORNBERRY. Mr. Chairman, I would inform the gentleman that I have no speakers on this amendment at this point, so I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chairman, I have no speakers at this time.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I thank the chairman for his graciousness.

Mr. Chair, I rise in favor of the McGovern-Pompeo amendment, which is part of this en bloc, to create a medal honoring the service of atomic veterans or their surviving family members.

Between 1945 and 1962, over 200,000 servicemembers conducted hundreds of nuclear weapons tests and were exposed to dangerous levels of radiation. Sworn to secrecy, they couldn't even tell their doctors.

Presidents Bill Clinton and George H. W. Bush recognized their service by providing specialized care and compensation, but this isn't enough.

Joe Mondello, a constituent of mine from Shrewsbury, Massachusetts, and other atomic veterans helped bring this issue to my attention. It is long past time to honor their service.

Last year, with the help of the chairman, in the DOD authorization bill we included this amendment, but then the Department of Defense insisted the Senate remove it. Their explanation? We don't have a medal and don't want to create one. Congress should find another way to honor these veterans. That is no excuse. In fact, that is insensitive, it is dismissive, and it is ungrateful. We should be appalled.

Tragically, many of these atomic veterans have already died without receiving recognition. They kept a code of silence that likely led to many of them passing away too soon. We must right this wrong. Support this amendment. I urge the Senate to do the same thing.

Mr. THORNBERRY. Mr. Chairman, I have no further speakers.

I urge adoption of the en bloc package.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. THORNBERRY

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 732, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 consisting of amendment Nos. 48, 51, 52, 53, 54, 55, 56, 57, 58, 59, and 61 printed in part B of House Report No. 114–569, offered by Mr. THORNBERRY:

AMENDMENT NO. 48 OFFERED BY MR. ZELDIN OF NEW YORK

Page 423, after line 3, insert the following:

SEC. 1070. REPORT ON TESTING AND INTEGRATION OF MINEHUNTING SONAR SYSTEMS TO IMPROVE LITTORAL COMBAT SHIP MINEHUNTING CAPABILITIES.

(a) REPORT TO CONGRESS.—Not later than April 1, 2018, the Secretary of the Navy shall submit to the congressional defense committees a report that contains the findings of an assessment of all operational minehunting Synthetic Aperture Sonar (hereinafter referred to as ''SAS'') technologies suitable to

meet the requirements for use on the Littoral Combat Ship Mine Countermeasures Mission Package.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an explanation of the future acquisition strategy for the minehunting mission package;

(2) specific details regarding the capabilities of all in-production SAS systems available for integration into the Littoral Combat Ship Mine Countermeasure Mission Package;

(3) an assessment of key performance parameters for the Littoral Combat Ship Mine Countermeasures Mission Package with each of the assessed SAS technologies; and

(4) a review of the Department of the Navy's efforts to evaluate SAS technologies in operation with allied Navies for future use on the Littoral Combat Ship Mine Countermeasures Mission Package.

(c) SYSTEM TESTING.—The Secretary of the Navy is encouraged to perform at-sea testing and experimentation of sonar systems in order to provide data in support of the assessment required by subsection (a).

AMENDMENT NO. 51 OFFERED BY MR. TROTT OF MICHIGAN

At the end of subtitle C of title XII, add the following:

SEC. 12xx. UNITED NATIONS PROCESSING CENTER IN ERBIL, IRAQI KURDISTAN, TO ASSIST INTERNATIONALLY-DISPLACED COMMUNITIES.

The President shall instruct the United States Permanent Representative to the United Nations to use the voice and vote of the United States at the United Nations to seek the establishment of a United Nations processing center in Erbil, Iraqi Kurdistan, to assist internationally-displaced communities.

AMENDMENT NO. 52 OFFERED BY MR. VELA OF TEXAS

At the end of subtitle E of title XII, add the following:

SEC. 12xx. REPORT ON VIOLENCE AND CARTEL ACTIVITY IN MEXICO.

The Secretary of Defense shall submit to the congressional defense committees a report on violence and cartel activity in Mexico and the impact of such on United States national security.

AMENDMENT NO. 53 OFFERED BY MR. THORNBERRY OF TEXAS

At the end of subtitle E of title XII, add the following:

SEC. 12xx. UNITED STATES POLICY ON TAIWAN.

(a) FINDINGS.—Congress finds the following:

(1) For more than 50 years, the United States and Taiwan have had a unique and close relationship, which has supported the economic, cultural, and strategic advantage to both countries.

(2) The United States has vital security and strategic interests in the Taiwan Strait.

(3) The Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) has been instrumental in maintaining peace, security, and stability in the Taiwan Strait since its enactment in 1979.

(4) The Taiwan Relations Act states that it is the policy of the United States to provide Taiwan with arms of a defensive character and to maintain the capacity of the United States to defend against any forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan.

(b) STATEMENT OF POLICY.—The Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) forms the cornerstone of United States policy and relations with Taiwan.

(c) REPORT.—

(1) IN GENERAL.—Not later than February 15, 2017, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a report that contains a description of the steps the United States has taken, plans to take, and will take to provide Taiwan with arms of a defensive character in accordance with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.).

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the congressional defense committees; and

(B) Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 54 OFFERED BY MR. NOLAN OF MINNESOTA

At the end of section 1504, page 599, line 3, add the following new subsection:

(c) CONDITION ON USE OF FUNDS FOR SYRIA TRAIN AND EQUIP PROGRAMS.—Amounts authorized to be appropriated by this section for the Syria Train and Equip programs, as specified in the funding table in section 4302, may not be provided to any recipient that the Secretary of Defense has reported, pursuant to a quarterly progress report submitted pursuant to section 1209 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541), as having misused provided training and equipment.

AMENDMENT NO. 55 OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle C of title XVI, add the following new section:

SEC. 16____. PILOT PROGRAMS ON DIRECT COMMISSIONS TO CYBER POSITIONS.

(a) AUTHORITY.—The Secretary of the Army and the Secretary of the Air Force shall each carry out a pilot program to improve the ability of the Army and the Air Force, respectively, to recruit cyber professionals.

(b) ELEMENTS.—Under the pilot program, the Secretaries shall each allow individuals who meet educational, physical, and other requirements determined appropriate by the Secretary to receive original appointments as commissioned officers in a cyber specialty.

(c) CONSULTATION.—In developing the pilot program, the Secretaries may consult with the Secretary of the Navy with respect to a similar program carried out by the Secretary of the Navy.

(d) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports the direct commission of individuals trained in cyber specialties because the demand for skilled cyber personnel outstrips the supply of such personnel, and there is great competition for such personnel with private industry.

AMENDMENT NO. 56 OFFERED BY MR. DOLD OF ILLINOIS

In the table in section 2207(b) of division B (relating to the Extension of 2014 Project Authorizations for the Navy), insert after the projects relating to Hawaii a new item as follows:

Illinois	Great Lakes.	Unaccompanied Housing	$35,851,000

AMENDMENT NO. 57 OFFERED BY MS. JUDY CHU OF CALIFORNIA

Page 798, line 22, strike ''and''.

Page 799, strike the period and insert ''; and''.

Page 799, insert after line 2 the following:

(VI) the population density of the area to be served by the women's business center.

AMENDMENT NO. 58 OFFERED BY MR. PERLMUTTER OF COLORADO

Add at the end of subtitle D of title XXVIII the following:

SEC. 28____. MODIFICATION OF LAND CONVEYANCE, ROCKY MOUNTAIN ARSENAL NATIONAL WILDLIFE REFUGE.

Section 5(d)(1) of the Rocky Mountain Arsenal National Wildlife Refuge Act of 1992 (Public Law 102–402; 16 U.S.C. 668dd note) is amended by adding at the end the following new subparagraph:

''(C)(i) Notwithstanding clause (i) of subparagraph (A), the restriction attached to any deed to any real property designated for disposal under this section that prohibits the use of the property for residential or industrial purposes may be modified or removed if it is determined, through a risk assessment performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), that the property is protective for the proposed use.

''(ii) The Secretary of the Army shall not be responsible or liable for any of the following:

''(I) The cost of any risk assessment described in clause (i) or any actions taken in response to such risk assessment.

''(II) Any damages attributable to the use of property for residential or industrial purposes as the result of the modification or removal of a deed restriction pursuant to clause (i), or the costs of any actions taken in response to such damages.''.

AMENDMENT NO. 59 OFFERED BY MR. POMPEO OF KANSAS

Page 384, after line 15, insert the following:

SEC. 1038. DECLASSIFICATION OF INFORMATION ON PAST TERRORIST ACTIVITIES OF DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) complete a declassification review of intelligence reports prepared by the National Counterterrorism Center prior to Periodic Review Board sessions or detainee transfers on the past terrorist activities of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, who were transferred or released from United States Naval Station, Guantanamo Bay; and

(2) make available to the public any information declassified as a result of the declassification review; and

(3) submit to the appropriate congressional committees, consistent with the protection of sources and methods, a report setting forth—

(A) the results of the declassification review; and

(B) if any information covered by the declassification review was not declassified pursuant to the review, a justification for the determination not to declassify such information.

(b) PAST TERRORIST ACTIVITIES.—For purposes of this section, the past terrorist activities of an individual shall include the terrorist activities conducted by the individual before the transfer of the individual to the detention facility at United States Naval Station, Guantanamo Bay, including, at a minimum, the following:

(1) The terrorist organization, if any, with which affiliated.

(2) The terrorist training, if any, received.

(3) The role in past terrorist attacks against the interests or allies of the United States.

(4) The direct responsibility, if any, for the death of citizens of the United States or members of the Armed Forces.

(5) Any admission of any matter specified in paragraphs (1) through (4).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Committee on Foreign Affairs of the House of Representatives;

(3) the Committee on Foreign Relations of the Senate;

(4) the Permanent Committee on Intelligence of the House of Representatives; and

(5) the Select Committee on Intelligence of the Senate.

AMENDMENT NO. 61 OFFERED BY MS. MCSALLY OF ARIZONA

Page 384, after line 15, insert the following:

SEC. 1038. PROHIBITION ON ENFORCEMENT OF MILITARY COMMISSION RULINGS PREVENTING MEMBERS OF THE ARMED FORCES FROM CARRYING OUT OTHERWISE LAWFUL DUTIES BASED ON MEMBER GENDER.

(a) PROHIBITION.—No order, ruling, finding, or other determination of a military commission may be construed or implemented to prohibit or restrict a member of the Armed Forces from carrying out duties otherwise lawfully assigned to such member to the extent that the basis for such prohibition or restriction is the gender of such member.

(b) APPLICABILITY TO PRIOR ORDERS, ETC..—In the case of an order, ruling, finding, or other determination described in subsection (a) that was issued before the date of the enactment of this Act in a military commission and is still effective as of the date of the enactment of this Act, such order, ruling, finding, or determination shall be deemed to be vacated and null and void only to the extent of any prohibition or restriction on the duties of members of the Armed Forces that is based on the gender of members.

(c) MILITARY COMMISSION DEFINED.—In this section, the term ''military commission'' means a military commission established under chapter 47A of title 10, United States Code, and any military commission otherwise established or convened by law.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Texas (Mr. O'ROURKE) each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, this additional en bloc package No. 4 consists of a number of amendments that have been worked with both sides of the aisle. I believe that this en bloc package deserves the support of all Members.

I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chairman, at this time I do not have a speaker, so I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, there are a number of subjects that are covered in this en bloc package, and I think it exemplifies the work that goes into creating this defense authorization bill.

If you look at the size of the bill, it is very large. As a matter of fact, it is over 1,200 pages when you look at the legislation. Of course, one of the reasons this bill is so large this year is that it includes five major packages of reforms, including: acquisition reform, healthcare reform, commissary reform, organizational reform, and Uniform Code of Military Justice reform.

All of these things have been worked with Members on both sides of the aisle. I understand that not all Members may agree with every provision. I certainly don't. But the point is this bill supports the men and women who risk their lives to serve our country, so that is the time when all of us should put aside whatever differences we have with this provision or that or this approach or that and come together on what has been for 54 years, and continues to be this year, a bipartisan product.

For all of the amendments that are included in this en bloc package, I believe they deserve the support of the House. I hope they will be adopted.

I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Chairman, the Small Business Administration's, or SBA's, Women's Business Centers, the WBCs, fill a critical gap in our economy.

Despite being more than 50 percent of the population, women own just 30 percent of all businesses, and the same obstacles that keep some from starting a business keep others from growing theirs.

By providing specialized resources, Women's Business Centers are designed to make sure women-owned businesses succeed. That is why it is imperative that female entrepreneurs are able to access these resources in a convenient way.

The reality is that in large, densely populated areas, the need for these centers is greater due to the higher concentration of women entrepreneurs. In fact, Los Angeles County was home to more women-owned businesses than any other county in the entire country in 2012, yet some women had to wait weeks or months or were forced to travel long distances in order to visit a WBC because the center closest to them was unable to meet the demand.

My amendment would address this reality by ensuring that the SBA considers the population density of the area to be serviced when reviewing and selecting eligible organizations for the Women's Business Center grants. We must continue to work to ensure that these centers are convenient and accessible for all women because, when women succeed, America succeeds.

I urge my colleagues to support this amendment.

Mr. THORNBERRY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, among the amendments in this en bloc package is one by Mr. NOLAN of Minnesota that prohibits funding for the Syria Train and Equip programs to recipients that the Secretary of Defense has reported as having misused that training or equipment.

This amendment comes from a Democratic Member, but I think it is very important for all of us to do what we can to ensure that training and weapons provided to forces we are assisting in Syria not be misused, that they not get in the hands of terrorists. Just to take that one example, where I believe a good amendment has been accepted by both sides of the aisle, that helps ensure that the goals we all share—in this case, for the Syria Train and Equip program—are met. That is an example of the bipartisan nature of this bill.

Similarly, there is an amendment here by Mr. AGUILAR of California creating a pilot program to improve the ability to recruit cyber professionals, a new domain of warfare, an enormous challenge for the government to compete with Silicon Valley, the Austin-San Antonio corridor, and other places that are recruiting cyber professionals, but a good and valued step. Those are examples of the amendments in this en bloc package.

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

Mr. O'ROURKE. Mr. Chair, I have no other speakers on this amendment.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

□ 1815

AMENDMENT NO. 25 OFFERED BY MR. LARSEN OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in part B of House Report 114–569.

Mr. LARSEN of WASHINGTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 995, line 2, strike ''to be new and emergency in nature'' and insert ''will significantly reduce the nuclear threat''.

Page 995, line 9, insert ''and'' after the semicolon.

Page 995, strike lines 13 through 17.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Washington (Mr. LARSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. LARSEN of Washington. Mr. Chairman, this amendment aims to remedy a provision in the base text that could unnecessarily hamstring the vital work of preventing terrorists from obtaining nuclear material.

Section 3115 of the NDAA prohibits collaboration with Russia on atomic energy defense activities, but provides the Secretary of Energy with waiver authority.

However, the Secretary of Energy can only exercise the waiver if there is a new emergency and if we completely eliminate the backlog of physical security maintenance work at DOE defense nuclear sites in the U.S.

I stand with my colleagues in opposition to Russian aggression in Crimea,

Ukraine, Syria, and threatening activity in the Baltics and elsewhere.

However, I believe that the terms of this waiver are wrong and would be, frankly, impossible to execute. If we give the Secretary of Energy a waiver, it should be achievable.

That is why my amendment improves the standard to a simple one: the Secretary must certify that this cooperation will significantly reduce the nuclear threat.

It is no secret that nuclear material in Russia is vulnerable to theft and smuggling. According to Harvard University's Managing the Atom project, Russian nuclear material is at risk from both insiders and outsiders. Nuclear material stolen in Russia does not have to remain in Russia and, therefore, could be a threat to the homeland.

Currently, we do not do any nuclear threat reduction work with Russia. If the opportunity presented itself and it was in the interest of national security, why not at least have that option?

So I encourage Members to support my amendment so our government can protect Americans from nuclear terrorism, regardless of where that material originates.

Mr. Chairman, I urge people to support this amendment.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate the points raised by the distinguished gentleman from Washington (Mr. LARSEN).

As a matter of fact, I remember very well that one of my early speeches on the floor of the House was on a motion to recommit—supporting a Democratic motion, actually—regarding our efforts to help the Russians get control of their nuclear material. That certainly has been an important priority.

It is also true that, since I was in the well in the mid-1990s on that, things have changed. What we see is Russia spending an incredible amount of money modernizing a variety of weapons systems, including their nuclear weapons. It includes submarines and bombers and a whole variety of things, but it includes new nuclear weapons.

Yet, on the other hand, we have enormous backlogs of deferred maintenance, we call it, in our nuclear infrastructure, in our nuclear weapons complex.

Deferred maintenance is a euphemism, Mr. Chairman, because even in my own district we have folks working in deplorable conditions. We are talking about engineers and others working in conditions that no one should have to work in because we have neglected our infrastructure throughout the nuclear complex.

So I think the purpose of the underlying provision is that we shouldn't spend money doing what Russia has the money to do for itself, especially when our own nuclear infrastructure is in such disrepair.

Now, there is a waiver provision. If there is something crucial, then, obviously, another arrangement can be made. But the basic premise is Russia has changed. They are behaving not only more aggressively, but modernizing their military. Meanwhile, we have neglected ours. It is time for us to catch up.

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

Mr. LARSEN of Washington. Mr. Chairman, I agree with the distinguished gentleman from Texas that Russia has changed. The threat of loose nuclear material has not changed. Nuclear material in Russia is far more vulnerable than in the United States, and stolen nuclear material anywhere is a threat to Americans.

Now, on a bipartisan basis, this committee has increased funding for domestic physical security improvements. However, at current funding levels, that backlog will exist for years.

If Congress is going to establish a waiver process, it should be an achievable one. Right now we do not do any of this work in Russia, but we have the opportunity to reduce the nuclear threat, and we should keep that option available. I would ask this body to support my amendment.

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

Mr. THORNBERRY. Mr. Chairman, again, I appreciate the importance that the gentleman places on securing nuclear material. I share his view. I still am very concerned, for example, that terrorists will obtain—and we know they would use—nuclear material if they have the opportunity.

The concern here is that we are doing things for Russians with American taxpayer dollars so they need not do it for themselves. In fact, what they do for themselves is build more capability that threatens us. We can't continue down that road.

I oppose the amendment, and I urge Members to do likewise.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. LARSEN).

The amendment was rejected.

AMENDMENT NO. 26 OFFERED BY MR. ROGERS OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in part B of House Report 114–569.

Mr. ROGERS of Alabama. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title XXXI, add the following new section:

SEC. 31____. LIMITATION ON AVAILABILITY OF FUNDS FOR THE DEPARTMENT OF ENERGY.

(a) LIMITATION.—Of the funds authorized to be appropriated or otherwise made available for fiscal year 2017 for the Department of Energy for the Office of the Secretary of Energy, not more than 50 percent may be obligated or expended until the date on which the Secretary submits to the appropriate congressional committees the report under subsection (b).

(b) REPORT.—Not later than 15 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees the full report, and any related materials, titled ''U.S. Nuclear Deterrence in the Coming Decades'', dated August 15, 2014.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Alabama (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. ROGERS of Alabama. Mr. Chairman, I offer a simple amendment to defend congressional prerogatives and ensure Congress is getting full information from the administration regarding one of our Nation's highest priority defense missions: nuclear deterrence.

Several years ago the Secretary of Energy tasked the Nation's nuclear weapons labs to produce a study on the future of nuclear deterrence. That study was finalized in August of 2014, almost 2 years ago.

The Secretary made a personal commitment to senior members of the Armed Services Committee that he would send over the report resulting from that study. Now, 2 years later, we still have not received that report.

This amendment will ensure DOE acts to fulfill the Secretary's commitment to provide this report to Congress, ensure Congress can conduct appropriate oversight and has visibility into matters as important as the future of nuclear deterrence, which the Secretary of Defense has called the Nation's highest priority defense mission, and it fences only a couple million dollars in administrative funds within the Office of the Secretary. This will be enough to ensure we receive this report and will not impact the DOE's mission at all.

I urge my colleagues to vote ''yes'' on this amendment.

I reserve the balance of my time.

Mr. COOPER. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COOPER. Mr. Chair, I appreciate my friendship with the gentleman from Alabama, but I think this amendment goes way too far.

To fence half the funds of the Office of the Secretary of Energy is overkill.

Secretary Moniz has done an excellent job. This is really a punishment, though, that will go to the next Secretary, a man who is not in any way responsible for this delay.

Has there been a delay? It is my information that the chairman of the full committee has had access to this report. Access to this report has been offered to the gentleman from Alabama and to myself.

Without having read the report, we do not know what issues of classification or bureaucracy are involved in this. But this is among the Nation's most precious and most classified secrets. To me, to use a sledgehammer like this against a good person and against that good person's successor, whoever that may be, is really a crude way to handle a breakdown in communications.

Surely there is a better way to solve this problem. His office is just down the street. We get along with him just fine. He has been fully communicative and extremely able in every aspect. But to have a delayed report merit a sanction like this is pretty extraordinary.

So I would urge my friend, the gentleman from Alabama, to reconsider and not have what I consider to be a staff-driven tiff escalate into something much greater than it should be.

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

Mr. ROGERS of Alabama. Mr. Chairman, I appreciate my friend's remarks, and I agree. I like Mr. Moniz. I think the Secretary is a fine man and he is trying to do the right thing.

I have had a conversation with the ranking member earlier today, but I haven't had a chance to follow up with him. I have been on the floor doing a lot.

The only problem I have with withdrawing the amendment is we need this report between now and the time we go to conference to take what is yielded from it and visit with the appropriators.

Just me reading the report with you in private would not give me the documentation to take what it says—what I believe it says—and produce some policy that will deal with what the report says is a threat to our country.

□ 1830

For that reason, I would like to urge my colleagues to vote for the amendment, and reassure my friend and the Secretary that if, in fact, the report is forthcoming, and we are going to have a few months between now and the time we go to conference, I will be happy, in conference, to ask that this provision be withdrawn.

I reserve the balance of my time.

Mr. COOPER. Mr. Chair, I thank the gentleman from Alabama. I would just urge that both he and other Members not use this in any way as a precedent. It is one thing to fence an appropriate amount of money over a worthy disagreement, but this is overkill in this case, at least in my opinion.

So we probably will not prevail on the vote, but we need to establish precedents that will work for the strongest possible defense for that country, and a minimum of bureaucratic conflict.

I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Chairman, I thank my friend from Tennessee, and I urge my friends in the House to vote ''yes.''

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. ROGERS).

The amendment was agreed to.

AMENDMENT NO. 60 OFFERED BY MR. ZINKE

The Acting CHAIR. It is now in order to consider amendment No. 60 printed in part B of House Report 114–569.

Mr. ZINKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title XVI, add the following new section:

SEC. 16___. REQUESTS FOR FORCES TO MEET SECURITY REQUIREMENTS FOR LAND-BASED NUCLEAR FORCES.

(a) CERTIFICATION.—Not later than five days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall certify to the congressional defense committees that the Chairmans has approved any requests for forces, as of the date of the enactment of this Act, of a commander of a combatant command to meet the security requirements of land-based nuclear forces.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the travel and representational expenses of the Secretary of Defense, not more than 75 percent may be obligated or expended until the date on which the Secretary certifies to the congressional defense committees that there is a competitive acquisition process in place to ensure the fielding of a UH–1N replacement aircraft in fiscal year 2018.

Mr. ZINKE. Mr. Chairman, I ask unanimous consent that amendment No. 60 be modified by the form that I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

MODIFICATION TO AMENDMENT NO. 60 OFFERED BY MR. ZINKE OF MONTANA

At the end of subtitle D of title XVI, add the following new section:

SEC. 16___. REQUESTS FOR FORCES TO MEET SECURITY REQUIREMENTS FOR LAND-BASED NUCLEAR FORCES.

(a) CERTIFICATION.—Not later than five days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall certify to the congressional defense committees that the Chairman has approved any requests for forces, as of the date of the enactment of this Act, of a commander of a combatant command to meet the security requirements of land-based nuclear forces.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the travel and representational expenses of the Under Secretary of Defense for Acquisition, Technology, and Logistics, not more than 75 percent may be obligated or expended until the date on which the Under Secretary certifies to the congressional defense committees that there is a competitive acquisition process in place to ensure that a UH–1N replacement aircraft is under contract in fiscal year 2018.

Mr. ZINKE (during the reading). Mr. Chairman, I ask unanimous consent that the reading be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from Montana?

There was no objection.

The Acting CHAIR. Is there objection to the original request of the gentleman from Montana?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Montana (Mr. ZINKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Montana.

Mr. ZINKE. Mr. Chairman, I rise today to offer an amendment that will ensure that our servicemembers in the nuclear security forces have the ability to do their job.

Each and every day, these men and women are tasked with the protection of our nuclear weapons. This is not a mission that we can fail, and, thankfully, they have performed their mission successfully for over half a decade.

Unfortunately, despite the gravity and importance of this mission, these men and women must use Huey helicopters, UH–1s, that are in the Vietnam-era. They must be able to respond anywhere in a 32,000-square-mile area, larger than the State of Maine, while using these helicopters that are over 50 years old.

Air Force demonstrations performed at Minot Air Force Base have shown time and time again that critical security shortages exist using these Hueys, and they are problematic in mission success.

The Air Force and the Department of Defense have known this for over a decade but, unfortunately, have consistently kicked the can down the road.

My amendment ensures the replacement of the Huey aircraft is done now. The mission of protecting our forces is too important to delay yet again, and the Air Force and DOD, by their own tests, have proven its vulnerability.

This amendment ensures a full and open competition, but does not allow the Air Force to further delay replacement.

I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chairman, I claim the time in opposition to the amendment, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. O'ROURKE. Mr. Chairman, I yield back the balance of my time.

Mr. ZINKE. Mr. Chairman, I yield to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chairman, we had a technical issue earlier, and we had reached out to my friend's office. I congratulate your staff. They understood the mechanical issue. It was a procurement timing. It has been taken care of with the amendment to the amendment, and so I want to make sure anyone that is listening, that the concerns that were being brought up from my office have been dealt with.

We now are fully in support of the gentleman's amendment.

Mr. ZINKE. Mr. Chairman, I yield to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this amendment, and I am as frustrated as anybody that we are having to be here today.

Secretary Carter has often said, and I agree with him completely, that the nuclear deterrent priority is our number one national security mission. But, unfortunately, that rhetoric has not matched up with the decision on this issue coming from the Secretary's office.

The UH–1N fleet that is used by the Air Force Security Forces for the ICBM field security consist of Vietnam-era helos.

The UH–1N program is a case study in a failed DOD acquisition process:

The first move to replace the helos was in 2004. The Joint Staff validated a military requirement in 2010;

The Air Force canceled the replacement program in 2011;

And the SecDef recently overruled the SecAF in conducting a sole source replacement program, proposing instead a competition in 2018.

Admiral Haney, Commander, USSTRATCOM, stated in February, 2016: ''Maintaining the security of our nuclear weapons requires a modern helicopter with sufficient capabilities to counter both today's and future threats. The UH–1N does not fully meet the current ICBM complex security requirements as outlined by DOD and USSTRATCOM.''

We have been warned, colleagues. Let me be clear. This is the security of nuclear weapons here at home. There is no higher priority. If we are going down the path of competition, that is fine; but we have no more time to waste.

I want to urge the gentleman's amendment be adopted.

Mr. ZINKE. Mr. Chairman, I would like to say thank you to everyone for working on this bill and doing slight amendments to ensure that we have a fair and open competition but yet not delay the problem.

I think we can all understand that we need to replace the Hueys. The Hueys are inaccurate. They have been inaccurate for a long time. The acquisition process yet again, as we have identified, is broke.

So I thank my colleagues from both sides of the aisle to place this in importance. Our nuclear weapon and our arsenal needs to be protected. We face an asymmetrical enemy, and ensuring that they are safe at all times is part of what this Congress should be doing.

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

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Montana (Mr. ZINKE).

The amendment, as modified, was agreed to.

Mr. THORNBERRY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ZINKE) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

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 6 o'clock and 39 minutes p.m.), the House stood in recess.

□ 2351

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLE) at 11 o'clock and 51 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 4909, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

Mr BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–571) on the resolution (H. Res. 735) providing for further consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4974, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2017; PROVIDING FOR CONSIDERATION OF H.R. 5243, ZIKA RESPONSE APPROPRIATIONS ACT, 2016; AND FOR OTHER PURPOSES

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–572) on the resolution (H. Res. 736) providing for consideration of the bill (H.R. 4974) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes; providing for consideration of the bill (H.R. 5243) making appropriations for the fiscal year ending September 30, 2016, to strengthen public health activities in response to the Zika virus, and for other purposes; and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CURBELO of Florida (at the request of Mr. MCCARTHY) for today on account of attending a family event in his district.

Mr. LATTA (at the request of Mr. MCCARTHY) for Monday, May 16 on account of the passing of his father.

Ms. MAXINE WATERS of California (at the request of Ms. PELOSI) for Monday, May 16, 2016.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2040 An act. to deter terrorism, provide justice for victims, and for other purposes; to the Committee on the Judiciary.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1523. An act to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

ADJOURNMENT

Mr. BYRNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 18, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5355. A letter from the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting the Department's final rule — Farm Storage Facility Loan (FSFL) Program; Portable Storage Facilities and Reduced Down Payment for FSFL Microloans (RIN: 0560-AI35) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5356. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Investment and Deposit Activities — Bank Notes (RIN: 3133-AE55) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5357. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Pass-Through Share Insurance for Interest on Lawyers Trust Accounts (RIN: 3133-AE49) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5358. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Lifeline and Link Up Reform and Modernization [WC Docket No.: 11-42], Telecommunications Carriers Eligible for Universal Service Support [WC Docket No.: 09-197], and Connect America Fund [WC Docket No.: 10-90] received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5359. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Removal of Short Supply License Requirements on Exports of Crude Oil [Docket No.: 160302175-6175-01] (RIN: 0694-AG83) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

5360. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2016 Recreational Fishing Seasons for Red Snapper in the Gulf of Mexico [Docket No.: 140818679-5356-02] (RIN: 0648-XE575) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

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. MILLER of Florida: Committee on Veterans' Affairs. H.R. 3484. A bill to authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, and for other purposes, with an amendment (Rept. 114–570). Referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNE: Committee on Rules. House Resolution 735. Resolution providing for further consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes (Rept. 114–571). Referred to the House Calendar.

Mr. COLE: Committee on Rules. House Resolution 736. Resolution providing for consideration of the bill (H.R. 4974) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other to purposes; providing for consideration of the bill (H.R. 5243) making appropriations for the fiscal year ending September 30, 2016, to strengthen public health activities in response to the Zika virus, and for other purposes; (Rept. 114–572). Referred to the House Calendar.

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. COHEN (for himself, Mr. CHABOT, and Mr. NADLER):

H.R. 5258. A bill to require State and local law enforcement agencies to report arrests for offenses that involve driving under the influence to the National Crime Information Center as a condition of receiving the full amount that the State would otherwise receive under the Edward Byrne Memorial Justice Assistance Grant Program, and for other purposes; to the Committee on the Judiciary.

By Mr. ZINKE (for himself, Mrs. LUMMIS, Mr. MCKINLEY, Mr. TIPTON, Mr. GOSAR, Mr. CRAMER, Mr. WESTERMAN, and Mr. JOHNSON of Ohio):

H.R. 5259. A bill to direct the Secretary of the Interior to reestablish the Royalty Policy Committee in order to further a more consultative process with key Federal, State, tribal, environmental, and energy stakeholders, and for other purposes; to the Committee on Natural Resources.

By Mr. SCOTT of Virginia (for himself and Mr. CONYERS):

H.R. 5260. A bill to amend title VI of the Civil Rights Act of 1964 to restore the right to individual civil actions in cases involving disparate impact, and for other purposes; to the Committee on the Judiciary, 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.

By Mr. LEVIN (for himself, Mr. VAN HOLLEN, Mr. RANGEL, Mr. MCDERMOTT, Mr. THOMPSON of California, Mr. PASCRELL, and Mr. DANNY K. DAVIS of Illinois):

H.R. 5261. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance of the rules related to investment of earnings in United States property through corporate expatriation or the use of corporate structures in which the common parent is a foreign corporation; to the Committee on Ways and Means.

By Mr. HUDSON (for himself and Mr. RUPPERSBERGER):

H.R. 5262. A bill to eliminate the sunset date for the Veterans Choice Program of the Department of Veterans Affairs, to expand eligibility for such program, and to extend certain operating hours for pharmacies and medical facilities of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NOLAN (for himself, Mr. LOBIONDO, Mrs. CAPPS, and Mr. DEFAZIO):

H.R. 5263. A bill to require a study on women and lung cancer, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BRADY of Pennsylvania:

H.R. 5264. A bill to expand the uses of certain revolving funds of the Library of Congress and to clarify the authority of the Library of Congress to accept gifts and bequests; to the Committee on House Administration.

By Ms. CLARK of Massachusetts (for herself, Mr. GRAYSON, Ms. LEE, Ms. NORTON, Mr. SWALWELL of California, Mr. HASTINGS, Mr. DESAULNIER, and Mr. MCDERMOTT):

H.R. 5265. A bill to amend the Department of Education Organization Act and the Higher Education Act of 1965 to require publication of information relating to religious exemptions to the requirements of title IX of the Education Amendments of 1972, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DESAULNIER (for himself and Mr. JONES):

H.R. 5266. A bill to amend title 10, United States Code, to ensure that information regarding the deduction of amounts of disability compensation by reason of voluntary separation pay is provided to members of the Armed Forces separating from the Armed Forces; to the Committee on Armed Services.

By Ms. FRANKEL of Florida (for herself and Mr. KEATING):

H.R. 5267. A bill to amend title XI of the Social Security Act to expand the permissive exclusion from Federal health programs to include certain individuals with prior interest in sanctioned entities and entities affiliated with sanctioned entities and to provide a criminal penalty for the illegal distribution of Medicare, Medicaid, or CHIP beneficiary identification or provider numbers, 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. MCDERMOTT:

H.R. 5268. A bill to provide for improvements to the Welcome to Medicare package, 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. MOONEY of West Virginia:

H.R. 5269. A bill to amend title 18, United States Code, to criminalize knowingly destroying, without the written consent of each progenitor, a living human embryo created through the process of in vitro fertilization, and for other purposes; to the Committee on the Judiciary.

By Mr. RUSSELL:

H.R. 5270. A bill to abolish the Marine Mammal Commission and transfer its functions to the United States Fish and Wildlife Service; to the Committee on Natural Resources.

By Mr. TURNER (for himself and Mr. ALLEN):

H.R. 5271. A bill to reauthorize chapter 40 of title 28, United States Code; to the Committee on the Judiciary.

By Mr. FARR:

H.J. Res. 94. A joint resolution conferring honorary citizenship of the United States on

Staff Sergeant Laszlo Holovits, Jr; to the Committee on the Judiciary.

By Ms. NORTON:

H. Con. Res. 131. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; to the Committee on Transportation and Infrastructure.

By Mr. THOMPSON of California (for himself, Mr. HUNTER, Mr. MCCARTHY, Ms. PELOSI, Mr. SCALISE, Mr. HOYER, Mrs. MCMORRIS RODGERS, Mr. CLYBURN, Mr. BECERRA, Mr. CROWLEY, Mr. AGUILAR, Ms. BASS, Mr. BERA, Ms. BROWNLEY of California, Mr. CALVERT, Mrs. CAPPS, Mr. CÁRDENAS, Ms. JUDY CHU of California, Mr. COOK, Mr. COSTA, Mrs. DAVIS of California, Ms. DELBENE, Mr. DENHAM, Mr. DESAULNIER, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. GARAMENDI, Ms. HAHN, Mr. HASTINGS, Mr. HONDA, Mr. HUFFMAN, Mr. KNIGHT, Mr. LAMALFA, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEVIN, Mr. TED LIEU of California, Mr. LIPINSKI, Ms. LOFGREN, Mr. LOWENTHAL, Mr. BEN RAY LUJÁN of New Mexico, Ms. MATSUI, Mr. MCCLINTOCK, Mr. MCNERNEY, Mrs. NAPOLITANO, Mr. NUNES, Mr. PETERS, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Mr. ROYCE, Mr. RUIZ, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKAI, Mr. TAKANO, Mrs. TORRES, Mr. VALADAO, Mr. VARGAS, Mrs. MIMI WALTERS of California, and Ms. MAXINE WATERS of California):

H. Res. 734. A resolution recognizing and honoring the historical significance of the 40th anniversary of the Judgment of Paris, and the impact of the California victory at the 1976 Paris Tasting on the world of wine and the United States wine industry as a whole; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

221. The SPEAKER presented a memorial of the General Assembly of the State of Tennessee, relative to House Joint Resolution No. 291, urging Congress to reform federal requirements relative to high school graduation rates during the reauthorization of the Elementary and Secondary Education Act; which was referred to the Committee on Education and the Workforce.

222. Also, a memorial of the General Assembly of the State of Tennessee, relative to House Joint Resolution No. 528, affirming Tennessee's sovereignity under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States; which was referred to the Committee on the Judiciary.

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. COHEN:

H.R. 5258.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ZINKE:

H.R. 5259.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. SCOTT of Virginia:

H.R. 5260.

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. LEVIN:

H.R. 5261.

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. HUDSON:

H.R. 5262.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into executive the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. NOLAN:

H.R. 5263.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. BRADY of Pennsylvania:

H.R. 5264.

Congress has the power to enact this legislation pursuant to the following:

Article I.

By Ms. CLARK of Massachusetts:

H.R. 5265.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States

By Mr. DESAULNIER:

H.R. 5266.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Ms. FRANKEL of Florida:

H.R. 5267.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MCDERMOTT:

H.R. 5268.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. MOONEY of West Virginia:

H.R. 5269.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution, wherin Congress is provided the power ''[t]o regulate Commerce with foreign nations, and among the several States, and with the Indian Tribes.''

By Mr. RUSSELL:

H.R. 5270.

Congress has the power to enact this legislation pursuant to the following:

Section 8, Clause 1 of the U.S. Constitution

By Mr. TURNER:

H.R. 5271.

Congress has the power to enact this legislation pursuant to the following:

The 14th Amendment, Section 5; Article I, Section 8, Clauses 3 and 18 of the Constitution of the United States.

By Mr. FARR:

H.J. Res. 94.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 4; to establish a uniform rule of naturalization.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. WELCH.

H.R. 123: Mr. TED LIEU of California.

H.R. 210: Mr. KELLY of Pennsylvania.

H.R. 303: Ms. BROWN of Florida.

H.R. 539: Mr. COFFMAN, Ms. CASTOR of Florida, Mr. WALZ, and Mr. MURPHY of Pennsylvania.

H.R. 540: Mr. BRADY of Pennsylvania.

H.R. 604: Mr. GROTHMAN.

H.R. 711: Mr. HUFFMAN and Mr. JOLLY.

H.R. 769: Mrs. NOEM.

H.R. 793: Mr. CUMMINGS.

H.R. 816: Mr. BARTON.

H.R. 864: Mr. NORCROSS.

H.R. 1221: Mr. DELANEY.

H.R. 1545: Mr. LONG.

H.R. 1726: Mrs. CAROLYN B. MALONEY of New York.

H.R. 2016: Ms. CLARKE of New York.

H.R. 2189: Mr. TED LIEU of California.

H.R. 2237: Mr. NOLAN.

H.R. 2254: Mr. NORCROSS.

H.R. 2274: Ms. KUSTER.

H.R. 2290: Mr. ROUZER.

H.R. 2315: Mr. WITTMAN and Mr. NUNES.

H.R. 2368: Mr. PRICE of North Carolina, Mr. DESAULNIER, and Mr. BEYER.

H.R. 2403: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. COLLINS of New York.

H.R. 2450: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. O'ROURKE, Ms. DELAURO, Mr. GALLEGO, and Mr. LANGEVIN.

H.R. 2513: Mr. WENSTRUP and Mr. GRAVES of Georgia.

H.R. 2657: Ms. PINGREE.

H.R. 2739: Mr. MURPHY of Pennsylvania and Mr. CONNOLLY.

H.R. 2799: Mr. FORTENBERRY.

H.R. 2903: Mr. POCAN.

H.R. 2976: Mr. NORCROSS.

H.R. 2980: Mr. ISRAEL.

H.R. 3060: Mr. NORCROSS.

H.R. 3119: Ms. BONAMICI, Mrs. RADEWAGEN, Mr. POLIS, and Mr. NORCROSS.

H.R. 3163: Mr. MCNERNEY.

H.R. 3180: Mr. TIPTON.

H.R. 3222: Mr. CRAWFORD.

H.R. 3235: Mr. NEAL and Mrs. COMSTOCK.

H.R. 3323: Mr. MURPHY of Pennsylvania.

H.R. 3365: Mrs. BEATTY.

H.R. 3516: Mr. BRIDENSTINE.

H.R. 3706: Mr. HUNTER.

H.R. 3720: Ms. SLAUGHTER.

H.R. 3799: Mr. JORDAN.

H.R. 3815: Mrs. COMSTOCK.

H.R. 3870: Ms. BROWNLEY of California and Mr. SMITH of Washington.

H.R. 3956: Mr. O'ROURKE.

H.R. 3989: Mr. YOUNG of Iowa.

H.R. 4019: Mrs. CAROLYN B. MALONEY of New York.

H.R. 4062: Mr. COSTELLO of Pennsylvania.

H.R. 4177: Mr. KILMER.

H.R. 4219: Mr. MARINO, Mr. GRAVES of Louisiana, and Mrs. MIMI WALTERS of California.

H.R. 4230: Ms. VELÁZQUEZ.

H.R. 4247: Ms. JENKINS of Kansas.

H.R. 4365: Mr. BEYER, Mr. RIGELL, Mr. BROOKS of Alabama, Mr. MARCHANT, and Mr. CONYERS.

H.R. 4499: Mr. TOM PRICE of Georgia.

H.R. 4500: Mr. MACARTHUR.

H.R. 4514: Mr. MCCAUL, Ms. ROS-LEHTINEN, Ms. MENG, Mr. VELA, Mrs. LOVE, Mr. WEBER of Texas, Mr. HUDSON, Mr. BRADY of Pennsylvania, Mr. YOUNG of Iowa, Mr. THORNBERRY, Mr. PAULSEN, and Mrs. NAPOLITANO.

H.R. 4532: Mr. BYRNE.
H.R. 4616: Mr. WENSTRUP.
H.R. 4622: Ms. STEFANIK.
H.R. 4653: Ms. PINGREE.
H.R. 4662: Mr. SMITH of New Jersey, Mrs. BEATTY, and Mr. BUTTERFIELD.
H.R. 4665: Mr. COFFMAN and Mr. TAKAI.
H.R. 4681: Mr. PETERS.
H.R. 4694: Mr. CUMMINGS.
H.R. 4715: Mr. TROTT.
H.R. 4730: Mr. ALLEN and Mr. CHABOT.
H.R. 4768: Mr. FINCHER, Mr. JORDAN, Mr. GOHMERT, and Mr. BARR.
H.R. 4773: Mrs. BLACK, Mr. COLE, Mr. EMMER of Minnesota, and Mr. MACARTHUR.
H.R. 4790: Ms. BONAMICI.
H.R. 4819: Mr. FORTENBERRY.
H.R. 4848: Mr. WENSTRUP.
H.R. 4894: Mr. ALLEN.
H.R. 4913: Mrs. LUMMIS.
H.R. 4938: Mr. REED, Mr. BARR, and Mr. PETERS.
H.R. 4946: Mr. CURBELO of Florida.
H.R. 4955: Mr. HINOJOSA.
H.R. 4979: Mr. JOHNSON of Ohio and Mr. TONKO.
H.R. 4991: Mrs. CAPPS.
H.R. 5007: Mr. MCGOVERN.
H.R. 5025: Mr. MCCAUL and Mr. BABIN.
H.R. 5044: Mr. CARTWRIGHT, Ms. LOFGREN, Mrs. TORRES, Mrs. CAPPS, Ms. Plaskett, Mr. NORCROSS, Mr. KILDEE, Ms. TSONGAS, Ms. LINDA T. SÁNCHEZ of California, and Mr. RICHMOND.
H.R. 5047: Mr. WITTMAN and Mr. KING of Iowa.
H.R. 5053: Mr. RIBBLE, Mr. HUELSKAMP, Mr. GOSAR, Mr. GRAVES of Georgia, Mrs. WAGNER, and Mrs. BLACK.
H.R. 5073: Mr. THOMPSON of Mississippi.
H.R. 5094: Ms. SLAUGHTER.
H.R. 5119: Mr. WEBER of Texas, Mr. ROUZER, and Mr. NUNES.
H.R. 5130: Mr. RYAN of Ohio, Ms. NORTON, Ms. SCHAKOWSKY, and Mr. POCAN.
H.R. 5166: Mr. RICE of South Carolina, Mrs. BLACKBURN, Mr. BUCHANAN, Mr. WITTMAN, and Mr. MARINO.
H.R. 5170: Ms. KUSTER, Mr. PASCRELL, Mr. QUIGLEY, and Mr. TIBERI.
H.R. 5171: Mr. KELLY of Pennsylvania.
H.R. 5177: Mr. MOULTON and Mr. LOWENTHAL.
H.R. 5183: Mr. RIBBLE, Mr. TONKO and Mr. GRAVES of Missouri.
H.R. 5188: Mr. RUSH.
H.R. 5199: Mr. MULVANEY.
H.R. 5210: Mr. GRAVES of Missouri, Mr. SMITH of Nebraska, Mr. BROOKS of Alabama, Mr. ROUZER, and Mr. JOHNSON of Ohio.
H.R. 5226: Mr. TURNER and Mr. GOSAR.
H.J. Res. 87: Mr. LUETKEMEYER, Mr. KNIGHT, Mr. JODY B. HICE of Georgia, Mr. BROOKS of Alabama, Mr. ROKITA, and Ms. STEFANIK.
H. Con. Res. 19: Mr. TIPTON.
H. Con. Res. 40: Ms. SCHAKOWSKY.
H. Con. Res. 89: Mr. CRAMER.
H. Con. Res. 128: Mr. MOONEY of West Virginia and Mr. ROE of Tennessee.
H. Con. Res. 129: Mr. GRIJALVA, Mr. POE of Texas, and Mrs. BEATTY.
H. Res. 14: Mr. THOMPSON of Pennsylvania, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRAT, and Ms. CLARK of Massachusetts.
H. Res. 263: Ms. MENG and Mr. KEATING.
H. Res. 282: Mr. CLEAVER.
H. Res. 402: Mr. MCCAUL.
H. Res. 494: Mr. ROKITA.
H. Res. 650: Mr. BERA and Mr. COOK.
H. Res. 683: Mr. CICILLINE.
H. Res. 717: Mr. DESAULNIER, Mr. CRAMER, Mr. GUINTA, Mr. HANNA, and Mr. PITTS.
H. Res. 722: Mr. DESAULNIER.
H. Res. 729: Mr. VARGAS, Ms. SCHAKOWSKY, Ms. MENG, Mr. CURBELO of Florida, Mr. BILIRAKIS, Mr. JOYCE, Mr. BARR, Mr. CICILLINE, Miss RICE of New York, Mr. SHERMAN, Mrs. LOVE, Mr. ROYCE, Mr. PAULSEN, and Mrs. NAPOLITANO.

PETITIONS, ETC.

Under clause 3 of rule XII,

63. The SPEAKER presented a petition of National Council, Jr. Order United American Mechanics, relative to Resolution No. 6, imploring the members of the United States Congress to take action, immediately, to close our borders; which was referred to the Committee on the Judiciary.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4974

OFFERED BY: MR. BOST

AMENDMENT NO. 1: At the end of the bill (before the short title), add the following new section:

SEC. 417. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

H.R. 4974

OFFERED BY: MR. RATCLIFFE

AMENDMENT NO. 2: At the end of the bill (before the short title), add the following:

SEC. ____. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

H.R. 4974

OFFERED BY: MR. BLUMENAUER

AMENDMENT NO. 3: At the end of the bill (before the short title), add the following:

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce Veterans Health Administration directive 2011-004 (or directive of the same substance) with respect to the prohibition on ''VA providers from completing forms seeking recommendations or opinions regarding a Veteran's participation in a State marijuana program''.

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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

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Senate

The Senate met at 10 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, who hears our prayers and listens to our cries for help, thank You for Your mercies that come to us new each day. You save us with Your strength, continually showing us Your unfailing love.

Help our lawmakers today to discern Your voice and do Your will. Lord, give them the ability to differentiate Your guidance from all others, permitting You to lead them to Your desired destination. Speak to them through Your Word, guide them with Your Spirit, and sustain them with Your might.

O God, You are our rock, our fortress, and our Savior. All Your promises prove true.

We pray in Your mighty 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. COTTON). The majority leader is recognized.

THE APPROPRIATIONS PROCESS

Mr. MCCONNELL. Mr. President, last week, the Republican-led Senate passed, by an overwhelming majority, the first appropriations bill of the year—the energy security and water infrastructure funding bill. The Republican-led Senate did so in record early time. We began considering an annual appropriations bill this year at the earliest point in 40 years—40 years—and then we passed an annual appropriations bill this year at the earliest point in 40 years. Passage of this bill also marks the first time the Senate has passed an individual energy and water funding measure since 2009.

This shows what is possible with a little cooperation and regular order. By returning to regular order, we are better able to make better decisions about how taxpayer dollars are spent through the appropriations bills.

Here is what we mean when we talk about returning to regular order. We mean working in committee and allowing Senators from both sides to have their voices heard. We mean bringing bills to the floor and empowering more Members to offer suggestions they think might make a good bill even better. We mean working through hours of debate and deliberation, processing amendments from both sides, and then arriving at a final bill that actually passes.

That is just what we did here, and it resulted in the record early passage of an energy and water appropriations bill that will help support economic development, waterways infrastructure, and energy programs—initiatives that are important in my home State of Kentucky and in States across our country.

So I want to thank Senator ALEXANDER for working diligently with Senator FEINSTEIN to move this bill forward. They collaborated with both Democratic and Republican colleagues to ensure a fair process and an outcome that a majority of Senators could support.

I also want to thank Chairman COCHRAN and Ranking Member MIKULSKI for working within the Committee on Appropriations to move appropriations measures so early this year. We have already begun considering two more of them this week. The first measure is the transportation and housing infrastructure bill. It will make smart investments in important infrastructure priorities. It will strengthen our surface transportation network and help make air travel safer, more efficient, and more reliable.

I thank Senator COLLINS for her dedicated leadership on this important legislation.

The second measure is the Veterans and Military Construction funding bill. It will increase accountability at the VA and help ensure veterans receive the health care and benefits they rely on. It will advance vital national security projects, such as missile defense, and help ensure military families are supported with housing, schools, and health facilities to serve them.

This is the result of great work by a true champion of veterans—Senator KIRK. Senator KIRK and Senator COLLINS both worked hard to move these bills out of the Committee on Appropriations with unanimous bipartisan support. Now they are working hard to pass them together out here on the floor. They have already lined up several amendments that we will consider later today.

I would like to say a few words about one of these issues in particular. Both Republicans and Democrats agree that preventing the spread of Zika is a bipartisan priority. That is why Members from both parties have been looking at different approaches to properly address the situation. They worked through the best avenue to address the funding that may be needed to do so—the appropriations process—and came up with several different approaches for us to consider later today.

One amendment is from Senators BLUNT and MURRAY. It is a targeted approach that focuses on immediate needs while also providing resources for longer term goals, such as a vaccine. It includes accountability measures and represents a notable departure

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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from our Democratic colleagues' initial position. It is good to see our Democratic friends compromise.

Another amendment is from Senators CORNYN and JOHNSON. Their enhanced approach builds upon the appropriators' work by responsibly offsetting Zika funding with funds that have been set aside for public health and prevention purposes. It would also remove redtape and help promote mosquito control, which is the best way to keep Americans safe from this virus in the near term while a vaccine is under development. The House is also advancing its own paid-for Zika measure this very week.

So we will take several votes today. We will continue moving forward with the appropriations process, and we will address Zika funding in that context because keeping Americans safe and healthy is a top priority for all of us.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

INTERNATIONAL DAY AGAINST HOMOPHOBIA AND TRANSPHOBIA

Mr. REID. Mr. President, today is International Day Against Homophobia and Transphobia. This day of recognition is especially significant for America since the civil rights of transgender Americans are at the forefront of an important national debate. At its core, the debate comes down to a simple question: With whom do we stand? Do we stand with the bullies or do we stand against the bullies? Do we stand up for the bullies or against the bullies? Do we defend the persecutors or do we come to the defense of the persecuted?

These are the questions posed to us, and they should be. These are the questions posed to us by what is happening in North Carolina and the law there that undermines the civil rights of transgender Americans.

During a 1-day special session in March, the North Carolina legislature rammed through a controversial law that strikes down local antidiscrimination ordinances. The actions taken by North Carolina's legislature and Governor are nothing short of State-sponsored discrimination against transgender individuals. The law is clearly and completely illegal. It is in direct opposition to Federal civil rights statutes prohibiting discrimination on the basis of sex.

The Federal courts have made it clear that sex discrimination under the Civil Rights Act covers transgender individuals. This goes back to 1989, when the Supreme Court ruled in Price Waterhouse v. Hopkins that sex discrimination includes sex stereotyping under title VII of the Civil Rights Act of 1964. Relying on the Supreme Court's ruling in that case, appellate courts have concluded that discrimination against transgender people is prohibited when it is based on gender nonconformity.

That is why last week the Department of Justice sued North Carolina, finding that its law constitutes a pattern or practice of discrimination under the Civil Rights Act, the Education Amendments Act of 1972, and the Violence Against Women Act, which we passed just last year.

This kind of shocking discriminatory lawmaking has no place in the 21st century. It certainly has no place in America. Attorney General Loretta Lynch said last week:

> This is not the first time we have seen discriminatory responses to historic moments of progress for our nation. We saw it in the Jim Crow laws that followed the Emancipation Proclamation. We saw it in fierce and widespread resistance to Brown v. Board of Education. And we saw it in the proliferation of state bans on same-sex unions intended to stifle any hope that gay and lesbian Americans might one day be afforded the right to marry.

This issue has been far-reaching. It has far-reaching consequences. This is about access to employment, education, and just about everything else in public life. This is about whether we are going to allow our fellow citizens to be bullied, intimidated, and harassed.

The North Carolina law is not only wrong, but it runs counter to the progress we are seeing in States and cities across all of America. Right now, 18 States and approximately 200 cities have laws on the books to protect transgender individuals in being able to use the restroom that matches their gender identity.

Take, for example, what happened in Reno, NV, just last year. Reno, NV, is in Washoe County. It is the second largest school district in Nevada. In February 2015, in response to concerns from parents and students, the Washoe County School District issued policies to help foster a healthy and inclusive environment for transgender students.

The Washoe County School District developed thoughtful and commonsense policies that allow all students in Washoe County to have access to all school programs and activities. It was the first district in Nevada to do so. In the year since those regulations were adopted, schools across the district have reported few, if any, concerns about the new policies.

North Carolina leaders need to learn from Washoe County. They need to learn a thing or two about tolerance, as exhibited by the students and, yes, the adults across Washoe County.

North Carolina is already paying a severe price for its discriminatory law, and more is yet to come. Hundreds of America's biggest and most prestigious corporations and organizations have already come out in firm opposition to the law—companies such as Google, Bank of America, Starbucks, and Pfizer. You have major businesses that don't want to do business there. You have entertainers who won't perform there, such as Bruce Springsteen. But it is not just that. It is hundreds—hundreds—of other firms that are coming out in opposition to the law because what they are doing is illegal.

But Republican leaders are standing by their bigotry at a tremendous cost to the State, and that is disappointing. I stand with the administration in opposing the North Carolina law. I stand with all Americans against this shameful bullying. Most of all, I stand with the transgender people of North Carolina and our country who are the targets of this State-sponsored discrimination. My heart goes out to them.

This is not how a great nation should operate. We are better than this. So I look forward to the day, and it is coming soon, when this hateful law is struck down.

ZUBIK V. BURWELL

Mr. REID. Mr. President, yesterday, the Supreme Court chose not to rule on the merits of Zubik v. Burwell, a case brought by religiously affiliated nonprofit employers challenging the accommodation to the Affordable Care Act's contraceptive coverage provision. Instead, the Court remanded the case to lower courts for further proceeding.

The good news is that the order doesn't stop women who rely on the Affordable Care Act for contraceptive coverage from getting the services they need while the legal process plays out. But this remand highlights that the Supreme Court cannot properly do its job until we do ours here in the Senate. We must give Judge Merrick Garland a hearing and a vote so the Supreme Court can become fully functioning again.

There have been numerous cases that have been determined differently because of a 4-to-4 split. A number of them are just tied 4-to-4. A number of them have been remanded back to lower courts without action.

The Supreme Court to do its job needs nine—nine—Justices. So I hope the time is coming quickly when American women will know once and for all that their bosses can't interfere with their health care decisions, and I am confident the courts will ultimately do the right thing and uphold the Affordable Care Act's accommodation to the contraceptive coverage provision. Until that time, though, Senate Democrats will continue to watch this matter very closely and do everything in our power to defend access for women to birth control measures that they feel appropriate.

Mr. President, I think it is such a blight on the Senate that we are not doing anything to fill that ninth spot. It needs to be done, and it needs to be done quickly. Justice is being delayed. Justice is not being served.

I see my friend from Montana is on the floor. I ask the Chair, prior to his being recognized, to tell the Senate what we are going to do today.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2577, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Collins amendment No. 3896, in the nature of a substitute.

McConnell (for Lee) amendment No. 3897 (to amendment No. 3896), to prohibit the use of funds to carry out a rule and notice of the Department of Housing and Urban Development.

McConnell (for Nelson/Rubio) amendment No. 3898 (to amendment No. 3896), making supplemental appropriations for fiscal year 2016 to respond to Zika virus.

McConnell (for Cornyn) modified amendment No. 3899 (to amendment No. 3896), making emergency supplemental appropriations for the fiscal year ending September 30, 2016.

McConnell (for Blunt) modified amendment No. 3900 (to amendment No. 3896), Zika response and preparedness.

The PRESIDING OFFICER. Under the previous order, the time until 12:30 p.m. will be equally divided between the managers or their designees.

The Senator from Montana.

Mr. TESTER. Mr. President, as we begin consideration of the fiscal year 2017 Military Construction and Veterans Affairs appropriations bill, I want to start by thanking the chairman of the subcommittee and his staff.

The process Chairman KIRK and I put into place was fair, inclusive, and open, and I appreciate that he went out of his way to incorporate input from me, my team, and Senators from this side of the aisle.

This bill does right by our brave service men and women by honoring our Nation's commitment to veterans, Active-Duty military, and their families. We owe these folks our gratitude for their selfless sacrifice to freedom and democracy.

As a result of last year's bipartisan budget agreement, we are on the same page this year in terms of top-line funding numbers. This level of funding has allowed us to make critical investments in military construction, veterans programs, as well as Arlington National Cemetery and the U.S. Court of Appeals for Veterans Claims.

For VA, this bill provides $102 billion in mandatory funding for veterans' benefits—$102 billion—and includes an additional $103.9 billion in fiscal year 2018 advance funding to ensure that there is not a lapse in getting disability compensation and education benefits to our veterans.

For VA's discretionary accounts, including the Veterans Health Administration, the bill appropriates $74.9 billion. That is $3.4 billion more than the Department has this year. Within that amount, we are able to target increased funding for several key priorities for veterans. That includes health care, disability claims and appeals processing, medical and prosthetic research, and family caregiver support. That means the VA will be able to aggressively pursue critical veteran-centered research into a host of medical conditions, including PTSD and traumatic brain injury—the unseen wounds of war that are so difficult to both identify and treat. It also means the VA will have additional resources to meet the growing demand of caregivers who are providing critical, family-centered, long-term care for our veterans, and it will allow VBA to hire 300 new claims processors and 240 additional employees for the Board of Veterans Appeals, all focused on reducing the appeals backlog—something Senator SULLIVAN and I are working on over on the authorizing side. These funds will complement that work.

The bill before us also includes a new medical community care account that consolidates the various sources of funding that connect veterans to care in their own communities. The creation of this new account is extremely important in providing better oversight over a program that is critical for our veterans, particularly those in rural areas where services through the VA are often unavailable. It is also a key component in ongoing efforts to consolidate and streamline the number of different programs the VA has to get veterans care in their local communities. That is something a number of us are working on in a bipartisan manner in the Veterans' Affairs Committee.

On the MILCON side of the ledger, the bill before us also delivers. We have provided increased funding for a number of unfunded MILCON requirements identified by the services. Given the severe constraints on the budget, funding for military construction is squeezed more tightly now than ever. It is not just the cost of trying to maintain a deteriorating building, which in itself is substantial, it is also the impact that effort has on training, readiness, and retention of personnel—the very areas DOD is struggling to reinforce.

Shortchanging military construction is not a cost-effective or sustainable defense strategy over the long haul. That is why I am glad this bill provides nearly $500 million over the budget requested for unfunded priorities.

I am pleased the majority chose not to put forward controversial amendments on this bill during committee consideration. The bill that funds veterans health care and our military installations should not be a vehicle for politics. Our veterans and our servicemembers deserve a clean bill, so we need to avoid the ugly stuff on this bill.

I have a lot more to say about this bill as it is considered over the next, hopefully, several days. For now, I reiterate my thanks to the folks on the majority side, as well as Vice Chairman MIKULSKI, for their efforts in getting us where we are today.

Lastly, I remind all of our colleagues that we are open for business. So if there are amendments you are thinking about, get them filed and get them to our staffs so we can move forward. Amendments at the eleventh hour are never good, so get them in early so we can consider them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT'S POLICY ON TRANSGENDER ACCESS TO SCHOOL BATHROOMS

Mr. INHOFE. Mr. President, since Friday, my State and DC offices have been flooded with calls from concerned constituents regarding President Obama's latest unilateral action directing public schools and colleges to allow transgender kids into the bathrooms and locker rooms of their choice. In Oklahoma, we understand what this is all about. This is all about a liberal agenda being crammed down the neck of Oklahoma and the rest of the country.

On Sunday, I went to a church service near the Grand Lake area in Northeastern Oklahoma, where the nearest community has about 250 people. The pastor, whose name is Mark, said, ''If ever there were a Shadrach, Meshach, and Abednego moment in America, it is now.''

They understand that there is a real battle going on in Washington for our values. These values should be decided at the local level by the parents and teachers who truly understand what needs to take place to protect all kids.

He went on to say that ''we have to embolden our school board members [and other politicians] with our support.'' I agree. This is why I put forth a bill last year, which passed last year, to empower local school authorities to make these kinds of decisions. What the President is doing is unilaterally redefining title IX of the education law that prohibits discrimination on the basis of sex. With the new guidance he has issued, Obama is aiming to prohibit anything that could be construed as discrimination against ''gender identity, including discrimination based on a student's transgender status.''

Ultimately, the President is demanding, under threat of losing significant public assistance—in my State of Oklahoma, this amounts to about $450 million—if States and school districts don't comply. In other words, it is blackmail: You comply or you lose something you are entitled to.

By rewriting the law, President Obama has decided, without any input from Congress, that local schools must accommodate a very small segment of the population in a very specific way by allowing them to use the bathroom of their choice. By blackmailing our schools with funding that goes to low-income and special needs kids—money which schools are already entitled to receive—the Obama administration is writing its own laws to punish those who disagree.

As the pastor said this weekend, ''We should not sell out the innocence and the safety of our children'' as a condition for receiving Federal money that helps those who need it the most. In fact, he went on to say: We just will not accept it. We don't need to accept it. It is not worth the price we would pay.

This misguided policy is directed at the comfort of a microminority at the expense of the comfort, privacy, and safety of the majority of students who do not want to expose themselves or be exposed to another student of a different sex.

As Oklahoma's attorney general, Scott Pruitt, has noted, the administration's letter ''definitely changes the law in that it takes the unprecedented step of redefining 'sex' to mean 'gender identity.'" Furthermore, he states that the President's actions ''are unlawful'' and that they represent the ''most egregious administrative overreach to date'' and that Oklahoma ''will vigorously defend the State's interests.''

I fully support Oklahoma and other States that are vowing to fight this undemocratic edict from a politician who is no longer accountable to the voters. Oklahoma's parents, schools, and State and local boards are best equipped to deal with the issues they face in the classroom and on school grounds and should not be dictated to from Washington.

Our Nation's schools should not be ground zero for social experiments from the liberal agenda, and this is exactly what is happening now, but it doesn't take an Attorney General or a U.S. Senator to come to these conclusions. I thank God that basic morality is ringing out from the pews, not just in Northeastern Oklahoma but throughout America.

You are doing the Lord's work, Mark. Keep it up.

Mr. President, I ask unanimous consent that the time spent in a quorum call before 12:30 p.m. today be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. 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.

Mrs. MURRAY. 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. MURRAY. Mr. President, as a mother and a grandmother, I know that one of the most frightening questions an expecting parent has to ask their doctor is, ''Is my baby safe?''

Too many parents are asking that question right now because of the Zika virus. There are now more than 1,200 reported cases of Zika in the United States and the three territories—more than 100 of these are pregnant women—and on Friday, Puerto Rico announced its first case of Zika-related microcephaly.

Unfortunately, those numbers are only expected to grow in the coming months. So this is an emergency, and public health experts have repeatedly made it clear that as we get closer to the summer and to mosquito season, we cannot afford to delay. We need to better control mosquitoes that carry the Zika virus. We need to raise awareness to make sure families are informed about this disease, and we need to expand access to family planning services and accelerate the development of a vaccine. The President laid out a strong emergency funding proposal to accomplish each of those goals in February.

I support that plan. I was very disappointed that instead of acting on it as quickly as possible, my colleagues on the other side of the aisle simply refused to even consider it. Instead, they found reason after reason to delay. First, they said the administration should take funds from the ongoing Ebola response to combat Zika. Then, they said they needed more information about the President's proposal, even though Zika has been discussed in 55 congressional hearings, even after briefings by senior administration officials, and even though the administration's 25-page proposal had been available for months for anyone to see.

House Republicans have released a proposal that would provide a very meager $622 million, less than one-third of what is needed for this emergency, without any funding for preventive health care or outreach to those who are at risk of Zika, and they are still insisting in the House for the funding for the offset.

In the face of all of that partisanship and inaction and with public experts making it clearer every day how much we need to act before mosquito season is in full effect, I was encouraged that Chairman BLUNT and others on the Appropriations Committee were willing to work with Democrats on a first step to respond to this emergency. The agreement we have reached would put a down payment on the President's proposal into the hands of our first responders and researchers right away. It would provide much needed relief for Puerto Rico, backfill nearly $100 million in essential public health funding that the administration had been forced to reprogram, invest in prevention and support services for pregnant women and families at home and abroad, and put research dollars into developing a vaccine.

I believe the Republicans should do what we have urged them to do for months and join Democrats in supporting the President's full emergency funding request. But if they continue to refuse, then at the very least, they should be willing to support a bipartisan first step toward protecting families from this virus, and Democrats will continue pushing for every necessary resource going forward.

Families across the country are looking to Congress for action on Zika. They do not have time for lengthy debates about offsets, and they don't have more time to wait. So I hope we can move very quickly to get this emergency funding package through the Senate and the House and onto the President's desk. If we act now, we can help protect our families across the country from the truly tragic consequences of this disease, and there is no reason to delay.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, for months Democrats have asked the Republicans who control the Senate to let us act, while the Zika virus has spread across South America, Central America, and several U.S. territories. For months, we have asked the Republicans who control the Senate to let us act, while more and more American travelers are back in the United States after contracting the Zika virus. For months, we have asked the Republicans who control the Senate to let us act, while health experts at the World Health Organization, the National Institutes of Health, and the Centers for Disease Control and Prevention have begged Congress for the resources to fight this disease. For months, we have asked Republicans who control the Senate to let us act, while more people infected by Zika have developed a debilitating and sometimes fatal condition that damages the nervous system. For months we have asked the Republicans who control the Senate to let us act, while more mothers infected by Zika have given birth to babies with severe brain defects. And for months, we have asked the Republicans who control the Senate to let us act, while the President has been forced to divert emergency funds from other critical areas, including the emergency Ebola response.

Today, months after President Obama first requested nearly $2 billion to fight the Zika virus in the United States, the Republicans who control the Senate will finally let us vote on options for funding the Zika response.

Today the Senate will consider three proposals. The first proposal would completely fund the President's response plan. It offers our best hope to fully protect Americans, and I will vote for that proposal. I plead with every Senator to do the same because that is

what our Nation's experts have said it will cost to limit the sickness, death, and deformity caused by the Zika virus.

I know that some Republicans understand this point. Senator RUBIO, whose State of Florida is at great risk for local transmission of Zika, recently said this:

> I believe in limited government, but I do believe one of the obligations of a limited Federal Government is to protect our people from dangers, whether they be foreign enemies or the risk of disease outbreak. . . . I don't think we want to be halfway through the summer and wake up to the news that hundreds and hundreds of Americans in multiple States have been infected and we did nothing.

Senator RUBIO supports fully funding the President's response plan. I hope it passes the Senate. If it doesn't, it will be because the majority of Senate Republicans vote against it. If that happens, we will be forced to consider another proposal.

The second proposal would give the President half of what is needed to fight the outbreak. I will support this proposal if that is the last resort, as will many Democrats, because this is a health emergency. If your ship is sinking and you need 12 lifeboats but you can only get 6, you take the 6. We will take whatever the Republicans who control the Senate are willing to give to protect the American people.

Cutting the Zika funding request in half might give Republicans a chance to tell people how tough they are on spending, and that may be how Republican politics works, but it is not how science works. It is not possible to delay a response to a health emergency for month after month without consequences. It is not possible to nickel-and-dime a response to a health emergency without consequences. Sure, the Republicans' half measure is better than nothing. But an estimated 4 million people are facing the prospect of Zika infection by the end of this year, and a half response is not good enough.

The final Republican proposal is even dumber. It would not only give the President about half of what is needed but it would cover the cost by gutting the Prevention and Public Health Fund, which provides significant support to local public health departments all across the country. You heard that right. Some Senate Republicans think the best way to fund America's emergency response to the Zika virus is to rob from America's frontline responders who help identify and track infectious diseases such as the Zika virus.

On the other side of Congress, House Republicans are kicking around an even more bizarre idea—funding only about one-third of the President's plan to fight Zika and doing it by cutting hundreds of millions of dollars out of our Ebola response. With the Ebola epidemic just passed and still no FDA-approved vaccine or treatment for Ebola, what could possibly go wrong with that plan?

I simply do not understand the Republicans. The responsible thing to do—the rational thing to do—is to invest the resources needed to stop the Zika threat in its tracks and to invest in more science and public health infrastructure so that we are ready when the next crisis comes.

As congressional Republicans embrace this irrational anti-spending ideology, this country is put in greater and greater danger. Instead of investing in research so we can develop effective treatments, instead of supporting careful planning so we are ready for the next health challenge, and instead of fully funding emergency response infrastructure so we are prepared to respond to new threats, these Republicans govern by simply lurching from crisis to crisis.

We are in this mess with Zika—a mess that is about to get a lot worse—because of stupid decisions made right here in Congress. Keep in mind that Zika, like Ebola, is a disease we have known about for years. But our ability to do the necessary research to eradicate these threats has been undercut by Republicans' desire to make more and more budget cuts, even when they put the health of Americans in danger.

This country's scientific research capacity has been decimated. Over the last decade, the budget of the National Institute of Allergy and Infectious Diseases has lost about 20 percent of its purchasing power—20 percent. The Prevention and Public Health Fund that helps build the infrastructure needed to prevent people from getting sick and to shut down outbreaks like Zika has been on the Republicans' chopping block year after year.

Here is the bottom line. Our doctors, scientists, and health officials need our complete support in fighting this virus. They have told us how much money they need to do that. The less money Congress gives them, the more people will be hurt by the Zika virus—more babies with heartbreaking deformities, more adults with devastating illnesses.

The Zika virus does not care what politicians in Washington decide is politically expedient. The virus is coming, and if Republicans block Congress from protecting the people of this country, then Republicans must accept responsibility for the devastating consequences.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, first of all, let me begin by saying how encouraged I am that we are finally seeing some action here in Congress dealing with the Zika virus. Today, we have not one but three separate proposals to deal with this which are going to come up for a vote.

I support fully funding the request made. People say the President's request. Fine, it came from the White House. But it is really the scientists' request, the doctors' request, and the public health sector's request for how to address this issue.

The fundamental point I make is twofold. We can pay for it. We can find $1.9 billion. By the way, we can always come back later and find it, too, although I know that is hard to see happening here in Washington. But this is a public health emergency that cannot wait for this extended debate on this issue, especially when you talk about an $18 trillion debt. Zika funding is not the reason why we have an $18 trillion debt. It is not the national driver of our debt. That is why dealing with the long-term security of Medicare and Social Security is so critical. But we can pay for $1.9 billion, and we should. But it is public health experts who have said the amount we need is $1.9 billion.

I continue to urge my colleagues to take this with the sense of urgency that the public health experts have. The people I have met with, the people I have interacted with, and the people I have been talking to are not political people. I haven't been talking to people in the White House political office. I have been meeting with people who work at the Centers for Disease Control. I have been meeting with people who work at the Florida Department of Health. I have been talking to department of health officials in Puerto Rico. I have been talking with doctors who are in the frontline of dealing with microcephaly and what it means long term for the children who have been impacted by it. That is with whom I have been talking.

They have outlined the kinds of things we need to be doing. But more importantly, what they outlined is that there is so much we still don't know about Zika. For example, we don't know what the long-term consequences are of a mother who is infected with Zika while pregnant and the child was born without microcephaly. We don't know what happens in 6 months, 9 months, 1 year, or 5 years down the road. But I do know that many medical experts believe there will be further manifestations of the disease's impact on the central nervous system in many of these children years after this debate in Congress is finished.

I do know that Puerto Rico is being ravaged by this. Puerto Rico is a territory of the United States. These are American citizens who have been infected with Zika. They don't have a Senator from Puerto Rico, although I am more than honored and grateful for the opportunity to speak on their behalf on these issues. But what people have to understand is—this is not the right way to approach it, but even if your approach is that it is Puerto Rico and it is not the mainland of the United States, then I invite you to go to the airport in Orlando or Miami, and you can see the daily flights and the constant flow of people back and forth.

We also look at the fact that the summer months are coming. This is a mosquito-borne infection. We know that mosquito season is here, and it is coming fast. We know that the Zika virus becomes more potent as temperatures get warmer. Guess what. It is

about to get really warm not just in Florida but throughout the Gulf Coast States and throughout the country.

We know that places such as Brazil have been deeply impacted by the Zika virus. Guess what. Tens of thousands of people are about to travel through the United States to and from Brazil for the summer Olympics.

We know that Major League Baseball canceled a game in Puerto Rico because they believed it was a serious enough risk that they didn't want to put the players at risk, not to mention the crowd.

We see something percolating, and we don't know much about it. We know enough about it to know it is a serious problem. We do not know how far this is going to go. As a result, we see the people of this country facing a public health threat, and our response should be to deal with it the way medical experts say we need to deal with it.

We can put language in the proposal that says: If you don't end up spending the full $1.9 billion and you don't need all of that money, all of that money automatically goes back to Treasury within it a year or two if it hasn't been spent.

Why take the chance? Why take the chance that at some point this summer we could have a significant and serious outbreak in the United States of America when all the Senators are back in their home States doing campaign stuff or whatever they are doing and have to come back here and deal with it and explain to the people why, when doctors and medical experts were warning us that this was a significant risk, we decided to lowball it and spend less than what was called for by experts.

By no means do I intend for this to sound as if I am criticizing Senators MURRAY and BLUNT. I thank them for their work. They have tried to come up with a bipartisan proposal that can pass.

I said earlier, I am proud of the amendment that my colleague from Florida, Senator NELSON, and I are proposing here today. I hope that the $1.9 billion amount passes, but if we are left with a vote on the Blunt-Murray amendment, I think that is better than nothing, and I will support it. But why are we taking this chance? It makes absolutely no sense.

While I am happy that the Senate will hopefully take action on this issue, I am concerned about what I hear coming from the House. I am glad that they are finally beginning to move on the legislation and that something is happening, but I am very concerned about the direction of their own funding measure. Their funding measure isn't even $1.1 billion. It is $622 million, and quite frankly, that will not cut it. If we don't spend more than that on the front end, I believe we will spend a lot more later on because the problem is not going to go away, and it certainly will not go away with $622 million to combat it. This is concerning to me because even if we do manage to pass the $1.9 billion request, I am afraid even that may not be enough for the long term.

The issue that seems to be holding them back is the desire to offset spending. As I said, I support that 100 percent. I believe we can find $1.9 billion and transfer it from some other part of our budget to ensure that we are not deficit-spending. We can do that and we should do that. I am in favor of doing that, but that will not keep me from trying to do something about it.

In times of public health emergencies, just like during times of natural disasters, I don't think we should delay action while we try to figure out these budgetary moves and try to agree on what we are going to cut from other parts of the budget. I still belive we should do it, but we cannot hold back for another few weeks while we are trying to get to that point.

The administration has already diverted half a billion dollars that was intended for the fight against Ebola, but the House would raid even more of the Ebola funds for the Zika response.

It is easy to say: Ebola is not in the headlines anymore. We are not reading about it that much, so it must not be a problem.

Ebola still exists. It is not polio. We haven't eradicated it from the United States or the world. It is just not a percolating crisis right now, but there is nothing to say that it couldn't pop up again.

By the way, these sorts of pandemics will become more and more common as people are able to extensively travel all over the world. We are at the crossroads of a lot of that travel.

I don't think I am prepared to walk away. Maybe they don't need the full half a billion dollars, but I think it would be shortsighted to say that Ebola is finished, so we don't have to worry it anymore. There has to be some money available in case that comes up again, because it could.

I believe the House can and should do better than what it has proposed and should provide offsets to the spending—provide the $1.9 billion offsets. I guarantee they will be able to find that fairly quickly. They could provide stringent accountability measures. They could stipulate in the law that they pass, for example, that if we are wrong and don't end up spending or needing anything close to $1.9 billion or even $1.1 billion, that the taxpayers' money will be returned to the Treasury. But let's not play with fire.

As of now, there are 112 people in the State of Florida who have been infected. We have many more American citizens who have been infected in Puerto Rico. There are many unborn children who are at risk, and many more will be impacted once mosquito season sets in. At the end of the day, these are the people we should be fighting for, and quite frankly, we can do much better than what the House is proposing.

This is a devastating disease. It has taken lives throughout our hemisphere, and the way it impacts unborn children alone should call us to action. We have seen the images from Brazil of the children born with microcephaly. This is a devastating condition. The cost of caring for those children throughout their lives is extensive, and we are going to do it. We need to do it, and we will do it, but let's try to prevent it. Let's try to get ahead of it. Let's try not to just be reactive but proactive.

There are reports in the press today that scientists have been able to take a significant step toward potentially creating a vaccine. Once there is a vaccine for Zika, this problem will be under control.

As I said earlier, let's not play with fire. I hope my colleagues will jump on board and fully fund the $1.9 billion. If they want, we can put language in the legislation that says that if the money isn't fully spent, it will be refunded to the Treasury.

Why take the chance? Why take a chance on an issue that is not yet well defined? Why take the chance on a disease that we still don't know everything about? Why take the chance that we could have an outbreak much worse than anything any of us anticipated and be caught off guard? Why take the chance that you will have to go home in August and September and explain to millions of people across this country why so many Americans are now being infected by this disease and you lowballed our approach to it a few months ago? Why take the chance?

Let's do it once. Let's get it right. Let's ensure that we are protecting our people and deal with it now and deal with it fully. This is our obligation, and I hope we will embrace it here today. There is no reason we should not fully fund this proposal and listen to the doctors and health care experts who are asking us for this and build from there. I hope that is what my colleagues will do in a few hours when we vote on these proposals that stand before us.

With that, 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. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FLAKE. Mr. President, I come to the floor to speak with regard to providing funding for the emerging Zika crisis that the Senate will be considering on the floor today.

We in this body and the entire Congress over the past several years have provided a lot of additional health-related supplemental funding. In fact, over the past 13 years, roughly $19 billion has been directed toward health-related emergency supplemental funding. This, of course, does not include the hundreds of billions of dollars in

other supplemental spending that has circumvented the budgetary oversight process.

With a national debt of $19 trillion, we have to make sure we budget for these types of emergencies. When we have appropriated on a supplemental basis $19 billion over the past 13 years—supplemental health funding—then we know we need to budget for this type of crisis and not simply go the supplemental route and go out from under our budgetary caps.

I will support cloture today on the measure that includes an offset. We have to be more fiscally responsible as we deal with these crises. This is a crisis we need to deal with, but we ought to at least attempt to offset that funding. I believe taxpayers deserve nothing less than that.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. MIKULSKI. 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.

Ms. MIKULSKI. Mr. President, it has been 3 months since the administration sent Congress the emergency funding request for Zika, and Congress hasn't acted on it. But today we have an opportunity to do so, and I hope we do.

We will have pending before the Congress three different options on how to fund this public health emergency, but we must realize it is an emergency, and we need to have a sense of urgency to protect the American people and to help those south of the border to be able to cope with it. What are we waiting for? The mosquitoes are here. The mosquitoes have not only come, they have already come.

I have said in the past that we can't build a wall to keep them out—the mosquitoes will not pay for it—but it is no laughing matter. The President has said we need $1.9 billion to fight Zika to stop it from doing any more harm. That is what I am fighting for. We know we need to get the job done.

It is not just Senator BARB talking. The World Health Organization has declared Zika a public health emergency. The President declared it as such. The Centers for Disease Control and Prevention, through Dr. Freiden, has said this is a national and international emergency. And Dr. Fauci, head of the Institute of Infectious Diseases and Neurology at NIH, whom we have turned to on so many occasions, has also said it. So every public health entity has validated that this is a serious public health crisis.

We can prevent its dire consequences. Through action, particularly related to mosquito control and working with pregnant women and women of childbearing age, we can deal with this. This is not some unknown disease that would suddenly be arriving on our shores for which we would have no knowledge and no tools. These are basic public health tools related to mosquito control and helping women of childbearing age.

If we refuse to act, this will be a self-inflicted wound on our own people, and the consequences are dire. For those who care about children—I am sure we have already seen what has happened south of the border with little children being born with microencephalitis. My gosh, it is heartbreaking. It is heartbreaking for the little child with a limited life expectancy and limited life opportunities, the responsibility that will come to the family—usually to the mother—and to the society that will have to care for that child.

Today we are talking about money, but we have to think about the human concerns. Both Dr. Freiden and Dr. Fauci have conveyed to me and other Members of this body, particularly those on the Appropriations Committee and on the Health and Education Committee, that there are other unknown health issues related to those over the age of 65 or those with compromised immune situations now. If you have a chronic condition like diabetes, you could be subject to really negative consequences from being bitten. We have heard about Guillain-Barre. There are other diseases that are a consequence of Zika that give arthritic symptoms that can last for over 10 years.

Why don't we do something about it? We know that mosquitoes carry Zika. We already know they are in several States. We know Puerto Rico is already being hard hit. Sports events and other events have been canceled. We know it is down in Florida. Look at the way Senators NELSON and RUBIO are working together. We need to act, and we need to act now because we do know these horrible and devastating impacts. We have heard eloquent and poignant and even wrenching descriptions of what happens to children.

I know a topic in our Congress and in the Senate has often been the unborn. Well, we really want to protect the unborn, and this is the way to do it. We have to stop the mosquitoes through mosquito control.

This is basic public health. We also have to work with those women who are pregnant or of childbearing age to know about the consequences and what actions they can take to be able to do that. We need to be able to do this at the Federal level. Congress needs to act.

They are already acting at a local level, but they are spending local money to be able to do it. My own Governor, a Republican, Larry Hogan, is acting. He convened a task force. He pulled his public health people together. He ordered his own health department to coordinate education and awareness with local health departments in Maryland. I salute Governor Hogan in taking that action. He has already authorized the distribution of thousands of prevention kits for pregnant women across the entire State. Those kits cost about $130,000 to put together and to distribute. Maryland is doing this on its own dime. Well, mosquitoes are a national consequence and even an international one.

The counties in Maryland are doing their job—again, not Democrat or Republican. Again, my Governor is a staunch fiscal conservative, but he knows public health saves money, along with helping people with their lives.

Anne Arundel County, the home of the State capital, headed by a Republican county executive, is acting. This local county is already distributing its own prevention kits. It is not only the State capital, it is the home of the Naval Academy. Everybody is acting on their own.

In Baltimore City, our mayor is acting, working with the Bloomberg School of Public Health. We are spending local money on mosquito control. They need help. They need help from their own government to deal with the issue south of the border as they come up here, and they need help in their own communities to be able to fund the basic public health measures that we know are tried and that we know are true to be able to do that. I really encourage us to be able to do this and not to do it by raiding our programs.

I absolutely oppose taking money from the Prevention and Public Health Fund to pay for Zika. The prevention fund provides resources to States against other public health problems. We can't prepare for and protect against Zika by taking funds from other public health activities. We don't know what the summer and the winter hold. States could lose as much as 40 percent of their surveillance dollars to track other infectious diseases.

We have been asked for a very straightforward set of options. There is the Nelson-Rubio amendment asking for $1.9 billion. That is what I support. It would fully fund our measures, both nationally and internationally, and particularly help deal with the spread of this disease and helping local communities.

I reject another amendment that will be coming, offered by the Senator from Texas, Mr. CORNYN, who is well intentioned, and I appreciate his sincere interest in this. But he is robbing the prevention fund. We need an urgent supplemental. This was an unexpected event, which means that it is temporary, it is unexpected, and we need to deal with it.

I really want to congratulate—I know Senator BLUNT and Senator MURRAY have been working on another option if the other two fail. Whatever it is, at the end of the day we need to take action. This is a public health emergency. We need to deal with it in the most expeditious way. I know every Senator here is concerned about it.

The mosquitoes have already come to Maryland. What we don't want is to be stung by its consequences. So let's get on with the business of the day. I thank my colleagues for dealing with this issue now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I want to talk about the amendment I have offered with Senator MURRAY and Senator MIKULSKI and Senator COCHRAN. The chairman and the ranking member of the Appropriations Committee have joined in that amendment, as have Senator GRAHAM and Senator LEAHY. The committees involved are truly looking at this, trying to find a way forward that allows us to take action. We do need to take action, as my good friend from Maryland has just so well explained.

There is no vaccine. There is no simple diagnostic test. There is no way to treat the virus once you get infected. So communities really don't have very many options right now. The limited resources they have to manage the one thing we can do something about immediately besides education—the local mosquito population—are resources that are not nearly adequate to meet the current need.

At this time, there is no way to fully prevent the infection, leaving high-risk populations at risk, especially pregnant women or women trying to get pregnant. That seems to be the population where the impact of this disease—the impact of this Zika infection—has not only the most short-term but the most long-term implications because of microcephaly and other things that are going to be impacting children born.

I am told by the Centers for Disease Control and Prevention that every indication now would be that once you have had Zika, you cannot get it again. It becomes the inoculation, so just because you get Zika and may at a later time become pregnant, you are not likely to have the same thing. That is one of the studies going on, to verify for sure that is the case and also to verify for sure how long after you have had Zika that pregnancy can still be a problem.

This is a growing problem. There are already 650 confirmed Zika cases in the U.S. territories, with the majority of those being in Puerto Rico. There are over 500 travel-associated cases of Zika in the United States. If they got it here, it has been through sexual transmission and not from the mosquitoes themselves because obviously it is not mosquito season yet, but that is very close.

This is a public health threat and clearly an emergency. This is not something we can plan now to deal with 2 years from now because 2 years from now would be too late to deal with this crisis. However, I want to make clear that our deliberations over the supplemental request have never been an either-or scenario. There has never been a scenario where we are either going to rubberstamp the administration's request or do nothing. That straw man will not work. That is not the situation.

We need to evaluate this request. The request has certain items the administration asks for that I think if you look at them not even very closely—and certainly when you look at them closely—you find out they are unnecessary, they are unwarranted.

This is a bill designed to address an emergency situation, not a bill designed to make the most of an emergency. For example, the administration's proposal has a request for the building and expansion of new Federal buildings; $85 million of that initial request was to build new buildings. There is no way those buildings would probably even be started during the so-called emergency timeframe or during the real emergency timeframe. Certainly they would not be of use during the timeframe. That is not a real reason to ask for money; it is just an excuse to ask for money. The Congress could, should, and I believe will say: No, we are not going to do that.

The second request I would like to point out today, the request to provide the department of health with $175 million of that $1.9 billion, was just a slush fund. It was just a fund with virtually unlimited authority to transfer that $175 million or any part of it to any purpose of any Federal Government agency.

There may be some purposes in this emergency we don't know about yet, but they are not going to be $175 million, and they are not the kind of emergency appropriations you couldn't get by other means where the Congress is clearly involved. We did not provide this kind of funding in the Ebola crisis when the Democrats were in charge of the Senate. We should not provide it today.

There is no reason for a $175 million undesignated fund to be used anywhere in the Federal Government, any more than there is a reason to take $85 million and build a new Federal building, and say ''Well, it is part of the Zika emergency'' because it clearly is not. If there is a need for a Federal building at CDC, the Centers for Disease Control and Prevention can come to the Congress and make that case. That is the way that should be done.

If this amendment prevails today, that money will not be available. It is not unreasonable to ask the administration for details on what activities would be funded. What are their priorities, and when would they realistically spend these funds?

The $1.1 billion emergency fund would take us through the end of not just this fiscal year but the next fiscal year, about the same time we would hope in talking to the National Institutes of Health that a vaccine will be available. Once a vaccine is available, we will need to look at this Zika infection in a new way, and we will get to look at it in a new way.

If the administration had been a little more transparent at first, maybe we could have reached this point earlier. But to suggest that the Congress has needlessly delayed funding is both unfair and untrue.

I also think that this is the time we can move forward. The role of the Appropriations Committee is to look at this and to see that the money appropriated is going to be spent in the right way.

In the meantime, the administration has made available to the Zika crisis almost $600 million. Mr. President, $589 million is a lot of money. It is particularly a lot of money when it is basically one-third of what was being asked for. Whether what was being asked for was necessary or not, $589 million of unobligated funds that were available in other places have been brought to this cause.

The fact that the administration did that shows in a good way just how serious they are about the crisis. If this were not a real crisis, they would not be taking $589 million that in some process would be spent somewhere else and say: Listen, we need to spend this on Zika right now. But for the people we work for, it is important to understand that $589 million is being spent on this, and that is no more than what would possibly have been spent if this appropriation would have happened the day the administration asked for it.

The Appropriations Committee took the necessary time to understand the funding needs and response requirements to ensure that we protect all Americans, including taxpaying Americans. We worked in a bipartisan manner to provide the Department of Health and Human Services and the Department of State with targeted funding to respond to Zika.

Today we have that result, a bipartisan amendment worked out between the leaders of the Appropriations Committee and the Labor HHS and State and Foreign Operations Subcommittees to meet this emergency. Specifically, I worked with my ranking member on Labor HHS, Senator MURRAY, to reach an agreement that will provide $850 million to the Department of Health and Human Services to respond in a three-pronged strategy.

First, that Department is to provide the funds necessary to develop vaccine candidates, therapeutics, and new diagnostic tools.

Secondly, the Centers for Disease Control and Prevention will be able to focus responsible efforts domestically and internationally on the highest priority activities, such as vector control, emergency preparedness, and public health outreach.

Finally, the supplemental provides targeted funding to Puerto Rico, which public health experts believe will be the most at-risk area in a Zika outbreak.

Additionally, this amendment, with the work of Senator GRAHAM and Senator LEAHY, includes $248 million for the Department of State and USAID to support other affected countries' ability to implement programs to reduce the transmission of the virus.

This amendment is a targeted response providing the funding needed through 2017. It includes funding for priority initiatives focused on prevention, control, and treatment. It does not include funding for unessential requests.

I hope at the end of the day all Members find a way to meet this emergency. I believe the bipartisan amendment we are offering is the most likely of these amendments to meet the need. Certainly, in my view, it is the amendment that has taken the most focus on exactly what is needed to meet this crisis and meet it now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I would say to the Senator from Missouri that while this Senator is most appreciative that he and Senator MURRAY have come forth in a bipartisan fashion with about half of the funding that this Senator—also in a bipartisan proposal, since my colleague from Florida, Senator RUBIO, is the sponsor of this amendment with this Senator, I would point to the Senator's own words commending the administration that they recognized that this was crisis enough to go in and borrow $580 million from the Ebola fund to get started, since we couldn't get Congress off dead center until now.

I commend Senator BLUNT and Senator MURRAY for their action. I commend the leadership for being willing to put this on the T-HUD bill, appropriations bill, but for the Senator to suggest that he raised that point that it was such an emergency—$589 million—but the Appropriations Committee proposal only replaces the $589 million that has been taken from the Ebola fund. It replaces, replenishes it only with $88 million instead of $589 million.

By the way, the news just broke. There is another outbreak of Ebola.

This Senator is not here to talk about Ebola. This Senator is on the floor to talk about another health care medical emergency, of which there is well over 100 cases in this Senator's State of Florida. Senator RUBIO and I are desperately trying to help.

Before Senator BLUNT leaves, I wish to say one other thing. He mentioned that we need to control the vector. What does that mean? The vector is the gremlin that spreads the virus; that is, the aegypti strain of mosquito. That mosquito is now all over the southern United States, especially in Puerto Rico, and mosquito control costs money.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from one of my counties, the Osceola County Commission, saying that they desperately need the funds as they are out of funds for mosquito control.

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

MAY 12, 2016.

Subject: Mosquito Control—Urgent Need for Funding

EMERGENCY FUNDING REQUEST,

Florida Department of Health Emergency Prepardness and Response, Tallahassee, FL.

On February 04, 2016 Governor Scott declared a state of public health emergency for four Florida counties. This public health emergency has placed Osceola County under significant financial pressure. Our program is locally funded with an annual budget of less than $500,000 for arthropod control, so the County does not have the additional resources to address this catastrophic public health emergency.

At the time of the Governor's Declaration, Osceola already had ceased operations and gone into off-season mode. However, on February 05, 2016, local media covered the first case of Zika virus in Osceola County. Since then, the virus has expanded into several other areas and resulted in a substantial service demand increase, and the number of Zika cases is still climbing, even as resources are being depleted. Media continues to report that the positive cases are all travel-related—with Central Florida hosting more than 63 million visitors annually, and with Osceola County's predominant Hispanic demographic, we are the epicenter for this life-threatening virus.

Current staffing levels are not sufficient to meet this emergency. County resources are exhausted, and funds are not readily available to respond to this disaster. Lives are at stake.

To date, we have tried to be as creative as possible, reallocating staff and other departmental resources to respond to the public threat. We have shifted larvacide staff to go door to door, conducting Zika sweeps in response to service calls. This shifting of staff has reduced our ability to larvicide, which creates a catch-22 situation—larva not eliminated today become biting adult mosquitos tomorrow. While it's hard to predict all the potential mosquito control needs for the remainder of this year, the continuing emergency situation and citizen anxiety continues to require a heightened awareness and response.

Below is a list of currently identified funding shortfalls, with potentially more to come as the summer trap numbers rise.

Additional full-time temporary staff to perform day time sweeps and Larvicide	$200,000
Funding for increased aerial spraying	100,000
Additional Back Pack Sprayers (5 X 1800.00)	9,000
Extra on-hand fuels, chemicals, dry ice and baits	50,000
Private contractor for Tire pile removal	250,000
5 spray trucks with mounted sprayers to increase frequency of adulticide treatments county wide	200,000
Additional funding for spray driver pool (to compensate for additional work for night-time drivers)	80,000
Total initial request	889,000

Respectfully,

DONALD FISHER,

County Manager, Osceola County BOCC.

Mr. NELSON. What Senator RUBIO and I have is an emergency appropriation of $1.9 billion, although it is not treated that way in this appropriations bill.

The Centers for Disease Control predicts that up to 25 percent of our fellow American citizens on the island of Puerto Rico are going to be infected by the end of the year; that is, 800,000 people just there.

Already in the United States, we have over 1,000 cases reported in 45 States; 113 of those 1,000 are in Florida. Most of them are in South Florida, Miami-Dade County. Yesterday we just had another case that brought that total to 113. Those 113 cases are spread all over the State of Florida.

The community leaders, as indicated by this letter from Osceola County, are saying they are out of funds. Help. This is an emergency. With four reported cases of the virus so far just in that county, which is near Orlando, they have determined they will need to triple their annual budget for mosquito control.

The county manager writes:

This public health emergency has placed Osceola County under significant financial pressure.

County resources are exhausted, and funds are not readily available to respond to this disaster. Lives are at stake.

Think about what the House has done—a $600 million Zika bill. That is nowhere what we need. Such a figure is not only absurd, it is an insult to the men and women who are on the frontlines trying to battle this virus. These are local governments, such as the one I mentioned in Osceola County. We have an opportunity to respond.

This Senator understands it is already baked in the cake. Even though this proposal by Senator RUBIO and me is bipartisan, it is already baked in the cake that it is going to be the $1.1 billion, but beware. The crisis is looming. We haven't gotten an effective method for controlling the mosquito. We do not have a vaccine. All of these things take time, they take money, and it is going to need research. There is $277 million in this proposal that Senator RUBIO and I think needs to go to the National Institutes of Health to accelerate their research for a vaccine and other basic research.

When you compare the two competing provisions out here today—the committee position and ours—going to Puerto Rico, ours is $250 million. That island is devastated—$250 million for Medicaid funds. What is in the committee report is $126 million—half.

For example, take the $743 million in our proposal for the CDC, the Centers for Disease Control. In the committee, there is $449 million. Overall, take the funding to HHS. There is $105 billion in ours and roughly half, $850 million, in the committee provision.

I think we should not nickel-and-dime our response to what the World Health Organization has said and already declared a public health emergency of international concern. The urgency is now and we ought to do the right thing.

I conclude by staying we have the Olympics in a few months in Rio. Brazil is covered with Zika infestation and infection. Remember, it cannot

only be transmitted by the mosquito, the aegypti, but it can also be transmitted sexually.

Also, remember the doctors do not know—other than to suspect that it can be transmitted to the pregnant woman any time during the 9 months of pregnancy and it may not show up in the infant until years later in some developmental issue. They do know that in the first trimester of pregnancy, the infected virus is producing the babies with microcephaly. Such a case was just reported with an infected pregnant woman in Puerto Rico.

We have not heard the last of this, and you are going to see it magnified with regard to the Olympics. Sooner or later we are going to have to face the music. It looks like we are going to face the music with about half of the appropriation today. Ultimately, this is a full-blown emergency.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, while our colleague from Florida is on the floor, I thank him for being a loud and vocal proponent and for taking swift action. I thank the Senator for leading the fight.

Mr. NELSON. I thank the Senator for his support because he recognizes the emergency.

Mr. CARPER. Mr. President, I rise in support of emergency supplemental funding for Federal efforts to combat the impending threat of the Zika virus.

Reports of the spread of this virus are concerning. Actually, they are troubling, not just for public health officials but for many Americans who are reading about it in the paper and seeing coverage of it in the news almost by the hour. Families are reconsidering vacations they had planned, especially to more tropical locations.

As we approach the mosquito season, people are understandably worried about how this outbreak will affect them and their families, not just to go on a vacation and camping but literally to go outside and have a cookout or eat out on the porch.

We need to continue working to fully understand and combat the health risks that are posed by Zika. Just like our response to Ebola, our response to Zika must be an all-hands-on-deck effort.

In February, President Obama submitted a $1.9 billion emergency supplemental funding request to Congress to bolster programs and activities which would curb the spread of this virus. Given the real threat posed by Zika, I support the funding level requested by the President. I intend to vote for the amendment offered by our colleague from Florida, Senator NELSON, which would fully fund this request.

With that being said, I understand that a bipartisan agreement on funding has been reached between Senator BLUNT and Senator MURRAY, which would provide $1.1 billion toward the Zika effort. I appreciate their hard work in negotiating this language. I am going to support their amendment as well so our Nation's public health officials can take all necessary actions to combat the spread of this virus.

As we have heard, the Zika virus has spread explosively throughout Central America and South America. In fact, it has already reached Puerto Rico, other U.S. territories, and is expected to spread further north as the weather continues to warm.

Researchers have learned much about this virus in just the last couple of months. Their findings are indeed troubling.

Last month the Centers for Disease Control and Prevention announced there is now enough scientific evidence to confirm what many have long speculated—the Zika virus is the direct cause of severe birth defects.

Further complicating matters, it now appears that the mosquito primarily responsible for transmitting the virus has a wider presence in the United States than we had originally thought.

I have two maps. We will look at the first one.

The blue color is not good. Orange is less dangerous, less threatening in terms of the mosquitoes. The combination of the blue and the orange is troubling. If you look at the combination of blue and orange, it means that the two most worrisome mosquitoes are going to be covering the southern half of our country this summer.

The areas to the northeast and the Midwest, to the northern part, are somewhat less troubling, but my State of Delaware is right here.

Arizona, the State of the Presiding Officer, is right over here. Senator NELSON's State is right here. The only person on the floor whose State looks like they are going to escape is Maine. Senator COLLINS is here. Maybe she is in the clear, but she is here to help lead the fight to make sure we are all in this together and we are looking out for each other.

I wish to show another map. Major cities across the East Coast, including in the District of Columbia, could be hit hard by the Zika virus.

With mosquito season upon us and with more than 500 travel-related cases already diagnosed within the continental United States, we must be prepared for the possibility of outbreaks in some parts of this country. That is why I was glad to see President Obama and his administration take an early and proactive role in addressing Zika. Some of the actions already undertaken by Federal agencies include assisting State and local governments in mosquito-control efforts and ensuring that local health officials have the equipment they need to test people for this disease.

We also know that promising advances are being made in medical countermeasures and vaccine development. To date, these efforts have required the transfer of resources from other priorities, as we know, including Ebola. Last month the Obama administration announced it would redirect, on an interim basis, almost $600 million from other public health accounts to pay for Zika-related activities. I believe the President made the right call in light of the circumstances and the dire threat that is posed by the Zika virus.

Now, however, it is time for this Congress to do our job. It is my hope that we can come together in passing an amendment offered by our colleague from Florida, Senator NELSON. However, if we are unable to fully fund the President's request, I believe the funding provided by the Blunt-Murray amendment will go a long way toward supporting the many efforts currently being undertaken by the administration to combat Zika. I urge my colleagues to join me in providing the funding needed to stop the spread of the Zika virus.

Mr. President, I will close with this: When the President gave his State of the Union speech—I think right after the 2014 election—he had up in the Gallery sitting next to Mrs. Obama some of the folks who helped lead the fight against Ebola in Africa. There were doctors, nurses, and other people who developed vaccines and that type of thing. It was a proud moment for our country about 3 months after the election, the early part of 2015.

We were not directly threatened here by Ebola. They lost 40,000 people in Africa, in the western part of Africa. For the most part, there were a lot of scare tactics about Ebola used in the runup to the election here in this country, but the actual threat, in hindsight, was not that great.

What we did was we reached across the world and we invested a lot of taxpayer resources to help people who were in a terrible situation. We helped save literally hundreds of thousands of lives—their lives; not so much our lives but their lives. This is different. This is different. What we have at stake here is our lives and the quality of our lives and the ability of women to bring healthy babies into this world. It is not just us, it is our friends to the south of us in Mexico, Central America, South America, the islands of Puerto Rico and Cuba. We are all in this together.

This is an all-hands-on-deck moment, and we need a good team effort. The Senate is going to vote today on whether we are going to be a full partner in that effort, and we need to be that full partner. We need to do our job. And this is one of those days that I am confident and hopeful that we will.

Mr. President, I yield the floor. I note the presence of the Senator from Hawaii, which hopefully will not be affected by this virus. I am happy to yield to her.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, our Nation is facing a serious threat to public health. The Zika virus has the potential to be a major public health crisis.

According to the Centers for Disease Control, there are over 500 cases in the United States, including 9 in Hawaii. Currently, all of these cases are travel-related. There are 700 cases in U.S. territories, almost all of which were locally acquired. Summer, which is the peak travel season and peak mosquito season, is almost upon us. Every year, 40 million Americans travel to Zika-affected countries. It is just a matter of time before the threat of locally transmitted Zika becomes a reality in the United States.

Although the President sent his emergency funding request to fight Zika to Congress more than 3 months ago, I am glad to see Democrats and Republicans coming together now to prevent a major U.S. Zika outbreak. Public health experts at the Centers for Disease Control, Department of Health and Human Services, and elsewhere in the administration have said that $1.9 billion is needed to fight the Zika virus.

During the Senate's last State work period, I met with Hawaii researchers and health care providers, who agreed that we need this Federal funding to get ahead of Zika. This funding would go toward our vector-control programs, education, and vaccine development.

I visited a Hawaii company—Hawaii Biotech—that is working on a Zika vaccine. This company has a proven track record in developing vaccines. Hawaii Biotech has spent months working to develop a Zika vaccine using private funding. At this critical point of vaccine development, Dr. Elliott Parks and his team at Hawaii Biotech agree that a public infusion of funds will help them get over the finish line.

I also had the opportunity to visit with Governor David Ige, the Hawaii director of health, and health care providers. They all shared one message: that Federal funding is critical to getting ahead of a widespread Zika outbreak.

The funding we are voting on today could help companies like Hawaii Biotech develop a much needed Zika vaccine. It would help States like mine increase mosquito control and awareness on Zika.

Zika is not the benign virus we once thought it was, and funding only becomes more urgent as we learn about its harmful effects. Zika poses an imminent threat to pregnant women and, in reality, to all women of childbearing age. By now, we have all seen the harmful impacts Zika has on babies. The images and reports of babies born with microcephaly are heartbreaking. Zika can threaten our Nation's supply of donated blood. While blood banks across the country are working on methods to clean and test blood, they need funding to accelerate their research.

Congress can take steps to ensure the safety and well-being of all citizens. We can be proactive, not reactive, to impending threats such as Zika.

The Federal Government should play a leading role in coordinating and assisting local and State governments with mosquito control and supporting the latest research, much as we stepped up with Federal support when confronted with Ebola and avian flu.

While there are three Zika funding measures before us today, I strongly urge my colleagues to join me in voting yes on Senator NELSON's amendment to fully fund the President's request at $1.9 billion.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, what we do next on Zika is not an ideological test; it is a test of our basic competence. It has nothing to do with one's views on the size and scope of the Federal Government because, after all, if you believe the government should do even just a few things, preventing a catastrophic epidemic has to be one of them.

Zika is a public health emergency, and we have to act now to fund $1.9 billion in supplemental funding to address it, as requested by the public health experts.

I congratulate Senators NELSON, RUBIO, BLUNT, and MURRAY for working across the aisle to reach these agreements, and I would especially like to offer my support for the Nelson-Rubio $1.9 billion compromise. The Nelson-Rubio amendment provides the full $1.9 billion in Zika funding through the following: approximately $743 million for the CDC, $277 million for NIH, $335 million for USAID, and $417 million for the State Department. And here is an important aspect of it: It also pays back the borrowed Ebola money that we need to ensure that countries stay prepared to prevent another Ebola crisis.

There are a few proposals to pay for this, but I want to make the following point: This is an emergency. It fits the definition precisely, and so it shouldn't require a so-called pay-for.

I would like to say something to the Members who have rediscovered their fiscal conservatism. Remember that we just passed a $622 billion tax subsidy package last December, and none of it was paid for—more than half a trillion dollars not paid for—and 5 months later we are nickeling-and-diming the Centers for Disease Control.

I recently visited CDC headquarters in Atlanta to learn more about their efforts to combat Zika, dengue, and other vector-borne diseases. I have total confidence in the CDC's ability to respond to challenges like Zika, but we have to give them the strongest funding possible to make sure they can do their good work. And taking money away from the Prevention and Public Health Fund will strip CDC and other important agencies of the funds they need to protect our country from within and from without.

It is fair to say that this is a Congress that has struggled to do its job. And even when it stumbles through a solution such as this, it sometimes creates a new set of problems. So far in addressing Zika, we have forced the administration to pull money from the CDC for Ebola or from States to address public health risks. If you want to find savings, there are plenty to be had in the Tax Code, including the more than half a trillion dollar package that was passed in December, and not a penny was paid for. There was $622 billion in tax subsidies—some great things in there, some questionable things in there—and not a penny of it was accounted for and paid for properly.

Regardless of your side of the aisle, we can all agree that this is the one thing the government ought to do: keep us safe.

Thank you to Senator RUBIO and others for their calls to make Zika funding nonpartisan. Investing in the CDC and other agencies will protect our citizens from horrific diseases and shouldn't depend on your philosophy regarding the size and scope of the Federal Government.

Let's do our job. Let's keep the people of the United States safe. Let's fund this emergency for Zika and keep us safe from Ebola and other dangerous diseases.

Mr. President, I yield the floor.

Mrs. FEINSTEIN. Mr. President, today I wish to speak about the urgent need for Congress to approve emergency funds to fight the Zika virus.

The Zika virus is a rapidly growing public health threat, and the stakes for women are particularly high. I strongly believe Congress should approve the full $1.9 billion requested by the administration to fight the virus. Investing the required resources now will mean fewer cases of Zika down the road.

The virus is carried by two species of mosquito. They are found in 40 States in this country. These mosquitos have been found in 12 counties in California, including the five most populous: Los Angeles, San Diego, Orange, Riverside, and San Bernardino. More than 20 million people live in these counties.

There have been 503 travel-related cases in the United States so far, meaning an individual was infected during a trip to Latin America, South America, or the Caribbean, where the virus is widespread.

There have not yet been any reported cases of local transmission in the continental United States, although more than 700 cases have been reported in U.S. territories, including one fatality on April 29. It is only a matter of when, not if, we see the first case of local transmission, particularly as we approach the summer, when mosquitos are most active. By July, 7 States are expected to see high mosquito activity.

While scientists are still working to understand the effects of the Zika virus, they are more serious than we initially thought. Zika causes severe, brain-related birth defects in babies when women are infected during pregnancy.

Microcephaly, one of the most serious effects of Zika, causes babies' heads to be much smaller than normal. In severe cases, you will also see seizures, developmental delays, intellectual disabilities, feeding problems, and hearing and vision loss.

The Centers for Disease Control and Prevention continues to research the virus, and it could be several years before the full range of health effects is known.

The most common way people contract Zika virus is through mosquito bites, but there have been documented cases of the virus being spread from men to women through sexual contact. Scientists now believe sexual transmission is more common than initially thought.

Zika symptoms are mild—fever, rash, and joint pain—meaning that many people may become infected and spread with disease without knowing they have it. Unless we act now, we could end up with a significant number of Zika carriers who don't know they are infected.

As I mentioned previously, the administration has asked Congress for $1.9 billion in emergency funding to stop the spread of the Zika virus. Senator NELSON introduced a bill, which I have cosponsored, to provide the full $1.9 billion. Senator NELSON and Senator RUBIO have also introduced an amendment to the bill currently under consideration to provide the full $1.9 billion. Last week, an agreement was reached between Senators MURRAY and BLUNT on an amendment that would provide $1.1 billion in funding.

I applaud their efforts and know they worked hard to come to agreement on a package that could get broad bipartisan support. The Federal Government will use these funds for a number of prevention and mitigation activities, including controlling mosquito populations, researching and testing for the virus, educating the public, and developing a vaccine.

However, I think it is important to highlight what we are losing by funding the Zika response at $1.1 billion and not $1.9 billion. Reduced funding now will hinder our response in a number of ways.

It will be harder to address Zika in the future, with a potentially higher cost. Notably, the Centers for Disease Control and Prevention will receive nearly $300 million less. The National Institutes of Health will receive $77 million less. The Health and Human Services Emergency Fund will receive $83 million less. This means that testing may not be as widely available as it should be, and developing a vaccine may take longer.

There is also $114 million less to fight Zika abroad. We live in a global society. To prevent the spread of Zika virus, we must fight the disease where it is, not wait for it to come here.

It's also important to note that we can't launch prevention and mitigation activities overnight. It takes time to address mosquito populations and distribute testing kits. If we don't approve the necessary funds now and Zika spreads, funds approved later may not be as effective.

Past is prologue, and we have seen the effects of similar health crises. I remember when rubella was widespread in the United States before a vaccine was available. This is also a disease with mild symptoms. It spread easily and was particularly dangerous for pregnant women and their babies.

The rubella vaccination campaign in 1969 was critical to stopping this disease, which infected 12.5 million people from 1964–1965. In 2004, the United States was declared rubella-free. We're down to an average of 11 travel-related cases per year.

The point is we know enough about the Zika virus to understand that it is a serious threat. We also know from history how important it is to address public health threats as early as possible. This is especially important when the virus is carried by an insect as common as mosquitoes and the initial symptoms of the disease are mild or even undetectable.

In closing, Congress cannot afford to delay. I strongly urge the Senate to approve the administration's sensible request to fight this growing public health threat. Thank you.

Mrs. BOXER. Mr. President, today I wish to speak in opposition to Senator CORNYN's amendment. This amendment eliminates protections under the Clean Water Act related to spraying pesticides into the Nation's rivers, streams, and lakes to control mosquitoes.

Pesticide pollution is a significant problem and a major contributor to poor water quality in our Nation's water bodies. According to the Environmental Protection Agency, more than 1,800 waterways in the U.S. are known to be polluted by pesticides, and many more may be polluted but are not monitored. We know that pesticides harm fish and wildlife and are linked to a wide range of damaging human health impacts, including cancer and harm to pregnant women, infants, and children.

Exempting pesticide spraying from the Clean Water Act is completely unnecessary to control the spread of mosquitoes to address the Zika virus. In 2011, EPA issued a streamlined Clean Water Act general permit, which allows operators to get one permit for up to 5 years. The permit requires simple management techniques and reporting to protect water quality, fish and wildlife habitat, swimming, and recreational uses.

Most mosquito control districts around the country already have authorization to spray pesticides to control mosquitoes under this existing pesticide permit. In addition, EPA's permit includes provisions to allow immediate spraying to address public health emergencies. If a local government is not currently authorized to spray under EPA's permit and a pest emergency is declared at the local, State, or Federal level, pesticides can be immediately sprayed to address the health concerns without approval by EPA or a State.

In the case of Zika, States or local governments can declare a pest emergency under the general permit in areas where they believe Zika-carrying mosquitos may be a problem, and they can immediately begin spraying pesticides to control the spread of the virus.

These requirements are a commonsense approach to ensure gallons of excess pesticides are not dumped into our waters, and they provide sufficient flexibility to address public health threats, such as Zika.

The Cornyn amendment is not about improving the response to Zika. It is a backdoor attempt to gut the Clean Water Act, one of our Nation's bedrock environmental laws.

I urge my colleagues to oppose the Cornyn amendment and help keep our waterways clean.

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENT NO. 3922, AS MODIFIED

Ms. COLLINS. Mr. President, I ask unanimous consent that notwithstanding the adoption of the Feinstein-Portman amendment No. 3922 that it be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the appropriate place in title II of division A, insert the following:

SEC. ____. Section 218(g) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expired or would expire in 2016, 2017, 2018, or 2019 under that section.

Ms. COLLINS. I thank the Chair.

The PRESIDING OFFICER (Mr. PERDUE. The majority whip.

Mr. CORNYN. Mr. President, shortly the Senate will vote on three different versions of appropriations bills that will provide the needed money to help combat the anticipated challenges we are going to have with the Zika virus, which we have talked a lot about. Obviously, Zika is a threat, particularly to women of childbearing age because of the horrific birth defects associated with it, most prominently microcephaly, or basically a skull that is smaller than normal, leading to premature death and, obviously, horrific injuries.

There is bipartisan support for this legislation.

First of all, we will have a chance to vote on the President's request of $1.9 billion. The biggest objection I have to that $1.9 billion is that it really doesn't come with a plan that says how the President will spend that money. It also is not paid for. As the Presiding

Officer well knows, we have a huge national debt, and there is no reason to just gratuitously rack up more debt in order to deal with this public health concern.

There is a second vote we will have on a $1.1 billion appropriations bill. This is the product of the good work done by Senator ROY BLUNT of Missouri and Senator PATTY MURRAY of Washington. They have cut down the President's request from $1.9 billion to $1.1 billion, and they believe this will fund the needed work not only of this fiscal year but into the next fiscal year as well. That is also not offset or paid for, and I think that is a problem.

First of all, the House has proposed a roughly $600 million bill that is fully offset, so we are going to have some differences between the House and the Senate over how we address the Zika virus challenge.

The third is a piece of legislation I have offered that I would certainly ask my colleagues to support. This is fully offset out of something called the Prevention and Public Health Fund that was created by the Affordable Care Act. So there is money in the Treasury now that could help pay for the $1.1 billion. I should say that about $900 million of it could be paid for now, and by next year there will be more money put into this Prevention and Public Health Fund.

As we can see, the Affordable Care Act provides that. This Prevention and Public Health Fund is ''to provide for expanded and sustained national investment in prevention and public health programs.'' I can't imagine any more urgent public health program or one that we should be looking to prevent more than this particular threat, the Zika virus.

I would point out that the Prevention and Public Health Fund has been used to fund some things—many good things, some which I think are questionable, like promoting free pet neutering, encouraging urban gardening, and boosting bicycle clubs. Certainly, prevention of these horrific birth defects and the threat of the Zika virus spreading through the continental United States and its impact on our population is more important than these.

So I ask my colleagues, please, let's deal with this threat in the responsible way that we all agree we should, but let's do so in a fiscally responsible way as well. There is no reason to gratuitously add to the deficit and the debt. We can do this in a responsible way from a public health standpoint and fiscally as well.

Mr. President, I know the Senator from New York, Mr. SCHUMER, is coming to the floor at noon, and we are going to present a matter for the Senate's consideration. I don't see him here yet, but I am told he is on his way. So let me turn to that topic, and I know Senator SCHUMER will be here momentarily.

JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. CORNYN. Mr. President, all of us remember the horrible events of September 11 and the grief and pain so many people went through in New York. Roughly 3,000 people lost their lives. Obviously, the family members have not forgotten that, and the Nation hasn't forgotten their loss either.

The Senator from New York, Mr. SCHUMER, and I have introduced legislation called the Justice Against Sponsors of Terrorism Act. This is bipartisan legislation which would enable Americans and their family members who lost loved ones on that horrible day to pursue their claims for justice against those who sponsored those acts of terrorism on U.S. homeland.

This bill was reported out of the Senate Judiciary Committee without objection, and similar legislation passed the Senate unanimously last Congress. I believe that kind of unanimous support sends a clear message: that we will combat terrorism with every tool we have available and that the victims of terrorist attacks in our country should have every means at their disposal to seek justice.

I am grateful for the work of the Senator from New York, Mr. SCHUMER, in introducing this bill along with me and Chairman GRASSLEY for shepherding it through the Senate Judiciary Committee. I also appreciate the support of a large bipartisan group of like-minded Senators in this Chamber. We worked with a number of Senators, including the Senator from Alabama and the Senator from South Carolina, who expressed concerns about earlier versions of the legislation. I appreciate their willingness to work with us to deal with their concerns in a way that now has gained their support.

This legislation amends the Foreign Sovereign Immunities Act passed in 1976. So we already have a piece of legislation on the books that waives sovereign immunity under some circumstances, but the problem is that it does not extend to terrorist attacks on our homeland by countries and organizations that have not already been designated as state sponsors of terrorism. This makes some small changes in that legislation that first passed in 1976 to expand the scope of that to allow the families of the 9/11 tragedy to seek justice in our courts of law.

Mr. President, there are some aspects of the bill that I would like to discuss in particular, and to that effect I would like to enter into a colloquy with my friend on a number of points.

Senators SESSIONS and GRAHAM had expressed concern that earlier versions of this legislation might be interpreted to derogate too far from traditional principles of foreign sovereign immunity and put the United States at risk of being sued for our operations abroad. We worked extensively with them on this issue.

To alleviate the concerns they raised, the substitute amendment to S. 2040 narrowly tailors the immunity exception in several way.

First, it is limited—like the Foreign Sovereign Immunity Act's ''tort exception''—to physical injury ''occurring in the United States.'' The act of international terrorism that causes the injury must also take place ''in the United States.''

This focus on U.S. territory avoids the issues raised by the State Department regarding section 1605A, the ''State Sponsor of Terrorism'' exception to the FSIA passed decades ago by Congress. Section 1605A permits jurisdiction over acts that occur anywhere, but is limited to certain states.

Second, jurisdiction can only be predicated on acts of terrorism and not on acts of war, as both terms are defined under the Anti-Terrorism Act.

Third, the injury must be ''caused by'' the tortious act or acts of the foreign state. This language, which requires a showing of jurisdictional causation, is drawn from decisions of Federal courts interpreting section 1605A. Courts interpreting new section 1605B should look to cases like Kilburn, Rux, and Owens, the analysis of which we intend to incorporate here.

Finally, this new version adopts the language of 1605A regarding the conduct of officials, employees, and agents of foreign states. This language incorporates traditional principles of vicarious liability and attribution, including doctrines such as respondeat superior, agency, and secondary liability.

Mr. SCHUMER. I thank the Senator from Texas.

My friend the senior Senator from Texas is exactly right: we have made several changes to the bill since the last time it was introduced—and passed—to make it as narrow and targeted as possible.

I join him in thanking Senators SESSIONS and GRAHAM for working with us to strike the right balance.

I have two points on this.

Congress addressed terrorism under the FSIA decades ago, in what became section 1605A, the exception for ''state sponsors of terrorism.'' I want to make clear that JASTA is responding to a very specific issue about terrorism on U.S. soil. It is not our intent to imply anything about other areas of law. Other provisions of this statute allowing victims of terror to sue foreign governments for acts of international terrorism have a longstanding jurisprudence that JASTA is not meant to alter.

The new version of the legislation also includes an important new tool for the executive branch to address litigation against a foreign sovereign under section 1605B.

Section 5 allows the Department of Justice to seek a stay of the litigation—including related cases, not against the foreign state itself—if the government certifies that it is involved in good-faith discussions to resolve the matter. This stay can be extended.

Of course, if the administration seeks to use this new authority, it should be

prepared to provide substantial evidence of good-faith negotiations to the court such as details about those involved in the discussions and their authority to reach a resolution, where and when the discussion occurred and a timeline for resolving the matter.

I wish to say a few words about secondary liability under the Anti-Terrorism Act, which JASTA addresses.

The purpose of the Justice Against Sponsors of Terrorism Act is to hold foreign sponsors of terrorism that target the United States accountable in Federal courts.

One thing that has come up in our discussions of this bill is whether the bill's provisions would extend civil liability under the Anti-Terrorism Act to situations where someone has been forced to make payments or provide aid to aid to a foreign terrorist organization under genuine duress or, for example, as ransom payments for the release of someone taken hostage. This type of conduct is outside the scope of traditional aiding and abetting liability and our bill does not change that.

To sum up, the Foreign Sovereign Immunity Act has been amended, and amended again, in its relatively short life, in order to strike the proper balance between our interests abroad and the rights of our citizens to obtain redress when they are victims of wrongdoing—no matter who the perpetrator is. This version of JASTA would move our laws even closer to that ideal balance.

I yield again to the senior Senator from Texas.

Mr. CORNYN. Mr. President, I would also like to say a few words about secondary liability under the Anti-Terrorism Act, which JASTA addresses.

This bill is called the Justice Against Sponsors of Terrorism Act. It helps fulfill the promise of the original Anti-Terrorism Act, which was intended to ''interrupt, or at least imperil, the flow of money'' to terrorist groups. So, while JASTA clarifies the rule for secondary liability, which may attach to terrorism sponsors, it doesn't impact other aspects of the ATA that may also make them liable. For example, this bill is not intended to alter how violations of sections 2339A—material support—or 2339C—terrorist financing—can be the basis for direct liability under the ATA.

Mr. President, I would add, there is already litigation pending by the families who lost loved ones on 9/11, and right now there appears to be somewhat of a split in the Federal courts with regard to the scope of sovereign immunity and whether it applies. This legislation would basically clarify that both for pending cases and for future claims.

At this point, I would defer to my friend, the Senator from New York, for any statement he would care to make, and then I would be happy to offer a unanimous consent request.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my good friend from Texas for yielding and for the great job he has done. This is another example of bipartisan legislation and, in fact, another example of a Cornyn-Schumer collaboration, which works pretty well around here.

Senator CORNYN and I have introduced this bill for the last three Congresses, first under the leadership of Senator LEAHY and then under Senator GRASSLEY. It has twice passed without objection through the Senate Judiciary Committee, once by the full Senate. I thank Senators LEAHY and GRASSLEY for their help as well.

The bill is very near and dear to my heart as a New Yorker because it would allow the victims of 9/11 to pursue some small measure of justice by giving them a legal avenue to hold foreign sponsors of terrorism accountable for their actions.

The courts in New York have dismissed the 9/11 victims' claims against certain foreign entities alleged to have helped fund the 9/11 attacks. These courts are following what we believe is a nonsensical reading of the Foreign Sovereign Immunities Act. For the sake of the families, I want to make clear beyond a shadow of a doubt that every entity, including foreign states, will be held accountable if they are found to be sponsors of the heinous act of 9/11.

My friend, the senior Senator from Texas, and I have worked hard to narrow the bill to strike the proper balance between our interests abroad and the rights of our citizens to obtain redress when they are victims of terrible wrongdoing. We had a colloquy for the RECORD that goes into more detail on some of the legal nitty-gritty, but we cannot lose sight of the bigger picture: What this legislation means to the victims of 9/11 transcends day-to-day politics.

One of the most impassioned advocates of this bill is Ms. Terry Strada, who is seeking justice for her husband Tom. Tom lost his life in the North Tower on September 11. Terry didn't just lose a husband; she lost a father to a young son of 7, a daughter of 4, and a tiny baby boy who was born shortly after the towers fell. She lost a loving father and her best friend. Terry Strada and many others are seeking what we would all be compelled to seek if we suffered such loss at the hands of hate and evil, which is simply justice.

The fact that some foreign governments may have aided and abetted terrorism is infuriating to the families if justice is not done. That is what they seek—justice, justice, justice.

Terry and her three children have championed this bill for over a decade. They are not cursing the darkness—as would be human nature to do—at their terrible, unjust, and almost inexplicable loss. Instead, her family and many other families have chosen to light candles, to do whatever they can to make sure this never happens again, so that any foreign entity that would seek to choose to help and aid and abet and do terrorism here on our shores will pay a price if it is proven that they have done so.

So Terry and the other families are lighting candles—a saintly act. I thank them and all the other families as well—Monica Gabrielle, Mindy Kleinberg, Lori Van Auken, Kristen Breitweiser, Patty Casazza—for their tireless advocacy and patience.

In conclusion, JASTA is long overdue—a responsible, balanced fix to a law that has extended too large a shield to foreign actors who finance and enable terrorism on a massive scale. The victims of 9/11 and other terrorist attacks have suffered such pain and heartache that they certainly should not be denied justice.

Mr. President, I yield to my colleague from Texas for the unanimous consent request.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I thank my colleague from New York for his comments and for his partnership in working on this important legislation.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 362, S. 2040.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2040), to deter terrorism, provide justice for victims, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, 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 ''Justice Against Sponsors of Terrorism Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) International terrorism is a serious and deadly problem that threatens the vital interests of the United States.

(2) The Constitution confers upon Congress the power to punish crimes against the law of nations and therefore Congress may by law impose penalties on those who provide material support to foreign organizations engaged in terrorist activity, and allow for victims of international terrorism to recover damages from those who have harmed them.

(3) International terrorism affects the interstate and foreign commerce of the United States by harming international trade and market stability, and limiting international travel by United States citizens as well as foreign visitors to the United States.

(4) Some foreign terrorist organizations, acting through affiliated groups or individuals, raise significant funds outside of the United States for conduct directed and targeted at the United States.

(5) It is necessary to recognize the substantive causes of action for aiding and abetting and conspiracy liability under the Anti-Terrorism Act of 1987 (22 U.S.C. 5201 et seq.).

(6) The decision of the United States Court of Appeals for the District of Columbia in Halberstam v. Welch, 705 F.2d 472 (D.C. Cir. 1983), which has been widely recognized as the leading case regarding Federal civil aiding and

abetting and conspiracy liability, including by the Supreme Court of the United States, provides the proper legal framework for how such liability should function in the context of the Anti-Terrorism Act of 1987 (22 U.S.C. 5201 et seq.).

(7) The United Nations Security Council declared in Resolution 1373, adopted on September 28, 2001, that all countries have an affirmative obligation to ''[r]efrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts,'' and to ''[e]nsure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice''.

(8) Consistent with these declarations, no country has the discretion to engage knowingly in the financing or sponsorship of terrorism, whether directly or indirectly.

(9) Persons, entities, or countries that knowingly or recklessly contribute material support or resources, directly or indirectly, to persons or organizations that pose a significant risk of committing acts of terrorism that threaten the security of nationals of the United States or the national security, foreign policy, or economy of the United States, necessarily direct their conduct at the United States, and should reasonably anticipate being brought to court in the United States to answer for such activities.

(10) The United States has a vital interest in providing persons and entities injured as a result of terrorist attacks committed within the United States with full access to the court system in order to pursue civil claims against persons, entities, or countries that have knowingly or recklessly provided material support or resources, directly or indirectly, to the persons or organizations responsible for their injuries.

(b) PURPOSE.—The purpose of this Act is to provide civil litigants with the broadest possible basis, consistent with the Constitution of the United States, to seek relief against persons, entities, and foreign countries, wherever acting and wherever they may be found, that have provided material support, directly or indirectly, to foreign organizations or persons that engage in terrorist activities against the United States.

SEC. 3. FOREIGN SOVEREIGN IMMUNITY.

Section 1605(a) of title 28, United States Code, is amended—

(1) by amending paragraph (5) to read as follows:

''(5) not otherwise encompassed in paragraph (2), in which money damages are sought against a foreign state arising out of physical injury or death, or damage to or loss of property, occurring in the United States and caused by the tortious act or omission of that foreign state or of any official or employee of that foreign state while acting within the scope of the office or employment of the official or employee (regardless of where the underlying tortious act or omission occurs), including any statutory or common law tort claim arising out of an act of extrajudicial killing, aircraft sabotage, hostage taking, terrorism, or the provision of material support or resources for such an act, or any claim for contribution or indemnity relating to a claim arising out of such an act, except this paragraph shall not apply to—

''(A) any claim based upon the exercise or performance of, or the failure to exercise or perform, a discretionary function, regardless of whether the discretion is abused; or

''(B) any claim arising out of malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, interference with contract rights, or any claim for emotional distress or derivative injury suffered as a result of an event or injury to another person that occurs outside of the United States; or''; and

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

''(e) DEFINITIONS.—For purposes of subsection (a)(5)—

''(1) the terms 'aircraft sabotage', 'extrajudicial killing', 'hostage taking', and 'material support or resources' have the meanings given those terms in section 1605A(h); and

''(2) the term 'terrorism' means international terrorism and domestic terrorism, as those terms are defined in section 2331 of title 18.''.

SEC. 4. AIDING AND ABETTING LIABILITY FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

(a) IN GENERAL.—Section 2333 of title 18, United States Code, is amended by adding at the end the following:

''(d) LIABILITY.—In an action under subsection (a) for an injury arising from an act of international terrorism committed, planned, or authorized by an organization that had been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), as of the date on which such act of international terrorism was committed, planned, or authorized, liability may be asserted as to any person who aids and abets, by knowingly providing substantial assistance, or who conspires with the person who committed such an act of international terrorism.''.

(b) EFFECT ON FOREIGN SOVEREIGN IMMUNITIES ACT.—Nothing in the amendments made by this section affects immunity of a foreign state, as that term is defined in section 1603 of title 28, United States Code, from jurisdiction under other law.

SEC. 5. PERSONAL JURISDICTION FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

Section 2334 of title 18, United States Code, is amended by inserting at the end the following:

''(e) PERSONAL JURISDICTION.—The district courts shall have personal jurisdiction, to the maximum extent permissible under the 5th Amendment to the Constitution of the United States, over any person who commits or aids and abets an act of international terrorism or who conspires with the person who committed such act, for acts of international terrorism in which any national of the United States suffers injury in his or her person, property, or business by reason of such an act in violation of section 2333.''.

SEC. 6. LIABILITY FOR GOVERNMENT OFFICIALS IN CIVIL ACTIONS REGARDING TERRORIST ACTS.

Section 2337 of title 18, United States Code, is amended to read as follows:

''§ 2337. Suits against Government officials

''No action may be maintained under section 2333 against—

''(1) the United States;

''(2) an agency of the United States; or

''(3) an officer or employee of the United States or any agency of the United States acting within the official capacity of the officer or employee or under color of legal authority.''.

SEC. 7. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be invalid, the remainder of this Act and the amendments made by this Act, and the application of the provisions and amendments to any other person not similarly situated or to other circumstances, shall not be affected by the holding.

SEC. 8. EFFECTIVE DATE.

The amendments made by this Act shall apply to any civil action—

(1) pending on, or commenced on or after, the date of enactment of this Act; and

(2) arising out of an injury to a person, property, or business on or after September 11, 2001.

Mr. CORNYN. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Cornyn substitute amendment be agreed to; and that the bill, as amended, be read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 3945) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Justice Against Sponsors of Terrorism Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) International terrorism is a serious and deadly problem that threatens the vital interests of the United States.

(2) International terrorism affects the interstate and foreign commerce of the United States by harming international trade and market stability, and limiting international travel by United States citizens as well as foreign visitors to the United States.

(3) Some foreign terrorist organizations, acting through affiliated groups or individuals, raise significant funds outside of the United States for conduct directed and targeted at the United States.

(4) It is necessary to recognize the substantive causes of action for aiding and abetting and conspiracy liability under chapter 113B of title 18, United States Code.

(5) The decision of the United States Court of Appeals for the District of Columbia in Halberstam v. Welch, 705 F.2d 472 (D.C. Cir. 1983), which has been widely recognized as the leading case regarding Federal civil aiding and abetting and conspiracy liability, including by the Supreme Court of the United States, provides the proper legal framework for how such liability should function in the context of chapter 113B of title 18, United States Code.

(6) Persons, entities, or countries that knowingly or recklessly contribute material support or resources, directly or indirectly, to persons or organizations that pose a significant risk of committing acts of terrorism that threaten the security of nationals of the United States or the national security, foreign policy, or economy of the United States, necessarily direct their conduct at the United States, and should reasonably anticipate being brought to court in the United States to answer for such activities.

(7) The United States has a vital interest in providing persons and entities injured as a result of terrorist attacks committed within the United States with full access to the court system in order to pursue civil claims against persons, entities, or countries that have knowingly or recklessly provided material support or resources, directly or indirectly, to the persons or organizations responsible for their injuries.

(b) PURPOSE.—The purpose of this Act is to provide civil litigants with the broadest possible basis, consistent with the Constitution of the United States, to seek relief against persons, entities, and foreign countries, wherever acting and wherever they may be found, that have provided material support, directly or indirectly, to foreign organizations or persons that engage in terrorist activities against the United States.

SEC. 3. RESPONSIBILITY OF FOREIGN STATES FOR INTERNATIONAL TERRORISM AGAINST THE UNITED STATES.

(a) IN GENERAL.—Chapter 97 of title 28, United States Code, is amended by inserting after section 1605A the following:

"§ 1605B. Responsibility of foreign states for international terrorism against the United States

''(a) DEFINITION.—In this section, the term 'international terrorism'—

''(1) has the meaning given the term in section 2331 of title 18, United States Code; and

''(2) does not include any act of war (as defined in that section).

''(b) RESPONSIBILITY OF FOREIGN STATES.—A foreign state shall not be immune from the jurisdiction of the courts of the United States in any case in which money damages are sought against a foreign state for physical injury to person or property or death occurring in the United States and caused by—

''(1) an act of international terrorism in the United States; and

''(2) a tortious act or acts of the foreign state, or of any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency, regardless where the tortious act or acts of the foreign state occurred.

''(c) CLAIMS BY NATIONALS OF THE UNITED STATES.—Notwithstanding section 2337(2) of title 18, a national of the United States may bring a claim against a foreign state in accordance with section 2333 of that title if the foreign state would not be immune under subsection (b).

''(d) RULE OF CONSTRUCTION.—A foreign state shall not be subject to the jurisdiction of the courts of the United States under subsection (b) on the basis of an omission or a tortious act or acts that constitute mere negligence.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The table of sections for chapter 97 of title 28, United States Code, is amended by inserting after the item relating to section 1605A the following:

''1605B. Responsibility of foreign states for international terrorism against the United States.''.

(2) Subsection 1605(g)(1)(A) of title 28, United States Code, is amended by inserting ''or section 1605B'' after ''but for section 1605A''.

SEC. 4. AIDING AND ABETTING LIABILITY FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

(a) IN GENERAL.—Section 2333 of title 18, United States Code, is amended by adding at the end the following:

''(d) LIABILITY.—

''(1) DEFINITION.—In this subsection, the term 'person' has the meaning given the term in section 1 of title 1.

''(2) LIABILITY.—In an action under subsection (a) for an injury arising from an act of international terrorism committed, planned, or authorized by an organization that had been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), as of the date on which such act of international terrorism was committed, planned, or authorized, liability may be asserted as to any person who aids and abets, by knowingly providing substantial assistance, or who conspires with the person who committed such an act of international terrorism.''.

(b) EFFECT ON FOREIGN SOVEREIGN IMMUNITIES ACT.—Nothing in the amendment made by this section affects immunity of a foreign state, as that term is defined in section 1603 of title 28, United States Code, from jurisdiction under other law.

SEC. 5. STAY OF ACTIONS PENDING STATE NEGOTIATIONS.

(a) EXCLUSIVE JURISDICTION.—The courts of the United States shall have exclusive jurisdiction in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act.

(b) INTERVENTION.—The Attorney General may intervene in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act, for the purpose of seeking a stay of the civil action, in whole or in part.

(c) STAY.—

(1) IN GENERAL.—A court of the United States may stay a proceeding against a foreign state if the Secretary of State certifies that the United States is engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

(2) DURATION.—

(A) IN GENERAL.—A stay under this section may be granted for not more than 180 days.

(B) EXTENSION.—

(i) IN GENERAL.—The Attorney General may petition the court for an extension of the stay for additional 180-day periods.

(ii) RECERTIFICATION.—A court shall grant an extension under clause (i) if the Secretary of State recertifies that the United States remains engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

SEC. 6. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be invalid, the remainder of this Act and the amendments made by this Act, and the application of the provisions and amendments to any other person not similarly situated or to other circumstances, shall not be affected by the holding.

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall apply to any civil action—

(1) pending on, or commenced on or after, the date of enactment of this Act; and

(2) arising out of an injury to a person, property, or business on or after September 11, 2001.

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

Mr. CORNYN. Mr. President, I know of no further debate on the measure.

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. 2040), as amended, was passed.

Mr. CORNYN. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I yield the floor.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent to speak for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, there is an urgent need that we must address—I hope it will be later in the day—which is emergency funding to facilitate a rapid response to a spreading public health crisis—now in Puerto Rico but threatening the rest of our Nation. There must be a rapid, robust response to the public health emergency the Zika virus poses.

Zika is a vicious, virulent virus capable of crippling and killing. We have seen its effects in some cases of developmental disability that has resulted to children. It poses a threat to 4 million people in the Americas.

Connecticut may not be generally thought to have a warm climate, but the mosquitoes are swarming and spawning there. They include a type of mosquito—the Asian tiger—that has now been documented to carry Zika. This poses an immediate and urgent threat for Connecticut and for the entire eastern coast and Northeast United States.

There is a way that Connecticut is contributing to a solution. Two of our companies in Connecticut, Quest and Protein Sciences, are actively working on a vaccine. I visited Protein Sciences recently and saw firsthand the work that is being done there, but the scientists at that company and others working on a vaccine need this emergency funding. That is their plea to us, and I hope we will respond to it today—not just because the vaccine is needed, but it must be part of a broader effort, to include eliminating and eradicating mosquitoes wherever possible, educating the public on how to protect themselves and particularly their children and pregnant women against this disease.

In Connecticut, there have already been six Zika diagnoses to date. There have been none resulting from infections in Connecticut but still affecting pregnant women. Our experience documents that any State in our country may be eventually affected.

My plea today is that we use this opportunity to pass emergency funding and not deplete or gut a critical resource—the Prevention and Public Health Fund. For example, this fund has provided $324 million for section 317 immunization grant programs, which States rely on to maintain and increase vaccine coverage, particularly for uninsured Americans and for needed responses to disease outbreaks. Invading and decimating this fund will do lasting damage to the public health of America because the Prevention and Public Health Fund is the Federal Government's largest single investment in prevention.

Over the past 5 years, the fund has put more than $6 billion toward overdue investments in disease prevention and public health promotion. Raiding

this fund would wreak havoc on our efforts to reduce chronic disease rates, immunize our children, address infectious disease outbreaks and, ironically, lower health care costs.

There is a saying I have heard numerous times on the floor of the Senate and at other public forums: An ounce of prevention is worth a pound of cure. That lesson has been brought home by our experience with Ebola as well as with other public health threats. It is equally true of Zika. We should endeavor to eradicate mosquitoes and educate the public on the spread of this disease before it causes microcephaly, other developmental disabilities, and loss of vision and hearing in newborns. It is a threat to adults, as well as to newborns. Undercutting the investments we have made to date in public health is far from the right course to take. With women and families across the country looking to Congress for action, now is the time for us to take advantage of the bipartisan measures that are before us.

I urge that we support those bipartisan measures that will help us increase readiness and surveillance, develop a vaccine, and educate communities about how we can better protect women and children, as well as others, from this vicious and pernicious disease.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. 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.

Mr. BURR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

Mr. BURR. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURR. Mr. President, I rise today to speak on the importance of fighting the Zika virus and the urgency of being prepared for the full range of threats we may face, whether naturally occurring, such as Zika, or manmade.

To some, this may look like a grasshopper, but that is actually a mosquito. The question is, Prepared for all hazards? We still do not have answers to all the questions surrounding Zika, but we do know this: Zika is a very serious public health threat, and we need to act. That is why I support the Blunt-Murray amendment to bolster our Nation's response to it.

The CDC has indicated that the mosquitoes responsible for spreading the virus could be found in a significant portion of the United States, including my State of North Carolina. What makes this virus particularly troubling is that it has the potential to cause tragic birth defects in babies born to mothers infected with Zika. The virus has also been linked with serious neurologic conditions. The sad news of reported cases of microcephaly is an urgent call to us that this virus poses a very serious threat to pregnant women and their unborn children. We need to take action to help these women deliver healthy babies and stop the spread of the virus.

It is concerning to know that we do not have drugs to prevent or treat Zika, and we will likely not have them until after the summer when mosquitos are present in many of the communities back home.

Zika underscores the importance of supporting a flexible, all-hazards approach and response framework under the Pandemic and All-Hazards Preparedness Act—legislation I authored almost a decade ago—to ensure our Nation would be better prepared for the range of serious public health threats we might face, such as Zika. It also underscores that Mother Nature always has the potential to throw us a curveball, this time in the form of a virus with the potential for devastating birth defects transmitted through a simple mosquito bite. This mosquito-borne virus also highlights why we must be prepared with the appropriate tools to protect the health of America from situations in which infectious diseases are moving from animals to humans.

Thankfully, because of the Pandemic and All-Hazards Preparedness Act, we have been better prepared to respond to Zika and other recent threats. But this work is never done, and we must always remain vigilant when it comes to medical and public health preparedness and response. The next threat may be naturally occurring, or it may be the result of a deliberate attack. We need to be prepared for all of them.

After 9/11, Congress established the BioShield Special Reserve Fund to encourage the development of countermeasures that meet specific requirements for use against chemical, biological, radiological, and nuclear agents that the Department of Homeland Security has determined pose a material threat against the United States population sufficient to affect our national security. These are threats like anthrax, Ebola, hemorrhagic fever, and smallpox. Like Zika, the American people expect us to be ready to respond to these threats.

Unfortunately, I am not going to be able to support the amendment offered by my colleagues from Florida because it would gut BioShield. The President's fiscal year 2017 budget proposed decreasing BioShield by $160 million, and then weeks later, with Zika's emergence, the administration proposed raiding the BioShield fund. These actions do not instill confidence that the Federal Government is prepared to handle these threats and will be a committed partner in these public-private partnerships—partnerships that are crucial for defeating Zika. I want to work with the administration to improve our Nation's biodefense preparedness and response, especially with regard to emerging infectious diseases, but gutting BioShield is not the answer.

I also wish to take a moment and talk about the Biomedical Advanced Research and Development Authority, or BARDA, as I call it. BARDA is currently helping innovators navigate the development of the ''valley of death'' by supporting advanced research and development of medical countermeasures and spurring innovation, such as platform technologies, to ensure that we are as nimble as possible when confronting serious public health threats. BARDA is on the frontline of combating Zika because it is a linchpin in advanced medical countermeasures.

It is also critical that we support BARDA in fulfilling its mission. The Blue Ribbon Study Panel on Biodefense recently issued a report that found there are ''serious gaps and inadequacies that continue to leave the Nation vulnerable to threats from nature and terrorists alike.''

We cannot lose our focus on preparing for the threats we have identified. By strengthening our work in this area, we will be better prepared for the next naturally occurring threat. Regardless of the threat, we know the American people expect us to protect them from it and to be prepared to combat it. Today the threat is Zika. Two years ago the threat was Ebola. And the years before that, it was a novel flu strain. We have been here before. We don't know what the next threat will be or how it will arise, but by staying focused on identified threats and being vigilant to finish what we start, we will be better prepared for the next threat, whether naturally occurring or the result of a deliberate attack.

I strongly support the Blunt-Murray Zika amendment because it will help protect women, babies, and families threatened by Zika in North Carolina and across the United States. It will also ensure that we continue to make progress against a full range of threats we may face in the future. I believe we must confront the threat of Zika with the resources this tragic virus demands and the compassion that women and children deserve. The Blunt-Murray amendment does both. I look forward to supporting it and continuing to fight to ensure that Americans are protected from Zika and all other threats we might face.

While the Presiding Officer and chairman are here, I might add that America is the world's response. We are the ones who funded and initiated the cure for Ebola. We are the ones who took the seasonal flu variations and modified them to reflect the greatest threat. And America will be the one—for the world—that addresses a cure, vaccine, or countermeasure for Zika. The good news is that, as a Congress,

over 10 years ago we set up the architecture to be able to be ahead of things like Zika and Ebola. Quite frankly, during different administrations under different control, we failed to fund the things that we recognized we needed to do.

As we have this crisis and we respond to it, let's also reassure the American people that we are going to invest in that architecture and that we will be ahead of novel diseases. I call it novel. We have known about Zika for over 40 years, and the fact is that technology now allows us to address this in a different way. Let's invest in those platform technologies. Let's make sure we have an architecture that allows advanced development for the vaccines or the countermeasures. Let's not let down the American people on the next disease or the next threat that we might face.

I thank the Presiding Officer and the chairman.

I yield the floor.

RECESS

THE PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:42 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER. Under the previous order, the time until 2:30 p.m. will be equally divided between the managers or their designees.

The Senator from Maine.

Ms. COLLINS. Mr. President, at this point I wish to yield to Senator REED of Rhode Island, the subcommittee ranking member and the comanager of this bill.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, let me thank the chairman for her consideration. I rise in support of the Zika supplemental amendment offered by Senators MURRAY and BLUNT, as well as the amendment offered by Senator NELSON.

The threat of the Zika virus is a serious public health issue and Congress must act to help minimize the spread before we have an epidemic on our hands. It has been over 2 months since the Administration asked for emergency funds for a comprehensive response to the Zika virus and to speed up development of a vaccine. This should not be a partisan issue, and inaction leaves us more susceptible to this serious public health emergency. This disease is spreading rapidly in other countries, and as we saw last year with Ebola—and with other mosquito-borne illnesses—we are living in an interconnected world and we are not immune to the spread of these diseases.

Already, there are over 1,000 cases of Zika virus in the United States and U.S. territories, including over 100 pregnant women. We have only seen two cases so far in my home State of Rhode Island, but the virus is spreading and it isn't going away on its own. We will certainly see these numbers increase as we approach the summer months.

I had the opportunity to host a discussion in Rhode Island about this topic just a few weeks ago, bringing together Federal officials from the Centers for Disease Control and Prevention and the National Institute for Allergy and Infectious Diseases, as well as public health officials from the Rhode Island Department of Health, among other experts in the State. Everyone agreed that funding is needed immediately to ensure that we are prepared for Zika.

State and local public health departments will be critical to strengthening efforts to prevent and diagnose cases of Zika, among other mosquito-borne illnesses this summer. While transmission of mosquito-borne illnesses has been limited in the United States so far, it is critical that state and local public health departments have the resources they need—in addition to ongoing communication with the CDC—so they have the most up-to-date information on diagnostics and testing for mosquito-borne illnesses.

The NIH also needs more resources to help fast-track research and development of a vaccine for the Zika virus. The Zika virus has the potential to circulate in the United States over the long term, and we need to be prepared for the fact that we will be combating this disease for more than just a few months in the summer.

We also need more research on the virus. The Zika virus has been around for decades, and there have been outbreaks in other parts of the world, but we didn't know it could cause a birth defect called microcephaly that impacts brain development until this year. We still don't know the long-term impacts on these children and their mothers.

I plan to support Senator NELSON's amendment to fully fund the administration's Zika supplemental request. I appreciate his efforts to push this issue and to help ensure that we have robust funding to help combat the threat of Zika.

While Senator NELSON's approach is preferable, I also plan to support the amendment of Senator MURRAY and Senator BLUNT to provide $1.1 billion in funding to address Zika. This amendment is a bipartisan compromise, and my hope is that no less than this funding level will move forward and be signed into law before we head into the summer months.

It is so critical that we move quickly on this so our state and local health departments will have the resources they need to deal with the potential growing cases in the coming months. Senators MURRAY and BLUNT have been working for weeks on this amendment, and I want to thank them for their commitment to get to this agreement.

I will oppose Senator CORNYN's amendment, which would make harmful cuts to the Prevention and Public Health Fund. This is a classic case of robbing Peter to pay for Paul. The Prevention and Public Health Fund makes exactly the kinds of investments in our public health infrastructure that better prepare us to deal with emergencies like Zika or Ebola.

The Prevention and Public Health Fund also helps fund disease prevention programs such as cancer screenings and immunization programs that save us money in the long run. Instead of cutting the Prevention and Public Health Fund to pay for the Zika supplemental, we should actually be investing more into these programs. So it is my hope we will reject this approach and instead pass emergency legislation today to deal with the Zika virus.

The funding that will be made available as a result of today's votes will be critical in the efforts to prevent outbreaks of the disease in the United States and hopefully the creation of a vaccine in the near future.

There is still a lot we don't know about the Zika virus—and once we pass this emergency funding package, Congress will still need to work together to continue evaluating needs and determining whether more resources are necessary.

I look forward to working with my colleagues to protect Americans from the potentially devastating impacts of the Zika virus.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, shortly the Senate will proceed to consider three alternative proposals to provide much needed funding to combat the Zika virus. I am deeply concerned about the rapidly emerging and evolving Zika virus, which poses a particular threat to pregnant women and can cause serious birth defects.

To learn more about this virus and other public health challenges, I recently toured the Centers for Disease Control and Prevention in Atlanta, GA, with my friend and colleague Senator ISAKSON. I was deeply impressed by the team of extraordinarily dedicated public servants who work there. These scientists leverage an enormous range of knowledge to protect the American people, including through rapid response to infectious disease threats.

CDC's experts told me they call the mosquito that carries the Zika virus the cockroach of the mosquito world because it is so difficult to get rid of. This mosquito can breed in water that fits within the size of a bottle cap. It is commonly found in the United States in areas like Florida and our gulf coast.

There are now more than 1,000 cases of Zika virus in the United States and

its three territories, including two laboratory-confirmed cases in the State of Maine. Earlier, one of our colleagues showed a map of the States that are most affected by Zika, but the fact is, due to travel, there are confirmed Zika cases in virtually every single State, but of course Puerto Rico in particular has been especially hard hit, with the number of cases soaring. These statistics are even more alarming when we consider that we have not yet reached the summer months when mosquitoes tend to be more prevalent. Recent studies suggest that Zika might spread across the warmer and wetter parts of the Western Hemisphere. As many as 200 million people in our country live in areas where the mosquito that carries the virus could potentially thrive.

You may have read what may seem like good news—that the Zika virus is asymptomatic in approximately 80 percent of those affected, but CDC recently concluded that the virus causes microcephaly and a range of other severe fetal brain defects. Americans are justifiably worried about the Zika virus, as the failure to prevent its spread could have devastating consequences for our families.

In addition to the human and emotional toll, the Zika virus may ultimately cost the United States an astonishing sum of money when we consider that we already spend more than $2.6 billion per year on hospital stays related to birth defects. So the investment we are making today is not only the right thing to do from a humanitarian and public health perspective, it is also the right thing to do from an economic viewpoint.

In addition to these serious birth defects, the Zika virus has been linked to Guillain-Barre syndrome, a disease that can cause paralysis and even death.

It is imperative that we take steps to combat the Zika virus without delay. To that end, I support the bipartisan compromise agreement worked out by Senators BLUNT and MURRAY to provide an additional $1.2 billion to combat the Zika virus, including $361 million for the CDC and $200 million for the National Institutes of Health. We can and we should do more to plan for emerging disease threats through the regular appropriations process so we do not have to turn frequently to emergency supplemental funding, but in this case the Zika virus is an imminent and evolving public health threat that cannot wait and that cannot be ignored.

The CDC has a very specific plan to rapidly respond to this very real threat, including by developing diagnostic tests that will help us identify the virus and help to educate providers and the public about appropriate prevention methods. I think it is important to understand that the CDC is the interface with State and local public health centers and agencies, so its role is absolutely critical in the education and prevention process.

The National Institutes of Health is similarly prepared to conduct research into vaccines that might help us better prevent the virus and the conditions that it can tragically cause, but again that requires funding.

The CDC has sounded the alarm in its warning about a serious Zika outbreak in our country. It is essential we devote sufficient financial resources to meet this new challenge. I am convinced that today the Senate will do its part to deal with this serious threat to our public health.

Thank you, Mr. President.

Mr. REED. Mr. President, I have a parliamentary inquiry: How much time do we have remaining?

The PRESIDING OFFICER. The Senator from Rhode Island has 1½ minutes remaining, and the Senator from Maine has zero time remaining.

Mr. REED. Mr. President, I yield back the remaining time on our side.

The PRESIDING OFFICER. All time has been yielded back.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3898 to amendment No. 3896 to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Marco Rubio, Debbie Stabenow, Harry Reid, Sheldon Whitehouse, Richard J. Durbin, Al Franken, Jeanne Shaheen, Robert Menendez, Brian E. Schatz, Joe Manchin III, Bill Nelson, Charles E. Schumer, Michael F. Bennet, Edward J. Markey, Benjamin L. Cardin, Tom Udall, Gary C. Peters.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 3898, offered by the Senator from Kentucky for the Senator from Florida, to amendment No. 3896 to H.R. 2577, shall be brought to a close?

The yeas and nays are mandatory under this rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Wyoming (Mr. ENZI).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 50, nays 47, as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—50

Ayotte	Gillibrand	Nelson
Baldwin	Heinrich	Peters
Bennet	Heitkamp	Portman
Blumenthal	Hirono	Reed
Booker	Kaine	Reid
Boxer	King	Rubio
Brown	Kirk	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Manchin	Stabenow
Casey	Markey	Tester
Cassidy	McCaskill	Udall
Coons	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	

NAYS—47

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Sasse
Coats	Hoeven	Scott
Cochran	Inhofe	Sessions
Collins	Isakson	Shelby
Corker	Johnson	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Crapo	McCain	Toomey
Daines	McConnell	Vitter
Ernst	Moran	Wicker
Fischer	Murkowski	

NOT VOTING—3

Cruz	Enzi	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3899 to amendment No. 3896 to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Roy Blunt, Roger F. Wicker, Marco Rubio, Lamar Alexander, Richard C. Shelby, Thad Cochran, John McCain, Michael B. Enzi, Jeff Flake, John Cornyn, Shelley Moore Capito, Johnny Isakson, Richard Burr, Bob Corker, Susan M. Collins, John Hoeven.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 3899, offered by the Senator from Kentucky for the Senator from Texas, to amendment No. 3896 to H.R. 2577, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Wyoming (Mr. ENZI).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER (Mrs. ERNST). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 45, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—52

Alexander	Flake	Perdue
Ayotte	Gardner	Portman
Barrasso	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hatch	Rounds
Burr	Heller	Rubio
Capito	Hoeven	Sasse
Cassidy	Inhofe	Scott
Coats	Isakson	Sessions
Cochran	Johnson	Shelby
Collins	Kirk	Sullivan
Corker	Lankford	Thune
Cornyn	Lee	Tillis
Cotton	McCain	Toomey
Crapo	McConnell	Vitter
Daines	Moran	Wicker
Ernst	Murkowski	
Fischer	Paul	

NAYS—45

Baldwin	Gillibrand	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Peters
Booker	Hirono	Reed
Boxer	Kaine	Reid
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Manchin	Stabenow
Casey	Markey	Tester
Coons	McCaskill	Udall
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—3

Cruz	Enzi	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 45.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3900 to amendment No. 3896 to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Roy Blunt, Roger F. Wicker, Marco Rubio, Lamar Alexander, Richard C. Shelby, Thad Cochran, John McCain, Michael B. Enzi, Jeff Flake, John Cornyn, Shelley Moore Capito, Johnny Isakson, Richard Burr, Bob Corker, Susan M. Collins, John Hoeven.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 3900, offered by the Senator from Kentucky, Mr. MCCONNELL, for the Senator from Missouri, Mr. BLUNT, to amendment No. 3896 to H.R. 2577, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Wyoming (Mr. ENZI).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 68, nays 29, as follows:

[Rollcall Vote No. 75 Leg.]

YEAS—68

Alexander	Franken	Murphy
Ayotte	Gillibrand	Murray
Baldwin	Graham	Nelson
Bennet	Hatch	Peters
Blumenthal	Heinrich	Portman
Blunt	Heitkamp	Reed
Booker	Hirono	Reid
Boozman	Hoeven	Rounds
Boxer	Isakson	Rubio
Brown	Kaine	Schatz
Burr	King	Schumer
Cantwell	Kirk	Shaheen
Capito	Klobuchar	Stabenow
Cardin	Leahy	Tester
Carper	Manchin	Tillis
Casey	Markey	Udall
Cassidy	McCain	Vitter
Cochran	McCaskill	Warner
Collins	McConnell	Warren
Coons	Menendez	Whitehouse
Donnelly	Merkley	Wicker
Durbin	Mikulski	Wyden
Feinstein	Murkowski	

NAYS—29

Barrasso	Gardner	Risch
Coats	Grassley	Roberts
Corker	Heller	Sasse
Cornyn	Inhofe	Scott
Cotton	Johnson	Sessions
Crapo	Lankford	Shelby
Daines	Lee	Sullivan
Ernst	Moran	Thune
Fischer	Paul	Toomey
Flake	Perdue	

NOT VOTING—3

Cruz	Enzi	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 29.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Maine.

AMENDMENT NO. 3946 TO AMENDMENT NO. 3900, AS MODIFIED

Ms. COLLINS. Madam President, I call up the Blunt amendment No. 3946.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for Mr. BLUNT, proposes an amendment numbered 3946 to amendment No. 3900, as modified.

Ms. COLLINS. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the periodic submission of spending plan updates to the Committee on Appropriations)

On page 10 of the amendment, line 1, strike ''. The'' and all that follows through the period on line 3, and insert the following: '': *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations of the Senate every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.''.

Ms. COLLINS. Madam President, I would now like to yield time to Senator ISAKSON for a statement.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Madam President, I thank the Senator from Maine for the recognition.

AMENDMENT NO. 3900, AS MODIFIED

I want to commend Senator COLLINS and Senator REED for their hard work and great leadership on this amendment, Senator MURRAY and Senator BLUNT for bringing this issue before us, and the Senate for having the good sense to invoke cloture on it this afternoon.

If anybody in the audience or in this room doesn't think this is an emergency, they should have been with Senator COLLINS and me 2 weeks ago at the CDC in Atlanta. We spent 4 hours looking at the depiction of what a Zika outbreak is going to look like if it doesn't stop and if we don't abate it.

There have already been 1 million cases in the Caribbean, Central America, and South America and 500 cases in the United States of America, and it is going to grow. The faster we get our arms around it, the better off the American people are going to be.

This is a lot of money, but it is only a pittance compared to what it would cost if the epidemic got out of control and we didn't stop it and defeat it. This money will go to Labor, Health and Human Services, the State Department, the CDC, and other entities to provide the education, training, and information necessary to get control of this disease.

Remember what happened with Ebola. When it broke out and we finally got involved, only through CDC's ability to educate and also to contain and control the disease did we finally get our arms around it and stop the epidemic. The same thing is going to be true with Zika. We need to contain, control, and get the necessary education to the countries to see to it that we stop it.

I commend the Senate for invoking cloture on the amendment today. I commend these two Senators for their hard work, and I am glad we are on the leading point of the spear. I want everybody to be clear—this is an emergency. Had we not invoked cloture on this amendment today, in months we would have had a greater emergency because Zika would have spread unabated in the Southern United States.

Lastly, I want to give great credit to Senator COLLINS for all the hard work she has done on health and human services for so many years and for her hard work for the CDC. On behalf of Dr. Frieden, we are glad you finally came and visited. God bless you.

I yield back.

The PRESIDING OFFICER. The Senator from Maine.

OPIOID EPIDEMIC

Mr. KING. Madam President, we just invoked cloture on an amendment to deal with the funding of an incipient epidemic—an epidemic that has serious ramifications for our society and for our country—and it is right that we did that.

I rise today, however, to point out the fact that we are in the midst not of an incipient epidemic but a real epidemic that since lunchtime today has killed 15 people in this country. Fifteen people have lost their lives since the middle of the day today. The epidemic I refer to, of course, is heroin and opiate drug abuse and addiction. This is a crisis which is upon us right now.

A month or so ago, we passed with great fanfare the CARA bill, the comprehensive addiction bill. It was the right thing to do. It was a good bill, but it had no funding. Passing a bill like that with no funding is like sending the fire department to a fire with no water. We cannot deal with this problem until we have the capacity to provide treatment to the people who need it.

Right now there is a huge shortage of treatment beds. There is even a shortage of detox beds, let alone treatment. When a person finally gets to the point where they are struggling with this terribly destructive disease and they are ready to embrace and take on the treatment, to not have it available or to have it available at an exorbitant cost is tragic.

We are losing lives every hour—47,000 people a year—and it is expanding and exploding, and it is tearing our communities apart.

I am delighted that we invoked cloture on an amendment involving the Zika virus. It is important that we do so. But we also should be attending to this crisis that is staring us right in the face and is tearing our country apart.

I hope we can soon get to an amendment that will allow us to begin the process of funding the resolution of this scourge before it takes more lives and before it tears apart more families and communities.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, today the Senate invoked cloture on an amendment to provide more than $1 billion in emergency spending to help combat the Zika virus. I support this effort. I think it is a good amendment, and I commend our leaders in the Appropriations Committee for reaching this bipartisan agreement.

However, I join my colleague from Maine, my colleague from West Virginia, and all of those who are disappointed that the opioid epidemic is not being treated with the same degree of urgency.

Some Senators on the other side of the aisle have said it is their preference to deal with the opioid epidemic through the regular appropriations process. Let me say that I am not encouraged by the results so far. With all due respect to my colleagues, an extra $1 million here and there for a few programs, which is what we are seeing in the appropriations process, is not going to address the nationwide crisis that Senator KING has said is going to kill tens of thousands of Americans this year.

While the HHS appropriations bill is still being drafted, because of the tight budget caps that are in place for this fiscal year, I am not optimistic that it will include the type of game-changing funding that we need to stem the tide of this crisis. Unfortunately, we saw that the Commerce, Justice, and Science appropriations bill included only minor increases to programs to address the heroin and opioid epidemic. That is why we need emergency funding, and we need it now.

In March, the Senate had an opportunity to provide $600 million in emergency funding to address this crisis, but despite strong bipartisan support, that amendment was defeated on a point of order. Congress needs to rise to this challenge, just as it has done during previous public health emergencies and just as we are doing right now to address the Zika virus. Just last year Congress approved $5.4 billion to combat the Ebola outbreak, which killed one American, but in 2014, 47,000 Americans died from drug overdoses. Each day we wait, another 120 people die of drug overdoses. We are losing one person a day in New Hampshire.

Now is the time to act. I urge my colleagues to reconsider.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, first of all, I thank my good friend from New Hampshire, Senator SHAHEEN, for putting in this most needed funding to fight this epidemic, and I thank Senator KING from Maine as well. We are all fighting it.

My State has been hit the hardest of all the States, and New Hampshire is right behind us as far as having more deaths from opioid drug abuse than any other State. If you put what we are asking for into perspective and look at what we have done over the years since the war on drugs began about four decades ago, we have spent $1 trillion in the United States, but we are fighting this war the wrong way. We have all looked at this as a horrific crime, and we have just kept putting people away. In that period of time, we spent $450 billion to lock up these people in Federal prisons and most of them were locked up for nonviolent crimes.

We need to look at this. This is an illness, and to treat an illness, you have to have funding. We just talked about Zika, and we have done it for Ebola. I even checked what we have done with polio. Since we eradicated polio, we have saved this country $220 billion. Can you imagine what would have happened if we hadn't? We wanted to have it eradicated around the world by the year 2000.

The savings is enormous, but the bottom line right now is productivity. I have the lowest workforce participation in the country right now in West Virginia. A lot of it is due to the addictions that people have. In 2014, we had 42,000 West Virginians—including 4,000 youth—who sought treatment for illegal drug use but failed to receive it. There was no place for them to go. They wanted to change their lives. They asked in every way possible to do that, but we have no treatment centers.

This goes a long way to basically help treat an illness which is absolutely destroying America, not just in West Virginia, New Hampshire, and Maine, but I am talking about all 50 States. We have an epidemic we are dealing with today. Yet we are not dealing with it because we have no treatment, and that is because no one has put the priorities and values that we have in this country to eradicate this horrible scourge in our country.

I ask all of my colleagues to please reconsider the funding that is needed to fight opioid abuse with proper treatment around the country.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

BROWN V. BOARD OF EDUCATION ANNIVERSARY AND FILLING THE SUPREME COURT VACANCY

Mr. KAINE. Madam President, I rise to discuss the pending vacancy on the U.S. Supreme Court, and I do so on a very momentous day in American legal history. May 17, today, is the anniversary of the Supreme Court's decision in the pivotal case of Brown v. Board of Education. On May 17, 1954, the Supreme Court ruled that the promise of equality—stated as paramount in the Declaration of Independence and then reaffirmed in the 14th Amendment to the Constitution passed in the aftermath of the Civil War—could not be denied to little school children based on their skin color. The Brown v. Board case was actually five cases consolidated together—one from Virginia, one from Kansas, one from Delaware, one from South Carolina, and one from the District of Columbia.

While most of us know what the Brown case resolved, few remember that the Brown ruling was in serious jeopardy because of the death of a Supreme Court Justice and the deep divisions on the Court among the remaining eight members. It was only through the prompt filling of a judicial vacancy that the Court was able to come together and render a ruling in America's best interest.

The Brown case was originally argued in 1952, and the court that heard the argument was hopelessly divided. In fact, it was so divided that they asked that the case be reargued in 1953, and then to make matters worse, Chief

Justice Fred Vinson died before the reargument. By many accounts, his death left the Court evenly divided over an issue of the most fundamental importance. Had the vacancy left by the death of Judge Vinson persisted, there is no way of predicting whether the Supreme Court could have even resolved the case. Imagine how different our history as a Nation would be if the Supreme Court had been unable to decide on a matter of fundamental importance.

President Eisenhower nominated former California Governor Earl Warren to fill the vacancy. The Senate did its job, held a prompt hearing, and confirmed the appointment. Chief Justice Warren then used his skill to cut through the division and convince his colleagues that the Court should speak unanimously and say that a child's skin color should not determine which school he or she should attend. Because the Senate did its job, the Court was able to do its job, and all of America was lifted.

I have listened to my colleagues and Virginia citizens about the current Supreme Court vacancy for 3 months. I have come to this conclusion: I think the Senate is treading on dangerous ground here. We are communicating—and I think the communication could be unintentional—a message to our public that is painful, and our actions in this high-profile matter are creating pain among many of my constituents. I fear that a precedent is about to be set that could undermine all three branches of our government.

I offer these comments today because the Senate can correct the dangerous message we are sending, and I hope that calm reflection will call us to honor the great traditions of this body.

The death of Justice Scalia on February 13 created a naturally occurring vacancy on a Court that is statutorily required to have nine members. Within hours of Justice Scalia's death, the majority leader announced a blockade on the vacancy, declaring that no nomination by President Obama would ever receive a hearing or a vote. This hastily announced blockade has been described as follows: The majority thinks the American people should decide on the Presidential race, and therefore, this nomination should be for the next President to make, even if that means a Supreme Court vacancy for more than a year.

I want to examine the majority's rationale. What has the Senate done in other instances when a vacancy has occurred during the last year of a President's term? Well, that is easy enough to find out. Before Justice Scalia's death, more than a dozen Justices have been confirmed during a Presidential year. For the last 100 years, with the exception of nominees who have withdrawn their nomination, the Senate has taken action on every pending nominee to fill a vacancy on the Court.

In the past, some Senators have suggested that a vacancy occurring during the final year of a Presidential term should be entitled to less deference than other Executive nominations, but that is related to the question of whether or not a Senator votes yes or no, and, of course, Senators are free to vote yes or no on nominees. But the refusal to even consider a nominee is unprecedented.

Beyond the precedent of previous Senate actions, let's look at article II, section 2, of the Constitution. It says that the President ''shall nominate'' and ''appoint''—''by and with the Advice and Consent of the Senate''—various officials, including Supreme Court Justices.

While all agree that the advice and consent provision gives the Senate the ability to affirm or reject a nominee, there is nothing in the clause suggesting that the Senate can blockade the consideration of a nominee, and there is certainly nothing in the clause to suggest that the President's appointed powers or the Senate's confirmation powers are somehow limited in the last year of a Presidential term.

Finally, the meaning of the constitutional clause was extensively discussed as the Constitution was drafted, approved, and ratified by the States, and Alexander Hamilton's Federalist Paper 76 also discusses the provision at length. All understood that the advice and consent provision was an opportunity for the Senate to determine whether a Presidential nominee for a Senate confirmable position possessed ''fit character.'' That is the check against Presidential power intended by the clause. The President, knowing that a Senate would inquire into the character of a nominee, would not just nominate people purely for partisan, personal, or regional reasons—wanting to fill it with people from my State, for example. ''Fit character'' would require that the President nominate somebody who could pass that scrutiny in the Senate. ''Fit character'' is a phrase with some significant subjectivity to it, giving each Senator the ability to decide what it means in a given instance. But the position that the character of the nominee doesn't matter at all—as evidenced by the majority's view that there would be no meetings, no hearings, and no vote regardless of the person nominated for the vacancy—is directly contrary, in my view, to the intent of the provision.

I look at this, and I believe the asserted rationale that we should not take up the Garland nomination because the vacancy occurred in the final year of a Presidential term is at odds with the text of the Constitution, with the clear meaning of the text, as explained during the drafting of the provision, and with the clear line of Senate action in previous cases.

What could explain the blockade of Judge Garland? I obviously don't know, and I can't comment upon motivations that I am unaware of, but I do want to discuss how it appears—a perception that we are leaving, possibly unwittingly, based on my discussions with Virginians. The current Senate blockade is variously interpreted as an opposition to the nominee, as opposition to the particular President making the nomination, or as some effort to undermine judicial independence.

Let's look at those three interpretations that are very commonly held by Virginians and others. The first interpretation: Is it opposition to the nominee? I think we can dispense with that pretty quickly. The blockade strategy is not based on the character of the nominee, Judge Merrick Garland, and I can assert this safely because the blockade strategy was announced—no meeting, no hearing, no vote—before the President even nominated Judge Garland. It was said that regardless of the character of a particular nominee, they would not entertain a nomination from this particular President. This is ironic, given that the nomination for a Supreme Court Justice is fundamentally about the very essence of justice and that the essence of justice must carry with it a duty to consider each individual on his or her own merits. The position that we would refuse to consider Judge Garland on his own merits seems contrary, to me, to the very notion of justice itself.

Now that Judge Garland has been nominated, we also know that the blockade is not about the character of the nominee. Judge Garland has an esteemed record as a prosecutor, private practitioner, and Federal appellate judge on the D.C. Circuit Court of Appeals. He is the chief judge on that court. His judicial service alone is approaching the 20-year mark on a court that most believe is second in importance only to the U.S. Supreme Court.

I have not seen any Member of the majority assert any credible weakness in Judge Garland's background, integrity, experience, character, judicial temper, or fitness for the position. Indeed, the majority's senior Member, a respected former chair of the Judiciary Committee, has praised Judge Garland as exactly the kind of jurist who should be on the Supreme Court.

In my recent interview with Judge Garland, I came away deeply impressed with his thoughtful manner and significant experience as a trial attorney and judge. This is no ivory tower jurist, but instead a man who understands the real-life struggles of plaintiffs and defendants, lawyers and juries, legislators and citizens, and trial judges who depend upon the Supreme Court to give clarity and guidance to the rules that impact the most important issues of their lives.

I think we should give President Obama his due in proposing a nominee with such impeccable credentials. I reject the first possible explanation that the majority's opposition is about the nominee. In fact, a determination that Merrick Garland was not of fit character to even receive consideration as a Supreme Court Justice would set such a high bar for appointees that it is hard to imagine anyone ever clearing it.

Since the Garland blockade has nothing to do with the character of the nominee, many perceive that it is instead explained by the majority's views of this President.

Is there something about President Obama that would warrant his Supreme Court nominee receiving second-class treatment compared with past Senate practice?

Could it be the circumstances of the President's election? Some Presidents have been elected with less than a majority vote of the American public and have thus been burdened with the notion that they did not have a mandate from the American public, but President Obama was elected in both 2008 and 2012 with overwhelming majorities in the electoral college, and his popular vote margins in both elections were also relatively strong in comparison with the norm in recent Presidential elections. So there is nothing about the legitimacy of President Obama's elections that would warrant treating this President's nomination different from previous Executives.

This makes extremely puzzling the majority's claim that they want to ''let the American people decide.'' The American people did decide. They gave President Obama the constitutional responsibility to nominate Justices to the Supreme Court from his first day in office to his last. Some may not be happy with the decision, but it is insulting to the President and it is insulting to the American electorate who chose him, according to longstanding and clear electoral rules, to demean the legitimacy of his election.

Could it be the unique unpopularity of this President? I think one could hypothesize a situation where a President, in the last year of his term, is so unpopular that a Senate might conclude that the public is no longer supportive of the Executive, but that is not the case with President Obama. The President's current popularity is actually quite strong compared with other Presidents during their final years in office. So there is nothing about the President's popularity with the American electorate that would warrant treating his court nominee different than the treatment afforded to past nominees.

So what could it be about President Obama that would warrant the blockade of his Court nominee in a manner completely different than the way the Senate has treated all other occupants of the Oval Office? In what way is this President different to justify such treatment?

I state again what I have said before. Obviously, I don't know the answer. I cannot say why the Senate would be so willing to break its historic practice and, by my reading of the Constitution, to refuse consideration of a nomination made by this particular President, but I can say it is painful and offer some thoughts about how it appears to many of my neighbors, to many of my constituents, as well as to many of my parishioners with whom I attend church. They reacted with alarm when news came that certain leaders had declared, soon after President Obama was elected, that their primary goal was to assure that he would not be reelected. They watched with sadness as some in Congress raised questions about whether he was even born in the United States. They saw some in Congress question his faith and his patriotism. They observed a Member of Congress shout ''you lie'' at this President during a televised speech to the entire Congress. They noticed, recently, as the Budget Committees of both the House and Senate refused to even hold hearings on the President's submitted 2017 budget—the only time a President has been treated in such a manner since the passage of the Budget Control Act of 1974. In short, they are confused and they are disturbed by what they see as an attack on this President's legitimacy. I am not referring to an attack on this President's policies, which should always be fair game for vigorous disagreement, and I have often attacked this President's policies, but instead what people are worried about is some level of attack on the very notion that it is this individual occupying the Oval Office.

This latest action—the refusal to even consider any Supreme Court nominee afforded by President Obama in his final year, when other Presidents were granted consideration of their nominees—seems highly suspicious to them. When that blockade is maintained, even after the President affords to the Senate a nominee of sterling credentials, the suspicion is heightened. When the asserted reason is the need to ''let the people decide,'' thus suggesting that the people's decision to elect this particular President twice is entitled to no respect, they are deeply troubled. What can explain why this President—the Nation's first African-American President—is singled out for this treatment?

Again, I don't know, but we cannot blind ourselves to how actions are perceived. The treatment of a Supreme Court nomination by this President that departs from the practice with previous Executives and that cannot be explained due to any feature of the particular nominee under consideration feeds a painful perception about motivations. The pain is magnified when it is in connection with an appointment to the Supreme Court, whose very building proclaims in stone over its entrance the cardinal notion of ''Equal Justice Under Law.''

There is a third interpretation of the Garland blockade that is also troubling. Some see the blockade as just sort of power politics—as an attempt to slant the Court. The death of Justice Scalia creates concern among those who fear a natural transition on the Court, so there is an effort to stop that natural and lawful transition.

The blockade on filling a naturally occurring vacancy, in my view, is harmful to the independence of the article III branch. Even in the 3 months since Justice Scalia's death, the Court's rulings have shown the challenges of an eight-member Court. On four occasions already, the Court has been unable to render a clear decision in a case of great importance. Since the blockade, if successful, will probably maintain the artificial vacancy until the spring of 2017, it is likely to happen in other cases as well. So lower courts, and all persons whose rights and liberties are subject to rule by this Court, are deprived of the clarity on Federal issues that the Court was designed to provide, but it is more than just a hobbling of the Court's ability to decide individual discrete cases.

Seventy years ago, when Winston Churchill spoke at Westminster College about the descent of an Iron Curtain across Europe, he defined the differences between free societies and those driven by tyranny. Key to his description of free societies was an independent judiciary. It is an independent judiciary that serves as a bulwark against Executive or legislative power grabs, protecting the liberties of an individual from an overreaching Executive or from a majoritarian legislature that does not fully grasp the rights of minorities. That is what an independent judiciary is designed to do. I think we all know this independence of the American judiciary has been one of the great hallmarks of American democracy.

In my view, the blockade of the Garland nomination undermines this independence. The Judiciary Act of 1869 sets the composition of the Court at nine Justices with life tenure, and that statute has remained in force for 150 years. When President Franklin Roosevelt didn't like certain rulings of the Supreme Court in the 1930s, he tried to expand the Court and elbow out older Justices by proposing a forced retirement age and an expansion of the numbers in that Judiciary Act of 1869. Everybody understood that FDR's actions were an attempt to attack the independence of the judicial branch, and so congressional leaders of both parties stood up to stop him.

I think this current blockade is the legislative equivalent of what President Roosevelt tried to do. Refusing to consider an Obama nomination in order to artificially maintain a Court vacancy for more than a year is as much an attack on the judiciary as trying to expand it beyond nine members. I hope we would agree with this: Whether an independent judiciary is attacked by the executive or the legislative branches, we need to be equally diligent in repelling that attack.

American diplomats work every day around the world trying to convince other societies of the virtues of the rule of law and the independent judiciary, but the current blockade, unless corrected, suggests that we do not practice what we preach. By refusing to fill a naturally occurring vacancy,

we send the message that the rule of law and an independent judiciary are ultimately secondary to having a more favorable or a more compliant judiciary, even when we have to weaken it to obtain what we want.

I once lived in a country with a military dictatorship that held this view of the judiciary. The judiciary was not prized for its independence but instead was priced for its slavish obedience to a few in control of society. By refusing to fill a Supreme Court vacancy because a partial and weakened Court is deemed more acceptable than a full and lawfully constituted Court, we move away from one of our best traditions—to become more like legal systems that we are working to change around the world every day. In doing so, we weaken the judiciary by leaving this vacancy that has already affected proceedings, we weaken the Executive by hobbling the constitutional power to fill dually constituted executive and judicial positions, but we also weaken the legislative body, which has that important duty of checking these nominees for fitness of character, and by doing it without even being willing to cast a vote, I think we hurt our own institutional credibility.

In conclusion, I harken back to 1954. A matter of fundamental importance to our Nation was before the Supreme Court. The death of a Justice left an eight-member Court that had already shown it was deeply divided and likely unable to reach a ruling, but the Senate did its job and filled the Court and the Court could then render a ruling that changed the course of American history for the better.

We should learn from that history and do our job. Persisting with this current blockade and sending these possibly unintentional messages is deeply dangerous. The refusal to carry out the commands of the Constitution and the Judiciary Act of 1869, to abide by the Senate precedents, to fill a naturally occurring Supreme Court vacancy, to offer the advice and consent that is part of a Senator's job description, and to entertain a well-qualified nominee—even for a hearing, much less a vote—will not be viewed favorably in the bright and objective light that history will shine on all of our actions.

We can fix this. If the Judiciary Committee will hold a hearing, cast a vote, report Judge Garland to the floor, and then ensure that the Senate debates this nomination and holds a floor vote, we will uphold our responsibility. Judge Garland might be confirmed or he might be rejected, but in taking action—rather than mounting an unprecedented blockade—we preserve the ability of each Senator to make the judgment about whether Judge Garland possesses the fit character necessary for this position. We act in accordance with the Constitution and the Judiciary Act of 1869, we follow the traditional practices of the Senate—practices that have served us well, as the case of Brown v. Board of Education shows—and we cure the painful and dangerous message that is communicated by the current blockade strategy.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, I rise to follow the eloquent remarks of my colleague from the State of Virginia and to remark upon 62 years—62 years since Brown v. Board was handed down by our Supreme Court; 62 days since Judge Merrick Garland was nominated by our President to fill a vital vacancy on our Nation's highest Court. I wish to thank and commend my colleague, a very able attorney and someone who has argued cases passionately around a wide range of issues but none so much as civil rights.

As Senator KAINE rightly pointed out, the history of Brown v. Board is that a series of cases were brought together from across several States—including his State of Virginia and my State of Delaware—gathered together and argued in front of the Supreme Court by Thurgood Marshall, then chief counsel of the NAACP, and ultimately decided in 1954. Initially, a divided Court was unable to render judgment because in the spring of 1953, Chief Justice Vinson had died, leaving the Court then in a similar situation as it is now—divided on a range of vital and important issues.

The good Senator from Virginia has reminded us that our failure to act now—our failure to do our job and to follow the dictates of our Constitution, the ''shall'' language in article II, section 2—the failure of this body to offer any hearing or vote on this very capable circuit court judge sends the wrong message, not just here within this country to our citizens but around the world.

The Senator from Virginia spent time—and it changed his life and his perspective—in Central America as a younger man in a country where judicial independence was a fiction on paper. I, too, spent time in the 1980s in a country in Southern Africa known as South Africa, where this same legal system that existed here under Jim Crow existed there under the name of apartheid. It is to that country I go in just 2 weeks, with Congressman JOHN LEWIS of Georgia and with the children of Robert Kennedy, to commemorate the 50th anniversary of a speech given in Cape Town 50 years ago.

It is a striking moment for us to reflect on the importance and the power and the centrality of Brown v. Board in wiping away the dark stain of Plessy v. Ferguson, that obscene legal fiction rendered in 1896 that ''separate but equal'' allowed us to square the horrible distension of justice in our country of a separation between the races with the words in our Constitution, the words above the Presiding Officer, the words above the entrance to our Supreme Court, the words above the Presiding Officer's desk in our Chamber, ''E pluribus unum''—from many, one—more importantly, the words above the Supreme Court entrance, ''Equal Justice Under Law.''

We have these soaring words in our foundational documents and in our most important government buildings that suggest that we will ''dispense justice equally,'' that we will be gathered from many differences in backgrounds into one. Yet the reality in this country, for its initial decades, more than its initial century, was anything but.

It was 62 years ago today that the Supreme Court of these United States issued a unanimous decision wiping Plessy v. Ferguson away.

I rise briefly to comment that I grew up in a small town in Delaware known as Hockessin. It was a so-called ''Colored'' school in Hockessin that was the basis of one of these cases. There were actually two cases from Delaware: Belton v. Gebhart from Claymont, related to the Claymont High School, and Bulah v. Gebhart, relating to the Hockessin Elementary School. In both cases, a famous lawyer from Delaware named Louis Redding took their cases to the Delaware courts. A brave judge, Judge Collins Seitz, rendered a judgment that found the discriminatory practices in the State of Delaware illegal. It was that case that was affirmed—of the five gathered—in Brown v. Board.

Although Delaware has a very troubled and checkered racial history, these cases are ones of which I and my constituents can justifiably be proud. Moments when the courts of this country have stepped up and wiped the stain of racism and of legal segregation from our books are moments of which we can and should be proud.

As my colleague from Virginia pointedly reminded us, for 62 days the incredibly qualified and capable district court judge nominated by our current President has waited—waited for an answer from this body, waited for a hearing before the Senate Judiciary Committee, on which I serve, waited for a vote. In the century that there has been a Judiciary Committee of this body, every previous nominee who has not withdrawn has received a hearing, a vote, or both.

What are we so afraid of in allowing this talented judge to come forward, to lay his views and his credentials and his experience before this body or a committee of this body? What is the concern? My colleague from Virginia has asked and I ask, what is the animating concern that insists that for 62 or 63 or 64 or more days, Judge Garland must wait, throughout this entire year perhaps, into next year? How many cases will remain undecided by an equally divided Court due to our unwillingness or the unwillingness of many in this Chamber to do their job, to take up the challenge, to have a hearing, and to cast their vote?

With that, I simply want to say that it is to me of grave concern that we have not acted as a body, that we have

not acted collectively to provide a path forward for this talented, capable judge. Many in this Chamber may find him not to be capable or qualified, but without a hearing, how would you know? He has submitted a full response—thousands of pages—to the questionnaire typically expected before the Judiciary Committee of any nominee. His record is before us—abundant, voluminous. He has more experience than any previous nominee as a Federal circuit court judge. What is the concern that would prevent us from moving forward?

On this 62nd anniversary of the most important decision, in my view, in the history of the U.S. Supreme Court, Brown v. Board, I call on my colleagues to once again show the courage of Louis Redding, of Judge Seitz, of Justice Warren, and of all of those who rendered central decisions in the history of this country that allowed our Supreme Court to operate independent of political interference and capable of making real the promise above our Supreme Court of ''Equal Justice Under Law.''

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I am very honored and I feel very privileged to be a member of this body today as we commemorate the anniversary of Brown v. Board of Education. I thank my colleagues, the distinguished Senator from Delaware, and most especially my very good friend and colleague from Virginia for his very eloquent and powerful remarks and also for bringing us together in this colloquy today.

Sixty-two years ago on this day, the Supreme Court unanimously struck down as unconstitutional the segregation of schools by race, declaring that ''separate but unequal schools are inherently unequal.'' Today, that proposition seems so obvious as to be indisputable and the fact of a unanimous Supreme Court seems inevitable, but it was hardly inevitable 62 years ago.

It is a triumph and tribute to American justice that it happened and that it happened at all given the staunch and implacable resistance that there was to that proposition 62 years ago. In fact, the Supreme Court courageously stepped forward to advance American justice and establish a milestone and reestablish the principle that it is enshrined in our Constitution that every citizen is entitled to equal protection under law.

The battle to upend years of racial and educational inequity remains unfinished today. If we emerge from this colloquy with any message, it must be that the work remains unfinished and there is so much more work to be done in the spirit and letter of the law.

The culmination of decades-long work and strategy by innovative lawyers, community organizations organizers, and other advocates of social change was that decision. It is a tribute to their work as well and a reminder that individuals can make a difference in our system, can litigate to a successful conclusion, can advocate principles that are a matter of moral imperative. It took an act of the Supreme Court, of an independent judiciary, to declare educational segregation unconstitutional and integration the law of the land.

As a law clerk on the U.S. Supreme Court in the 1974–1975 term, working for Justice Harry Blackmun, I had the chance to watch arguments, some of them on pressing issues of the time, but also to talk with some of the Justices who watched or even participated in the Brown decision, including Justice Thurgood Marshall, the chief counsel for the plaintiffs in Brown.

Anybody who thinks that decision was inevitable should talk to some of the lawyers who were involved in the litigation and who eventually advanced it to the Supreme Court and to its successful conclusion and read the history of the controversy within the Court and the internal debate that took place about the proper role of the Court and the principles to be applied. It was far from inevitable. But it also shows how the branches of government, working together and collaboratively advancing justice in America, are important to the fundamental dynamic of our constitutional system.

The Brown decision took enforcement. President Dwight Eisenhower led that effort in one of the toughest tests in the massive protest in Little Rock, AR, just 3 years after Brown.

Ten years after Brown, Congress expanded the logic of this great decision to pass the Civil Rights Act of 1964 making segregation in public places like restaurants illegal as well.

Reading and reviewing the dynamics of the Court at the time, one wonders what would have happened if there had been only eight members. How history might have been different. Justice might have been delayed and perhaps history changed for the far worse, justice denied as a result of that delay.

The group of Justices who unanimously issued the decision was no intellectual monolith; they were members nominated to the Court by Presidents Roosevelt, Truman, and Eisenhower. Before the Court came an issue of major significance, which they came together to evaluate on principles of law that we all share, that discrimination is invidious and intolerable and violations of the Constitution will be held unacceptable in the Court.

Today, congressional Republicans, very frankly, hamper the ability of the Supreme Court to answer important legal questions of our time by refusing to hold even a hearing or a vote for Judge Merrick Garland. Their doing so has left the bench of the Supreme Court with only eight Justices. That lack of a ninth Justice diminishes and in many respects even disables the Court, as we saw just yesterday in a decision that might well have been decided otherwise if there had been nine Justices to give a majority to one point of view or another.

Justice Scalia warned against this very issue, stating that ''eight justices raise the possibility that, by reason of a tie vote, [the Court] will find itself unable to resolve the significant legal issue presented by the case. . . . Even one unnecessary recusal impairs the functioning of the Court.''

Justice Scalia's foresight was prescient. In two recent cases, even before the one yesterday, the Court deadlocked, unable to reach a definitive pronouncement on the law, because of a 4-to-4 tie. Unnecessary circuit splits cause uncertainty, which in turn hampers the activities of ordinary citizens, of small businesses wondering what rules will apply to them, whether it is banking rules or investment regulations, hampering their ability to plan and create jobs.

The Washington Post recently reported that the Court's acceptance of new cases has slowed significantly, leaving crucial unresolved legal questions without definitive answers. That is not how our system is supposed to work. That is not how the Founders saw it. That is not how the Supreme Court could resolve the Brown v. Board of Education challenge. The Supreme Court must have a full complement of Justices to effectively address these complex, challenging, urgent issues faced by our Nation today.

I reject the notion that the Senate's refusal to act, as laid out in no uncertain terms by our Republican colleagues, fulfills our constitutional obligation. It is our obligation to advise and consent on the President's nominee. We ''shall'' do so. That is the constitutional mandate—not when it is politically convenient, not when we think it is advantageous, but when the President nominates, whoever the President is, whether it is President Eisenhower nominating Earl Warren or Presidents Truman and Roosevelt, who nominated other Justices on the Supreme Court who decided Brown v. Board of Education.

We cannot afford to weaken the Federal judiciary's credibility, the trust and confidence of the American people in the authority of our judiciary. Its authority depends on it being above politics. Alas, what the Senate is doing is dragging the U.S. Supreme Court into the muck of partisan bickering.

Brown v. Board of Education became the law of the land because of the U.S. Supreme Court's credibility. The Supreme Court had no police force to enforce it. It had no armies or mandatory physical force. It had its credibility and its authority, its moral authority because it was above politics in the minds of most Americans. That is the reason President Eisenhower was able to do what he succeeded in enforcing at Little Rock and the Presidents afterward have done similarly.

Most importantly, I hope we all take time today to reflect on the importance of the Brown decision and recognize the grit and courage of the men and women who fought to end school segregation only 62 years ago. The best way of honoring their legacy is to do our job and our duty constitutionally, to fulfill that duty and their legacy by considering Judge Garland's nomination without further delay.

I yield the floor and recognize my distinguished colleague from New Jersey.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from New Jersey.

Mr. BOOKER. Madam President, I rise to discuss—along with my friends and colleagues on the Senate floor—what is a momentous anniversary for our country, the 62nd anniversary of the Brown v. Board of Education decision, its legacy, and the work that still remains before us.

I thank my colleagues for standing and speaking on this anniversary and understanding that it was 62 years ago today the Supreme Court unanimously affirmed that separate could never be equal, that under the law—at the very least—every child born in America, regardless of the color of their skin, had the right to pursue a quality education.

The Court found that separate schooling of children based on their race was in direct violation of the 14th amendment of the Constitution. The Court's finding is perhaps best summarized by this excerpt from Justice Warren's opinion when he said:

> We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other ''tangible'' factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does.

Those were historical words. This not only made clear at the time that the deep and profound illegality of segregation was real, but it set a legal standard for generations in posterity that reflects our deepest held American values, that we as a nation believe in equality. We as a nation believe in our interdependency to one another.

In the decades since the Brown ruling, the implementation of the Court's decision has contributed to a lot of progress. Frankly, I stand here today because of the progress and momentum that was exhibited by that decision.

Right before Brown v. Board of Education, only about one in seven African Americans, then compared with more than one in three Whites, held a high school degree.

Today we have come so far the Census Bureau reports that 87 percent of Black adults have a high school degree, nearly equal to that of Whites, which are at 89 percent. Before Brown, only about 1 in 40 Blacks earned a college degree. Now, more than one in five Black students are going to college. This is extraordinary progress we have seen in our country, something we should all celebrate.

Under the law, at the very least, the Supreme Court clearly affirmed all Americans' right to a quality education and in doing so affirmed equal value, dignity, and worth of our kids.

However, it is also worth reflecting on the anniversary of Brown that our Nation has struggled to live up to these standards in full. Brown advanced a civil rights movement that helped desegregate many parts of American society, but we still have work to do. Let us take this anniversary to recognize not just our progress, to celebrate not just that milestone, but to understand that the work of equality, the work of recognizing the value, the worth, and how much we need each other as a community still goes on.

In fact, just yesterday, six decades after the Supreme Court in Brown struck down the doctrine of ''separate but equal,'' a Federal judge ruled that a school district in Mississippi was continuing to operate a segregated, dual secondary school system: one set of schools for Whites and one set of schools for Blacks.

Across the country right now, about 40 percent of Black and Latino students attend intensely segregated schools—meaning more than 90 percent minority student body—and White students are similarly segregated from their peers of color. Only 14 percent of Whites attend schools that one would consider multicultural, multiracial, and reflecting the diversity of our country, and too many of our schools continue to fall short of our low-income and minority students. In other words, too many of our students of color and of low-income students are concentrated in poor-performing schools.

More than 1.1 million American students are attending over 1,200 high schools in our Nation that fail to graduate one-third of their students. To me, this is an outrage. It is an immoral affront to whom we are. We still have work to do.

Our Nation is still struggling to live up to the ideals and, indeed, the judicial standards set by Brown in the realm of education in many ways because of our failure to live up to this standard in so many other areas of our American life.

There still exists, in the words of Dr. Martin Luther King, that ''Other America.'' Dr. King spoke of this in the year before I was born—in 1968—about the ''Other America.'' He spoke of the duality that persisted, the disparities in housing, education, employment, and in income. He spoke of what he referred to very pointedly as the myth of time, the misguided idea that only time can solve the problem of racial injustice, the idea that things will work out for themselves.

As happy as I am about the progress we have made as a country, I have to say that we still have so much work to do almost 50 years after King spoke those words. Time has not solved the problem. There remain challenges in our country. This duality is more subtle in some ways than it was in 1954, but there still exists injustice in America. From housing to education, de facto segregation along socioeconomic and racial lines has blended together, in many ways replacing what was then de jure segregation.

Census data has shown that residential segregation by race has declined very slowly but that Whites still live largely in neighborhoods with low minority density. People of color still live in neighborhoods with high minority density. Many of these neighborhoods were designed through policies that were discriminatory against minorities. We still are seeing the legacies of those policies from redlining to FHA policies, to HUD policies that were designed to create segregation. The legacy of that still exists in segregated neighborhoods today.

While poverty rates among African Americans has fallen over the past half century—something we should be proud of—Black poverty rates are still more than double that of Whites. That means the same for kids today. Children of color are often twice as likely to be poor as White children.

In fact, one out of the three Hispanic children growing up today are growing up in poverty. One in six African-American children live in what is called extreme poverty on less than $8 a day.

This is not who we are as a nation. Our children are our greatest natural resource. In a global, knowledge-based economy, when we are competing against other nations from Germany to Japan, in this kind of economy, the most valuable natural resource a nation has is not oil or coal or gas, it is the genius of our children.

Many people think Brown was about achieving greater justice for Black people, but what we really understand—especially in retrospect—as we see African Americans now contributing in every area of life, the reality is this was about bringing justice to all of America.

Brown was saying that, hey, we as a country cannot stand if we are apart because a house divided does fall. Brown was saying the truth is, we do better when we are together, like the old African saying that says: If you want to go fast, go alone. But if you want to go far, go together—because we as a country need each other. It is like those words on the Jefferson Memorial, written in our Declaration of Independence, when we knew—to make this country work—we needed one another, so much so that those Founders pledged to each other their lives, their fortunes, and their sacred honor.

In this competitive nature, we cannot afford to waste things. Worse than the gulf coast oilspill, we are wasting the potential of our children when we leave so many floundering in poverty and lack of educational opportunities.

Children growing up in poverty right now have dramatically negative life outcomes compared to people who are not growing up in poverty. In fact, right now in America, where 20 percent of children live in poverty, only 9 out of every 100 kids born in poverty will make it to college, often an index of being able to be successful, manifesting your genius, finding greater ways to contribute to the whole.

We have work to do. In particular, we have work to do in an area that drives so much of the injustice in our country. One of the great ways we are seeing injustice in my generation that was not the case in my parents' generation, that was not a reality in the 1950s, has been the criminal justice system. Something has happened and exploded. Injustice in our country is growing like a cancer on the soul of our country.

The same Supreme Court where that great case was decided, where written above the wall is ''Equal Justice Under Law,'' we now see a nation that has a criminal justice system that is not affording equal justice to all Americans.

Unfortunately, we see that often falling among racial lines. We have this explosive drug war, which has not been a War on Drugs, but it has been a war on people, particularly the most vulnerable people in our society, from people who are addicted to substances, from people who have mental illnesses, from people who are poor, and, yes, disproportionately directed toward minorities.

We now see a criminal justice system where we know, based upon data analysis, there is no difference between Blacks and Whites in usage of drugs. In fact, there is no difference in selling drugs between Blacks and Whites, but the reality is, if you are African American in this country, you are 3.7 times more likely to be arrested for those drug crimes.

If you are churned into the criminal justice system as a result of those arrests, just one arrest for a nonviolent drug offense—something that the last two Presidents have admitted to doing—and you are arrested for that, then you find yourself in a world where, as the American Bar Association says, you have literally 40,000-plus collateral consequences, where you find it exceptionally difficult to find employment when you finish with your sentence. You find it incredibly difficult to get a loan to perhaps start a business, to even attempt to get a business license or a Pell grant. If you can't feed yourself, in many cases, you find it hard to even get food stamps or to find public housing assistance.

We now live in a nation where we have so overincarcerated disproportionately some areas of our country, that today 1 in 13 Africa Americans are prevented by law from even voting. They have lost their right to vote because of a felony conviction. In some States, the overincarceration for drug crimes is so great that we see, in places such as Florida, that one out of every five African Americans has lost their right to vote.

This isn't just affecting those people who are churned into the system, it is affecting their children as well.

Today in America, one in nine Black kids are growing up with a parent behind bars, which means it affects their financial well-being and it affects their ability to rise up out of poverty because they are being thrust down into it. In fact, a recent study has shown that we as a country—as a whole—would have 20 percent less poverty if we had incarceration rates similar to those in other industrial nations.

So here we celebrate the anniversary of this momentous decision that took a huge step for our Nation in the march toward justice and equality, but because of staggering injustices like we see in our broken criminal justice system, kids often struggle more in school and are poorer and have fewer opportunities for success.

So 62 years after Brown, we know our schools don't exist in vacuums. They exist because of the communities around them. When communities of privilege have the same amount of violations of drug crimes as communities of poverty, yet the communities of poverty experience a criminal justice system that has so much more incarceration, we are often condemning children to having greater hills to climb and greater mountains of injustice in front of them.

I stand here on this day to celebrate so much this great decision but also to remind us that we have work to do in this country until we can begin to live up to this ideal of patriotism, which is love of country and which to me necessitates that we love each other. We don't always have to agree with one other. We don't always have to get along. But we have to recognize that every one of us in this Nation has value, has worth. We need each other, and we need our children to do well because if my neighbor's child loses, I lose. If they go to prison, I pay. But if they succeed—if they become a teacher, an artist, a biologist, an inventor, a businesswoman—then they contribute to this country and my children benefit because your children succeeded. That is the story of America.

We cannot afford to leave people behind as we, as a nation, strive for excellence and greatness. We cannot be a nation that is truly reaching its potential if we are wasting so much of that potential on the sidelines.

I would be remiss if I did not also speak to a process issue. While we are still working to fulfill the vision of Brown, it is more urgent now than ever that we have a fully functioning Supreme Court. We were fortunate to have had a functioning Supreme Court in 1954. There were nine Justices doing their job, a President willing to do his job, and a Senate—all working in a time of great tumultuous change in our Nation. People were focused and steadfast—in both parties—toward creating greater justice. With people in their seats, in their jobs, I have faith in America and in our ability to get it right.

We need to make sure that today we give every opportunity to get the job done, to do the work that is necessary. It is important that we fill positions and vacancies, and the one on the Supreme Court now is clearly needed.

So today is an important day of remembrance, but history shows that we cannot simply get stuck applauding our past. The glory and greatness of ancestry is truly worthy of our reverence. But if we are to honor those who struggled before, if we are to honor those milestones, if we are to celebrate the history that shows us at our best when we came together—Black American, White American, Latino American, Indian American, Asian American—if we are to celebrate those great days of the past, we must celebrate them not just with cheers and remembrances but by redoubling our work in accordance with those values.

We must have a sense of urgency. Time is not neutral. We must use it. We cannot just count the great days of the past. We must make this day count as we continue the work of our Nation, as we continue to be the country that we say we are—a nation of liberty and justice for all.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

HONORING POLICE DETECTIVE BRAD LANCASTER

Mr. MORAN. Madam President, I rise this afternoon in the middle of this debate on an appropriations bill because of the timing of a tragedy in our State and the reality that this is a week of importance to reflect upon what happened in Kansas just a few days ago.

I wish to honor the life of Police Detective Brad Lancaster. He was a member of the Kansas City, Kansas Police Department, and he was killed in the line of duty. On May 9 of this year, Detective Lancaster joined Kansas City, KS, patrol officers in responding to a call about a suspicious person. When law enforcement arrived, the suspicious person fled into a field where Detective Lancaster exchanged gunfire and was hit twice. Unfortunately, ultimately, he died from his injuries.

Detective Lancaster gave his life to keep his community safe, and he deserves our highest respect and appreciation, our love and care for his family, for his service, and for his sacrifice. His friends, family, and neighbors remember Brad Lancaster's commitment to his community and its extension beyond his 9 years of service to the Kansas City, Kansas Police Department.

Before joining the police department, Brad served in the U.S. Air Force and completed two tours of duty abroad, including one in Kuwait during Desert Shield. Neighbors say Brad was a family man and one who was always there to offer a helping hand.

Detective Lancaster is survived by his wife Jamie and two daughters,

Brianna and Jillian. I join the Kansas City community and law enforcement agencies across the country in our prayers for Detective Lancaster and his family as we mourn his death.

This tragic loss occurred just prior to National Police Week, a time in which we celebrate those who leave their homes and families each day and put their lives on the line to keep our neighborhoods safe. So today, during this National Police Week, and especially in the wake of this tragic death in Kansas City, I wish to express my sincere thanks and appreciation to American law enforcement officers and their families and to thank them for working tirelessly amid dangerous conditions for the sake of others and for upholding the law and for the burdens they shoulder and the sacrifices they make on a daily basis. We owe so much to these everyday heroes.

Law enforcement officers perform some of the most difficult and hazardous jobs in America. A routine traffic stop can turn into deadly gunfire, a shootout without warning. Members of this legislative body and communities across America alike must do everything we possibly can to prioritize and protect the lives of those who protect us.

Federally, efforts like the Justice Assistance Grant Program and the bulletproof vest grant program help enhance the safety of our law enforcement officers, and Congress's continued support of these efforts is important. This body passed the Fallen Heroes Flag Act, which was signed into law on Monday. This week, I hope the Senate will unanimously adopt a resolution to express appreciation to the police officers and honor each of the 123 who were killed in the line of duty last year.

Support and appreciation for law enforcement must be delivered not only in the communities where officers have been killed but to every officer every day. When we as Americans commit to the safety, training, and support of law enforcement, we can help to secure our streets, strengthen our communities, and, hopefully, reduce the number of deaths in the line of duty.

May Kansas City, KS, police detective Brad Lancaster and each of those fallen heroes rest in peace.

Madam 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. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF ERIC FANNING

Mr. MCCAIN. Madam President, I am here with my good friend from Kansas and dedicated Member of the U.S. Senate—an expert on national security, a person who has served with honor in the U.S. Marine Corps, and has served in this body and in the other body honorably in positions of responsibility. Where we may have had a disagreement, my friend has shown he is a man of conviction regarding the detainees from Guantanamo coming to the United States of America. But he also understands fully the importance of the position of the Secretary of the Army.

Senator ROBERTS and I have worked closely together on this year's Defense Authorization Act to ensure the administration does not have the authority to release or transfer detainees on the mainland. Unfortunately, the administration has failed for over 7 years to present a substantive plan on how they intend to close Guantanamo Bay, to me, to the Congress, to my colleagues, or the American people.

Thanks to Senator ROBERTS' efforts, this year's bill extends the prohibition to any reprogramming request to transfer or release detainees. These provisions confirm that President Obama will not be able to move detainees to the mainland of the United States of America in the coming year.

I want to point out that I understand Senator ROBERTS' emphasis and value that he places on Fort Leavenworth. Fort Leavenworth is the intellectual center of the United States Army. This is where General David Petraeus spent 2 years developing strategy for the surge—at Fort Leavenworth. This is where the up-and-coming leaders of the U.S. Army—and other services as well, but primarily the U.S. Army—go to get their training, their intellect, and their ability to lead. So I can fully understand why my friend from Kansas would be adamantly opposed to the transfer of detainees to Fort Leavenworth, which would change the complexion and the makeup of that very important place in the past, present, and future of the U.S. Army.

So I thank my colleague from Kansas for his agreement today. I would ask him to say a few words before I ask consent that this nomination be considered.

Again, I appreciate my old friend whose passion, whose commitment to the people of Kansas is without equal—which also accounts for the fact that they have sent him here to represent them on several occasions.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Madam President, I thank my colleague and my good friend from Arizona for enabling me to make a few remarks to address the nomination of Mr. Eric Fanning to serve as Secretary of the Army.

I have pledged to the people of Kansas that I would do everything in my power to stop President Obama from moving terrorist detainees to Fort Leavenworth, KS. The Senator from Arizona has certainly described the situation very well: It is the intellectual center of the Army. I believe today that I can tell Kansans that the threat from this administration will go unfulfilled.

Last week, in a private meeting with Deputy Defense Secretary Robert Work, I received the assurances I needed to hear to release my vote on Mr. Fanning. Make no mistake. I think President Obama's threat to act by Executive order still remains. However, Secretary Work has assured me that, as the individual charged with executing a movement of detainees to the mainland, he would be unable to fulfill such an order before the close of this administration. Practically speaking, the clock has run out for the President.

As I have stated on this floor and to my good friend and colleague, the distinguished Senator from Arizona, my issue has never been—let me make this very clear—with Mr. Fanning's character, his courage, or his capability. He will be a tremendous leader as Army Secretary and will do great by our soldiers at Fort Leavenworth, Fort Riley, and—let me emphasize—every soldier serving our Nation today.

I just talked to Mr. Fanning this afternoon and let him know I was releasing this hold and wished him good luck on his speech to the graduates of West Point. I look forward to voting for Mr. Fanning, who has always had my support for this position.

I am happy to support his nomination today with these new assurances from the administration and from the chairman and ranking member of the Senate Armed Services Committee to work with me to strengthen provisions on funding for the transfer of detainees to the mainland in this year's National Defense Authorization Act. I have worked closely with Chairman MCCAIN and Ranking Member REED. I look forward to completing work on an authorizing bill shortly. Additionally, the Senate Appropriations Committee is committed to prohibiting funding for construction or modification to any facility in the United States for the purpose of housing detainees in this year's MILCON funding bill currently on the floor.

With the clock running down on the last months of the Obama administration, it is increasingly improbable that this administration could bring high-value terrorists and their associated risks to an American community like Fort Leavenworth, KS.

The bottom line is this: We have run out the clock, and Congress looks to prohibit this administration from moving detainees to the mainland at every turn. As the Secretary of Defense and the Attorney General have testified before Congress, moving detainees to the mainland is prohibited by law and will remain so through the end of this President's term.

I again thank my friend and my colleague, Senator MCCAIN, for working

with me to work this out. My congratulations to Secretary Eric Fanning—Army Secretary Eric Fanning.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I again thank my old friend from Kansas for his agreement to move forward. I look forward to continuing our long, many years' effort together to keep this Nation safe.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCAIN. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 477 only, with no other executive business in order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The bill clerk read the nomination of Eric K. Fanning, of the District of Columbia, to be Secretary of the Army.

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCAIN. Madam President, I know of no further debate on the nomination.

The PRESIDING OFFICER. Is there any further debate?

Hearing none, the question is, Will the Senate advise and consent to the Fanning nomination?

The nomination was confirmed.

Mr. MCCAIN. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, 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.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

Mr. MCCAIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

AMENDMENT NO. 3897

Mr. BROWN. Madam President, I rise today to speak in opposition to the Lee amendment No. 3897. I wish to take a moment to thank Senator COLLINS and Senator JACK REED for their terrific work on this bill and for how they teamed up to manage this bill in pretty much the right way.

With this legislation, we are making critical investments in our transportation, housing, and community development programs. In this country today, one in four families who rent spend more than half of their income on housing. We have been taught from young adulthood on that you shouldn't spend more than 25, 30, or 35 percent at the most on house payments or rent, yet one-fourth of Americans are spending more than half of their income on housing.

I recently read the book ''Evicted'' by Matthew Desmond. In that book, one renter was quoted as saying that when her paycheck came in, her rent eats first. She had kids who were hungry. She had bus tokens to buy so she could get to work. With all of the challenges she had, she said: My rent eats first. We know what that means.

In housing, whether it is in rural Maine or whether it is in urban or rural Ohio, we know that rental prices have continued to go up and up. Evictions are so much more common than they were a decade or, especially, two decades ago. That has to change, and it makes clear why we need to maintain our existing affordable housing resources.

This bill focuses on improving the quality of federally assisted houses and removing lead paint hazards from homes. We know the effect that has on us. We learned from Flint about water, but we know an even bigger problem is lead in paint. In 2007, in the city that I call home, the city of Cleveland—the ZIP Code I live in, 44105—there were more foreclosures in my ZIP Code than any ZIP Code in the United States. We also know in cities like Cleveland and rural areas like Appalachia, where most of the housing stock is World War II or older, almost all of that housing stock has toxic levels of lead paint.

The bill pays particular attention to transit safety. The Banking Committee oversees transit. Senator MIKULSKI has worked with Senator SHELBY and me, as well as our colleagues representing the local area—Senators WARNER, CARDIN, and KAINE—to make sure the FTA has the resources needed to oversee the Washington Metro. It is something we have neglected for decades.

I wish to thank my colleagues for working with us to ensure that young foster care alumni don't have to choose between getting the education they need to be self-sufficient and having a roof over their heads. I wish more funds were available for these important investments—particularly, additional funding to address family homelessness. But I thank my colleagues for their work within the subcommittee's funding constraints and their attention to these critical issues. I especially thank the chair, SUSAN COLLINS, for that.

Unfortunately, Senator LEE's amendment will undermine some of the good we are doing with this legislation. It will prohibit the Department of Housing and Urban Development from carrying out a key component of the Fair Housing Act of 1968. When Congress passed that bill in the wake of the assassination of Martin Luther King, Jr., it made housing discrimination illegal in every State in the Nation for the first time.

For generations, redlining, restrictive covenants, and outright discrimination kept families of color locked out of entire neighborhoods and created segregated communities that linger to this day. These were tools of racial oppression as well as economic oppression, and in far too many cases, they went hand in hand. The Fair Housing Act made these despicable practices illegal everywhere.

Congress included another important component in the Fair Housing Act: a requirement that HUD and its grantees administer their federal housing and urban development grants in a way that would affirmatively further fair housing. State and local governments and public housing authorities were required to use their Federal funds in ways that would reverse, rather than reinforce, segregation in these communities. But today, the outlines of decades-old discrimination are still too visible.

I listened to a preacher on Martin Luther King Day on a cold Cleveland January morning 2½ years ago. He said something we all know but don't think enough about: Life expectancy is connected to your ZIP Code. Whether you grow up on the east side of Cleveland, whether you grow up in a wealthy suburb, whether you grow up in Appalachia, whether you grow up in a prosperous small town, your ZIP Code determines whether you have access to good health care, to quality education, to social support necessary to succeed. When where you live matters this much, we all have a moral obligation to ensure that families can live in the neighborhoods of their choice and to ensure that communities are creating opportunity in every ZIP Code. Unfortunately, in the 50 years since our country passed the Fair Housing Act, HUD has not provided enough direction to help communities meet this goal.

A 2010 GAO report recommended that HUD take action to improve its process for meeting its obligations, including three things: establishing standards and a format for grantees to follow, requiring grantees to establish timeframes for implementing their plans, and requiring grantees to submit their analyses to HUD for review.

HUD developed a new rule that will finally help local governments across the country support and foster fair housing policies that create vibrant and integrated communities. This rule was developed through a 2-year public process. Twelve of my colleagues and I urged Secretary Castro to develop a

strong rule after considering comments from stakeholders.

Senator LEE's amendment would stop HUD from responding to those GAO recommendations. The updated rule will give communities the clarity and the tools they need to meet their obligations and fulfill this duty that this Senate has supported in a bipartisan way for going on five decades now.

Some of the questions communities will ask during these assessments may demand that they think in new ways about how to create housing opportunities for all the residents, regardless of race, religion, disability, or the size of their families. These are the types of questions this body told the country to ask when it enacted the Fair Housing Act in 1968.

We need to invest Federal resources in ways that provide access to opportunity to all citizens in every ZIP Code.

I urge my colleagues to vote no on the Lee amendment.

INVICTUS GAMES

Madam President, last week athletes from around the world traveled to Orlando to compete in the second Invictus Games. Like all athletes, they participate for many reasons—camaraderie, personal discipline, the joy of the game. But the Invictus competitors are so much more: They are veterans who fought for our country and our allies and were wounded or suffered mental injuries in service to a cause greater than themselves.

The games were founded in 2014 by England's Prince Harry to bring Active-Duty servicemembers and veterans together to compete in an international sporting event and to recognize their achievements. These warrior athletes have already given so much for our country. They have seen the horrors of combat, spent months and years away from their families, and suffered injuries, both visible and not so visible. They have been changed forever by the realities of war but, as Invictus shows, they have not been defeated.

The name of the games comes from the poem of the same name by the 19th century British poet William Ernest Henley. ''Invictus'' means ''unconquered.''

On a personal note, ''Invictus'' was my father's favorite poem, which we shared at his funeral. I became even more interested in these games because it means ''unconquered.''

Madam President, I ask unanimous consent to have printed in the RECORD the poem ''Invictus'' by William Ernest Henley.

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

''INVICTUS''

(By William Ernest Henley)

Out of the night that covers me,
Black as the pit from pole to pole,
I thank whatever gods may be
For my unconquerable soul.

In the fell clutch of circumstance
I have not winced nor cried aloud.
Under the bludgeonings of chance
My head is bloody, but unbowed.

Beyond this place of wrath and tears
Looms but the Horror of the shade,
And yet the menace of the years
Finds and shall find me unafraid.

It matters not how strait the gate,
How charged with punishments the scroll,
I am the master of my fate,
I am the captain of my soul.

Mr. BROWN. Madam President, the words of ''Invictus'' have inspired men and women for generations, and the spirit is alive in the athletes who represented their countries in Orlando.

Three people from my State competed on the U.S. team. Army CPT Kelly Elmlinger is a mother, cancer survivor, and fierce competitor who grew up in Attica in Seneca County, which is in my part of the State. She brought home the gold for our country in the women's 400-meter dash.

Team USA included Brian McPherson, a Marine Corps sergeant from Nashport, just east of Columbus. Sergeant McPherson has battled a traumatic brain injury sustained while deployed in Iraq when a suicide bomber walked into his unit. He competed in track and field and cycle competitions. He said:

I am a son, brother, uncle, professional, Marine, and athlete who proudly stands before you after being ravaged by war. I was and am changed from these events but they lead me to what I now consider a greater path.

Those times have taught me much about myself, while giving me the additional skills to leave the Marines and integrate back into society.

Competitions like this have been so important to that journey.

He said:

Adaptive sports gave me the strength to be an example for fellow servicemembers, civilians, and myself. I learned of a passion I didn't know existed deep within me.

Sports have given me an outlet and time to sort through my thoughts and emotions.

Lastly, Stephen Miller, a retired Navy officer from Cleveland, competed in indoor rowing in Orlando. He said:

Training helps to remind me that I am part of a team and family. I get to share the experiences, recovery and memories not only with US athletes, but also with our allies and comrades.

He, Sergeant McPherson, Captain Elmlinger, and all of the Invictus competitors embody William Ernest Henley's words:

It matters not how strait the gate,
How charged with punishments the scroll,
I am the master of my fate,
I am the captain of my soul.

These athletes have mastered fate on the battlefield, the sports field, and have overcome more trials than almost any of us could imagine. Their perseverance serves as a testament to the power of the human spirit. It isn't sympathy or charity that we owe these heroes; we owe them gratitude, respect, and the opportunity to live a life that befits their service and sacrifice for our great Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 3900, AS MODIFIED

Mr. LEAHY. Mr. President, I want to speak in support of the Blunt-Murray-Graham-Leahy amendment, which provides $1.1 billion in emergency funding to combat the Zika virus.

The map of the United States beside me beside me shows the Centers for Disease Control's estimate of the range of the two types of mosquito that may spread Zika. As you can see, this public health emergency is not in some far-off land. It could easily end up in the backyards of tens of millions of Americans. Before I discuss the pending bill I want to mention that earlier this afternoon I voted for the Nelson-Rubio Zika supplemental, which would have provided the full $1.9 billion requested by the President months ago.

It is mystifying to me that Republicans voted to defeat that amendment, considering that Zika is spreading faster and in more ways than predicted when the President first requested those funds. The excuse we have heard for months, particularly from House Republican leaders, is that they don't have enough information about the proposed uses of the funds.

Have they bothered to attend any of the briefings, or if briefings weren't enough, to pick up the phone and call the head of the CDC, or the Director of the National Institute of Health, or any of the other experts who have been sounding alarm bells since last year?

In a little over a year the Zika virus has spread from Brazil to almost every country and territory in this hemisphere. There is no question that it is spreading faster and is more dangerous than was anticipated just a few months ago.

As this map shows, more than half the continental United States, including my own state of Vermont, is now projected to be within the range of Zika carrying mosquitos. The virus can have devastating consequences for many of those who become infected, particularly children. We need to act, and if there is one area where politicians should not second guess the medical experts, it is how to respond to public health emergencies.

So what did the House of Representatives do? First, they don't treat the Zika crisis as an emergency, even though it has spread to 36 countries and territories in this hemisphere and has been declared a public health emergency by the World Health Organization.

The House bill, introduced yesterday, would cut the amount requested by more than two-thirds, rob from other programs like the funds to combat Ebola, and limit the availability of Zika funds to the remaining 4 months of this fiscal year. More than half a billion dollars in Ebola funds have already been reprogrammed to combat Zika because it would have been irresponsible for the administration to wait any longer while Congress

failed to act as the mosquitoes came north. But Ebola remains a deadly threat. Cases of Ebola continue to be confirmed in West Africa, and we have seen how one Ebola case today can become a dozen cases tomorrow and a hundred cases the next day. How quickly people here forget the fear that gripped this country after a single Ebola-related death in Texas 2 years ago. The funds we appropriated to combat Ebola are being put to good use, including to strengthen the capacity of African countries to respond to future outbreaks of Ebola or something even worse.

The emergency funding in this bill includes $258 million for the Department of State and USAID to combat Zika in Latin America and the Caribbean. These funds will support efforts to control the spread of Zika and other insect-borne diseases, including to protect maternal health, expand public education on prevention, and encourage private sector research for the development of vaccines and diagnostics. These funds will provide contributions to international organizations, including the World Health Organization and the Pan American Health Organization, to reduce the impact of the disease on infants and their families, and accelerate diagnosis. Funds are also included for Department of State and USAID operations to implement programs in the field, and provide medical support for U.S. citizens, State Department, USAID, and other Federal Government employees stationed overseas.

If the Zika virus is not controlled in Latin America and the Caribbean, a year from now, it will likely be worse than projected and more costly to control. And if we continue to rob Ebola funds, which are being used for the purposes Congress intended, we simply shift the risk from one life-threatening disease to another. That makes no sense at all.

If there is one thing on which Republicans and Democrats, House and Senate, should agree it is doing whatever is necessary to protect the American people from dangerous, contagious diseases. It is past time for us to act, and I urge all Senators to support the Blunt-Murray-Graham-Leahy amendment.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from New Hampshire.

NATIONAL POLICE WEEK

Ms. AYOTTE. Mr. President, I rise today in recognition of National Police Week to honor and thank the men and women in uniform, law enforcement officers in our great State of New Hampshire who do a phenomenal job every single day keeping us safe.

When I worked as attorney general, I was honored to work directly with our law enforcement officers at every level in our State. We have the very finest law enforcement officers in the State of New Hampshire. During this week, I want to thank them for every single thing they have done under the difficult circumstances they face every day in order to make sure our communities are safe in the State of New Hampshire.

Tragically, just last week we had an example of the dangers our police officers face every single day when two Manchester police officers were shot in the line of duty early Friday morning.

Early Friday morning, Officer Ryan Hardy encountered a situation on Second Street, where he noticed the description of someone who had robbed a gas station the night before. As he was approaching this individual, Officer Hardy was shot multiple times at close range. The individual fled, and then this suspect fired into a group of police officers, and when he did that, he unfortunately also shot Officer Matthew O'Connor in the leg. Both of these police officers acted with great heroism, tenacity, and courage in the work they do every single day on the streets of Manchester. All of the police officers who responded that day did a phenomenal job, but that is an example of what our police officers are facing on a daily basis. They don't know whether the next stop they make of someone is going to go bad. Unfortunately, early on Friday morning, it did go bad.

We are so grateful for their service, for the service of Officer Hardy and the service of Officer O'Connor. We are grateful and blessed that despite significant injuries, they are doing OK and they did not get killed in the line of duty.

I just want to say to them, I want to say to the Manchester Police Department, and I want to say to their wives, Amanda and Elise—because families serve too. We worry about our police officers, but I know from having served as attorney general of New Hampshire that every time we are home on Thanksgiving or we are home on Christmas or we are home on some other holiday or great occasion, guess what our police officers are out doing. They are out patrolling our streets and our highways, keeping us safe, making sure we can enjoy that moment with our families. But their families worry. They worry when they are out: Is my loved one going to come home?

So I say to the families of our law enforcement officers as we stand here during National Police Week: Thank you. Thank you for what you do in allowing your loved ones to serve and for supporting our law enforcement officers because families serve too.

We are so grateful for what Officer Hardy and Officer O'Connor did on that early Friday morning, and we are grateful to all of the officers who responded to that call. I am grateful they are doing well in their recovery. We wish them the very best. They continue to be in my prayers and in my family's prayers for a speedy recovery. All of the police officers in our State are in my prayers.

When I was attorney general, two of the most difficult moments I had were giving a eulogy at the funerals of two police officers who were killed in the line of duty during my time as Attorney General. One of them, Officer Bruce McKay, had served the Franconia Police Department for 12 years, and he was brutally murdered in 2007 during a traffic stop. The other police officer was Officer Michael Briggs. In fact, on Sunday I am going to the dedication of a community center in Manchester in honor of Officer Michael Briggs.

It is hard to believe it has been 10 years since he was killed in the line of duty, but the fact that they are naming a community center in his honor there in the center of Manchester, where he helped so many young people and so many people in how he served the people of Manchester, is a testament to the kind of person he was.

I got to know the family of Officer Michael Briggs very closely, including his parents Lee and Maryann and his wife Laura and his sons, Brian and Mitchell. I want them to know today—I know it has been almost 10 years, but I will never forget—and we will never forget—their sacrifice and certainly what Officer Michael Briggs did for the State of New Hampshire, his heroism.

In fact, before he served as a Manchester police officer—as I think about coming toward the 10th anniversary of his death—before he served as a police officer, he served as a marine, serving our country in the line of duty. He served as a corrections officer also and did an incredible job. In fact, he received awards for saving people's lives, running into burning buildings to save people in the line of duty. I will never forget that he saved the life of the individual who murdered him. He had saved his life before. Unfortunately, he was murdered by a career criminal in the line of duty. That is a true example of the heroism of our police officers, the service and sacrifice they make, as well as their families. Unfortunately, that says it all right there.

So today as I stand on the Senate floor, I think about my time as attorney general, I certainly think about the families of the police officers who have been killed in the line of duty in New Hampshire and the sacrifices that every single day our men and women in uniform make on our behalf.

On Friday in New Hampshire there will be a law enforcement memorial ceremony. It is a ceremony I plan to attend. It is a ceremony where each year we read the names that are etched into the memorial of those law enforcement officers who have been killed in the line of duty in New Hampshire. There have been far too many—far too many—who have made the ultimate sacrifice so the rest of us could live our lives in safety and in happiness. One of the privileges I had as attorney general was to read the names of our law enforcement officers who were killed in the line of duty, to recognize their service and their sacrifice, with often many of their family members there—family members who would offer a

flower or a beautiful wreath to recognize the sacrifice of their family so we could remember their family member, the law enforcement officers who were killed in the line of duty.

Today on the Senate floor I would like to read the names of these police officers who were killed in the line of duty in New Hampshire. I know we will recognize them in New Hampshire on Friday, but I want to recognize them on the Senate floor. They are, from Cheshire County, Deputy Sheriff John Walker, Sr.; from Dover, Officer George Pray; from Laconia, Police Officer Charles H. Dolloff; from Strafford County, Deputy Sheriff Charles E. Smith; from Manchester, Sergeant Henry McAllister; from Manchester, Inspector William M. Moher; from Exeter, Officer Albert L. Colson; from Nashua, Patrolman James H. Roche; from Carroll County, Sheriff Harry M. Leavitt; from New Hampshire State Police, Raymond Elliott; from Lancaster, Chief Andrew T. Malloy; from New Hampshire State Police, Trooper Harold B. Johnson; from Colebrook, Chief Fred T. Towle; from Nashua, Patrolman Michael Latvis; from New Hampshire State Police, Lieutenant Ivan H. Hayes; from Northumberland, Officer Joseph H. Platt; from Nashua, Patrolman Edward C. Graziano; from New Hampshire Fish and Game, Conservation Officer William Mooney; from New Hampshire Fish and Game, Conservation Officer Gary Waterhouse; from Farmington, Assistant Chief Louis A. Sheets; from Berlin, Officer Robert Devoid; from Berlin, Officer Dorman Wheelock; from Gorham, Officer Jerome O. Piet; from Rockingham County, Department of Corrections Officer Robert Charles Prescott; from New Hampshire Fish and Game, Conservation Officer James Clark II; from Nashua, Acting Chief Armand J. Roussel; from Seabrook, Chief Charles S. Knowles; from Durham, Lieutenant Robert Hollis, Jr.; from Berlin, Sergeant Paul G. Brodeur; from Manchester, Officer Ralph W. Miller; from New Hampshire State Police, Trooper Richard F. Champy; from Somersworth, Patrolman Donald R. Kowalski; from Jaffrey, Police Supervisor William E. O'Neil, Sr.; from Hanover, Chief James H. Collins; from Derry, Sergeant Thomas C. Kelly; from New Hampshire State Police, Trooper Gary P. Parker; from New Hampshire State Police, Trooper Joseph Edward Gearty; from Antrim, Chief of Police Ralph C. Brooks; from New Hampshire State Police, Sergeant James Stanwood Noyes; from East Kingston, Officer Melvin Alan Keddy; from Auburn, Lieutenant Donald Eaton; from New Hampshire State Police, Trooper Leslie George Lord; from New Hampshire State Police, Trooper Scott Edward Phillips; from Epsom, Patrolman Jeremy T. Charron; from Manchester, Officer Michael Leland Briggs; from Franconia, Corporal N. Bruce McKay; from Greenland, Chief of Police Michael P. Maloney; and from Brentwood, Patrolman Stephen Arkell.

As I read those names, it obviously strikes me—it is shocking how many names are on that wall in our State. Having met and worked with so many of our law enforcement officers—they are incredibly brave. The sacrifices of their families are tremendous.

Most recently, I went to two community events to recognize—really memorialize—these fallen heroes. The Maloney family and the Arkell family have started foundations to help other police families, to help have scholarships in the names of these two decorated officers. Unfortunately, those are the two most recent additions to this wall.

Chief Maloney embodied the values of service, integrity, and honor. His leadership in the Greenland Police Department will never be forgotten. He was admired by everyone in the community. This is another example of the sacrifice our police officers make. He was only a few days before his retirement. He could have stayed in the station, but he went out to the call with his fellow officers and, when the situation escalated, Chief Maloney did what he always did. He put his life before his fellow officers, and because of his sacrifices that day, other lives were saved. Unfortunately, we lost Chief Maloney in the line of duty just days before his retirement. If that is not a hero, I don't know what is and who is.

When I think about his family, and having gotten to know his family, I know today, as we think about the importance of this week, I just want to say thank you to them and just let them know they continue to be in our prayers, and we will not forget Chief Maloney's service and his sacrifice and his heroism.

Likewise, just like Chief Maloney, Officer Stephen Arkell was taken from us far too soon. He was an unsung hero. He went about his extraordinary work as a police officer very quietly and humbly, going above and beyond the call of duty not only as a police officer but as a coach in his community, as someone who has helped so many other people and made a difference in people's lives. During his 15-year career as a police officer, he made a difference for the people of Brentwood. He made us proud, and he was another true hero in his community.

Today, during National Police Week, I want to say to his family, who recently had a 5K in his honor to provide scholarships for others in the Brentwood community, thank you for your sacrifice. We will never forget the sacrifice of Officer Stephen Arkell.

During National Police Week, as I stand on the Senate floor, one of the things that has bothered me is, too often the rhetoric we have been hearing about our police and our law enforcement officers out in the public discussion has been negative. It has been negative. It has been sweeping. It has been basically stereotyping our police, and it has been wrong. So, today, during this important week, I want to say to our law enforcement officers in New Hampshire, I want to say to the law enforcement officers across this country who keep us safe: Thank you. We stand with you. We are proud of you. We have your back because we know you have our backs every single day, because we would not be a free and safe society but for the sacrifices our law enforcement officers make every single day in New Hampshire and in every State in this country. They are the thin blue line between us and those who want to do us harm and threaten our way of life.

So when we hear people who are making sweeping generalizations about our police that are negative, I want the people of this country to think about what it would be like if we didn't have the courageous law enforcement officers who patrol our streets every single day, who go out on nights and weekends and holidays when we are safely home sleeping, who are out making sure we are safe. We should stand up for our law enforcement officers.

This week, of all weeks, as we are here for National Police Week, we need to honor our law enforcement officers. We need to thank our men and women in uniform who patrol our streets and our highways and in every way protect us, whether as corrections officers or Fish and Game officers or as State police—at every single level in the State of New Hampshire, we say thank you. We stand with you. I thank you. I hope that as we stand here this week, all of us will make sure that we thank also the Capitol Police for the incredible work they do here keeping us safe and defending this Capitol.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I am going to speak about an amendment that I am going to propose right away. It is about fidelity to the Constitution and the Bill of Rights—specifically, fidelity to the Second Amendment as it involves the Department of Veterans Affairs.

There appears to be a troubling trend within the VA. As of December 2015, almost 99 percent of the names listed on the ''mental defective'' category for the National Instant Criminal Background Check System, otherwise known as the national gun-ban list, are from the Veterans Administration. Once a person's name is on that list, they are banned from owning or possessing a firearm. Their Second Amendment rights are completely null and void.

Now, why is this happening? Once the VA determines that a veteran requires a fiduciary to administer benefit payments, the VA reports that veteran to the gun-ban list, resulting in a total denial of a veteran's right to possess and own firearms. In other words, their Second Amendment rights are being denied.

The VA has attempted to justify its actions by relying on regulations that grant limited authority to determine incompetence only in the context of financial affairs. So I quote: ''Rating

agencies have sole authority to make official determinations of competency and incompetency for the purpose of insurance and disbursement of benefits.''

It is clear, therefore, that the VA's core regulatory authority applies to matters of competency for financial purposes. Importantly, this financial fiduciary standard has been employed since way back in the 1970s. It has nothing to do with regulating firearms. Yet that is exactly what is happening. Firearms are being regulated. Federal law requires that before a person is reported to a gun-ban list, they be determined a ''mental defective.''

The Bureau of Alcohol, Tobacco, Firearms and Explosives created a regulation to define what ''mental defective'' means. It includes, among other requirements, that a person is a danger to self or others. Granted, the VA regulation at issue and the ATF regulation do share some of the same language. But the intent and the purpose are totally different. On the one hand, the VA regulation is designed to appoint a fiduciary. On the other hand, the ATF regulation is designed to regulate firearms.

Now, this is a huge distinction. The level of mental impairment that justifies taking away the right to possess and own firearms must rest at a severe and substantial level—a level where the mere possession of a firearm constitutes a danger to self or others. That decision is never made by the VA, or the Veterans Administration, before submitting names to the gun-ban list.

As such, imposing a gun ban is a harsh result that could sweep up veterans that are fully capable of appropriately operating a firearm for self-defense purposes. So how does this work, then, in practice? The Daily Caller interviewed a veteran who had been a victim of this VA process for an April 21, 2015, article.

The veteran reportedly told a VA counselor, who asked about how he handles his finances, that on the mere suggestion of his wife, he now uses auto debit for bills so he doesn't have to go to the post office. The VA doctor put down that he doesn't pay his own bills, and his wife handles his finances. The next thing he knew was that his wife was appointed as his fiduciary and his name was placed on the gun-ban list.

Whether or not he handles his own finances, what does that have to do with talking away a veteran's right to self-defense? After all, this is the core purpose of the Second Amendment—self-defense. Self-defense is a natural right of all individuals. It is a God-given right. It is a right that existed before the Declaration of Independence and the Constitution were ever drafted. It is a sacred right.

The Supreme Court has held the Second Amendment to be a fundamental right. So, when the Federal Government erases that right for any given individual, it better then have compelling justification to do so. Assigning a fiduciary is not a compelling justification. That is especially so when the VA does not even determine whether veterans are a danger to themselves or others before reporting the names to that gun-ban list.

Further, the VA fails to offer adequate constitutional due process protections. The standard of review—clear and convincing evidence—is particularly low in light of the fact that a constitutional right is involved. Hearsay is allowed in the hearing process, and the burden of proof is on the veteran to show that they are competent to manage their finances. In essence, it is the veteran who has the burden of proof of showing that they should maintain their Second Amendment rights, although, again, that is not even the purpose of the hearing. That cannot stand. When constitutional issues are at stake, the burden ought to be on the government.

Finally, the hearing that does take place is before VA employees, not a neutral arbiter. With these significant flaws, it is clear that the VA regulatory scheme is inherently suspect. Importantly, these VA regulations have been in place since the 1970s, well before even the existence of a gun-ban list. The Supreme Court held the Second Amendment to be a fundamental right in 2010. Associate Justice Alito, who wrote the opinion of the Court, stated: ''It is clear that the Framers . . . counted the right to keep and bear arms among those fundamental rights necessary to our system of ordered liberty.''

It cannot be said that the VA's regulatory scheme adequately protects the liberty interests of the veteran—quite the contrary. The VA regulatory scheme is an example of the Federal Government once again going too far. As government expands, liberty contracts. There are just too many flaws in the VA's regulatory scheme that result in a failure at ensuring constitutional demands are met.

There has been no update to the VA's protocols since the Supreme Court's decision in 2010. During the course of my oversight of this issue, not even the Department of Justice can adequately explain why there has been no substantive update to the gun-reporting system. That is why I have introduced this amendment.

My amendment is simple. It is straightforward. It makes perfect constitutional sense. It simply requires that before the VA reports names to the Department of Justice for eventual placement on the gun-ban list, the Veterans Administration must first find that a veteran is a danger to himself, herself, or others, and that finding must be done via judicial order.

These requirements do three important things: First, it makes the ''danger to self or others'' standard applicable to the VA. We all agree, don't we, that dangerous persons must not own or possess firearms.

Second, it shifts the burden of proof from the veteran and onto the government, where it ought to be. Third, it fixes the conditional due process issues by moving the hearing from the VA to the judicial system.

Like I said, these are commonsense constitutional fixes, but, more importantly, it is what our Nation's veterans deserve. Our veteran population is sacred. They deserve the thanks of a grateful Nation, not the iron fist of an out-of-control Federal Government.

Most importantly, the government must not unfairly target our veteran population simply because some may have challenges after returning home from war, like maybe having someone handle their finances. The fact that almost 99 percent of the names in the gun-ban list of the category that we call ''mental defective'' are from the VA raises suspicion that our government is unfairly targeting veterans.

That is why the American Legion and the Veterans of Foreign Wars have expressed strong support for my amendment. There is nothing more offensive to the principles of liberty than when the government takes away a person's constitutional rights when it has no right to take away those constitutional rights. Moreover, I have heard from Iowa veterans that some veterans are even reluctant to seek care from the VA for fear of losing their Second Amendment rights.

It is outrageous, then, that veterans are afraid to seek the care they have actually earned by being in service to their country because the VA might deprive them of a constitutionally protected right without due process. This must stop.

I urge my colleagues to support this legislation. Support it on constitutional grounds, support it on fairness grounds, and support it for the sake of veterans who may be wrongly targeted. To all of our Nation's veterans, I say: God bless you, and thank you for your service to our great country. You deserve better than to have your rights violated by the very agency that is supposed to fulfill our Nation's commitment to you.

I urge my colleagues to join me in making this very bad situation right—constitutionally right.

Mr. President, I ask unanimous consent to have printed in the RECORD a May 16, 2016, letter from the VFW supporting this approach.

I repeat for my colleagues that the American Legion supports it, but they couldn't get a letter to us.

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

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Washington, DC, May 16, 2016.

Hon. CHARLES E. GRASSLEY,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRASSLEY: On behalf of the nearly 1.7 million members of the Veterans of Foreign Wars of the United States (VFW) and our Auxiliaries, I write in support of

your amendment to H.R. 2577, which would protect veterans' rights under the Second Amendment of the United States Constitution.

Currently, when the Department of Veterans Affairs (VA) makes the determination that a veteran would benefit from the assistance of a fiduciary to handle his or her finances, VA sends that veteran's name to the National Instant Check System, preventing them from legally purchasing firearms. The VFW has long opposed this practice, believing that veterans who swore to support and defend the United States Constitution should not lose their rights under the Second Amendment simply because they need fiduciary assistance. The need for a fiduciary in no way implies that they are a danger to themselves or others. By ensuring that no veteran loses his or her right to purchase firearms without order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction, your amendment would put an end to this objectionable VA practice.

The VFW thanks you for your leadership on this issue, and your commitment to protecting veterans' constitutional rights and liberties. We look forward to working with you and your staff to pass this much needed amendment.

Sincerely,

RAYMOND C. KELLEY,
Director, VFW National Legislative Service.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 3925.

The PRESIDING OFFICER. Is there objection?

The Senator from Illinois.

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I listened carefully to the explanation of my friend and colleague from Iowa. I hope there are several things we can agree on at the outset. The first is that we don't want someone who is a convicted felon or is so mentally unstable that they cannot be trusted to own or purchase a firearm. I hope we can agree on that.

Mr. GRASSLEY. I agree.

Mr. DURBIN. Good.

I hope the next thing we can agree on is that we want to make certain that our veterans are treated fairly, that they are given every consideration for having served our country, but we do not want to put them in harm's way either by way of suicide or by committing a crime with a gun, and we want to have a process that respects that goal. I hope my colleague and friend from Iowa would agree with that.

The problem we have is the Senator from Iowa is amending an appropriations bill. The difficulty you face when you amend appropriations bills, in most instances, if you are not authorizing and strictly sticking within the four corners of an appropriations bill, you can cut off funds—no funds shall be spent for—and that is what the amendment of the Senator from Iowa does. No funds shall be spent at the Veterans' Administration for—and he just described the process.

Here is the difficulty. This amendment as written doesn't solve the problem; it creates a bigger problem.

I will concede at the outset to the Senator from Iowa that we should be sitting down and resolving a very serious issue between the definition of ''mental defect'' and ''mental competency'' between the NICS law and the VA. There is plenty of room for us to sit down and come up with a reasonable way to deal with the situation. But the amendment offered by the Senator from Iowa just basically says, unfortunately, that we are going to weaken the law that prohibits people with serious mental illnesses from buying guns.

Currently, the Department of Veterans Affairs informs the FBI NICS gun background check database when a veteran has been found in a VA proceeding to be mentally incompetent because of injury or disease. I want to make sure that is clear in the RECORD. This is what it says. In connection with an award of veterans' benefits, the VA formally may determine as ''mentally incompetent'' a person who ''because of injury or disease lacks the mental capacity to contract or to manage his or her own affairs, including disbursement of funds without limitation.'' This is an adjudication, a hearing on mental competency which goes to the question of whether the veteran is mentally incompetent because of injury or disease.

Under the amendment offered by the Senator from Iowa, VA mental health determinations would no longer count as prohibiting gun possession. Tens of thousands of names currently in the NICS system would likely need to be purged, meaning these people could go out and buy guns. Last year the VA told my staff they had supplied 174,000 names to the NICS database because of diagnosed mental conditions.

I do not dispute what the Senator from Iowa suggested—that some of these veterans may be suffering from a mental illness not serious enough to disqualify them from owning a firearm, but certainly many of them do.

Last year the VA told us that this list of 174,000 names includes 10,168 individuals diagnosed with paranoid schizophrenia, 3,981 individuals with major depressive disorder, 2,835 individuals with bipolar disorder, and many others who have been found to have very serious mental illnesses.

Allowing people with these serious mental illnesses to buy guns raises the very serious risk of suicide and violence. Already we are seeing an average of 22 suicides by veterans every single day. That is double that of the civilian population. To hand guns over to people such as the 14 or 15,000 whom I have just described who have serious mental illness is dangerous—dangerous to them, members of their family, and to the public.

The VA's referral process is not haphazard. There are due process safeguards to make sure the VA is not referring names inappropriately. The VA has set up a relief program for a veteran to contest a finding of mental competency. If we need to revisit that process—and as I said at the outset, I am not arguing that we shouldn't—we need to do it in the context of substantive legislation so that we treat the veterans fairly, treat their families fairly, and treat the public fairly in dealing with this constitutional protection. But simply invalidating the mental health records of 170,000 people the VA has supplied to the FBI, as this amendment would do, is dangerous—dangerous to the veterans, dangerous to their families, and dangerous to the public.

Let's do this in a thoughtful, orderly way, not by an appropriations bill.

I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, first, we are not talking about convicted felons here, like the first thing the Senator from Illinois started to say. What we are trying to do is protect the constitutional rights of veterans, Second Amendment rights, and we are preventing the government from spending money to violate the constitutional rights.

As I just made clear, the main purpose of the VA regulation is to appoint a fiduciary, not to regulate firearms, but it has the effect of regulating firearms. This standard has been in place since the 1970s. It has nothing to do with regulating firearms.

Don't you think that since the Supreme Court held the Second Amendment to be a fundamental right in 2010, there ought to be an update of this system?

Indeed, Federal law made clear that the regulations prescribed by the VA Secretary are limited to ''the nature and extent of proof and evidence and the method of taking and furnishing them in order to establish the right to benefits under such laws,'' 38 USC 501. Again, that provides no authority to regulate firearms, but it has that impact.

Just like the Senator from Illinois, I don't want dangerous persons to have firearms, but the government must first prove a person is a danger before taking away their constitutional rights.

I am somewhat disappointed that Members on the other side of the aisle would object to even considering an amendment that simply protects veterans from having a fundamental, constitutional right taken away and doing it without due process.

When we were in the minority, we were accused of being obstructionist because we wouldn't go along with the then-majority leader's efforts to block Senators of both parties from offering amendments. Now that we are in a majority, Senator MCCONNELL has tried to restore the tradition of having amendments considered from both sides of the aisle. Yet we have these old

tricks—still refusing to vote on amendments that show the American people whose side they are on.

I think this is an opportunity to show you are on the side of the veterans—veterans who probably handled guns in Iraq and Afghanistan not being able to do that here.

I don't understand what is so tough about voting on whether veterans' constitutional rights should be protected. It should be clear to anyone paying attention who is obstructing. They tried to destroy the Senate as a deliberative body when they were in the majority. Now they are obstructing a vote on protecting the fundamental constitutional rights of those who have put their lives on the line for our country.

Shame on you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, before my friend and colleague leaves, we have worked together for years, and I respect very much his legislative capability. He and I are working together on some very important legislation.

I am not a member of the Veterans' Affairs Committee. I don't know if the Senator from Iowa is a member—he is not. This is a subject matter that is in the jurisdiction of that committee.

Let me just concede at the outset that reporting 174,000 names to the FBI goes too far, but eliminating 174,000 names goes too far. We need to find a reasonable way to identify those suffering from serious mental illness who would endanger themselves, their families, or others and to sort out those who don't fit in that category. We can do that and we should do that in a reasonable way, so we are respectful of veterans and also respectful of the general public's right to be safe from the misuse of firearms.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I would just say a simple thing. I have already said we don't want dangerous people to have guns. But the point is that the VA is not identifying the people who might be a danger to themselves or a danger to society. As the Senator from Illinois says, they are simply doing it because ''You can't handle your own finances.'' That is where their constitutional rights are being denied. Their constitutional rights are being denied by a VA employee—maybe somebody who doesn't know anything about mental health—and that is wrong. That is what we are trying to prevent.

I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Collins substitute amendment No. 3896.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate Amendment No. 3896 to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Susan M. Collins, Roy Blunt, John Cornyn, Richard Burr, Bill Cassidy, Roger F. Wicker, Johnny Isakson, Marco Rubio, Mark Kirk, Lindsey Graham, Chuck Grassley, Jerry Moran, Orrin G. Hatch, John Hoeven, John Barrasso, John Boozman.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the underlying bill, H.R. 2577.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Susan M. Collins, Roy Blunt, John Cornyn, Richard Burr, Bill Cassidy, Roger F. Wicker, Johnny Isakson, Marco Rubio, Mark Kirk, Lindsey Graham, Jerry Moran, Chuck Grassley, Orrin G. Hatch, John Hoeven, John Barrasso, John Boozman.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls with respect to the cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 444 through 447, 467, 217, 218, 479, 480, 482, 484, 553, 554 through 558, with no other executive business in order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Linda Thomas-Greenfield, an Assistant Secretary of State (African Affairs), to be a Member of the Board of Directors of the African Development Foundation for the remainder of the term expiring September 27, 2015; Linda Thomas-Greenfield, an Assistant Secretary of State (African Affairs), to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 27, 2021; John W. Leslie, Jr., of Connecticut, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2019; Linda I. Etim, of Wisconsin, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2021; Georgette Mosbacher, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2018; Todd A. Fisher, of New York, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2016; Deven J. Parekh, of New York, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2016; Robert Annan Riley III, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federated States of Micronesia; Karen Brevard Stewart, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Marshall Islands; Matthew John Matthews, of Oregon, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as United States Senior Official for the Asia-Pacific Economic Cooperation (APEC) Forum; Marcela Escobari, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development; Swati A. Dandekar, of Iowa, to be United States Director of the Asian Development Bank, with the rank of Ambassador; Adam H. Sterling, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Slovak Republic; Kelly Keiderling-Franz, of Virginia, 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 Oriental Republic of Uruguay; Stephen Michael Schwartz, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Somalia; Christine Ann Elder, of Kentucky, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Liberia; and Elizabeth Holzhall Richard, of Virginia, 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 Lebanese Republic.

Thereupon, the Senate proceeded to consider the nominations.

Mr. MCCONNELL. Mr. President, I know of no further debate on the nominations and ask unanimous consent that the Senate vote on the nominations en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Thomas-Greenfield, Leslie, Etim, Mosbacher, Fisher, Parekh, Riley, Stewart, Matthews, Escobari, Dandekar, Sterling, Keiderling-Franz, Schwartz, Elder, and Richard nominations en bloc?

The nominations were confirmed en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motions to reconsider be considered made and laid upon the table en bloc, 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.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENTS NOS. 3934, 3918, 3905, 3926, 3961, AND 3941 TO AMENDMENT NO. 3896

Ms. COLLINS. Mr. President, I am pleased to report that due to a lot of hard work on both sides of the aisle by Senators and their staffs, the leaders, and particularly my colleague Senator REED of Rhode Island, we have another group of amendments we are able to clear tonight.

I therefore ask unanimous consent that the following amendments be called up en bloc and reported by number: amendment No. 3934, offered by Senator KING; amendment No. 3918, offered by Senator RUBIO; amendment No. 3905, offered by Senator HELLER; amendment No. 3926, offered by Senator RUBIO; amendment No. 3961, offered by Senator MANCHIN; and amendment No. 3941, offered by Senator BOOKER.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc by number.

The senior assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for others, proposes amendments numbered 3934, 3918, 3905, 3926, 3961, and 3941 en bloc to amendment No. 3896.

The amendments are as follows:

AMENDMENT NO. 3934

(Purpose: To authorize the use of funds to carry out a matching program with the Department of Education to identify veterans who are unemployable due to a service-connected disability and who are also borrowers of Federal student loans in order to streamline and expedite the process through which such veterans may discharge their Federal student loans)

On page 223, line 9, after ''interoperability:'' insert the following: ''*Provided further*, That, notwithstanding any other provision of law, $300,000 shall be available to carry out a matching program with the Department of Education to identify veterans who are unemployable due to a service-connected disability and who are also borrowers of Federal student loans in order to streamline and expedite the process through which such veterans may discharge their Federal student loans.''.

AMENDENT NO. 3918

(Purpose: To shorten the time given to a property owner to respond to a violation of a contract and the time given to the Secretary to develop a Compliance, Disposition, and Enforcement Plan)

On page 152, strike lines 1 through 13 and insert the following:

(1) The Secretary shall notify the owner and provide an opportunity for response within 15 days of UPCS inspection results. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 30 days of the UPCS inspection results and must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

AMENDMENT NO. 3905

(Purpose: To prohibit funds from being used to provide housing assistance benefits to individuals convicted of certain criminal offenses)

At the appropriate place in division A, insert the following:

SEC. ____. None of the funds made available under this Act shall be used to provide housing assistance benefits for an individual who is convicted of—

(1) aggravated sexual abuse under section 2241 of title 18, United States Code;

(2) murder under section 1111 of title 18, United States Code; or

(3) any other Federal or State offense involving—

(A) severe forms of trafficking in persons or sex trafficking, as those terms are defined in paragraphs (9) and (10), respectively, of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102); or

(B) child pornography, as defined in section 2256 of title 18, United States Code.

AMENDMENT NO. 3926

(Purpose: To determine the effectiveness of Real Estate Assessment Center physical inspections)

At the appropriate place in division A, insert the following:

SEC. ____. (a) Not later than 90 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall prepare a report, and post the report on the public website of the Department of Housing and Urban Development (in this section referred to as the ''Department''), regarding Real Estate Assessment Center (in this section referred to as ''REAC'') inspections of all properties assisted, insured, or both, under a program of the Department, which shall include—

(1) the percentage of all inspected properties that received a REAC-inspected score of less than 65 within the last 48 months;

(2) the number of properties in which the most recent REAC-inspected score represented a decline relative to the previous REAC score;

(3) a list of the 10 metropolitan statistical areas with the lowest average REAC-inspected scores for all inspected properties; and

(4) a list of the 10 States with the lowest average REAC-inspected scores for all inspected properties.

(b) The Comptroller General of the United States shall prepare a report, and post the report on the public website of the Government Accountability Office, regarding areas in which REAC inspections of all properties assisted, insured, or both, under a program of the Department should be reformed and improved.

AMENDMENT NO. 3961

(Purpose: To allow airports to use airport improvement program funds to repair damage to runway safety areas caused by natural disasters)

At the appropriate place in division A, insert the following:

SEC. _____. (a) Subchapter I of chapter 471, as amended by this subtitle, is further amended by adding at the end the following:

''§ 47144. Use of funds for repairs for runway safety repairs

''(a) IN GENERAL.—The Secretary of Transportation may make project grants under this subchapter to an airport described in subsection (b) from funds under section 47114 apportioned to that airport or funds available for discretionary grants to that airport under section 47115 to conduct airport development to repair the runway safety area of the airport damaged as a result of a natural disaster in order to maintain compliance with the regulations of the Federal Aviation Administration relating to runway safety areas, without regard to whether construction of the runway safety area damaged was carried out using amounts the airport received under this subchapter.

''(b) AIRPORTS DESCRIBED.—An airport is described in this subsection if—

''(1) the airport is a public-use airport;

''(2) the airport is listed in the National Plan of Integrated Airport Systems of the Federal Aviation Administration;

''(3) the runway safety area of the airport was damaged as a result of a natural disaster;

''(4) the airport was denied funding under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 4121 et seq.) with respect to the disaster;

''(5) the operator of the airport has exhausted all legal remedies, including legal action against any parties (or insurers thereof) whose action or inaction may have contributed to the need for the repair of the runway safety area;

''(6) there is still a demonstrated need for the runway safety area to accommodate current or imminent aeronautical demand; and

''(7) the cost of repairing or replacing the runway safety area is reasonable in relation to the anticipated operational benefit of repairing the runway safety area, as determined by the Administrator of the Federal Aviation Administration.''.

(b) The analysis for chapter 471, as amended by this subtitle, is further amended by inserting after the item relating to section 47143 the following:

''47144. Use of funds for repairs for runway safety repairs.''.

AMENDMENT NO. 3941

(Purpose: To slightly modify the scope of projects eligible for railroad safety grants)

On page 50 of division A, strike line 7 and all that follows through ''Code:'' on line 10, and insert the following: ''up to $25,000,000 shall be available to carry out section 24407(c)(1) of title 49, United States Code; and not less than $25,000,000 shall be available to carry out paragraphs (2), (5), (6), (7) and (10) of section 24407(c) of such title:''.

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I know of no further debate on these amendments.

The PRESIDING OFFICER. Is there further debate?

If not, the question occurs on agreeing to the amendments en bloc.

The amendments (Nos. 3934, 3918, 3905, 3926, 3961, and 3941) were agreed to en bloc.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENTS NOS. 3914, 3938, 3948, 3954, AND 3971 TO AMENDMENT NO. 3896

Mr. KIRK. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: No. 3914, by Senator TESTER; No. 3938, by me; No. 3948, by Senator HELLER; No. 3954, by Senator HEITKAMP; and No. 3971, by Senator BENNET.

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 Illinois [Mr. KIRK], for himself and others, proposes amendments numbered 3914, 3938, 3948, 3954, and 3971 en bloc to amendment No. 3896.

The amendments are as follows:

AMENDMENT NO. 3914

(Purpose: To require the Comptroller General of the United States to submit to Congress a report evaluating force structure and military construction requirements in Europe)

At the appropriate place in title I of division B, insert the following:

SEC. ____. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report evaluating the extent to which the Department of Defense has developed a comprehensive force structure plan, including military construction requirements, to meet emerging security threats in Europe.

(b) The report required under subsection (a) shall include an assessment of the extent to which the Department of Defense has—

(1) identified the near-term and long-term United States military force requirements in Europe in support of the European Reassurance Initiative;

(2) evaluated the posture, force structure, and military construction options for meeting projected force requirements;

(3) evaluated the long-term costs associated with the posture, force structure, and military construction requirements; and

(4) developed a Future Years Defense Program for force structure costs associated with the European Reassurance Initiative.

(c) The report shall also include any other matters related to security threats in Europe that the Comptroller General determines are appropriate, and recommendations as warranted for improvements to the Department's planning and analysis methodology.

AMENDMENT NO. 3938

(Purpose: To make a technical correction to section 132 of title I of division J of Public Law 114–113)

At the appropriate place in title I of division B, insert the following:

SEC. ____. (a) Of the amounts appropriated by section 132 of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016 (division J of Public Law 114–13; 129 Stat. 2683), $30,000,000 is hereby rescinded.

(b) Notwithstanding section 123 of this title, for an additional amount for fiscal year 2016 for ''Military Construction, Army'' in this title, $30,000,000, to remain available until September 30, 2021, is provided for advances to the Federal Highway Administration, Department of Transportation, for construction of access roads as authorized by section 210 of title 23, United States Code.

(c) This section shall become effective immediately upon enactment of this Act.

AMENDMENT NO. 3948

(Purpose: To modify the contents of the quarterly report on disability compensation claims)

On page 245, lines 23 through 24, strike ''and (7) the number and results of Quality Review Team audits'' and insert ''(7) the number and results of Quality Review Team audits; (8) the number of claims completed by each Regional Office based on the Regional Office being the station of jurisdiction; and (9) the number of claims completed by each Regional Office based on the Regional Office being the station of origin''.

AMENDMENT NO. 3954

(Purpose: To require coordination within the Department of Veterans Affairs to meet the readjustment and psychological counseling needs of veterans in rural and highly rural communities)

At the end of title II of division B, add the following:

SEC. 251. (a) The Secretary of Veterans Affairs shall ensure that the Readjustment Counseling Service of the Department of Veterans Affairs coordinates directly with the Office of Rural Health of the Department on efforts to expand the capacity of Vet Centers (as defined in section 1712A(h) of title 38, United States Code) in order to ensure that the readjustment and psychological counseling needs of veterans in rural and highly rural communities are met.

(b) Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report detailing the number of Vet Centers (as so defined) operated by the Department and a strategic plan to increase the capacity of such Vet Centers to address unmet readjustment and psychological counseling needs of veterans in rural and highly rural communities.

AMENDMENT NO. 3971

(Purpose: To authorize the Secretary of Veterans Affairs to provide monthly assistance allowance to disabled veterans training to compete on the United States Olympic Team)

At the end of title II of division B, add the following:

SEC. 251. MONTHLY ASSISTANCE ALLOWANCE FOR DISABLED VETERANS COMPETING ON OLYMPIC TEAMS.

Section 322(d)(1) of title 38, United States Code, is amended—

(1) by striking ''allowance to a veteran'' and inserting the following: ''allowance to—

''(A) a veteran'';

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(B) a veteran with a service-connected disability rated as 30 percent or greater by the Department who is selected by the United States Olympic Committee for the United States Olympic Team for any month in which the veteran is competing in any event sanctioned by the National Governing Bodies of the United States Olympic Sports.''.

Mr. KIRK. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. KIRK. I know of no further debate on these amendments.

The PRESIDING OFFICER. Is there further debate?

If not, the question occurs on agreeing to the amendments en bloc.

The amendments (Nos. 3914, 3938, 3948, 3954, and 3971) were agreed to en bloc.

The PRESIDING OFFICER. The Senator from Maine.

MORNING BUSINESS

Ms. COLLINS. 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.

62ND ANNIVERSARY OF BROWN V. BOARD OF EDUCATION

Mr. DURBIN. Mr. President, 62 years ago today, the Supreme Court issued its decision in Brown v. Board of Education, which struck down laws permitting racially segregated schools in 17 States and the District of Columbia.

The Court overturned Plessy v. Ferguson, the notorious 1896 decision that found racially segregated schools could be, ''separate but equal.'' The Court unanimously held that laws requiring racial segregation in schools violate the Equal Protection clause of the 14th Amendment and recognized that equal access to education is a fundamental civil right. In the Brown v. Board opinion, Chief Justice Earl Warren wrote, ''in the field of public education, the doctrine of 'separate but equal' has no

place. Separate educational facilities are inherently unequal.''

As I have said before, this historic decision was the most important Supreme Court decision of the 20th century—and perhaps of all time. Shortly after the decision, the New York Times published an editorial that stated: ''The Supreme Court's historic decision in the school desegregation cases brings the United States back into the mainstream of its own best traditions. Segregation is a hangover of slavery, and its ugliest manifestation has been in the schools.''

While the Brown decision was a historic victory for equality, this anniversary is bittersweet. We have made great progress in the last 62 years, but there is much work that remains to be done to create ''the more perfect union'' that our Constitution promises. Significant racial disparities persist in our schools, as well as our economy and our criminal justice system.

Just last week, following a five-decade legal battle, a Federal district court judge ordered a school district in Mississippi to desegregate. In her opinion, Judge Debra Brown wrote that: ''[the school district's] delay in desegregation has deprived generations of students of the constitutionally-guaranteed right of an integrated education. Although no court order can right these wrongs, it is the duty of the District to ensure that not one more student suffers under this burden.''

It is shocking to consider that, six decades after the Brown decision, there is still resistance to the Court's mandate to desegregate our schools.

We also continue to see efforts to make it more difficult for African Americans and other minorities to exercise the most fundamental constitutional right, the right to vote. Three years after the Brown v. Board of Education decision, the Rev. Dr. Martin Luther King, Jr., spoke at the Lincoln Memorial during a prayer pilgrimage to Washington.

In a speech entitled ''Give Us the Ballot,'' Dr. King described the, ''noble and sublime decision'' in Brown, as well as the massive resistance to enforcing the decision. Dr. King noted that: ''many states have risen up in open defiance. The legislative halls of the South ring loud with such words as 'interposition' and 'nullification.' But even more, all types of conniving methods are still being used to prevent [African-Americans] from becoming registered voters. The denial of this sacred right is a tragic betrayal of the highest mandates of our democratic tradition.''

Dr. King knew that there was a vital connection between desegregation and the right to vote. Without Federal voting protections, African Americans would not have a voice in government to ensure that the Supreme Court's decision in Brown was fully implemented. He went on to say, ''our most urgent request to the President of the United States and every member of Congress is to give us the right to vote. . . . Give us the ballot.''

Eight years later, the Voting Rights Act was signed into law. For years, this landmark legislation was recognized as a great achievement. It was repeatedly reauthorized by large, bipartisan majorities in Congress. However, 3 years ago, in Shelby County v. Holder, the Supreme Court gutted the Voting Rights Act. In a divided 5–4 vote, the Court struck down the provision that required certain jurisdictions with a history of discrimination to preclear changes to their voting laws with the Department of Justice.

Since the decision, States like Texas, North Carolina, Alabama, and Mississippi have put in place restrictive state voting laws, which all too often have a disproportionate impact on lower-income and minority voters.

Sixty-two years after the Supreme Court's decision in Brown v. Board of Education, it is clear there is much more work to do. We should remember Dr. King's words in 1957. We should restore the law he implored Congress to enact. It is time to bring the bipartisan Voting Rights Advancement Act to the floor and ensure that the Federal Government is once again able to fully protect the fundamental right to vote.

The Supreme Court of the United States stands just across the street from here. On the front of the Court four words are engraved: ''Equal Justice Under Law.'' Those words are a promise and a challenge to all of us. On this day, the anniversary of one of the Court's greatest triumphs, let us rededicate ourselves to ensuring that those four words—''Equal Justice Under Law''—ring true for this generation and future generations of Americans.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, today is the 62nd anniversary of the Supreme Court's landmark decision in Brown v. Board of Education, which reaffirmed our Nation's commitment to justice and equality by ending racial segregation in our public schools. The unanimous Court overruled one of its worst precedents in Plessy v. Ferguson and held that ''in the field of public education, the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.''

For generations, the Brown v. Board decision has been viewed as a turning point in the effort to eradicate the shameful legacy of Jim Crow and racial segregation. On this anniversary, we are reminded of the significance of a strong and independent Supreme Court, as set forth in our Constitution. Americans respect the Court as our guardian of the Constitution and the rule of law. Each generation of Americans since the Nation's founding has worked to bend the arc of the moral universe further toward justice, seeking to fulfill the Constitution's stated purpose of forming ''a more perfect Union.'' In Brown v. Board, the Court's unanimous decision reflected that we are a nation of laws and that equal justice under law has meaning.

Unfortunately, while we commemorate this momentous Supreme Court decision today, we find the Supreme Court today weakened by Senate Republicans' current obstruction. It is an undisputable fact that the Republicans' refusal to consider Chief Judge Merrick Garland's nomination means that the Supreme Court will be without a full nine justices for more than one of its terms. The Republican argument articulated in February that they should delay all consideration because it is an election year has no precedent and is unprincipled. It shows contempt for the Court as an institution and as an independent and coequal branch of government.

The result of Republicans' sustained obstruction is that the Court is taking on fewer cases, and even in the cases it does hear, it has repeatedly been unable to definitively resolve the issue before it. A May 1 article by Robert Barnes in the Washington Post notes that the number of cases that the Justices have accepted has fallen, and the experts in that article attribute this to the Court being down one member. As one expert noted in the article, ''there seem to be a number of 'defensive denials,' meaning neither side of the ideologically split court wants to take some cases because of uncertainty about how it will turn out, or whether the court will be able to reach a decision.''

Another harmful effect of this Republican obstruction is that the Court has been contorting itself to avoid 4–4 splits by leaving the key questions of cases undecided. Just yesterday, in two different cases, the Court was unable to make a final decision on the merits. In both cases, the appellate courts are split on the law, and the Supreme Court was unable to live up to its name. One of the cases, Zubik v. Burwell, involved religiously affiliated employers' objections to their employees' health insurance coverage for contraception. The Court had already taken the unusual step of ordering supplemental briefing in the case, seemingly to avoid a 4–4 split. Even with the extra briefing, the Court was still unable to make a decision. Instead, it sent the issue back to the lower courts expressing ''no view on the merits of the cases.'' In the second case, Spokeo v. Robbins, the question at issue was Congress's ability to statutorily create rights that confer standing for plaintiffs to sue when those rights are violated. The case involves important privacy questions about Americans' power to take action when incorrect information is posted about them online. The Court, however, failed to reach the key question at issue. The effect is that the current split among the Circuit Courts of Appeals remains unresolved. As yesterday's New York Times editorial

notes, ''Every day that passes without a ninth justice undermines the Supreme Court's ability to function, and leaves millions of Americans waiting for justice or clarity as major legal questions are unresolved.''

In addition to these contortions, the Court has deadlocked in at least three instances on significant legal issues before it. These 4–4 splits have real, practical consequences. As a recent Economist article noted, ''By letting lower-court decisions stand but not requiring other courts to abide by the ruling, the stage is set for odd state-by-state or district-by-district distinctions when it comes to the meaning of laws or the constitution.'' I ask unanimous consent that all three articles be printed in the RECORD at the conclusion of my remarks.

Republicans' refusal to do their jobs and consider Chief Judge Garland's nomination diminishes the role of the Supreme Court. In nominating Chief Judge Garland to the Supreme Court, President Obama has picked an eminently qualified judge who has more Federal judicial experience than any other Supreme Court nominee in history. This is an individual who has received praise across the political spectrum. But instead of delving into his lengthy public service record for themselves, Republicans have decided to outsource their jobs to outside interest groups who have spent millions of dollars to smear Chief Judge Garland. And worse, they continue to refuse to allow Chief Judge Garland a chance to respond at a public hearing.

As long as they stick to this unprincipled position, Republicans will continue to undermine the Court's ability to serve its role under our Constitution as the final arbiter of our Nation's laws. Republicans should reverse course and treat the Court as the independent and coequal branch of government that it is.

So today, let us not only celebrate the Court's historic decision in Brown, but also resolve to return this venerated institution to full strength. It begins with giving Chief Judge Garland a fair public hearing and a vote.

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

[From the Washington Post, May 1, 2016]

SCALIA'S DEATH AFFECTING NEXT TERM, TOO? PACE OF ACCEPTED CASES AT SUPREME COURT SLOWS

(By Robert Barnes)

The ways in which Justice Antonin Scalia's sudden death are altering the current Supreme Court term have been widely chronicled.

But it appears the absence of Scalia will be felt on the court's work next term, as well.

The number of cases the justices have accepted has fallen, meaning that a docket that in recent years has been smaller than what is traditional is shrinking still.

The court has accepted only six cases since Scalia died Feb. 13. The number is low compared with the average, Scotusblog.com editor Amy Howe said at an event last week reviewing the Supreme Court's work.

And none of the cases that the court has accepted for the term that begins in October approach the level of controversy that have marked the dramatic rulings of recent years.

A panel of court experts assembled by the Constitutional Accountability Center last week offered a number of reasons for the reduced workload.

But they boiled down to a reluctance of the ideologically divided eight-member court to take on an issue in which it might not be able to provide a clear answer.

First, a reminder of the enormous leeway the justices have in setting their agenda.

An outraged citizen's vow to fight an injustice ''all the way to the Supreme Court'' comes to pass only if the Supreme Court consents.

With a few exceptions of cases the court is mandated to consider, justices are unencumbered as they cull through the thousands of petitions seeking review. In recent years, only about 70 or so cases receive writs of certiorari—''cert grants''—signaling that the justices will review the decision of the lower court.

It takes the approval of four justices to schedule a case for full briefing and oral argument. The court makes those decisions all year—it could announce on Monday that it has accepted more cases—but generally those granted after January are placed on the court's docket for the term that begins the following October.

So there is plenty of time for the court to pick up the pace. But based on what's in the pipeline, Howe suggested that there could be plenty of lulls in the court's schedule.

If Senate Republicans hold true to their pledge not to hold hearings or a vote on President Obama's nomination of U.S. Circuit Judge Merrick Garland to fill Scalia's seat before the election, the court will enter the next term one justice down. And if a lame-duck Senate after the election does not consider him, it would be sometime in the spring, at the earliest, before the court is back to full strength.

John P. Elwood, a Washington lawyer and Supreme Court specialist, said ''having an extra member matters.''

He watches the Supreme Court's docket as closely as anyone, writing a column for Scotusblog about the cases the court considers at its private conferences and which seem likely to be granted.

He said there seem to be a number of ''defensive denials,'' meaning neither side of the ideologically split court wants to take some cases because of uncertainty about how it will turn out, or whether the court will be able to reach a decision.

''The court already is a defensive enough institution,'' Elwood said. He said that Justices Clarence Thomas and Stephen G. Breyer have noted that the court is cautious about granting cert in the best of times.

They ''have said essentially, 'You can't screw up by not taking a case, you can only screw up by taking a case,'' Elwood said. ''And now there's one more reason not to take a case: that the court may blow up and not be able to decide the thing.''

Sherrilyn Ifill, president and director-counsel of the NAACP Legal Defense and Educational Fund, said the apparent slowdown is another consequence of waiting to fill Scalia's seat.

It is a rebuttal to ''all of these sanguine statements that we can have eight justices and it just doesn't matter, we'll just kick the can down the road,'' she said.

Ifill often disagrees with the decisions of the conservative court but said that everyone agrees ''this is a branch of government that actually gets the job done.'' She added: ''I think the court is trying to be prudent and not be a participant in its own demise by not taking these cases it can't decide.''

Brianne J. Gorod, the Constitutional Accountability Center's chief counsel, said justices ''know that if the issue is an important one it will probably come back in a year or two, when hopefully there will be a ninth justice.''

Andrew J. Pincus, another Washington lawyer who practices before the court, agreed with this analysis but said it is the wrong approach for the court to take.

''This sounds a little self-interested,'' Pincus began, but he said the court has a ''wrongheaded view'' about the frequency with which issues appear before it, and a ''complete misperception of the real world impact of lower-court decisions that are out there for a long time that people in the real world have to comply with.''

But if it is easy to detect a slowdown in the court's grants, it is more difficult to identify which cases the court might have taken if at full strength.

The court makes those decisions in secret. No vote total is announced and rarely is an explanation given.

So there can only be speculation about which cases are skipped because the court is divided, or which the justices agreed the lower court got it right and there is no work for them to do.

[From the New York Times, May 16, 2016]

THE CRIPPLED SUPREME COURT

Every day that passes without a ninth justice undermines the Supreme Court's ability to function, and leaves millions of Americans waiting for justice or clarity as major legal questions are unresolved.

On Monday, the eight-member court avoided issuing a ruling on one of this term's biggest cases, Zubik v. Burwell, which challenges the Affordable Care Act's requirement that employers' health care plans cover the cost of birth control for their employees. In an unsigned opinion, the court sent the lawsuits back to the lower federal courts, with instructions to try to craft a compromise that would be acceptable to everyone.

This is the second time since Justice Antonin Scalia's death in February that the court has failed to reach a decision in a high-profile case; in March, the court split 4 to 4 in a labor case involving the longstanding right of public-sector unions, which represent millions of American workers, to charge collective bargaining fees to nonmembers.

The Zubik litigation, which involves seven separate cases, was brought by religiously affiliated nonprofit employers like hospitals, colleges and social service organizations that do not want any role in giving their employees access to contraception.

The Obama administration, mindful of concerns over religious freedom, has already provided a way out for these employers: They must notify their insurer or the government, in writing, of their objection, at which point the government takes over and provides coverage for the contraceptives at no cost to the employers.

This sensible arrangement was not enough for several plaintiffs who said it still violated their religious freedom under a federal law, because the act of notification itself made them complicit in the provision of birth control.

Eight federal courts of appeals have already rejected this claim, finding that such a minor requirement did not place a substantial burden on the objectors' religious freedom. In her opinion for the Court of Appeals for the District of Columbia Circuit, Judge Cornelia Pillard wrote that under both federal law and the Constitution, ''freedom of religious exercise is protected but not absolute.'' This was the right answer, and should

have easily guided the justices in resolving this case.

But in a highly unusual order issued days after oral arguments, the justices asked both sides to consider a potential compromise—having a religiously affiliated employer tell an insurer of its objection to birth control coverage, and then having the insurer separately notify employees that it will provide cost-free contraceptives, without any involvement by the employer.

In Monday's opinion, the court said both sides' responses indicated that a compromise was possible. Without weighing in on the merits of the litigation, the court sent the lawsuits back to the federal appeals courts and told them to give the parties ''an opportunity to arrive at an approach going forward that accommodates petitioners' religious exercise while at the same time ensuring that women covered by petitioners' health plans receive full and equal health coverage, including contraceptive coverage.'' '

This move solves nothing. Even if these plaintiffs can find their way to an agreement with the government that satisfies their religious objections, there are other employers with different religious beliefs who will not be satisfied, and more lawsuits are sure to follow.

The court could have avoided this by affirming the appellate decisions that correctly ruled in the government's favor. Unfortunately, the justices appear to be evenly split on this issue, as they may be on other significant cases pending before them.

The court's job is not to propose complicated compromises for individual litigants; it is to provide the final word in interpreting the Constitution and the nation's laws. Despite what Senate Republicans may say about the lack of harm in the delay in filling the vacancy, the court cannot do its job without a full bench.

[From the Economist, May 9, 2016]

WHY THE SUPREME COURT IS SLOWING DOWN

With five votes, the late Justice William Brennan liked to tell his clerks, ''you can do anything around here''. Justice Brennan's rule still applies after the death in February of Antonin Scalia. But with only eight justices remaining, the magic number of five is now harder to come by. Twice since Mr. Scalia's death the Supreme Court has performed the judicial equivalent of throwing up its hands. In a small case concerning banking rules and in a hugely consequential case challenging the future of public-sector unions, the justices issued one-sentence per curiam (''by the court'') rulings: ''The judgment is affirmed by an equally divided court.'' A tie in the high court means that the ruling in the court below stands. But a tie-induced affirmance does not bind other lower courts, and the judgment has no value as a precedent. A tie, in short, leaves everything as it was and as it would have been had the justices never agreed to hear the case in the first place.

That's a lot of wasted ink, paper, time and breath. And now it seems the justices may be keen to reduce future futile efforts as they contemplate a year or more with a missing colleague. As Robert Barnes wrote in the Washington Post last week, the Supreme Court's pace of ''grants''—cases it agrees to take up—has slowed. Only 12 cases are now on the docket for the October 2016 term that begins in the fall, and grants are lagging below the average of recent years. The slow pace is especially notable because it marks a slowdown from an already highly attenuated docket. Seventy years ago, the justices decided 200 or more cases a year; that number declined to about 150 in the 1980s and then plummeted into the 80s and, in recent years, the 70s. The justices will grant more cases in dribs and drabs following their private conferences in May and June and after the so-called ''long-conference'' in September (followed by more conferences throughout the autumn and winter), but early indications are that the term starting in October may be one of the most relaxed in recent memory.

The Obama administration continues to push Senate Republicans to change their minds and hold confirmation hearings for Merrick Garland, chief judge of the District of Columbia circuit court. While a number of GOP senators have agreed to meet Mr. Garland for lunch or tea, none have endorsed him or said he should have a hearing. The fight to fill Mr. Scalia's seat before the next president takes office includes a new hashtag (#WeNeedNine) and a counter showing the number of ''days of obstruction'' in the Senate since Mr. Obama tapped Mr. Garland for the job. (That number is 51 and counting.) But the Republican leadership isn't budging. Charles Grassley, chair of the judiciary committee, admits that leaving the appointment to the next president is a ''gamble'' given that Donald Trump is now all-but certain to be the Republican nominee, but he is sticking to his guns.

What's wrong with eight justices? The primary worry is that tie votes will sow legal confusion and uncertainty. When justices are split down the middle, they cannot resolve rival views on crucial national issues—from affirmative action and public unions to gay rights, birth control and abortion. By letting lower-court decisions stand but not requiring other courts to abide by the ruling, the stage is set for odd state-by-state or district-by-district distinctions when it comes to the meaning of laws or the constitution. This seems to be the worry that prompted the justices to search for a compromise after hearing arguments in March in the latest fight over Obamacare and contraception. One federal district court has said that the contraceptive mandate violates a 1993 law banning the government from unduly interfering with other people's religious scruples. A half dozen other appellate courts have come to the opposite opinion. So if the justices divide 4–4 in Zubik v Burwell, women across most of America will have access to birth control through their employer's health coverage, while women in seven midwestern states will not. The justices' unprecedented effort to square the circle by playing mediator does not look promising.

Some legal scholars argue that an eight-justice bench isn't so bad after all and might actually be preferable. Eric Segall, a professor of law at Georgia State University, thinks the 4–4 ideological divide is pushing justices to moderate their claims in an effort to win votes from their colleagues on the other side. ''[T]o accomplish their goals'', Mr. Segall writes, ''the Justices would simply have to get along better''. This is a prescription, he says, to ''more public confidence in the final outcomes'' of Supreme Court decisions. We may have seen just such a compromise at work in a recent voting-rights decision, Evenwel v Abbott. After the oral argument in December, most pundits (including your correspondent) were expecting a 5–4 decision upending the common understanding of ''one person, one vote'' (counting everybody) in favour of counting only eligible voters, a scheme favouring whiter, wealthier, GOP-leaning districts. But the justices came out 8–0 in the other direction. The four liberals seem to have attracted the conservatives' votes (though Justices Samuel Alito and Clarence Thomas disagreed with the reasoning) by lowering the temperature a bit: the constitution permits states to use total population as the basis for drawing districts, Justice Ruth Bader Ginsburg wrote for her colleagues, but the question of whether it requires them to do so is off the table until a case forces it back on.

But beyond the Evenwel surprise and the seemingly ill-fated attempt to resolve the dicey dilemma in Zubik, it's very hard to see how a denuded court is an appealing concept in the medium or long-term. A patchwork quilt of legal realities may have been fitting for America under the Articles of Confederation, before the country had a political system that made it something approximating a union, but America's constitutional design is not consonant with deep confusion about what the law means on controversial questions of public life. While the bind they're in may lead to occasional compromises, the justices will only bend so far. Whether the divide manifests as 4–4 splits or a tendency to hear fewer cases in which those splits seem likely, a curbed Supreme Court is not a court that can possibly live up to its name.

VOTE EXPLANATION

Mr. WYDEN. Mr. President, I regret that due to travel delays on my return from Oregon, I missed the vote yesterday on the confirmation of the nominee, Paula Xinis, to fill a judicial emergency vacancy in the U.S. District Court for the District of Maryland.

Ms. Xinis was nominated more than a year ago. The ABA Standing Committee on the Federal Judiciary unanimously rated Xinis ''Well Qualified'' to serve on the district court, its highest rating. She has the support of her home State Senators, Senators MIKULSKI and CARDIN. She was voted out of the Judiciary Committee by voice vote on September 17, 2015. In addition, 20 judicial nominees for lower court vacancies that were all voted out of committee by unanimous voice vote are currently on the Executive Calendar. It is important that the Senate work to prioritize filling these vacancies.

For those reasons, had I not experienced travel delays and been present as originally intended, I would have voted in support of her nomination.

NATIONAL HURRICANE PREPAREDNESS WEEK

Mr. VITTER. Mr. President, I wish to recognize the week of May 15 through 21, 2016, as National Hurricane Preparedness Week.

As each Louisianian knows, the beginning of June marks the beginning of hurricane season, and we are acutely aware of how dangerous and damaging these storms can be. As we recognize National Hurricane Preparedness Week, I want to emphasize the importance of making adequate preparations to keep our families and communities safe. While it is impossible to predict when a disaster will strike, being informed, prepared, and having a plan can make all the difference in the world.

The National Hurricane Center recommends that folks take specific steps to prepare, such as creating a plan for your family, buying proper supplies

ahead of time, locating a safe room or the safest areas in your home for each hurricane hazard, making a plan for your pets, and taking First Aid, CPR, or disaster preparedness classes.

On a Federal level, I have been working to implement precautionary measures. As chairman of the Transportation and Infrastructure Subcommittee, I worked with my Republican and Democrat colleagues on the critically important Water Resources Development Act of 2016, which recently passed through the Senate Committee on Environment and Public Works. This bill would advance numerous hurricane protection efforts that will make our communities safer and better prepared for such disasters, most notably through the support it provides to coastal restoration efforts in Louisiana. Passing WRDA 2016 is an absolute top priority, and I will continue working to bring it to the Senate floor for a vote in the near future.

Regarding long-term preparedness, I am proud to announce that my bipartisan bill to reauthorize the National Estuary Program is on its way to the President's desk to be signed into law. Louisiana's estuaries create a natural buffer zone and have protected thousands of square miles of land along the coast, including some of the Nation's busiest ports, high-yielding fisheries, and vast oil and mineral deposits. My bill will make sure our critical estuaries are restored and preserved so that our coastal communities are better protected ahead of future storms.

Hurricanes are part of life, especially in Louisiana, but diligence and preparation can help reduce their impact on your family, home, and business. I urge you to take hurricane watches and warnings seriously. Please plan ahead for your family's safety, and encourage your neighbors to do the same.

REMEMBERING SELMER LELAND

Mr. TESTER. Mr. President, today I wish to honor Selmer T. Leland, a decorated World War I veteran and longtime resident of Kalispell, MT.

Unfortunately Selmer is no longer with us, so I will be presenting his son, Orland Leland, with the medals he earned for his heroic service during World War I.

Orland, on behalf of myself, my fellow Montanans, and my fellow Americans, I would like to acknowledge your father's remarkable sacrifice and service to this Nation and thank you for your unwavering commitment to keeping his legacy alive.

Selmer was born on April 30, 1894, in Abercrombie, ND, to Isak and Sanna Leland.

He grew up alongside his seven siblings on their family farm in North Dakota. When Selmer was 8, the family moved to Canada.

Later, when he grew old enough, Selmer ventured out on his own to Montana, becoming a farmer in Big Sandy, before enlisting in the army at the age of 23.

It was in October of 1917 when Selmer joined the American Expeditionary Forces in France as a private of Company G, 2nd Battalion, 16th Infantry Regiment, 1st Infantry Brigade, 1st Division.

Selmer was shipped off, and by May of 1918, he had earned his first Purple Heart, after enduring an onslaught of mustard gas in weeks leading up to the Battle of Cantigny.

The attack cost him a lung and resulted in lifelong respiratory issues.

Just 10 weeks later, Selmer took a bullet to the shoulder in the Second Battle of Marne, earning him a bronze oakleaf cluster to adorn his Purple Heart.

He also sustained shrapnel wounds to his chest and, as his son Orland proudly tells it, he died, more than 60 years later, with that bullet still in his arm.

Despite these two devastating injuries, Selmer persevered, spending another year overseas, even after the war had ended, as a member of the American occupation forces in Germany.

When he finally returned to the States, in September of 1919, his company was invited to Washington, DC, to meet President Woodrow Wilson, so he could thank them personally for their service.

Eventually, Selmer moved back to his family's homestead in Canada to farm again. This is where he met the love of his life, Clara.

Clara was a Kalispell girl, born and raised, who was visiting family up in Canada when she met Selmer.

The two fell in love, and, in February of 1924, they returned to Kalispell to get married.

By December, they had their first son, Robert Leland, who followed in his father's footsteps by joining the Army during WWII and fighting in the Battle of the Bulge.

Robert eventually had five kids: Marvin, Melvin, Shirley, Mark, and Robert, Jr., who went on to serve in Vietnam.

Both Robert and Robert, Jr., have since passed on, but their generations of service won't soon be forgotten.

After spending some time in the Pacific Northwest, the family eventually settled down in Kalispell, where Selmer spent his career as a sawmill worker until retiring at the age of 65, but his work was far from done.

After retiring from the sawmill, Selmer became a logger, heading to work every day in the forests well into his seventies.

Twenty years after the birth of their first son, Clara and Selmer, now 50, welcomed their second son, Orland, who I have the distinct pleasure of being with today.

Both Orland and his wife, Janet, were born and raised in Kalispell and still reside here today.

Orland, who was a firefighter for 30 years, and Janet, who is the volunteer director at the Kalispell Regional Medical Center, have both continued this family's legacy of dedicated public service.

They also have five children—Dianna, Kevin, Tammy, Sam, and Curt—some of whom are here with us today.

Thank you all for being here to celebrate Selmer's life, legacy, and history.

I have the profound honor of presenting Selmer's son Orland Leland with his father's WWI medals: Purple Heart with one bronze oakleaf cluster; World War I Victory Medal with Montdidier Noyon, Aisne-Marne, St. Mihiel and Meuse-Argonne Battle Clasps and France Service Clasp; and World War I Victory Button—Silver.

Orland, these medals serve as a small token of our country's appreciation for your father's heroic service and profound sacrifice.

He is truly an American hero, and we have the utmost gratitude for his service.

REMEMBERING FRED DE ROCHE

Mr. TESTER. Mr. President, today I wish to honor Fred D. De Roche, a decorated World War II veteran, Blackfeet tribal member, and lifelong resident of Browning, MT.

Fred was killed in action, bravely defending this Nation, so I will be presenting his son, Art De Roche, with the medals his father earned during World War II.

Art, on behalf of myself, my fellow Montanans, and my fellow Americans, I would like to acknowledge your father's gallant service to this Nation and thank you for the sacrifices you have made, losing your father at such a young age.

Fred was born on April 3, 1924, to Charlie and Annie De Roche in Browning, MT.

He grew up with many siblings, raising cows and horses on his family's ranch on the Blackfeet reservation.

He eventually met his wife, Mildred Underbear, and soon after getting married, the couple discovered they were pregnant.

As many of you know, Native Americans have always exhibited a deep and profound love of country, enlisting in the military at higher rates than any other ethnic group.

Fred was no different. In fact, Fred had enlisted in the Army earlier that year, alongside his cousin, Billy Wolftail.

In the ultimate act of patriotism, Fred deployed before his son, Art, was born on February 11, 1943.

Fred was sent to Belgium, where he served as a private in the Headquarters Company's 39th Infantry Regiment, 9th Infantry Division.

It was there that Fred earned his Bronze Star Medal on October 15, 1944, for meritorious achievement in active ground combat.

A little more than 2 months later, on December 21, 1944, Fred fought his last battle in courageous service to this great Nation.

He was awarded a Purple Heart for his valor and bravery.

On Memorial Day 2015, the Blackfeet Nation was honored at the Montana Veterans Memorial in Great Falls.

I was proud to be the main speaker at that event, where 162 tiles were added to the walls of the memorial, in recognition of military veterans from the Blackfeet Nation. Mr. Fred DeRoche was one of the names added that day.

Fred died in battle, but his spirit and legacy live on in his son, Art, who I have the distinct pleasure of being here with today.

Art was raised by his great-grandmother, Rosie Big Beaver, on the Blackfeet reservation.

He grew up in Browning, married his wife, Shirley, and together, they raised three beautiful children here: Arthur, Jr., David James, and Jolene Anne.

Thank you all for being here to celebrate Fred's life and legacy of service to our State, the Blackfeet people, and this great Nation.

I have the profound honor of presenting Fred's son, Art De Roche, with his father's medals: Bronze Star; Purple Heart; European-African-Middle Eastern Campaign Medal with one Bronze Service Star; World War II Victory Medal; Combat Infantryman Badge; Belgian Fourragere; and Honorable Service Lapel Button WWII

Art, these medals serve as a small token of our country's appreciation for your father's heroic service and profound sacrifice.

He is truly an American hero, and we are eternally grateful for his service.

RECOGNIZING THE POLYNESIAN VOYAGING SOCIETY AND THE MALAMA HONUA WORLDWIDE VOYAGE

Ms. HIRONO. Mr. President, Hawaii's traditional Polynesian voyaging canoe Hokulea and her crew are in the Washington, DC, area this week as part of its Malama Honua Worldwide Voyage. I would like to congratulate and honor the Polynesian Voyaging Society for its work in bringing about this significant endeavor to raise awareness of global sustainability while sharing traditional Polynesian navigation practices and creating global relationships through cultural exchanges. Hokulea will voyage over 60,000 miles to 100 ports in 27 nations, including 12 Marine World Heritage sites identified by the United Nations Educational, Scientific, and Cultural Organization.

Established in 1973, the Polynesian Voyaging Society developed a new generation of Polynesian navigators, perpetuating the teachings of Master Navigator Mau Piailug from the island of Satawal in the Federated States of Micronesia. The Polynesian Voyaging Society is largely credited with revolutionizing the perception of Polynesian-style voyaging as a sophisticated form of sailing and navigation.

In 1976, the Polynesian Voyaging Society completed construction of the double-hulled voyaging canoe named Hokulea, which translates to ''star of gladness.'' Hokulea is the first traditional voyaging canoe to be built in Hawaii in over 600 years and has since served as a cultural ambassador of Hawaii to the world.

Crew members observed patterns in the stars, sun, moon, wind, and ocean swells to guide Hokulea to Tahiti on her inaugural journey. The voyage demonstrated that Polynesian wayfinding methods could successfully be used to travel on long-distance journeys and revived a navigational method many assumed was lost.

In 2013, Hokulea and her sister canoe Hikianalia embarked on a journey around the State of Hawaii before commencing a 36-month worldwide voyage named Malama Honua, which means ''to care for our Earth.''

Since the journey began, Hokulea has visited 24 islands and six countries across Polynesia, Mauritius, South Africa, Brazil, and the East Coast of the United States, visiting States Florida, South Carolina, North Carolina, Virginia, New York, and Washington, DC.

I extend my deepest congratulations to the Polynesian Voyaging Society and the crews of Hokulea and Hikianalia and wish them smooth sailing as they continue the Malama Honua Worldwide Voyage.

I look forward to hearing of their many adventures upon completion of the voyage, and I encourage all of my colleagues to visit Hokulea while she is docked in Washington, DC.

TRIBUTE TO COLONEL PAUL J. TAYLOR

Mr. MORAN. Mr. President, I wish to pay tribute to COL Paul J. Taylor for his inspiring and honorable dedication to the U.S. Army and service to our Nation. Paul spent a year on Capitol Hill as an Army Congressional Fellow in the U.S. Senate where he learned valuable skills that prepared him for his service the last 3 years as a Congressional Budget Liaison for the Secretary of the Army. In this capacity, I have found Paul to be a critical resource and trusted confidant on all matters related to supporting our Army.

Colonel Taylor was nominated to attend the U.S. Military Academy from his home State of Connecticut and was commissioned an armor officer in 1993.

Colonel Taylor has served in a broad range of armor and cavalry assignments during his 23 years of service. As a junior officer, he served as a tank platoon leader, executive officer, and battalion maintenance officer in the 1st Infantry Division at Fort Riley, in my own State of Kansas. During his time with the Big Red One, he met the former Amy S. Boydston, from Centerville, KS. The two were married at Fort Riley and have experienced more than 20 years of Army life together, along with their three daughters: Lauren, Abigail, and Ella Kate.

Following his time at Fort Riley, Colonel Taylor attended advanced training at Fort Knox, KY, and stayed to command two armor companies in the 1st Armored Training Brigade. Upon completion of command, Colonel Taylor was stationed in Doha, Qatar, as the operations officer responsible for one of the Army's forward positioned headquarters in the Middle East.

After returning from Qatar, Colonel Taylor was assigned to the National Training Center at Fort Irwin, CA, the Army's premier training center, where he helped train units for deployment for 4 years. Colonel Taylor was next assigned to Fort Hood, TX, where he served as a brigade and battalion operations officer and executive officer in 4th Infantry Division, including a deployment to Operation Iraqi Freedom in Iraq.

Following his assignment at Fort Hood, Colonel Taylor was selected through a highly competitive process to serve as an Army Congressional Fellow on the personal staff of my colleague Senator JOHN CORNYN of Texas. Following his fellowship, he was assigned to the Army's Office of the Chief of Legislative Liaison, where he served for 2 years as the Army's primary liaison for personnel issues to the U.S. Congress and the Armed Services Committees.

During this assignment, Colonel Taylor was selected for command of 1st Squadron, 32d Cavalry, in the 101st Airborne Division at Fort Campbell, KY. Following command, he returned to the Pentagon, where he served for 3 years as a congressional budget liaison officer in the Office of the Assistant Secretary of the Army for Financial Management and Comptroller. He expertly managed the Army's procurement and research, development, test, and evaluation portfolios, liaising with the House and Senate Appropriations Committees to provide critical resources for Army warfighters. His most recent assignment was the office's senior budget liaison, providing day-to-day leadership to 15 other budget liaisons who greatly benefited from his guidance and mentorship.

Over the last several years, Colonel Taylor has developed a close working relationship with my office. As much as his Kansas ties mean to me and my staff, equally valued is Paul's strength of character and humble approach in serving others. He represents the best in our Army, and he will always be welcome in my office and as part of our Kansas community. I wish Paul, his wife Amy, and his daughters Lauren, Abigail, and Ella Kate the very best as they transition from Army life and move home to Kansas.

On behalf of a grateful nation, I join my colleagues today in recognizing and commending COL Paul Taylor for more than 23 years of service to his country. Paul's leadership throughout his career has positively impacted his soldiers, peers, and superiors. We wish Paul, his wife Amy, and their children all the best as they continue their journey of service.

ADDITIONAL STATEMENTS

SAMSUNG SOLVE FOR TOMORROW STEM EDUCATION COMPETITION

• Mr. GARDNER. Mr. President, today I wish to congratulate a group of eighth-grade students at Horizon Middle School in Aurora, CO. Recently I met with Simon-Peter Frimpong and Grayson Fast who participated in the Samsung Solve for Tomorrow STEM Education Competition. Grayson, Simon-Peter, and their classmates were among just five grand prize winners out of more than 4,000 contestants nationwide. This competition brings together schools from across the country to encourage the use of science, technology, engineering, and mathematics, STEM, to solve complicated problems. As a national winner of this competition, Horizon Middle School will receive funds to purchase cutting-edge technology for their school.

To win this competition, the students at Horizon Middle School created a more comfortable and versatile prosthetic limb for a local veteran. Along with providing more comfortable everyday use, the students designed multiple attachments, including an attachment for a longboard, to allow him to participate in various activities. This project required enormous amounts of time and dedication, as well as an in-depth study of STEM disciplines. Along this journey, the students had the unending support of their teacher Melinda Possehl and the school's principal, Nichole Bell.

Congratulations again to the students of Horizon Middle School on your outstanding accomplishment. I look forward to what the future has in store for these tremendously bright students.•

ALWAYS FREE HONOR FLIGHT

• Mr. MANCHIN. Mr. President, with immense pride, I wish to recognize the 25 heroic veterans who have traveled to Washington from West Virginia on this year's Always Free Honor Flight this week. This truly moving event serves as a unique opportunity for us to honor and share our deepest gratitude for these individuals who have sacrificed so much in the service of our great Nation.

With one of our country's highest per capita rates of military servicemembers and veterans, West Virginia is undoubtedly one of our Nation's most patriotic States. Throughout the history of the Mountain State, our citizens have demonstrated the bravery and selflessness time and again in making tremendous sacrifices to keep our homeland safe and free. According to the Department of Defense, West Virginia had the highest casualty rate in the Nation during the Vietnam war, and I am so proud that the honor flight will allow these West Virginia veterans to pay homage to their brethren at the Vietnam wall. As these veterans tour the monuments that have been constructed in their honor, I offer my sincerest thanks to them on behalf of our Nation for their service.

The veterans joining us in Washington hail from across West Virginia, from Scott Depot and Princeton to Rainelle and Lewisburg. They have served in World War II, the Korean war, the Vietnam war, during the Cold War prior to the Berlin Wall's collapse, and the wars in the Middle East. They have participated in decisive overseas battles and won myriad accolades for their accomplishments in uniform.

First and foremost, I wish to remember PO3 Earnest McKenzie, an Athens, WV, native, who joined the U.S. Navy in 1955 and served on the USS *Brownson* in the Vietnam war. He was supposed to attend this week's honor flight to visit the memorials made in his honor, but he sadly passed away on Friday at the age of 75. My thoughts and prayers are with his family during this sad time, and I sincerely thank him for his service and sacrifice.

I especially wish to recognize our World War II veterans who will be on this honor flight. Ninety-four year old former SN William ''Ray'' Calvin Sexton from Tazewell, joined the Navy in Bramwell, WV, in 1943 and was a gunner stationed in Panama and the Galapagos Islands. We will also be joined by Machinist Mate Third Class Marion Grey Noel, who joined the Navy in the 1940s and bravely fought at the battle of Iwo Jima and Okinawa.

These men truly represent the sacrifices made by our Nation's ''greatest generation'' and embody American patriotism and valor. They fearlessly fought in such a pivotal war in an era that threatened our existence as a nation. We are losing so many of our World War II veterans every day, and the time to show our utmost gratitude to them is here and now.

I also wish to highlight the tremendous achievements of two Vietnam war veterans who will be on this honor flight. Mabscott, WV, native, former SPC Raymond C. Palmer joined the Army in 1967 and fought in the 1968 Tet Offensive when the Vietcong and North Vietnamese forces launched a series of attacks on scores of towns and cities through South Vietnam. Another Vietnam veteran participating in this week's honor flight is SSG Michael A. Hudnall of Rainelle, WV, who joined the Army in 1969. Staff Sergeant Hudnall served in the 1st Air Cavalry stationed in Bien Hoa and earned two Purple Hearts, two Bronze Stars, and two Air Medals. Their dedication to our Nation knows no bounds, and I thank them for their service.

I also wish to recognize Army SFC Paul W. Dorsey of Bluefield, WV, who joined the Army in 1978. Sergeant First Class Dorsey served the United States for 10 years in Germany, more than 3 of which he was stationed in Berlin prior to the Wall's collapse. Following his return home, Sergeant First Class Dorsey went on to serve an additional decade stateside and continues to give back to his community. He is a JROTC instructor at Montcalm High School in Mercer City and serves as vice president of the Always Free Honor Flight network. Thank you, Sergeant First Class Dorsey, for your lifelong commitment to the U.S. military and our veterans.

The veterans participating in this week's honor flight range in age from 54 to 94 and have fought for our freedom in many historic events. This week, as we celebrate these incredible veterans and their answering our Nation's call of duty, we must remember that the men and women who have given so much to ensure America's safety deserve the utmost care and support upon their return home.

We must continue to fight for a Department of Veterans Affairs that provides our veterans with the services they very much need and deserve.

This week's honor flight and the continued support of our veterans would not be possible without the dedication of so many volunteers and caregivers. I wish to thank the JROTC cadets from Princeton, Montcalm, Bluefield, and Pikeview high schools, as well as the military spouses serving as the guardians on this year's honor flight. The care and love you provide for our veterans is invaluable and deeply appreciated.

I also commend those in the Always Free Honor Flight network for their dedication to providing our veterans with such a unique and meaningful experience. My gratitude especially goes out to Dreama Denver, president of Always Free Honor Flight network and owner Little Buddy Radio of Princeton, WV, as well as Pam Coulbourne, the coordinator of these flights. Dreama and Pam launched the Always Free Honor Flight in 2012 and have been making the dreams of West Virginia's veterans a reality every year since. They, along with Sergeant First Class Dorsey and board member and official photographer Steve Coleman, have done a tremendous job of ensuring that our veterans receive the recognition they deserve. Dreama, Pam, and Steve have also dedicated themselves to the Denver Foundation, serving as incredible examples of how individuals can give back to their communities.

Our Nation would not enjoy the freedom and liberty we do today without the commitment and sacrifice of the veterans who have served throughout our history. Their bravery and sacrifice know no bounds, and for this, we are forever grateful. With this week's Always Free Honor Flight, we celebrate and give thanks for these veterans and all they have done for our country.

God bless our many servicemembers and veterans, the great State of West Virginia, and the United States of America.•

TRIBUTE TO TAD FELTS

• Mr. MORAN. Mr. President, in a rural State like my own, where many

Kansans live more than half an hour from the nearest neighboring town, communities are stitched together by what they hear on the radio.

For more than 40 years, Tad Felts has been broadcasting high school athletics and reporting north central Kansas news for KKAN–KQMA radio in Phillipsburg, but after several decades chronicling hundreds—or more likely thousands—of sporting events, Tad decided a couple years back it was time to watch a few more games from the bleachers rather than the press box. Now, this month, he will retire from radio altogether.

Tad first started his radio career in Garden City at KIUL as a high school sophomore in 1948, working after school and at night for free. During his time at KIUL, his main duties were cleaning the floors and playing records. While he was a student at Fort Hays State University in 1951, Tad worked at KAYS radio station in Hays and upon graduation at KLOE in Goodland. Tad found his eventual home with the team at KKAN–KQMA in Phillipsburg in 1972.

Given his decades of experience in broadcasting, Tad knows the business well and takes great joy in teaching others. Gerard Wellbrock, the sports director of KAYS radio in Hays and the voice of the Fort Hays State University Tigers said this about Tad: ''He was a good mentor, I learned so much from him. The work ethic, how to deal with people, the relations you build with athletic directors and coaches. It's hard not to like Tad. And you learned a lot about work, and life, just by being around him.''

In gyms across north central Kansas, the KKAN–KQMA banner can be seen at high school basketball games, wrestling tournaments, and State championships. In fact, it is because of Tad's dedication that the radio station is so often present. Families who can't make the game in person, often because they are working long hours on the farm, especially appreciate local radio hosts being there because they can still catch the details of the game.

In rural America, entire communities revolve around how the high school sports team is doing. It is a common topic of conversation while standing in the checkout line at the grocery store or while dining at a neighborhood restaurant.

By no means is Tad a one-trick pony, though. Cherished equal to his sports reporting are his updates from the field during wheat harvest season, in which Tad will drive straight up to a farmer in his combine and record an interview from the cab. This is in addition to the full slate of city council and school board meetings, county fairs, and annual parades.

For years, Tad's knowledge and sunny disposition has greeted folks tuning in to local radio. One former peer of Tad's said this about the significant impact he has made: ''KKAN–KQMA Radio has played an integral role in the lives of people in the Phillipsburg area, and Tad has always been a driving force behind that station's programming and its scope of community service.''

His professionalism was recognized by his peers when Tad was inducted into the Kansas Association of Broadcasters Hall of Fame in 2010. Inductees to the hall of fame are selected based upon their contributions to the broadcasting profession, their broadcast career, and their recognition and awards received, and Tad is an extremely deserving recipient.

Today I want to express my gratitude to Tad Felts for helping to strengthen the close bonds of rural communities through his years of faithful service. I want to congratulate him on a job well done for the past nearly six decades. Tad's been a tremendous friend to me over the years, and his work has served as a bedrock for many of the communities I grew up in and care deeply about.

Tad, I wish you all the best and thank you for everything you have done to improve the lives of so many in our great State.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mrs. Neiman, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13047 OF MAY 20, 1997, WITH RESPECT TO BURMA—PM 48

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Burma that was declared on May 20, 1997, is to continue in effect beyond May 20, 2016.

The Government of Burma has made significant progress across a number of important areas since 2011, including the release of over 1,300 political prisoners, a peaceful and competitive election, the signing of a Nationwide Ceasefire Agreement with eight ethnic armed groups, the discharge of hundreds of child soldiers from the military, steps to improve labor standards, and expanding political space for civil society to have a greater voice in shaping issues critical to Burma's future. In addition, Burma has become a signatory of the International Atomic Energy Agency's Additional Protocol and ratified the Biological Weapons Convention, significant steps towards supporting global non-proliferation. Despite these strides, the situation in the country continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

Concerns persist regarding continued obstacles to full civilian control of the government, the ongoing conflict and human rights abuses in the country, particularly in ethnic minority areas, and military trade with North Korea. In addition, Burma's security forces, operating with little oversight from the civilian government, often act with impunity. We are further concerned that prisoners remain detained and that police continue to arrest critics of the government for peacefully expressing their views. For this reason, I have determined that it is necessary to continue the national emergency with respect to Burma.

Despite this action, the United States remains committed to working with both the new government and the people of Burma to ensure that the democratic transition is irreversible.

BARACK OBAMA.

THE WHITE HOUSE, *May 17, 2016*.

MESSAGES FROM THE HOUSE

At 10:54 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, without amendment:

S. 1492. An act to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

S. 2143. An act 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 message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1150. An act to amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide, and for other purposes.

H.R. 1887. An act to authorize the Comptroller General of the United States to assess

a study on the alternatives for the disposition of Plum Island Animal Disease Center, and for other purposes.

H.R. 3832. An act to amend the Internal Revenue Code of 1986 to prevent tax-related identity theft and tax fraud, and for other purposes.

H.R. 4407. An act to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a board to coordinate and integrate departmental intelligence, activities, and policy related to counterterrorism, and for other purposes.

H.R. 4743. An act to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes.

H.R. 4780. An act to require the Secretary of Homeland Security to develop a comprehensive strategy for Department of Homeland Security operations abroad, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 88. Concurrent resolution reaffirming the Taiwan Relations Act and the Six Assurances as cornerstones of United States-Taiwan relations.

ENROLLED BILL SIGNED

At 12:32 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:

S. 1523. An act to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 6:04 p.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 bill, with amendments, in which it requests the concurrence of the Senate:

S. 524. An act to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

The message further announced that the House insists upon its amendments to the bill (S. 524) to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as managers of the conference on the part of the House:

For consideration of the Senate bill and the House amendments, and modifications committed to conference: Messrs. UPTON, PITTS, LANCE, GUTHRIE, KINZINGER of Illinois, BUCSHON, Mrs. BROOKS of Indiana, Messrs. GOODLATTE, SENSENBRENNER, SMITH of Texas, MARINO, COLLINS of Georgia, TROTT, BISHOP of Michigan, MCCARTHY, PALLONE, BEN RAY LUJAN of New Mexico, SARBANES, GENE GREEN of Texas, CONYERS, Ms. JACKSON LEE, Ms. JUDY CHU of California, Mr. COHEN, Ms. ESTY, Ms. KUSTER, and Mr. COURTNEY.

From the Committee on Education and the Workforce, for consideration of title VII of the House amendment, and modifications committed to conference: Messrs. BARLETTA, CARTER of Georgia, and SCOTT of Virginia.

From the Committee on Veterans' Affairs, for consideration of title III of the House amendment, and modifications committed to conference: Mr. BILIRAKIS, Mrs. WALORSKI, and Mr. RUIZ.

From the Committee on Ways and Means, for consideration of section 705 of the Senate bill, and section 804 of the House amendment, and modifications committed to conference: Messrs. MEEHAN, DOLD, and MCDERMOTT.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1150. An act to amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide, and for other purposes; to the Committee on Foreign Relations.

H.R. 3832. An act to amend the Internal Revenue Code of 1986 to prevent tax-related identity theft and tax fraud, and for other purposes; to the Committee on Finance.

H.R. 4407. An act to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a board to coordinate and integrate departmental intelligence, activities, and policy related to counterterrorism, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4743. An act to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4780. An act to require the Secretary of Homeland Security to develop a comprehensive strategy for Department of Homeland Security operations abroad, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 88. Concurrent resolution reaffirming the Taiwan Relations Act and the Six Assurances as cornerstones of United States-Taiwan relations; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

S. 2937. An original bill to authorize appropriations for the Department of State for fiscal year 2017, and for other purposes.

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. FLAKE (for himself and Mr. COATS):

S. 2935. A bill to limit the availability of public housing for over-income families; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL:

S. 2936. A bill to amend the Internal Revenue Code of 1986 to protect children's health by denying any deduction for advertising and marketing directed at children to promote the consumption of food of poor nutritional quality; to the Committee on Finance.

By Mr. CORKER:

S. 2937. An original bill to authorize appropriations for the Department of State for fiscal year 2017, and for other purposes; from the Committee on Foreign Relations; placed on the calendar.

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

S. 2938. A bill to direct the Secretary of the Interior to reestablish the Royalty Policy Committee in order to further a more consultative process with key Federal, State, tribal, environmental, and energy stakeholders, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 2939. A bill to prohibit the provision of Federal funds to State and local governments for payment of obligations, to prohibit the Board of Governors of the Federal Reserve System from financially assisting State and local governments, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 2940. A bill to amend title XVIII of the Social Security Act to align physician supervision requirements under the Medicare program for radiology services performed by advanced level radiographers with State requirements; to the Committee on Finance.

By Ms. AYOTTE (for herself, Mrs. FEINSTEIN, Mr. RUBIO, and Ms. CANTWELL):

S. 2941. A bill to require a study on women and lung cancer, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 2942. A bill to extend certain privileges and immunities to the Gulf Cooperation Council; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. MCCONNELL, Mr. PETERS, Mr. COCHRAN, Ms. HEITKAMP, Mr. PORTMAN, Mr. KING, Ms. AYOTTE, Ms. WARREN, Mr. ENZI, Mr. BROWN, Mr. BURR, Mr. SCHATZ, Mr. COTTON, Ms. HIRONO, Ms. MURKOWSKI, Mr. BOOKER, Mr. BOOZMAN, Mr. NELSON, Mr. CRAPO, Mrs. GILLIBRAND, Mr. DAINES, Mr. CARPER, Mr. MORAN, Mr. BLUMENTHAL, Mr. TILLIS, Mrs. MURRAY, Mr. CORNYN, Ms. KLOBUCHAR, Mrs. FISCHER, Mr. WHITEHOUSE, Mr. GARDNER, Mr. BENNET, Mrs. CAPITO, Mr. DONNELLY, Mr. HATCH, Mr. CASEY, Mr. JOHNSON, Mr. COONS, Mr. CRUZ, Mrs. FEINSTEIN, Mr. BLUNT, Mr. MANCHIN, Mr. ISAKSON, Mr. DURBIN, Mr. RUBIO, Mr. FRANKEN, Mr. WICKER,

Mr. SCHUMER, Mr. SESSIONS, Mr. HOEVEN, Mr. GRAHAM, Mr. VITTER, Mr. MENENDEZ, Mr. LANKFORD, and Ms. COLLINS):

S. Res. 468. A resolution designating the week of May 15 through May 21, 2016, as ''National Police Week''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 440

At the request of Mr. CRAPO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 440, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1566

At the request of Mr. FRANKEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1566, a bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for coverage of oral anticancer drugs on terms no less favorable than the coverage provided for anticancer medications administered by a health care provider.

S. 1682

At the request of Mr. KIRK, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1682, a bill to extend the Iran Sanctions Act of 1996 and to require the Secretary of the Treasury to report on the use by Iran of funds made available through sanctions relief.

S. 1911

At the request of Ms. COLLINS, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1911, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 2031

At the request of Mr. BARRASSO, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2217

At the request of Mr. BLUNT, the name of the Senator from Wyoming (Mr. ENZI) 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. 2235

At the request of Mr. MARKEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2235, a bill to repeal debt collection amendments made by the Bipartisan Budget Act of 2015.

S. 2531

At the request of Mr. KIRK, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 2531, a bill to authorize State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 2611

At the request of Mr. UDALL, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2611, a bill to amend the Federal Election Campaign Act of 1971 to replace the Federal Election Commission with the Federal Election Administration, and for other purposes.

S. 2653

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2653, a bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in prekindergarten through higher education.

S. 2659

At the request of Mr. BURR, the name of the Senator from Louisiana (Mr. VITTER) 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. 2712

At the request of Mr. BOOZMAN, the names of the Senator from Texas (Mr. CORNYN) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 2712, 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.

S. 2752

At the request of Mr. RUBIO, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2752, a bill to prohibit the facilitation of certain financial transactions involving the Government of Iran or Iranian persons and to impose sanctions with respect to the facilitation of those transactions, and for other purposes.

S. 2816

At the request of Mr. CARPER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2816, a bill to reauthorize the diesel emissions reduction program.

S. 2835

At the request of Mr. REED, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2835, a bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance for the rehabilitation and repair of high hazard potential dams, and for other purposes.

S. 2854

At the request of Mr. BURR, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Illinois (Mr. KIRK), the Senator from Mississippi (Mr. WICKER) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 2854, a bill to reauthorize the Emmett Till Unsolved Civil Rights Crime Act of 2007.

S. 2870

At the request of Mrs. MCCASKILL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2870, a bill to amend title 10, United States Code, to prevent retaliation in the military, and for other purposes.

S. 2872

At the request of Mrs. CAPITO, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2872, a bill to require the Government Accountability Office to submit to Congress a report on neonatal abstinence syndrome (NAS) in the United States and its treatment under Medicaid.

S. 2877

At the request of Mrs. CAPITO, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2877, a bill to amend title 32, United States Code, to specify the availability of certain funds provided by the Department of Defense to States for drug interdiction and counter-drug activities.

S. 2901

At the request of Mr. WARNER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2901, a bill to enhance defense and security cooperation with India, and for other purposes.

S. 2921

At the request of Mr. ISAKSON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2921, a bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, to improve health care and benefits for veterans, and for other purposes.

S. 2930

At the request of Mr. VITTER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2930, a bill to ensure that Federal funding for the United Nations Framework Convention on Climate Change complies with applicable statutory limitations.

S. CON. RES. 36

At the request of Mr. NELSON, the name of the Senator from Arkansas

(Mr. BOOZMAN) was added as a cosponsor of S. Con. Res. 36, a concurrent resolution expressing support of the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to that goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

S. RES. 349

At the request of Mr. ROBERTS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

S. RES. 466

At the request of Mr. GRASSLEY, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 466, a resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster-care system, and encouraging Congress to implement policy to improve the lives of children in the foster-care system.

AMENDMENT NO. 3897

At the request of Mr. LEE, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 3897 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3916

At the request of Ms. AYOTTE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 3916 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3922

At the request of Mrs. FEINSTEIN, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of amendment No. 3922 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3925

At the request of Mr. GRASSLEY, the names of the Senator from Kentucky (Mr. PAUL), the Senator from Idaho (Mr. CRAPO) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 3925 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 2938. A bill to direct the Secretary of the Interior to reestablish the Royalty Policy Committee in order to further a more consultative process with key Federal, State, tribal, environmental, and energy stakeholders, and for other purposes; to the Committee on Energy and Natural Resources.

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

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

S. 2938

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 ''Certainty for States and Tribes Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMITTEE.—The term ''Committee'' means the Royalty Policy Committee reestablished under section 3(a).

(2) BOARD.—The term ''Board'' means the State and Tribal Resources Board established under section 3(c).

(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) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. RECONSTITUTION OF THE ROYALTY POLICY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall reestablish the Royalty Policy Committee in accordance with the charter of the Secretary dated March 26, 2010, except as otherwise provided in this Act.

(b) CORRECTIONS AND UPDATES.—In reestablishing the Committee, the Secretary shall make appropriate technical corrections and updates to the charter of the Committee, including by revising—

(1) all references to the Minerals Management Service or the Minerals Revenue Management so as to refer to the Office of Natural Resources Revenue;

(2) the estimated number and frequency of meetings of the Committee so that the Committee shall meet not less frequently than once each year; and

(3) the non-Federal membership of the Committee to include—

(A) not fewer than 5 members representing Governors of States that receive more than $10,000,000 annually in royalty revenues from Federal leases; and

(B) not more than 5 members representing Indian tribes that are mineral-producing Indian tribes under—

(i) the Act of May 11, 1938 (commonly known as the ''Indian Mineral Leasing Act of 1938'') (25 U.S.C. 396a et seq.);

(ii) title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.);

(iii) the Indian Mineral Development Act of 1982 (25 U.S.C. 2101 et seq.); or

(iv) any other law relating to mineral development that is specific to 1 or more Indian tribes.

(c) ESTABLISHMENT OF SUBCOMMITTEE.—

(1) IN GENERAL.—The Secretary shall establish a subcommittee of the Committee, to be known as the ''State and Tribal Resources Board''.

(2) MEMBERSHIP.—The Board shall be comprised of the non-Federal members of the Committee described in subsection (b)(3).

SEC. 4. REVIEW OF REGULATIONS AND POLICIES.

(a) CONSULTATION AND REPORT.—

(1) IN GENERAL.—With respect to any proposed regulation or policy relating to mineral leasing policy for Federal land or Indian land for exploration, development, or production of oil, gas, or coal (including valuation methodologies and royalty and lease rates for oil, gas, or coal), not later than 180 days after the applicable date described in paragraph (2), the Committee shall—

(A) assess the proposed regulation or policy; and

(B) issue a report that describes the potential impact of the proposed regulation or policy, including any State and tribal budgetary and economic impacts described in subsection (b).

(2) DATE DESCRIBED.—The date referred to in paragraph (1) is, as applicable—

(A) with respect to a proposed regulation or policy issued on or after the date of enactment of this Act, the date of the issuance by the Secretary of the proposed regulation or policy; and

(B) with respect to a proposed regulation or policy that is pending as of the date of enactment of this Act, the date of the enactment of this Act.

(b) STATE AND TRIBAL IMPACT DETERMINATION.—

(1) IN GENERAL.—To the maximum extent practicable, before any proposed regulation described in subsection (a)(1) is issued as a final rule, the Board shall publish a determination of the impact of the regulation on school funding, public safety, and other essential State or Indian tribal government services.

(2) DELAY REQUEST.—If the Board determines that a regulation described in paragraph (1) will have a negative State or tribal budgetary or economic impact, the Board may request a delay in the issuance of the proposed regulation as a final rule for the purposes of further—

(A) stakeholder consultation;

(B) budgetary review; and

(C) development of a proposal to mitigate the negative budgetary or economic impact.

(3) LIMITATION.—A delay under paragraph (2) shall not exceed a 180-day period beginning on the date on which the Board requested the delay.

(c) REVISION OF PROPOSED REGULATION.—

(1) IN GENERAL.—Before any proposed regulation described in subsection (a)(1) may be issued as a final rule, the Secretary shall take into account any negative State or tribal budgetary or economic impact determined by the Committee under subsection (a)(1) and revise the proposed regulation to avoid the negative impact.

(2) FINAL RULE.—Any final regulation subject to paragraph (1) shall include—

(A) a summary of the report required under subsection (a)(1)(B); and

(B) a clear explanation of why the recommendations of that report (including the State and tribal determination under subsection (b)(1)) were or were not taken into account in the finalization of the regulation.

(d) REPORT TO CONGRESS.—The Secretary shall submit to the Chairmen and Ranking Members of the Committee on Energy and Natural Resources and the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report regarding the explanation under subsection (c)(2)(B) of why the recommendations of the report under subsection (a)(1)(B) (including the State and tribal determination under subsection (b)(1)) were or were not taken into account in the finalization of the regulation.

SEC. 5. SPECIAL REVIEW OF PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.

(a) PARTICIPANTS IN PROGRAMMATIC REVIEW.—

(1) IN GENERAL.—In carrying out the programmatic review of coal leasing on Federal land as described in section 4 of Secretarial Order 3338, issued by the Secretary on January 15, 2016, and entitled ''Discretionary Programmatic Environmental Impact Statement to Modernize the Federal Coal Program'', the Secretary shall confer with, and take into consideration the views of, representatives appointed to the review board described in paragraph (2).

(2) REVIEW BOARD.—Each Governor of a State in which more than $10,000,000 in revenue is collected annually by the United States as bonus bids, royalties, and rentals, and fees for production of coal under leases of Federal land, may appoint not more than 3 representatives to a review board to carry out the programmatic review described in paragraph (1), not fewer than 1 of whom shall be a member of the Board.

(3) DEADLINE.—

(A) IN GENERAL.—The Secretary shall complete the programmatic review described in paragraph (1) not later than January 15, 2019.

(B) FAILURE TO MEET DEADLINE.—If the programmatic review is not completed by the deadline described in subparagraph (A), the programmatic review shall be considered to be complete as of that deadline.

(b) TERMINATION OF OTHER PROGRAMMATIC REVIEW.—Beginning on January 16, 2019, no Federal funds may be used to carry out the programmatic review described in subsection (a)(1).

(c) NO IMPLEMENTATION REQUIREMENT.—Nothing in this section requires the Secretary to conduct or complete the programmatic review or keep in effect the pause or moratorium on the issuance of new Federal coal leases under the Secretarial order described in subsection (a)(1) after January 20, 2017.

(d) TERMINATION OF MORATORIUM.—Effective January 16, 2019—

(1) the pause or moratorium on the issuance of new Federal coal leases under the Secretarial order referred to in subsection (a)(1) is terminated; and

(2) that Secretarial order shall have no force or effect.

SEC. 6. GRANDFATHERING OF COAL LEASES ON APPLICATION AND COAL LEASE MODIFICATIONS.

Nothing in Secretarial Order 3338, issued by the Secretary on January 15, 2016, and entitled ''Discretionary Programmatic Environmental Impact Statement to Modernize the Federal Coal Program'' shall be considered to prohibit or restrict any issuance of a coal lease on application, or modification to a coal lease on application pursuant to subpart 3432 of part 3430 of title 43, Code of Federal Regulations (or successor regulations), for which the Bureau of Land Management has begun a review under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) as of January 15, 2016.

SEC. 7. DEADLINE FOR COAL LEASE SALES AND MODIFICATIONS.

Not later than 1 year after the date on which the Secretary completes the analysis required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) for an application for a coal lease, or an application for a modification to a coal lease pursuant to subpart 3432 of part 3430 of title 43, Code of Federal Regulations (or successor regulations), accepted by the Secretary, the Secretary shall conduct the lease sale and issue the lease, or approve the modification, unless the applicant indicates in writing that the applicant no longer seeks the lease or modification to the lease.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 468—DESIGNATING THE WEEK OF MAY 15 THROUGH MAY 21, 2016, AS ''NATIONAL POLICE WEEK''

Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. MCCONNELL, Mr. PETERS, Mr. COCHRAN, Ms. HEITKAMP, Mr. PORTMAN, Mr. KING, Ms. AYOTTE, Ms. WARREN, Mr. ENZI, Mr. BROWN, Mr. BURR, Mr. SCHATZ, Mr. COTTON, Ms. HIRONO, Ms. MURKOWSKI, Mr. BOOKER, Mr. BOOZMAN, Mr. NELSON, Mr. CRAPO, Mrs. GILLIBRAND, Mr. DAINES, Mr. CARPER, Mr. MORAN, Mr. BLUMENTHAL, Mr. TILLIS, Mrs. MURRAY, Mr. CORNYN, Ms. KLOBUCHAR, Mrs. FISCHER, Mr. WHITEHOUSE, Mr. GARDNER, Mr. BENNET, Mrs. CAPITO, Mr. DONNELLY, Mr. HATCH, Mr. CASEY, Mr. JOHNSON, Mr. COONS, Mr. CRUZ, Mrs. FEINSTEIN, Mr. BLUNT, Mr. MANCHIN, Mr. ISAKSON, Mr. DURBIN, Mr. RUBIO, Mr. FRANKEN, Mr. WICKER, Mr. SCHUMER, Mr. SESSIONS, Mr. HOEVEN, Mr. GRAHAM, Mr. VITTER, Mr. MENENDEZ, Mr. LANKFORD, and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 468

Whereas, in 1962, John Fitzgerald Kennedy signed the Joint Resolution entitled ''Joint Resolution to authorize the President to proclaim May 15 of each year as Peace Officers Memorial Day and the calendar week of each year during which such May 15 occurs as Police Week'' (36 U.S.C. 136);

Whereas Federal, State, local, and tribal police officers, sheriffs, and other law enforcement officers across the United States serve with valor, dignity and integrity;

Whereas law enforcement officers are charged with pursuing justice for all individuals and performing their duties with fidelity to the constitutional and civil rights of the individuals that the law enforcement officers serve;

Whereas, in 2016, the Senate solemnly commemorates the 25th anniversary of the National Law Enforcement Officers Memorial, a national monument that pays homage to the more than 20,000 law enforcement heroes who made the ultimate sacrifice for the safety and protection of the United States and its people;

Whereas, in 2016, on the 15th anniversary of the September 11th terrorist attacks against the United States, the Senate honors the memory of those who perished, including the 72 law enforcement officers who were lost on that fateful day, and recognizes the tireless efforts of the law enforcement community to protect the citizenry and homeland through diligent investigations that disrupt terrorist plots, stem the flow of financing to terrorist networks, and bring evildoers to justice;

Whereas law enforcement officers selflessly serve their neighborhoods, often at the risk of their own personal safety, and remain resolute in responding to calls for help despite their badges, at times, serving as a target for senseless acts of violence;

Whereas the vigilance, compassion, and decency of law enforcement officers are the best defense of society against individuals who prowl communities seeking to do harm;

Whereas Peace Officers Memorial Day, 2016, honors 123 law enforcement officers recently killed in the line of duty, including Joseph James Abdella, Gregory Thomas Alia, Darrell Lamond Allen, Adrian Arellano, James Matthew Bava, Gregg Anthony Benner, James Arthur Bennett, Jr., Sean Michael Bolton, Louis Michael Bonacasa, Robert James Bowling, Michael Alan Brandle, Vernell Brown, Jr., Stacey Lynn Case, Trevor John Casper, Craig Anthony Chandler, Eric Keith Chrisman, Michael Anthony Cinco, Neville S. K. Colburn, David Lee Colley, Rodney Condall, Ryan P. Copeland, Gil C. Datan, Christopher A. Davis, Timothy A. Davison, Benjamin Joseph Deen, Nicholas Glenn Dees, Diane Digiacomo, Daniel Neil Ellis, Eric Alan Eslary, Jared J. Forsyth, Carlos Diamond Francies, Donald R. Fredenburg, Jr., Ricardo Galvez, Eligio Ruiz Garcia, Jr., Johnny Edward Gatson, Juandre Devon Gilliam, Sr., Darren H. Goforth, John Ballard Gorman, Terence Avery Green, Arthur Adolph Green, III, Richard Allen Hall, Bryce Edward Hanes, Brent L. Hanger, Steven Brett Hawkins, Rosario Hernández de Hoyos, Randolph A. Holder, Daryle S. Holloway, Carl G. Howell, Michael Jeremiah Johnson, Tronoski Dontel Jones, Jaimie Lynn Jursevics, William Karl Keesee, Christopher Dan Kelley, Korby Lee Kennedy, Sonny Lee Kim, Paul John Koropal, Thomas Joseph LaValley, Joseph G. Lemm, Noah Aaron Leotta, Anthony E. Lossiah, Scott Paul Lunger, Dwight Darren Maness, Richard K. Martin, Chester J. McBride, III, Eli M. McCarson, James Bryan McCrystal, Sr., John P. McKee, Roy D. McLaughlin, Eric O. Meier, Gregory Dale Mitchell, Charles Kerry Mitchum, Brian Raymond Moore, Gregory King Moore, William J. Myers, David Joseph Nelson, Henry Andres Nelson, Ladson Lamar O'Connor, Roger Monroe Odell, Kerrie Sue Orozco, Miguel Joseph Perez-Rios, Joseph Cameron Ponder, Brennan Roger Rabain, Jeffrey Emmons Radford, Anthony A. Raspa, Lloyd E. Reed, Jr., Sean Patrick Renfro, Burke Jevon Rhoads, Frank Román-Rodríguez, Elsa L. Rosa-Ortiz, Steven Martin Sandberg, William C. Sheldon, Rick Lee Silva, Sonny Allan Smith, Iris Janett Smith, Nathan-Michael William Smith, William Matthew Solomon, Luz M. Soto-Segarra, Michael Lynn Starrett, John Scott Stevens, Garrett Preston Russell Swasey, Liquori Terja Tate, Peter Wagner Taub, Scott R. Thompson, Taylor Joseph Thyfault, Kevin Jermaine Toatley, Zacarias Toro, Jr., Clifford Scott Travis, Nathan John Van Oort, Sr., Peggy Marie Vassallo, Rosemary Vela, Steven J. Vincent, Adrianna Maria Vorderbruggen, Darryl Deon Wallace, James Marvin Wallen, Jr., Daniel Scott Webster, Josie Lamar Wells, Craig Stephen Whisenand, John James Wilding, Robert Francis Wilson, III, Chad H. Wolf, Richard Glenn Woods, Alex K. Yazzie, and Kyle David Young; and

Whereas 35 law enforcement officers across the United States have made the ultimate sacrifice during the first 4 months of 2016: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 15 through May 21, 2016, as ''National Police Week'';

(2) expresses strong support for law enforcement officers across the United States for their efforts to build safer and more secure communities;

(3) recognizes the need to ensure that law enforcement officers have the equipment, training, and resources necessary to protect their health and safety while the law enforcement officers are protecting the public;

(4) recognizes the members of the law enforcement community for their selfless acts of bravery;

(5) acknowledges that police officers and other law enforcement officers who have made the ultimate sacrifice should be remembered and honored; and

(6) encourages the people of the United States to observe National Police Week with appropriate ceremonies and activities that promote awareness of the vital role of law enforcement officers in building safer and more secure communities across the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3930. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 3931. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3932. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3933. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3934. Mr. KING (for himself, Mr. COONS, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3935. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3936. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3937. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3938. Mr. KIRK (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3939. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3940. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3941. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3942. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3943. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3944. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3945. Mr. CORNYN (for himself and Mr. SCHUMER) proposed an amendment to the bill S. 2040, to deter terrorism, provide justice for victims, and for other purposes.

SA 3946. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SA 3947. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3948. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3949. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3950. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3951. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3952. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3953. Mrs. GILLIBRAND (for herself, Mr. BOOKER, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3954. Ms. HEITKAMP (for herself, Ms. COLLINS, Mr. KING, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3955. Mr. LANKFORD (for himself and Mr. LEE) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3956. Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MURPHY, Mrs. MURRAY, Mr. REED, Ms. WARREN, Mr. CARPER, Mr. FRANKEN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3957. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3958. Mr. LEE (for himself and Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr . COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3959. Mrs. SHAHEEN (for herself, Mr. KING, Ms. BALDWIN, Mr. MANCHIN, and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3960. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3961. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3962. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3963. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3964. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3965. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill

H.R. 2577, supra; which was ordered to lie on the table.

SA 3966. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3967. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3968. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3969. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3970. Ms. COLLINS (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3971. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3972. Mr. DURBIN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3973. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3974. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3975. Mr. FLAKE (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3976. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3977. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3978. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3979. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3980. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3981. Mr. FLAKE (for himself, Mr. TOOMEY, Mr. COATS, and Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3982. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3983. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3984. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3985. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3986. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3987. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2806, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes.; which was ordered to lie on the table.

SA 3988. Mr. MENENDEZ (for himself, Mr. SANDERS, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 3989. Mr. MENENDEZ (for himself, Mr. BROWN, Mr. BOOKER, Ms. BALDWIN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3990. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3991. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3992. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3993. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3994. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3995. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3996. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3997. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3998. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3999. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4000. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4001. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4002. Mr. BLUMENTHAL (for himself, Mr. MARKEY, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4003. Ms. COLLINS (for Mr. SULLIVAN (for himself, Mr. SCHATZ, and Mr. MARKEY)) proposed an amendment to the bill S. 1335, to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012, and for other purposes.

SA 4004. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3930. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of

Transportation, and Housing and Urban 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:

After section 191 in title I of division A, add the following:

SEC. ____. No funds shall be transferred into the Sport Fish Restoration and Boating Trust Fund pursuant to section 9503(c)(3)(B) of the Internal Revenue Code of 1986 for use by the United States Fish and Wildlife Service if the Director of the United States Fish and Wildlife Service issues a compatibility determination to restrict motorized boats in Havasu Wildlife Refuge, Arizona.

SA 3931. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division A, insert the following:

SEC. _____. (a) Notwithstanding section 102(h) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6032(h)) and section 910(b) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7209(b)), and except as provided in subsection (b), none of the funds appropriated or otherwise made available by this Act or by any other Act may be used to directly or indirectly prohibit the provision of technical services otherwise permitted under an international air transportation agreement in the United States for an aircraft of a foreign air carrier that is en route to or from Cuba based on the restrictions set forth in part 515 of title 31, Code of Federal Regulations (commonly known as the ''Cuban Assets Control Regulations'').

(b) This section shall not apply—

(1) if—

(A) the United States is at war with Cuba;

(B) armed hostilities between the United States and Cuba are in progress; or

(C) there is imminent danger to the public health or physical safety of United States citizens; or

(2) to foreign air carriers that are owned by the Government of Cuba or are based in Cuba.

SA 3932. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. INSPECTION OF KITCHENS AND FOOD SERVICE AREAS AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall provide for the conduct of inspections of kitchens and food service areas at each medical facility of the Department of Veterans Affairs to ensure that the same standards for kitchens and food service areas at hospitals in the private sector are being met at kitchens and food service areas at medical facilities of the Department.

(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) ALTERNATE ORGANIZATION.—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) REMEDIATION PLAN.—

(1) INITIAL FAILURE.—If a kitchen or food service area of a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) not to meet the standards for kitchens and food service areas in hospitals in the private sector, that medical facility fails the inspection and the Secretary shall—

(A) implement a remediation plan for that medical facility within 48 hours; and

(B) Conduct a second inspection under subsection (a) at that medical facility within 7 days of the failed inspection.

(2) SECOND FAILURE.—If a medical facility of the Department fails the second inspection conducted under paragraph (1)(B), the Secretary shall close the kitchen or food service area at that medical facility that did not meet the standards for kitchens and food service areas in hospitals in the private sector until remediation is completed and all kitchens and food service areas at that medical facility meet such standards.

(3) PROVISION OF FOOD.—If a kitchen or food service area is closed at a medical facility of the Department pursuant to paragraph (2), the Director of the Veterans Integrated Service Network in which the medical facility is located shall enter into a contract with a vendor approved by the General Services Administration to provide food at the medical facility.

(d) REPORTS.—

(1) QUARTERLY.—Not less frequently than quarterly, the Director of each Veterans Integrated Service Network shall submit to Congress a report on inspections conducted under this section during that quarter at medical facilities of the Department under the jurisdiction of that Director.

(2) SUBSEQUENT PERIOD.—A Director of a Veterans Integrated Service Network may submit to Congress the report described in paragraph (1) not less frequently than semiannually if the Director does not report any failed inspections for the one-year period preceding the submittal of the report.

SA 3933. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division B, insert the following:

SEC. ____. Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report that includes—

(1) a detailed description of the age and condition of the aircraft maintenance hangars of the Army's Combat Aviation Brigade;

(2) an identification of the most deficient such hangers;

(3) a plan to modernize or replace such hangars; and

(4) a description of the resources required to modernize or replace such hangers.

SA 3934. Mr. KING (for himself, Mr. COONS, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 223, line 9, after ''interoperability:'' insert the following: ''*Provided further*, That, notwithstanding any other provision of law, $300,000 shall be available to carry out a matching program with the Department of Education to identify veterans who are unemployable due to a service-connected disability and who are also borrowers of Federal student loans in order to streamline and expedite the process through which such veterans may discharge their Federal student loans.''.

SA 3935. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. (a) The Secretary of Veterans Affairs shall treat a marriage and family therapist described in subsection (b) as qualified to serve as a marriage and family therapist in the Department of Veterans Affairs, regardless of any requirements established by the Commission on Accreditation for Marriage and Family Therapy Education.

(b) A marriage and family therapist described in this subsection is a therapist who meets each of the following criteria:

(1) Has a masters or higher degree in marriage and family therapy, or a related field, from a regionally accredited institution.

(2) Is licensed as a marriage and family therapist in a State (as defined in section 101(20) of title 38, United States Code) and possesses the highest level of licensure offered from the State.

(3) Has passed the Association of Marital and Family Therapy Regulatory Board Examination in Marital and Family Therapy or a related examination for licensure administered by a State (as so defined).

SA 3936. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

CONSIDERATION OF CERTAIN TIME SPENT RECEIVING MEDICAL CARE FROM SECRETARY OF DEFENSE AS ACTIVE DUTY FOR PURPOSES OF ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSISTANCE

SEC. 251. Section 3301(1)(B) of title 38, United States Code, is amended by inserting ''12301(h),'' after ''12301(g),''.

SA 3937. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

CONSIDERATION OF CERTAIN TIME SPENT RECEIVING MEDICAL CARE FROM SECRETARY OF DEFENSE AS ACTIVE DUTY FOR PURPOSES OF ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSISTANCE

SEC. 251. (a) IN GENERAL.—Section 3301(1)(B) of title 38, United States Code, is amended by inserting ''12301(h),'' after ''12301(g),''.

(b) RETROACTIVE APPLICATION.—The amendment made by subsection (a) shall apply as if such amendment were enacted immediately after the enactment of the Post-9/11 Veterans Educational Assistance Act of 2008 (Public Law 110–252).

SA 3938. Mr. KIRK (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in title I of division B, insert the following:

SEC. ____. (a) Of the amounts appropriated by section 132 of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016 (division J of Public Law 114–13; 129 Stat. 2683), $30,000,000 is hereby rescinded.

(b) Notwithstanding section 123 of this title, for an additional amount for fiscal year 2016 for ''Military Construction, Army'' in this title, $30,000,000, to remain available until September 30, 2021, is provided for advances to the Federal Highway Administration, Department of Transportation, for construction of access roads as authorized by section 210 of title 23, United States Code.

(c) This section shall become effective immediately upon enactment of this Act.

SA 3939. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division A, add the following:

SEC. ____. (a) During the 3-year period beginning on the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall develop and carry out a scalable aerospace additive manufacturing demonstration initiative, which shall focus on developing research and training to support certification of a range of aircraft components that are representative of industry applications to address barriers to the use of additive manufacturing in United States civil aerospace.

(b) The demonstration initiative required by subsection (a) shall—

(1) promote and facilitate collaboration among institutions of higher education, the commercial aircraft industry (including manufacturers, suppliers, and commercial air carriers), Manufacturing Innovation Institutes of the National Network for Manufacturing Innovation administered by the Department of Commerce, and Manufacturing Innovation Institutes administered by the Federal Aviation Administration;

(2) identify and promote opportunities for collaboration and technical exchange among agencies involved in research related to scalable additive manufacturing, including the National Aeronautics and Space Administration, the National Science Foundation, the National Institute of Standards and Technology, and the Department of Energy;

(3) develop a research and training program for basic and applied technical advances related to additively manufactured aerospace components, including safety-critical applications; and

(4) develop and undertake research related to additive manufacturing processing supporting the certification of additively manufactured components with institutions of higher education, industry, non-profit research institutes, and the Manufacturing Innovation Institutes described in paragraph (1).

(c) The Administrator shall submit to Congress a report on the initiative required by subsection (a).

SA 3940. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. (a) The Secretary of Veterans Affairs shall use amounts appropriated or otherwise made available in this title to ensure that the ratio of veterans to full-time employment equivalents within any program of rehabilitation conducted under chapter 31 of title 38, United States Code, does not exceed 125 veterans to one full-time employment equivalent.

(b) Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the programs of rehabilitation conducted under chapter 31 of title 38, United States Code, including an assessment of the veteran-to-staff ratio for each such program.

SA 3941. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 50 of division A, strike line 7 and all that follows through ''Code:'' on line 10, and insert the following: ''up to $25,000,000 shall be available to carry out section 24407(c)(1) of title 49, United States Code; and not less than $25,000,000 shall be available to carry out paragraphs (2), (5), (6), (7) and (10) of section 24407(c) of such title:''.

SA 3942. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 114, line 11, strike ''$10,501,000,000'' and insert ''$10,301,000,000''.

SA 3943. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 80, line 10, strike ''$16,431,696,000'' and insert ''$15,740,696,000''.

SA 3944. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) FINDINGS.—Congress finds the following:

(1) The Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016, which was passed by the Senate on November 10, 2015, without a single vote cast against the bill, and the Consolidated Appropriations Act, 2016 include the following amounts to be appropriated to the Department of Veterans Affairs:

(A) $35,000,000 to make seismic corrections to Building 208 at the West Los Angeles Medical Center of the Department in Los Angeles, California, which, according to the Department, is a building that is designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake.

(B) $158,000,000 to provide for the construction of a new research building, site work, and demolition at the San Francisco Veterans Affairs Medical Center.

(C) $161,000,000 to replace Building 133 with a new community living center at the Long Beach Veterans Affairs Medical Center, which, according to the Department, is a building that is designated as having an extremely high risk of sustaining major damage during an earthquake.

(D) $468,800,000 for construction projects that are critical to the Department for ensuring health care access and safety at medical facilities in Louisville, Kentucky, Jefferson Barracks in St. Louis, Missouri, Perry Point, Maryland, American Lake, Washington, Alameda, California, and Livermore, California.

(2) The Department is unable to obligate or expend the amounts described in paragraph (1), other than for construction design, because the Department lacks an explicit authorization by an Act of Congress pursuant to section 8104(a)(2) of title 38, United States Code, to carry out the major medical facility projects described in such paragraph.

(3) Among the major medical facility projects described in paragraph (1), three are critical seismic safety projects in California.

(4) Every day that the critical seismic safety projects described in paragraph (3) are delayed increases the risk of a life-threatening building failure in the case of a major seismic event.

(5) According to the United States Geological Survey—

(A) California has more than a 99 percent chance of experiencing an earthquake of magnitude 6.7 or greater in the next 30 years;

(B) even earthquakes of less severity than magnitude 6.7 can cause life threatening damage to seismically unsafe buildings; and

(C) in California, earthquakes of magnitude 6.0 or greater occur on average once every 1.2 years.

(6) On January 20, 2016, the Senate passed this legislation by unanimous consent as S. 2422, 114th Congress.

(b) AUTHORIZATION.—The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed $180,480,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed $105,500,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed $287,100,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed $87,332,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed $194,430,000.

(6) Construction of a medical center in Louisville, Kentucky, in an amount not to exceed $150,000,000.

(7) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed $92,700,000.

(8) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed $16,260,000.

(c) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account, $1,113,802,000 for the projects authorized in subsection (b).

(d) LIMITATION.—The projects authorized in subsection (b) may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (c);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

SA 3945. Mr. CORNYN (for himself and Mr. SCHUMER) proposed an amendment to the bill S. 2040, to deter terrorism, provide justice for victims, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Justice Against Sponsors of Terrorism Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) International terrorism is a serious and deadly problem that threatens the vital interests of the United States.

(2) International terrorism affects the interstate and foreign commerce of the United States by harming international trade and market stability, and limiting international travel by United States citizens as well as foreign visitors to the United States.

(3) Some foreign terrorist organizations, acting through affiliated groups or individuals, raise significant funds outside of the United States for conduct directed and targeted at the United States.

(4) It is necessary to recognize the substantive causes of action for aiding and abetting and conspiracy liability under chapter 113B of title 18, United States Code.

(5) The decision of the United States Court of Appeals for the District of Columbia in Halberstam v. Welch, 705 F.2d 472 (D.C. Cir. 1983), which has been widely recognized as the leading case regarding Federal civil aiding and abetting and conspiracy liability, including by the Supreme Court of the United States, provides the proper legal framework for how such liability should function in the context of chapter 113B of title 18, United States Code.

(6) Persons, entities, or countries that knowingly or recklessly contribute material support or resources, directly or indirectly, to persons or organizations that pose a significant risk of committing acts of terrorism that threaten the security of nationals of the United States or the national security, foreign policy, or economy of the United States, necessarily direct their conduct at the United States, and should reasonably anticipate being brought to court in the United States to answer for such activities.

(7) The United States has a vital interest in providing persons and entities injured as a result of terrorist attacks committed within the United States with full access to the court system in order to pursue civil claims against persons, entities, or countries that have knowingly or recklessly provided material support or resources, directly or indirectly, to the persons or organizations responsible for their injuries.

(b) PURPOSE.—The purpose of this Act is to provide civil litigants with the broadest possible basis, consistent with the Constitution of the United States, to seek relief against persons, entities, and foreign countries, wherever acting and wherever they may be found, that have provided material support, directly or indirectly, to foreign organizations or persons that engage in terrorist activities against the United States.

SEC. 3. RESPONSIBILITY OF FOREIGN STATES FOR INTERNATIONAL TERRORISM AGAINST THE UNITED STATES.

(a) IN GENERAL.—Chapter 97 of title 28, United States Code, is amended by inserting after section 1605A the following:

''§ 1605B. Responsibility of foreign states for international terrorism against the United States

''(a) DEFINITION.—In this section, the term 'international terrorism'—

''(1) has the meaning given the term in section 2331 of title 18, United States Code; and

''(2) does not include any act of war (as defined in that section).

''(b) RESPONSIBILITY OF FOREIGN STATES.—A foreign state shall not be immune from the jurisdiction of the courts of the United States in any case in which money damages are sought against a foreign state for physical injury to person or property or death occurring in the United States and caused by—

''(1) an act of international terrorism in the United States; and

''(2) a tortious act or acts of the foreign state, or of any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency, regardless where the tortious act or acts of the foreign state occurred.

''(c) CLAIMS BY NATIONALS OF THE UNITED STATES.—Notwithstanding section 2337(2) of title 18, a national of the United States may bring a claim against a foreign state in accordance with section 2333 of that title if the foreign state would not be immune under subsection (b).

''(d) RULE OF CONSTRUCTION.—A foreign state shall not be subject to the jurisdiction of the courts of the United States under subsection (b) on the basis of an omission or a tortious act or acts that constitute mere negligence.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The table of sections for chapter 97 of title 28, United States Code, is amended by inserting after the item relating to section 1605A the following:

''1605B. Responsibility of foreign states for international terrorism against the United States.''.

(2) Subsection 1605(g)(1)(A) of title 28, United States Code, is amended by inserting

''or section 1605B'' after ''but for section 1605A''.

SEC. 4. AIDING AND ABETTING LIABILITY FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

(a) IN GENERAL.—Section 2333 of title 18, United States Code, is amended by adding at the end the following:

''(d) LIABILITY.—

''(1) DEFINITION.—In this subsection, the term 'person' has the meaning given the term in section 1 of title 1.

''(2) LIABILITY.—In an action under subsection (a) for an injury arising from an act of international terrorism committed, planned, or authorized by an organization that had been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), as of the date on which such act of international terrorism was committed, planned, or authorized, liability may be asserted as to any person who aids and abets, by knowingly providing substantial assistance, or who conspires with the person who committed such an act of international terrorism.''.

(b) EFFECT ON FOREIGN SOVEREIGN IMMUNITIES ACT.—Nothing in the amendment made by this section affects immunity of a foreign state, as that term is defined in section 1603 of title 28, United States Code, from jurisdiction under other law.

SEC. 5. STAY OF ACTIONS PENDING STATE NEGOTIATIONS.

(a) EXCLUSIVE JURISDICTION.—The courts of the United States shall have exclusive jurisdiction in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act.

(b) INTERVENTION.—The Attorney General may intervene in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act, for the purpose of seeking a stay of the civil action, in whole or in part.

(c) STAY.—

(1) IN GENERAL.—A court of the United States may stay a proceeding against a foreign state if the Secretary of State certifies that the United States is engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

(2) DURATION.—

(A) IN GENERAL.—A stay under this section may be granted for not more than 180 days.

(B) EXTENSION.—

(i) IN GENERAL.—The Attorney General may petition the court for an extension of the stay for additional 180-day periods.

(ii) RECERTIFICATION.—A court shall grant an extension under clause (i) if the Secretary of State recertifies that the United States remains engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

SEC. 6. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be invalid, the remainder of this Act and the amendments made by this Act, and the application of the provisions and amendments to any other person not similarly situated or to other circumstances, shall not be affected by the holding.

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall apply to any civil action—

(1) pending on, or commenced on or after, the date of enactment of this Act; and

(2) arising out of an injury to a person, property, or business on or after September 11, 2001.

SA 3946. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 10 of the amendment, line 1, strike ''. The'' and all that follows through the period on line 3, and insert the following: '': *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations of the Senate every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.''.

SA 3947. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 219, line 25, strike the period and insert '': *Provided*, That the National Cemetery Administration shall complete the Rural Veterans Burial Initiative by not later than September 30, 2017.''

SA 3948. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 245, lines 23 through 24, strike ''and (7) the number and results of Quality Review Team audits'' and insert ''(7) the number and results of Quality Review Team audits; (8) the number of claims completed by each Regional Office based on the Regional Office being the station of jurisdiction; and (9) the number of claims completed by each Regional Office based on the Regional Office being the station of origin''.

SA 3949. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. None of the funds made available in this title may be used to pay bonuses to employees within the Veterans Health Administration until the Secretary of Veterans Affairs certifies to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives that individuals eligible for health care from the Department of Veterans Affairs are allowed to choose the medical facility of the Department at which to receive care.

SA 3950. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. None of the funds made available in this title may be used to pay bonuses to employees within the Veterans Benefits Administration who perform work related to the processing of disability claims under the laws administered by the Secretary of Veterans Affairs until the nationwide backlog of such claims is at 10 percent or less of the pending workload for the Veterans Benefits Administration.

SA 3951. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

ANNUAL REPORT ON BONUSES

SEC. 251. Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report that contains, for the year preceding the submittal of the report, a description of the bonuses awarded to Regional Office Directors of the Department of Veterans Affairs, Directors of Medical Centers of the Department, and Directors of Veterans Integrated Service Networks, including the amount of each bonus and the name of the individual to whom the bonus was awarded.

SA 3952. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. MONTHLY ASSISTANCE ALLOWANCE FOR DISABLED VETERANS COMPETING ON OLYMPIC TEAMS.

Section 322(d)(1) of title 38, United States Code, is amended—

(1) by striking ''allowance to a veteran'' and inserting the following: ''allowance to—

''(A) a veteran'';

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(B) a veteran with a disability, as determined by the Secretary, who is selected by the United States Olympic Committee for the United States Olympic Team for any month in which the veteran is competing in any event sanctioned by the National Governing Bodies of the United States Olympic Sports.''.

SA 3953. Mrs. GILLIBRAND (for herself, Mr. BOOKER, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. (a) RESEARCH ON THERAPEUTIC USES OF CANNABIS PLANT.—The Secretary of Veterans Affairs may, in coordination with the National Center for Posttraumatic Stress Disorder, within the limits of statutory authorities and funding under other provisions of law, conduct clinical research on the potential benefits of therapeutic use of the cannabis plant by veterans—

(1) to treat serious health conditions, such as posttraumatic stress disorder (PTSD), chronic pain and neuropathies, sleep disorders, traumatic brain injury, seizures, Parkinson's disease, cancer, spinal cord injuries, human immunodeficiency virus (HIV), and Crohn's disease; and

(2) as a treatment to achieve and maintain abstinence from opioids and heroin.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report detailing any efforts of the Department of Veterans Affairs to expand the conduct of research described in subsection (a).

SA 3954. Ms. HEITKAMP (for herself, Ms. COLLINS, Mr. KING, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II of division B, add the following:

SEC. 251. (a) The Secretary of Veterans Affairs shall ensure that the Readjustment Counseling Service of the Department of Veterans Affairs coordinates directly with the Office of Rural Health of the Department on efforts to expand the capacity of Vet Centers (as defined in section 1712A(h) of title 38, United States Code) in order to ensure that the readjustment and psychological counseling needs of veterans in rural and highly rural communities are met.

(b) Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report detailing the number of Vet Centers (as so defined) operated by the Department and a strategic plan to increase the capacity of such Vet Centers to address unmet readjustment and psychological counseling needs of veterans in rural and highly rural communities.

SA 3955. Mr. LANKFORD (for himself and Mr. LEE) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 1 of the amendment, strike line 3 and all that follows through line 20 on page 18, and insert the following:

TITLE ___

ZIKA RESPONSE AND PREPAREDNESS

CHAPTER 1

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $40,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds made available in this paragraph shall be used to expand the delivery of primary health services authorized by section 330 of the Public Health Service (''PHS'') Act in Puerto Rico and other territories.

HEALTH WORKFORCE

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $6,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds made available in this paragraph may, for purposes of providing primary health services in areas affected by Zika virus or other vector-borne diseases, be used to assign National Health Service Corps (''NHSC'') members to Puerto Rico and other Territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make NHSC Loan Repayment Program awards under section 338B of such Act: *Provided further*, That for purposes of the previous proviso, section 331(a)(3)(D) of the PHS Act shall be applied as if the term ''primary health services'' included health services regarding pediatric subspecialists.

MATERNAL AND CHILD HEALTH

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $5,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds made available in this paragraph may be awarded for projects of regional and national significance in Puerto Rico and other Territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act.

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $449,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall not apply to the use of funds made available in this paragraph: *Provided further*, That funds made available in this paragraph may be used for grants for the construction, alteration, or renovation of non-federally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That of the amount made available in this paragraph, $88,000,000 may be used to reimburse accounts administered by the Centers for Disease Control and Prevention for obligations incurred for Zika virus response prior to the enactment of this Act.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $200,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $150,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and

for additional payments for distribution as provided for under the ''Social Services Block Grant Program'': *Provided*, That funds made available in this paragraph may be used to procure security countermeasures (as defined in section 319F–2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F–2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds made available in this paragraph: *Provided further*, That products purchased with funds made available in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: *Provided further*, That countermeasures related to the Zika virus procured with funds made available in this paragraph shall be deemed to be security countermeasures as defined in section 319F–2(c)(1) of the PHS Act, and paragraph (7)(C), but no other provision, of such section 319F–2(c) shall apply to procurements of such countermeasures: *Provided further*, That $75,000,000 shall be transferred to ''Social Services Block Grant'' for health services, notwithstanding section 2005(a)(4) of the Social Security Act, in territories with active or local transmission cases of the Zika virus, as confirmed by the Centers for Disease Control and Prevention: *Provided further*, That the Secretary of Health and Human Services shall distribute funds transferred to the ''Social Services Block Grant'' in this paragraph to such territories in accordance with objective criteria that are made available to the public.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. ____. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this chapter to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries.

SEC. ____. Funds made available by this chapter may be used by the heads of the Department of Health and Human Services, Department of State, and the Agency for International Development to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to Zika response for which—

(1) public notice has been given; and

(2) the Secretary of Health and Human Services has determined that such a public health threat exists.

SEC. ____. Funds made available in this chapter may be transferred to, and merged with, other appropriation accounts under the headings ''Centers for Disease Control and Prevention'', ''Public Health and Social Services Emergency Fund'', ''Health Resources and Services Administration'', and ''National Institutes of Health'' for the purposes specified in this chapter following consultation with the Office of Management and Budget: *Provided*, That the Committees on Appropriations shall be notified 10 days in advance of any such transfer: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: *Provided further*, That none of the funds made available by this chapter may be transferred pursuant to the authority in section 206 of division G of Public Law 113–325 or section 241(a) of the PHS Act.

SEC. ____. If there remains an insufficient amount of unobligated funds under any heading under this chapter, funds may be transferred from the unobligated balance of funds under other headings under this chapter: Provided, That the total amount of funds made available by this title shall not exceed $850,000,000.

SEC. ____. Not later than 30 days after enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available in this chapter, including estimated personnel and administrative costs, to the Committees on Appropriations. The Secretary of Health and Human Services should also provide quarterly obligation updates to the Committees until all funds are expended or expire.

SEC. ____. Prior to the transfer or reprogramming of funds made available by this chapter, the director of the Office of Management and Budget shall certify to the appropriate Congressional committees that the net effect of all transfers shall not result in an increase in outlays over the period of fiscal years 2016 through 2021.

CHAPTER 2

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $14,594,000, shall also be available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to $4,000,000 may be made available for medical evacuation costs of any other Department or agency of the United States under Chief of Mission authority, and may be transferred to any other appropriation of such Department or agency for such costs.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $4,000,000, shall also be available for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended.

REPATRIATION LOANS PROGRAM ACCOUNT

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $1,000,000, shall also be available to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS MADE AVAILABLE TO THE PRESIDENT

OPERATING EXPENSES

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $10,000,000, shall also be available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases.

BILATERAL ECONOMIC ASSISTANCE

FUNDS MADE AVAILABLE TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $211,000,000, shall also be available for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such funds may be made available for multi-year funding commitments to incentivize the development of global health technologies, following consultation with the Committees on Appropriations: *Provided further*, That none of the funds made available in this chapter may be made available for the Grand Challenges for Development program.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $4,000,000, shall also be available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases.

MULTILATERAL ASSISTANCE

FUNDS MADE AVAILABLE TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $13,500,000, shall also be available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds made available under this heading.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. ____. (a) Funds made available by this chapter under the headings ''Global Health Programs'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''International Organizations and Programs'', and ''Operating Expenses'' may be transferred to, and merged with, funds made available by this chapter under such headings to carry out the purposes of this chapter.

(b) Funds made available by this chapter under the headings ''Diplomatic and Consular Programs'', ''Emergencies in the Diplomatic and Consular Service'', and ''Repatriation Loans Program Account'' may be transferred to, and merged with, funds made available by this chapter under such headings to carry out the purposes of this chapter.

(c) If there remains an insufficient amount of unobligated funds under any heading under this chapter, funds may be transferred from the unobligated balance of funds under other headings under this chapter: Provided, That the total amount of funds made available by this title shall not exceed $258,094,000.

(d) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(e) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

(f) No funds shall be transferred pursuant to this section unless at least 15 days prior to making such transfer the Secretary of State or the Administrator of the United States Agency for International Development (USAID), as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

(g) Prior to the transfer or reprogramming of funds made available by this chapter, the director of the Office of Management and Budget shall certify to the appropriate Congressional committees that the net effect of all transfers and reprogramming shall not result in an increase in outlays over the period of fiscal years 2016 through 2021.

NOTIFICATION REQUIREMENT

SEC. ____. Funds made available by this chapter that are made available to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases shall not be available for obligation unless the Secretary of State or the USAID Administrator, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation.

SPEND PLAN REQUIREMENT

SEC. ____. Not later than 45 days after enactment of this Act and prior to the obligation of funds made available by this chapter to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases, the Secretary of State and the USAID Administrator, as appropriate, shall submit spend plans to the Committees on Appropriations on the anticipated uses of funds on a country and project basis, including estimated personnel and administrative costs: *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.

COMPTROLLER GENERAL OVERSIGHT

SEC. ____. Of the funds made available by this chapter, up to $500,000 shall be made available to the Comptroller General of the United States, to remain available until expended, for oversight of activities supported pursuant to this chapter with funds made available by this chapter: *Provided*, That the Secretary of State and USAID Administrator, as appropriate, and the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

RESCISSION

SEC. ____. Of the unobligated balances available under the heading ''Operating Expenses'' in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), $10,000,000 are rescinded: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 3

GENERAL PROVISIONS—THIS TITLE

EXTENSION OF AUTHORITIES AND PROVISIONS

SEC. ____. Unless otherwise provided for by this title, the additional amounts made available pursuant to this title for fiscal year 2016 are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114–113).

PERSONAL SERVICE CONTRACTORS

SEC. ____. Funds made available by this title to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)), within the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committees on Appropriations: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

EFFECTIVE DATE

SEC. ____. This title shall become effective immediately upon enactment of this Act.

SA 3956. Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MURPHY, Mrs. MURRAY, Mr. REED, Ms. WARREN, Mr. CARPER, Mr. FRANKEN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. ____. (a) From amounts appropriated or otherwise made available under this title for the administration of educational assistance programs under the laws administered by the Secretary of Veterans Affairs, the Secretary of Veterans Affairs shall ensure that any online consumer tool offered or supported by the Department of Veterans Affairs that provides information to veterans regarding specific postsecondary educational institutions, such as the GI Bill Comparison Tool or any successor or similar program, includes for each such institution an accounting of pending investigations and civil or criminal actions against the institution by Federal agencies and State attorneys general, to the extent such information is publicly available.

(b) In gathering publicly available information on investigations and civil or criminal actions described in subsection (a), the Secretary of Veterans Affairs shall—

(1) consult the heads of other Federal agencies and, as practicable, State attorneys general; and

(2) review any reports required to be filed with the Securities and Exchange Commission under section 13 or section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m and 78o(d)), including Form 10–Q and Form 10–K.

(c) To ensure that the information required under subsection (a) is presented in the most useful and effective way possible for veterans, the Secretary of Veterans Affairs shall consult with the Secretary of Education, the Bureau of Consumer Financial Protection, and veteran and consumer advocates.

SA 3957. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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, add the following:

ADDITIONAL RESCISSIONS OF UNOBLIGATED EBOLA FUNDS

SEC. __. (a) Of the unobligated balances made available under the heading ''Public Health and Social Services Emergency Fund (Including Transfer of Funds)'' in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113–235) for the purpose of other preparation and response, $250,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Of the unobligated balances made available under the heading ''CDC-Wide Activities and Program Support (Including Transfer of Funds)'' in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113–235) for supporting national public health institutes and global health security, $384,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) Of the unobligated balances made available under the heading ''Funds Appropriated to the President'' under the heading ''Bilateral Economic Assistance'' in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), $466,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SA 3958. Mr. LEE (for himself and Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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, add the following:

SEC. ____. Amounts provided for in this title shall, prior to appropriating any sums out of any money in the Treasury not otherwise appropriated, be transferred from the following:

(1) $250,000,000 from the unobligated balances made available under the heading ''Public Health and Social Services Emergency Fund (Including Transfer of Funds)'' in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113–235) for the purpose of other preparation and response.

(2) $384,000,000 from the unobligated balances made available under the heading ''CDC-Wide Activities and Program Support (Including Transfer of Funds)'' in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113–235) for supporting national public health institutes and global health security.

(3) $466,000,000 from the unobligated balances made available under the heading

''Funds Appropriated to the President'' under the heading ''Bilateral Economic Assistance'' in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235).

SA 3959. Mrs. SHAHEEN (for herself, Mr. KING, Ms. BALDWIN, Mr. MANCHIN, and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division A, insert the following:

SEC. ___. DEPARTMENT OF JUSTICE.

(a) STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE.—In addition to any amounts otherwise made available, there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2017, $240,000,000, to remain available until expended, to the Department of Justice for State law enforcement initiatives (which shall include a 30 percent pass-through to localities) under the Edward Byrne Memorial Justice Assistance Grant program, as authorized by subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) (except that section 1001(c) of such Act (42 U.S.C. 3793(c)) shall not apply for purposes of this Act), to be used, notwithstanding such subpart 1, for a comprehensive program to combat the heroin and opioid crisis, and for associated criminal justice activities, including approved treatment alternatives to incarceration: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

(b) COMMUNITY ORIENTED POLICING SERVICES PROGRAMS.—In addition to any other amount for ''Community Oriented Policing Services Programs'' for competitive grants to State law enforcement agencies in States with high rates of primary treatment admissions for heroin or other opioids, there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2017, $10,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SEC. ___. DEPARTMENT OF HEALTH AND HUMAN SERVICES.

(a) SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION.—In addition to any amounts otherwise made available for ''Substance Abuse Treatment'', there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2017, $300,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)): *Provided further*, That of the amount provided—

(1) $285,000,000 is for the Substance Abuse Prevention and Treatment block grant program under subpart II of part B of title XIX of the Public Health Service Act;

(2) $10,000,000 is for the Medication Assisted Treatment for Prescription Drug and Opioid Addiction program of the Programs of Regional and National Significance within the Center for Substance Abuse Treatment; and

(3) $5,000,000 is for the Recovery Community Services program of the Programs of Regional and National Significance within the Center for Substance Abuse Treatment.

(b) CENTERS FOR DISEASE CONTROL AND PREVENTION.—In addition to any amounts otherwise made available, there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2017, $50,000,000, to remain available until expended, to the Centers for Disease Control and Prevention of the Department of Health and Human Services, for prescription drug monitoring programs, community health system interventions, and rapid response projects: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SA 3960. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 4, line 24, strike ''$88,000,000'' and insert ''$50,000,000 shall be transferred to the head of the Department of Health and Human Services to carry out programs that serve pregnant women, infants, toddlers, and preschoolers, and help families care for their children through early, comprehensive health services, in communities affected by water polluted by lead or a toxic pollutant as the result of an event for which the President has declared an emergency, and $38,000,000''.

SA 3961. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. (a) Subchapter I of chapter 471, as amended by this subtitle, is further amended by adding at the end the following:

''§ 47144. Use of funds for repairs for runway safety repairs

''(a) IN GENERAL.—The Secretary of Transportation may make project grants under this subchapter to an airport described in subsection (b) from funds under section 47114 apportioned to that airport or funds available for discretionary grants to that airport under section 47115 to conduct airport development to repair the runway safety area of the airport damaged as a result of a natural disaster in order to maintain compliance with the regulations of the Federal Aviation Administration relating to runway safety areas, without regard to whether construction of the runway safety area damaged was carried out using amounts the airport received under this subchapter.

''(b) AIRPORTS DESCRIBED.—An airport is described in this subsection if—

''(1) the airport is a public-use airport;

''(2) the airport is listed in the National Plan of Integrated Airport Systems of the Federal Aviation Administration;

''(3) the runway safety area of the airport was damaged as a result of a natural disaster;

''(4) the airport was denied funding under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 4121 et seq.) with respect to the disaster;

''(5) the operator of the airport has exhausted all legal remedies, including legal action against any parties (or insurers thereof) whose action or inaction may have contributed to the need for the repair of the runway safety area;

''(6) there is still a demonstrated need for the runway safety area to accommodate current or imminent aeronautical demand; and

''(7) the cost of repairing or replacing the runway safety area is reasonable in relation to the anticipated operational benefit of repairing the runway safety area, as determined by the Administrator of the Federal Aviation Administration.''.

(b) The analysis for chapter 471, as amended by this subtitle, is further amended by inserting after the item relating to section 47143 the following:

''47144. Use of funds for repairs for runway safety repairs.''.

SA 3962. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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:

After section 191 of title I of division A, add the following:

SEC. 1_____. Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(u) VEHICLES IN NORTH DAKOTA.—A vehicle limited or prohibited under this section from operating on a segment of the Interstate System in the State of North Dakota may operate on such a segment if such vehicle—

''(1) has a gross vehicle weight of 129,000 pounds or less;

''(2) other than gross vehicle weight, complies with the single axle, tandem axle, and bridge formula limits set forth in subsection (a); and

''(3) is authorized to operate on such segment under North Dakota State law.''.

SA 3963. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division A, insert the following:

SEC. ____. (a) None of the funds appropriated or otherwise made available by this Act may be obligated or expended to permit United States airspace to be used for a flight operated to transfer an individual detained at Guantanamo to a State, territory, or possession of the United States.

(b) In this section, the term ''individual detained at Guantanamo'' means any individual who—

(1) is in detention, on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba;

(2) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(3) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SA 3964. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 101, strike line 5 and all that follows through page 104, line 2, and insert the following:

(1) $650,000,000 shall be available for the Indian Housing Block Grant program, as authorized under title I of NAHASDA: *Provided*, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That notwithstanding section 302(d) of NAHASDA, if on January 1, 2017, a recipient's total amount of undisbursed block grant funds in the Department's line of credit control system is greater than three times the formula allocation it would otherwise receive under the first proviso under this paragraph, the Secretary shall adjust that recipient's formula allocation down by the difference between its total amount of undisbursed block grant funds in the Department's line of credit control system on January 1, 2017, and three times the formula allocation it would otherwise receive: *Provided further*, That notwithstanding the previous two provisos, no Indian tribe shall receive an allocation amount greater than 10 percent of the total amount made available under this paragraph: *Provided further*, That grant amounts not allocated to a recipient pursuant to the previous two provisos shall be allocated under the need component of the formula proportionately among all other Indian tribes not subject to an adjustment under such provisos: *Provided further*, That the second and third provisos shall not apply to any Indian tribe that would otherwise receive a formula allocation of less than $8,000,000: *Provided further*, That to take effect, the four previous provisos do not require issuance or amendment of any regulation, and shall not be construed to confer hearing rights under any section of NAHASDA or its implementing regulations: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act;

(2) $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,857,142 to remain available until September 30, 2021;

(3) $60,000,000 shall be for grants to Indian tribes for carrying out the Community Development Block Grant program as authorized under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, of which, up to $4,000,000 may be used for emergencies that constitute imminent threats to health and safety notwithstanding any other provision of law (including section 204 of this title): *Provided*, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration; and

(4) $2,000,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance needs in Indian country related to funding provided under this heading.

SA 3965. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. From the amount made available in this title under the heading ''Medical Support and Compliance'', not less than $18,000,000 shall be made available to Directors of Veterans Integrated Service Networks to contract with appropriate non-Department of Veterans Affairs entities to assess, evaluate, and improve the health care delivery by and business operations of medical centers of the Department under the jurisdiction of each such Director.

SA 3966. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. For each veteran seeking assistance from the Department of Veterans Affairs to purchase a home, for purposes of the veteran receiving a timely appraisal on a home, the Secretary of Veterans Affairs shall disclose to the veteran that the veteran may pay the entity conducting the appraisal an amount in excess of the amount provided on the Appraisal Fee Schedule issued by the Department.

SA 3967. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 41, strike lines 12 through 25 and insert the following:

''(89) United States Route 67 from Interstate 40 in North Little Rock, Arkansas, to United States Route 412.

''(90) The Edward T. Breathitt Parkway from Interstate 24 to Interstate 69.''.

(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended in the first sentence by striking ''and subsection (c)(83)'' and inserting ''subsection (c)(83), subsection (c)(89), and subsection (c)(90)''.

(c) DESIGNATION.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by adding at the end the following: ''The route referred to in subsection (c)(89) is designated as Interstate Route I–57. The route referred to in subsection (c)(90) is designated as Interstate Route I–169.''.

SA 3968. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division A, insert the following:

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to regulate, either directly or indirectly and including by requiring an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the acquisition, use, transfer, or disposal of property at an airport for airfield or non-airfield development activities if—

(a) the property was not financed with Federal funding; and

(b) the acquisition, use, transfer, or disposal of the property does not impair the safety, utility, or efficiency of aircraft operations at the airport.

SA 3969. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr.

REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. From the amount made available in this title under the heading ''Medical Support and Compliance'', up to $18,000,000 shall be made available to Directors of Veterans Integrated Service Networks to contract with appropriate non-Department of Veterans Affairs entities to assess, evaluate, and improve the health care delivery by and business operations of medical centers of the Department under the jurisdiction of each such Director.

SA 3970. Ms. COLLINS (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division A, insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled ''Affirmatively Furthering Fair Housing'' (80 Fed. Reg. 42272 (July 16, 2015)) or the notice entitled ''Affirmatively Furthering Fair Housing Assessment Tool'' (79 Fed. Reg. 57949 (September 26, 2014)).

SA 3971. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II of division B, add the following:

SEC. 251. MONTHLY ASSISTANCE ALLOWANCE FOR DISABLED VETERANS COMPETING ON OLYMPIC TEAMS.

Section 322(d)(1) of title 38, United States Code, is amended—

(1) by striking ''allowance to a veteran'' and inserting the following: ''allowance to—

''(A) a veteran'';

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(B) a veteran with a service-connected disability rated as 30 percent or greater by the Department who is selected by the United States Olympic Committee for the United States Olympic Team for any month in which the veteran is competing in any event sanctioned by the National Governing Bodies of the United States Olympic Sports.''.

SA 3972. Mr. DURBIN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B (before the short title), insert the following:

SEC. ____. (a) Section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''and'' after the semicolon;

(B) in subparagraph (E), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(F) meets the requirements of paragraph (2).'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) REVENUE SOURCES.—

''(A) IN GENERAL.—In order to qualify as a proprietary institution of higher education under this subsection, an institution shall derive not less than 15 percent of the institution's revenues from sources other than Federal funds, as calculated in accordance with subparagraphs (B) and (C).

''(B) FEDERAL FUNDS.—In this paragraph, the term 'Federal funds' means any Federal financial assistance provided, under this Act or any other Federal law, through a grant, contract, subsidy, loan, guarantee, insurance, or other means to a proprietary institution, including Federal financial assistance that is disbursed or delivered to an institution or on behalf of a student or to a student to be used to attend the institution, except that such term shall not include any monthly housing stipend provided under the Post-9/11 Veterans Educational Assistance Program under chapter 33 of title 38, United States Code.

''(C) IMPLEMENTATION OF NON-FEDERAL REVENUE REQUIREMENT.—In making calculations under subparagraph (A), an institution of higher education shall—

''(i) use the cash basis of accounting;

''(ii) consider as revenue only those funds generated by the institution from—

''(I) tuition, fees, and other institutional charges for students enrolled in programs eligible for assistance under title IV;

''(II) activities conducted by the institution that are necessary for the education and training of the institution's students, if such activities are—

''(aa) conducted on campus or at a facility under the control of the institution;

''(bb) performed under the supervision of a member of the institution's faculty; and

''(cc) required to be performed by all students in a specific educational program at the institution; and

''(III) a contractual arrangement with a Federal agency for the purpose of providing job training to low-income individuals who are in need of such training;

''(iii) presume that any Federal funds that are disbursed or delivered to an institution on behalf of a student or directly to a student will be used to pay the student's tuition, fees, or other institutional charges, regardless of whether the institution credits such funds to the student's account or pays such funds directly to the student, except to the extent that the student's tuition, fees, or other institutional charges are satisfied by—

''(I) grant funds provided by an outside source that—

''(aa) has no affiliation with the institution; and

''(bb) shares no employees with the institution; and

''(II) institutional scholarships described in clause (v);

''(iv) include no loans made by an institution of higher education as revenue to the school, except for payments made by students on such loans;

''(v) include a scholarship provided by the institution—

''(I) only if the scholarship is in the form of monetary aid based upon the academic achievements or financial need of students, disbursed to qualified student recipients during each fiscal year from an established restricted account; and

''(II) only to the extent that funds in that account represent designated funds, or income earned on such funds, from an outside source that—

''(aa) has no affiliation with the institution; and

''(bb) shares no employees with the institution; and

''(vi) exclude from revenues—

''(I) the amount of funds the institution received under part C of title IV, unless the institution used those funds to pay a student's institutional charges;

''(II) the amount of funds the institution received under subpart 4 of part A of title IV;

''(III) the amount of funds provided by the institution as matching funds for any Federal program;

''(IV) the amount of Federal funds provided to the institution to pay institutional charges for a student that were refunded or returned; and

''(V) the amount charged for books, supplies, and equipment, unless the institution includes that amount as tuition, fees, or other institutional charges.

''(D) REPORT TO CONGRESS.—Not later than July 1, 2016, and by July 1 of each succeeding year, the Secretary shall submit to the authorizing committees a report that contains, for each proprietary institution of higher education that receives assistance under title IV and as provided in the audited financial statements submitted to the Secretary by each institution pursuant to the requirements of section 487(c)—

''(i) the amount and percentage of such institution's revenues received from Federal funds; and

''(ii) the amount and percentage of such institution's revenues received from other sources.''.

(b) Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

(1) in subsection (a)—

(A) by striking paragraph (24);

(B) by redesignating paragraphs (25) through (29) as paragraphs (24) through (28), respectively;

(C) in paragraph (24)(A)(ii) (as redesignated by subparagraph (B)), by striking ''subsection (e)'' and inserting ''subsection (d)''; and

(D) in paragraph (26) (as redesignated by subparagraph (B)), by striking ''subsection (h)'' and inserting ''subsection (g)'';

(2) by striking subsection (d);

(3) by redesignating subsections (e) through (j) as subsections (d) through (i), respectively;

(4) in subsection (f)(1) (as redesignated by paragraph (3)), by striking ''subsection (e)(2)'' and inserting ''subsection (d)(2)''; and

(5) in subsection (g)(1) (as redesignated by paragraph (3)), by striking ''subsection

(a)(27)'' in the matter preceding subparagraph (A) and inserting ''subsection (a)(26)''.

(c) The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 152 (20 U.S.C. 1019a)—

(A) in subsection (a)(1)(A), by striking ''subsections (a)(27) and (h) of section 487'' and inserting ''subsections (a)(26) and (g) of section 487''; and

(B) in subsection (b)(1)(B)(i)(I), by striking ''section 487(e)'' and inserting ''section 487(d)'';

(2) in section 153(c)(3) (20 U.S.C. 1019b(c)(3)), by striking ''section 487(a)(25)'' each place the term appears and inserting ''section 487(a)(24)'';

(3) in section 496(c)(3)(A) (20 U.S.C. 1099b(c)(3)(A)), by striking ''section 487(f)'' and inserting ''section 487(e)''; and

(4) in section 498(k)(1) (20 U.S.C. 1099c(k)(1)), by striking ''section 487(f)'' and inserting ''section 487(e)''.

SA 3973. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. During fiscal year 2017, the Secretary of Veterans Affairs may not pay any bonus to an individual in a Senior Executive position (as defined in section 3132(a) of title 5, United States Code) in the Department of Veterans Affairs who is employed within Veterans Integrated Service Network 16.

SA 3974. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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. ____. (a) DEFINITIONS.—In this section—

(1) the term ''families'' has the meaning given that term in section 3(b)(3) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3));

(2) the term ''low-income families'' has the meaning given that term in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2));

(3) the term ''Secretary'' means the Secretary of Housing and Urban Development; and

(4) the term ''very low-income families'' has the meaning given that term in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).

(b) PURPOSES.—The purposes of this section are—

(1) to give public housing agencies and the Secretary the flexibility to design and implement various approaches for providing and administering housing assistance that achieves greater cost effectiveness in using Federal housing assistance to address local housing needs for low-income families;

(2) to reduce administrative burdens on public housing agencies providing such assistance;

(3) to give incentives to assisted families to work and become economically self-sufficient;

(4) to increase housing choices for low-income families; and

(5) to enhance the ability of low-income elderly residents and persons with disabilities to live independently.

(c) MOVING TO WORK CHARTER PROGRAM AUTHORITY.—

(1) CONTRACT AUTHORITY.—

(A) IN GENERAL.—Subject to the phase-in requirements under subparagraph (B), the Secretary shall enter into charter contracts, beginning in fiscal year 2017, with not more than 250 public housing agencies administering the public housing program or assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(B) PHASE-IN.—The phase-in requirements under this subparagraph are as follows:

(i) By the end of fiscal year 2017, the Secretary shall have entered into charter contracts with not less than 80 public housing agencies described in subparagraph (A).

(ii) By the end of fiscal year 2018, the Secretary shall have entered into charter contracts with not less than 160 public housing agencies described in subparagraph (A).

(iii) By the end of fiscal year 2019, the Secretary shall have entered into charter contracts with not less than 250 public housing agencies described in subparagraph (A).

(2) CHARTER CONTRACTS.—A charter contract shall—

(A) supersede and have a term commensurate with any annual contributions contract between a public housing agency and the Secretary; and

(B) provide that a participating public housing agency shall receive—

(i) capital and operating assistance allocated to such agency under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g); and

(ii) assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(3) USE OF ASSISTANCE.—Any assistance provided under paragraph (2)(B)—

(A) may be combined; and

(B) shall be used to provide locally designed housing assistance for low-income families, including—

(i) services to facilitate the transition to work and self-sufficiency; and

(ii) any other activity which a public housing agency is authorized to undertake pursuant to State or local law.

(d) TERMS AND CONDITIONS OF ASSISTANCE.—

(1) APPLICABILITY OF UNITED STATES HOUSING ACT OF 1937.—Except as provided in this subsection, the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) shall not be applicable to any public housing agency participating in the Moving to Work Charter program established under this section.

(2) APPLICABLE 1937 ACT PROVISIONS.—The following provisions of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) are applicable to any public housing agency participating in the Moving to Work Charter program established under this section:

(A) Subsections (a) and (b) of section 12 (42 U.S.C. 1437j (a) and (b)) shall apply to housing assisted under a charter contract, other than housing assisted solely due to occupancy by families receiving tenant based rental assistance.

(B) Section 18 (42 U.S.C. 1437p) shall continue to apply to public housing developed under such Act notwithstanding any use of the housing under a charter contract.

(3) CHARTER CONTRACT TERMS.—A charter contract shall provide that a public housing agency—

(A) may—

(i) combine assistance received under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g), as described in subsection (c)(3); and

(ii) use such assistance to provide housing assistance and related services for activities authorized by this section, including those activities authorized by sections 8 and 9 of such Act;

(B) certify that in preparing its application for participation in the Moving to Work Charter program established under this section, such agency has—

(i) provided for citizen participation through a public hearing and, if appropriate, other means; and

(ii) taken into account comments from the public hearing and any other public comments on the proposed activities under this section, including comments from current and prospective residents who would be affected by such contract;

(C) shall ensure that not less than 75 percent of the families assisted under a charter contract shall be, at the time of such families' entry into the Moving to Work Charter program, very low-income families;

(D) shall establish a reasonable rent policy, which shall—

(i) be designed to encourage employment, self-sufficiency, and homeownership by participating families, consistent with the purposes of this section;

(ii) include transition and hardship provisions;

(iii) be included in the annual plan of such agency; and

(iv) be subject to the opportunities for public participation described in subsection (f)(1)(C)(iv);

(E) shall continue to assist not less than substantially the same total number of low-income families as would have been served had such agency not entered into such contract;

(F) shall maintain a comparable mix of families (by family size) as would have been provided had the agency not entered into such contract;

(G) shall ensure that housing assisted under such contract meets housing quality standards established or approved by the Secretary;

(H) shall receive training and technical assistance, upon request by such agency, to assist with the design and implementation of the activities described under this section;

(I) shall receive an amount of assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g) that is not diminished by the participation of such agency in the Moving to Work Charter program established under this section;

(J) shall be subject to the procurement procedures described in such contract;

(K) shall ensure that each family receiving housing assistance—

(i) is engaged in work activities that would count toward satisfying the monthly work participation rates applicable to the State in which such public housing agency is located for purposes of the State temporary assistance to needy families program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) if the family were receiving assistance or benefits under that program; or

(ii) would qualify under that program to an exception to engaging in such work activities; and

(L) shall provide housing assistance to families assisted under a charter contract for not more than 5 years.

(e) SELECTION.—In selecting among public housing agency applications to participate in the Moving to Work Charter program established under this section, the Secretary shall consider—

(1) the potential of each agency to plan and carry out activities under such program;

(2) the relative performance by an agency under section 6(j) of the United States Housing Act of 1937 (42 U.S.C. 1437d(j));

(3) the need for a diversity of participants in terms of size, location, and type of agency; and

(4) any other appropriate factor as determined by the Secretary.

(f) CHARTER REPORT.—

(1) CONTENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, and in place of all other planning and reporting requirements otherwise required, each public housing agency that is a party to a charter contract shall submit to the Secretary, on an annual basis, a single charter report, in a form and at a time specified by the Secretary.

(B) SOLE MEANS OF REPORTING.—A charter report submitted under subparagraph (A) shall be the sole means by which a public housing agency shall be required to provide information to the Secretary on the activities assisted under this section during a fiscal year, unless the Secretary has reason to believe that such agency has violated the charter contract between the Secretary and such agency.

(C) REQUIREMENTS.—Each charter report required under subparagraph (A) shall—

(i) document the use by a public housing agency of any assistance provided under a charter contract, including appropriate financial statements;

(ii) describe and analyze the effect of assisted activities in addressing the objectives of this section;

(iii) include a certification by such agency that such agency has prepared an annual plan which—

(I) states the goals and objectives of that agency under the charter contract for the past fiscal year;

(II) describes the proposed use of assistance by that agency for activities under the charter contract for the past fiscal year;

(III) explains how the proposed activities of that agency will meet the goals and objectives of that agency;

(IV) includes appropriate budget and financial statements of that agency; and

(V) was prepared in accordance with a public process as described in clause (iv);

(iv) describe and document how a public housing agency has provided residents assisted under a charter contract and the wider community with opportunities to participate in the development of and comment on the annual plan, which shall include not less than 1 public hearing; and

(v) include such other information as may be required by the Secretary pursuant to subsection (g)(2).

(2) REVIEW.—Any charter report submitted pursuant to paragraph (1) shall be deemed approved unless the Secretary, not later than 45 days after the date of submission of such report, issues a written disapproval because—

(A) the Secretary reasonably determines, based on information contained in the report, that a public housing agency is not in compliance with the provisions of this section or other applicable law; or

(B) such report is inconsistent with other reliable information available to the Secretary.

(g) RECORDS AND AUDITS.—

(1) KEEPING OF RECORDS.—Each public housing agency shall keep such records as the Secretary may prescribe as reasonably necessary—

(A) to disclose the amounts and the disposition of amounts under the Moving to Work Charter program established under this section;

(B) to ensure compliance with the requirements of this section; and

(C) to measure performance.

(2) ACCESS TO DOCUMENTS BY THE SECRETARY.—

(A) IN GENERAL.—The Secretary shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of, this section.

(B) LIMITATION.—Access by the Secretary described under subparagraph (A) shall be limited to information obtained solely through the annual charter report submitted by a public housing agency under subsection (f), unless the Secretary has reason to believe that such agency is not in compliance with the charter contract between the Secretary and such agency.

(3) ACCESS TO DOCUMENTS BY THE COMPTROLLER GENERAL.—The Comptroller General of the United States, or any duly authorized representative of the Comptroller General, shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of the Moving to Work Charter program established under this section.

(h) PROCUREMENT PREEMPTION.—

(1) IN GENERAL.—Any State or local law which imposes procedures or standards for procurement which conflict with or are more burdensome than applicable Federal procurement requirements shall not apply to any public housing agency under the Moving to Work Charter program established under this section.

(2) REDUCTION OF ADMINISTRATIVE BURDENS.—The Secretary may approve procurement procedures for public housing agencies participating in the Moving to Work Charter program established under this section that reduce administrative burdens of procurement requirements imposed by Federal law.

(i) SUBSEQUENT LAWS PREEMPTED.—A public housing agency participating in the Moving to Work Charter program established under this section shall not be subject to any provision of law which conflicts with the provisions of this section and which is enacted subsequent to the date of execution of such agency's charter contract or Moving to Work program agreement, as described in subsection (j), unless such law expressly provides for such law's application to public housing agencies subject to this section.

(j) EXISTING AGREEMENTS.—Notwithstanding anything in this section or any other provision of law, any public housing agency which has an existing Moving to Work program agreement with the Secretary pursuant to section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321–281) and which is not in default thereof, may, at the option of such agency—

(1) continue to operate under the terms and conditions of such agreement notwithstanding any limitation on the terms contained in such contract; or

(2) at any time, enter into a charter contract with the Secretary on terms and conditions which are not less favorable to the agency than such existing agreement.

(k) PUBLIC HOUSING AGENCY EVALUATION.—

(1) IN GENERAL.—Not later than the end of fiscal year 2017, the Secretary shall appoint a Federal advisory committee consisting of public housing agencies with charter contracts, public housing industry organizations, resident organizations, other public housing and section 8 voucher stakeholders, and experts on accreditation systems in similar fields, to assess and develop a demonstration program to test standards, criteria, and practices for a national public housing agency accreditation system or other evaluation system.

(2) REPORT.—Not later than the end of fiscal year 2019, the committee established under paragraph (1) and the Secretary shall provide a report and recommendations to Congress with respect to the establishment of a national public housing agency accreditation system.

SA 3975. Mr. FLAKE (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division A, insert the following:

SEC. ____. None of the funds made available under this division may be used by the Federal Government to interfere with State and local inspections of public housing dwelling units.

SA 3976. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division A, insert the following:

SEC. ____. (a) In this section, the term ''covered agency'' means—

(1) the Department of Housing and Urban Development;

(2) the Department of Transportation;

(3) the Federal Maritime Commission;

(4) the National Railroad Passenger Corporation;

(5) the National Transportation Safety Board;

(6) the Neighborhood Reinvestment Corporation; and

(7) the United States Interagency Council on Homelessness.

(b) Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Director of the Office of Management and Budget shall submit to Congress and post on the website of the Office of Management and Budget a report on projects funded by a covered agency—

(1) that are more than 5 years behind schedule; or

(2) for which the amount spent on the project is not less than $1,000,000,000 more than the original cost estimate for the project.

(c) Each report submitted and posted under subsection (b) shall include, for each project included in the report—

(1) a brief description of the project, including—

(A) the purpose of the project;

(B) each location in which the project is carried out;

(C) the year in which the project was initiated; and

(D) each primary contractor and grant recipient for the project;

(2) the original expected date for completion of the project;

(3) the current expected date for completion of the project;

(4) the original cost estimate for the project;

(5) the current cost estimate for the project;

(6) an explanation for a delay in completion or increase in the original cost estimate for the project; and

(7) recommendations to reduce the cost for the project that may require legislative action.

SA 3977. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 division B, add the following:

SEC. 410. (a) None of the funds made available in this Act may be used to award a construction contract on behalf of the Federal Government—

(1) in any solicitation, bid specification, project agreement, or other controlling document to require or prohibit a bidder, offeror, contractor, or subcontractor to enter into or adhere to an agreement with a labor organization; or

(2) to discriminate against or give preference to such a bidder, offeror, contractor, or subcontractor based on their entering into or refusing to enter into an agreement with a labor organization.

(b) Subsection (a) does not apply to any construction contract awarded before the date of the enactment of this Act.

SA 3978. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. Notwithstanding any other provision of this Act, the Secretary of Veterans Affairs may not provide any allowance in connection with a permanent change of station to an individual in a Senior Executive Service position (as defined in section 3132(a) of title 5, United States Code) at the Department of Veterans Affairs.

SA 3979. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. Not later than September 30, 2017, the Secretary of Veterans Affairs shall—

(1) submit to the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives an itemized accounting of the use of Federal award GU1103 in the amount of $3,265,487 that was awarded in 2013 to renovate a veteran's cemetery in Guam under the Veterans Cemetery Grants Program of the Department of Veterans Affairs; and

(2) publish such itemized accounting on a publicly available Internet website of the Department.

SA 3980. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. Not later than September 30, 2017, the Secretary of Veterans Affairs shall submit to Congress a plan on modernizing the system of the Veterans Health Administration for processing claims by non-Department of Veterans Affairs health care providers for reimbursement for health care provided to veterans under the laws administered by the Secretary.

SA 3981. Mr. FLAKE (for himself, Mr. TOOMEY, Mr. COATS, and Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division A, insert the following:

SEC. ____. None of the funds made available in this division may be used to provide housing assistance under section 3 or section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437a and 1437f) to any family whose income for the most recent 2 consecutive years has exceeded 120 percent of the median income for the area in which the family resides.

SA 3982. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in title II of division A, insert the following:

SEC. ____. Not later than 90 days after the date of enactment of this Act, the Secretary shall prepare and submit to Congress a report on the community development block grant program under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) that describes—

(1) how the Secretary could devise a system of consolidated reporting of expenditures and accomplishments by grant recipients under the program in an easily analyzable format, which would include—

(A) a cost-benefit analysis of each project that a grant recipient has funded using amounts provided under the program, including—

(i) the number of people the project was expected to help;

(ii) the number of people the project actually helped; and

(iii) the number of houses rehabilitated or removed due to blight;

(B) a description of how each grant recipient validated the self-reported information described in subparagraph (A); and

(C) a description of how to tie the outcome data described in clauses (ii) and (iii) of subparagraph (A) to census tract or block group data to enable independent researchers to validate the outcomes; and

(2) measures that the Secretary could adopt to identify viable urban communities that can serve as models for other communities trying to rehabilitate certain neighborhoods, which measures shall be tied to census tract or block group data, such as communities—

(A) in which not more than 10 percent of households have an income at or below the poverty level;

(B) in which the median wage is not less than 90 percent of the median wage for the metropolitan statistical area;

(C) in which the unemployment rate is not more than 8 percent; or

(D) that meet 2 of the 3 criteria under subparagraphs (A) through (C).

SA 3983. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in title I of division A, insert the following:

SEC. ____. None of the funds made available under this title may be used for the VelociRFTA bus rapid transit project in Roaring Fork Valley, Colorado.

SA 3984. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 64, line 21, strike ''$5,000,000'' and insert ''$3,000,000''.

SA 3985. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr.

REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 152, line 13, insert ''The Secretary may refuse to withdraw the Notice of Default upon receipt of a petition from the Governor of the State in which the deficient property is located.'' after ''Default.''.

SA 3986. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 85, line 10, insert ''*Provided further*, That the Secretary may provide replacement vouchers for units operated by management or ownership that has been declared in default of a Housing Assistance Payments contract due to physical deficiencies:'' after ''funds:''.

SA 3987. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2806, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

CERTAIN SERVICE DEEMED TO BE ACTIVE MILITARY SERVICE

SEC. 251. (a) IN GENERAL.—For purposes of section 401(a)(1)(A) of the GI Bill Improvement Act of 1977 (38 U.S.C. 106 note), the Secretary of Defense is deemed to have determined that qualified service of an individual constituted active military service.

(b) DETERMINATION OF DISCHARGE STATUS.—The Secretary of Defense shall issue an honorable discharge under section 401(a)(1)(B) of the GI Bill Improvement Act of 1977 to each person whose qualified service warrants an honorable discharge. Such discharge shall be issued before the end of the one-year period beginning on the date of the enactment of this Act.

(c) PROHIBITION OF RETROACTIVE BENEFITS.—No benefits may be paid to any individual as a result of the enactment of this Act for any period before the date of the enactment of this Act.

(d) QUALIFIED SERVICE DEFINED.—In this section, the term ''qualified service'' means service of an individual as a member of the organization known as the United States Cadet Nurse Corps during the period beginning on July 1, 1943, and ending on December 15, 1945.

SA 3988. Mr. MENENDEZ (for himself, Mr. SANDERS, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 division A, strike section 230.

SA 3989. Mr. MENENDEZ (for himself, Mr. BROWN, Mr. BOOKER, Ms. BALDWIN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division B, insert the following:

SEC. ____. MILITARY FAMILIES CREDIT REPORTING ACT.

(a) SHORT TITLE.—This section may be cited as the ''Military Families Credit Reporting Act''.

(b) NOTICE OF STATUS AS AN ACTIVE DUTY MILITARY CONSUMER.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) in section 605 (15 U.S.C. 1681c), by adding at the end the following:

''(i) NOTICE OF STATUS AS AN ACTIVE DUTY MILITARY CONSUMER.—

''(1) IN GENERAL.—With respect to an item of adverse information about a consumer that arises from the failure of the consumer to make any required payment on a debt or other obligation, if the action or inaction that gave rise to the item occurred while the consumer was an active duty military consumer, the consumer may provide appropriate proof, including official orders, to a consumer reporting agency that the consumer was an active duty military consumer at the time such action or inaction occurred, and any consumer report provided by the consumer reporting agency that includes the item shall clearly and conspicuously disclose that the consumer was an active duty military consumer when the action or inaction that gave rise to the item occurred.

''(2) MODEL FORM.—The Bureau shall prepare a model form, which shall be made publicly available, including in an electronic format, by which a consumer may—

''(A) notify, and provide appropriate proof to, a consumer reporting agency in a simple and easy manner, including electronically, that the consumer is or was an active duty military consumer; and

''(B) provide contact information of the consumer for the purpose of communicating with the consumer while the consumer is an active duty military consumer.

''(3) NO ADVERSE CONSEQUENCES.—Notice, whether provided by the model form described in paragraph (2) or otherwise, that a consumer is or was an active duty military consumer may not provide the sole basis for—

''(A) with respect to a credit transaction between the consumer and a creditor, a creditor—

''(i) denying an application of credit submitted by the consumer;

''(ii) revoking an offer of credit made to the consumer by the creditor;

''(iii) changing the terms of an existing credit arrangement with the consumer; or

''(iv) refusing to grant credit to the consumer in a substantially similar amount or on substantially similar terms requested by the consumer;

''(B) furnishing negative information relating to the creditworthiness of the consumer by or to a consumer reporting agency; or

''(C) except as otherwise provided in this title, a creditor or consumer reporting agency noting in the file of the consumer that the consumer is or was an active duty military consumer.'';

(2) in section 605A (15 U.S.C. 1681c–1)—

(A) in subsection (c)—

(i) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(ii) in the matter preceding subparagraph (A), as so redesignated, by striking ''Upon'' and inserting the following:

''(1) IN GENERAL.—Upon''; and

(iii) by adding at the end the following:

''(2) NEGATIVE INFORMATION NOTIFICATION.—If a consumer reporting agency receives an item of adverse information about a consumer who has provided appropriate proof that the consumer is an active duty military consumer, the consumer reporting agency shall promptly notify the consumer, according to a frequency, manner, and timeliness determined by the Bureau or specified by the consumer—

''(A) that the consumer reporting agency has received the item of adverse information, along with a description of the item; and

''(B) the method by which the consumer may dispute the validity of the item.

''(3) CONTACT INFORMATION FOR ACTIVE DUTY MILITARY CONSUMERS.—

''(A) IN GENERAL.—If a consumer who has provided appropriate proof to a consumer reporting agency that the consumer is an active duty military consumer provides the consumer reporting agency with contact information for the purpose of communicating with the consumer while the consumer is an active duty military consumer, the consumer reporting agency shall use that contact information for all communications while the consumer is an active duty military consumer.

''(B) DIRECT REQUEST.—Unless the consumer directs otherwise, the provision of contact information by the consumer under subparagraph (A) shall be deemed to be a request for the consumer to receive an active duty alert under paragraph (1).

''(4) SENSE OF CONGRESS.—It is the sense of Congress that any person making use of a consumer report that contains an item of adverse information should, if the action or inaction that gave rise to the item occurred while the consumer was an active duty military consumer, take such fact into account when evaluating the creditworthiness of the consumer.''; and

(B) in subsection (e), by striking paragraph (3) and inserting the following:

''(3) subparagraphs (A) and (B) of subsection (c)(1), in the case of a referral under subsection (c)(1)(C).''; and

(3) in section 611(a)(1) (15 U.S.C. 1681i(a)(1)), by adding at the end the following:

''(D) NOTICE OF DISPUTE RELATED TO ACTIVE DUTY MILITARY CONSUMERS.—With respect to an item of information described under subparagraph (A) that is under dispute, if the consumer to whom the item relates has notified the consumer reporting agency, and has provided appropriate proof, that the consumer was an active duty military consumer at the time the action or inaction that gave rise to the disputed item occurred, the consumer reporting agency shall—

''(i) include that fact in the file of the consumer; and

''(ii) indicate that fact in each consumer report that includes the disputed item.''.

SA 3990. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

PROHIBITION ON RECOVERY OF OVERPAYMENT OF COMPENSATION PAID TO INCARCERATED INDIVIDUALS EXCEPT IN THE CASE OF FRAUD, MISREPRESENTATION, OR BAD FAITH

SEC. 251. Section 5313 of title 38, United States Code, is amended—

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

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

''(e) The Secretary may not recover from a person the amount of any compensation that should have been reduced under this section after the date that is 180 days after the date on which such amount should have been reduced under this section unless the Secretary determines that the person committed fraud, misrepresentation, or bad faith that resulted in such amount not being reduced.''.

SA 3991. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. PUBLICATION OF INFORMATION ON PROVISION OF HEALTH CARE BY DEPARTMENT OF VETERANS AFFAIRS.

(a) PUBLICATION OF INFORMATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Veterans Affairs shall publish on an Internet database of the Department of Veterans Affairs available to the public information on the provision of health care by the Department.

(2) ELEMENTS.—

(A) IN GENERAL.—Each publication required by paragraph (1) shall include, with respect to each medical facility of the Department during the 180-day period preceding such publication, the following:

(i) The average length of stay for inpatient care.

(ii) A description of any hospital-acquired condition acquired by a patient.

(iii) The rate of readmission of patients within 30 days of release.

(iv) The rate at which opioids are prescribed to each patient.

(v) The average wait time for emergency room treatment.

(vi) A description of any scheduling backlog with respect to patient appointments.

(vii) The average number of patients seen per month by each primary care physician.

(B) ADDITIONAL ELEMENTS.—The Secretary may include in each publication required by paragraph (1) such additional information on the safety of medical facilities of the Department, health outcomes at such facilities, and quality of care at such facilities as the Secretary considers appropriate.

(3) SEARCHABILITY.—The Secretary shall ensure that the Internet database required by paragraph (1) is searchable by State, city, and facility.

(4) PERSONAL INFORMATION.—The Secretary shall ensure that personal information connected to information published under paragraph (1) is protected from disclosure as required by applicable law.

(b) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report setting forth recommendations for additional elements to be included with the information published under subsection (a) to improve the evaluation and assessment of the safety and health of individuals receiving health care under the laws administered by the Secretary and the quality of health care received by such individuals.

SA 3992. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division A, insert the following:

SEC. ____. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SA 3993. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division B, insert the following:

SEC. ____. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SA 3994. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in division B, insert the following:

TITLE ____—WHISTLEBLOWER PROTECTIONS

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Dr. Chris Kirkpatrick Whistleblower Protection Act of 2016''.

Subtitle A—Employees Generally

SEC. ____11. DEFINITIONS.

In this subtitle—

(1) the terms ''agency'' and ''personnel action'' have the meanings given such terms under section 2302 of title 5, United States Code; and

(2) the term ''employee'' means an employee (as defined in section 2105 of title 5, United States Code) of an agency.

SEC. ____12. STAYS; PROBATIONARY EMPLOYEES.

(a) REQUEST BY SPECIAL COUNSEL.—Section 1214(b)(1) of title 5, United States Code, is amended by adding at the end the following:

''(E) If the Merit Systems Protections Board grants a stay under this subsection, the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.''.

(b) INDIVIDUAL RIGHT OF ACTION FOR PROBATIONARY EMPLOYEES.—Section 1221 of title 5, United States Code, is amended by adding at the end the following:

''(k) If the Merit Systems Protection Board grants a stay to an employee in probationary status under subsection (c), the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.''.

(c) STUDY REGARDING RETALIATION AGAINST PROBATIONARY EMPLOYEES.—The Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate

and the Committee on Oversight and Government Reform of the House of Representatives a report discussing retaliation against employees in probationary status.

SEC. ___13. ADEQUATE ACCESS OF SPECIAL COUNSEL TO INFORMATION.

Section 1212(b) of title 5, United States Code, is amended by adding at the end the following:

''(5) The Special Counsel, in carrying out this subchapter, is authorized to—

''(A) have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to the applicable agency which relate to a matter within the jurisdiction or authority of the Special Counsel; and

''(B) request from any agency such information or assistance as may be necessary for carrying out the duties and responsibilities of the Special Counsel under this subchapter.''.

SEC. ___14. PROHIBITED PERSONNEL PRACTICES.

Section 2302(b) of title 5, United States Code, is amended—

(1) in paragraph (12), by striking ''or'' at the end;

(2) in paragraph (13), by striking the period at the end and inserting ''; or''; and

(3) by inserting after paragraph (13) the following:

''(14) access the medical record of another employee for the purpose of retaliation for a disclosure or activity protected under paragraph (8) or (9).''.

SEC. ___15. DISCIPLINE OF SUPERVISORS BASED ON RETALIATION AGAINST WHISTLEBLOWERS.

(a) IN GENERAL.—Subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

''§ 7515. Discipline of supervisors based on retaliation against whistleblowers

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency' has the meaning given that term under section 2302;

''(2) the term 'prohibited personnel action' means taking or failing to take an action in violation of paragraph (8), (9), or (14) of section 2302(b) against an employee of an agency; and

''(3) the term 'supervisor' means a supervisor, as defined under section 7103(a), who is employed by an agency, as defined under paragraph (1) of this subsection.

''(b) PROPOSED ADVERSE ACTIONS.—

''(1) IN GENERAL.—In accordance with paragraph (2), the head of an agency shall propose against a supervisor whom the head of that agency, an administrative law judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the agency determines committed a prohibited personnel action the following adverse actions:

''(A) With respect to the first prohibited personnel action, an adverse action that is not less than a 12-day suspension.

''(B) With respect to the second prohibited personnel action, removal.

''(2) PROCEDURES.—

''(A) NOTICE.—A supervisor against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

''(B) ANSWER AND EVIDENCE.—

''(i) IN GENERAL.—A supervisor who is notified under subparagraph (A) that the supervisor is the subject of a proposed adverse action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

''(ii) NO EVIDENCE.—After the end of the 14-day period described in clause (i), if a supervisor does not furnish evidence as described in clause (i) or if the head of the agency determines that such evidence is not sufficient to reverse the proposed adverse action, the head of the agency shall carry out the adverse action.

''(C) SCOPE OF PROCEDURES.—Paragraphs (1) and (2) of subsection (b) of section 7513, subsection (c) of such section, paragraphs (1) and (2) of subsection (b) of section 7543, and subsection (c) of such section shall not apply with respect to an adverse action carried out under this subsection.

''(c) LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action, if the head of the agency carries out an adverse action against a supervisor under another provision of law, the head of the agency may carry out an additional adverse action under this section based on the same prohibited personnel action.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

''7515. Discipline of supervisors based on retaliation against whistleblowers.''.

SEC. ___16. SUICIDE BY EMPLOYEES.

(a) REFERRAL.—The head of an agency shall refer to the Office of Special Counsel, along with any information known to the agency regarding the circumstances described in paragraphs (2) and (3), any instance in which the head of the agency has information indicating—

(1) an employee of the agency committed suicide;

(2) prior to the death of the employee, the employee made any disclosure of information which reasonably evidences—

(A) any violation of any law, rule, or regulation; or

(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; and

(3) after a disclosure described in paragraph (2), a personnel action was taken against the employee.

(b) OFFICE OF SPECIAL COUNSEL REVIEW.—For any referral to the Office of Special Counsel under subsection (a), the Office of Special Counsel shall—

(1) examine whether any personnel action was taken because of any disclosure of information described in subsection (a)(2); and

(2) take any action the Office of Special Counsel determines appropriate under subchapter II of chapter 12 of title 5, United States Code.

SEC. ___17. TRAINING FOR SUPERVISORS.

In consultation with the Office of Special Counsel and the Inspector General of the agency (or senior ethics official of the agency for an agency without an Inspector General), the head of each agency shall provide training regarding how to respond to complaints alleging a violation of whistleblower protections (as defined in section 2307 of title 5, United States Code, as added by this subtitle) available to employees of the agency—

(1) to employees appointed to supervisory positions in the agency who have not previously served as a supervisor; and

(2) on an annual basis, to all employees of the agency serving in a supervisory position.

SEC. ___18. INFORMATION ON WHISTLEBLOWER PROTECTIONS.

(a) EXISTING PROVISION.—

(1) IN GENERAL.—Section 2302 of title 5, United States Code, is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) Section 4505a(b)(2) of title 5, United States Code, is amended by striking ''section 2302(d)'' and inserting ''section 2302(c)''.

(B) Section 5755(b)(2) of title 5, United States Code, is amended by striking ''section 2302(d)'' and inserting ''section 2302(c)''.

(C) Section 110(b)(2) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note) is amended by striking ''section 2303(f)(1) or (2)'' and inserting ''section 2303(e)(1) or (2)''.

(D) Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 344) is amended by striking ''2302(c)'' each place it appears and inserting ''2307''.

(E) Section 1217(d)(3) of the Panama Canal Act of 1979 (22 U.S.C. 3657(d)(3)) is amended by striking ''section 2302(d)'' and inserting ''section 2302(c)''.

(F) Section 1233(b) of the Panama Canal Act of 1979 (22 U.S.C. 3673(b)) is amended by striking ''section 2302(d)'' and inserting ''section 2302(c)''.

(b) PROVISION OF INFORMATION.—Chapter 23 of title 5, United States Code, is amended by adding at the end the following:

''§ 2307. Information on whistleblower protections

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency' has the meaning given that term in section 2302;

''(2) the term 'new employee' means an individual—

''(A) appointed to a position as an employee of an agency on or after the date of enactment of the Dr. Chris Kirkpatrick Whistleblower Protection Act of 2016; and

''(B) who has not previously served as an employee; and

''(3) the term 'whistleblower protections' means the protections against and remedies for a prohibited personnel practice described in paragraph (8), subparagraph (A)(i), (B), (C), or (D) of paragraph (9), or paragraph (14) of section 2302(b).

''(b) RESPONSIBILITIES OF HEAD OF AGENCY.—The head of each agency shall be responsible for the prevention of prohibited personnel practices, for the compliance with and enforcement of applicable civil service laws, rules, and regulations, and other aspects of personnel management, and for ensuring (in consultation with the Special Counsel and the Inspector General of the agency) that employees of the agency are informed of the rights and remedies available to them under this chapter and chapter 12, including—

''(1) information regarding whistleblower protections available to new employees during the probationary period;

''(2) the role of the Office of Special Counsel and the Merit Systems Protection Board with regard to whistleblower protections; and

''(3) how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of an agency, Congress, or other agency employee designated to receive such disclosures.

''(c) TIMING.—The head of each agency shall ensure that the information required to be provided under subsection (b) is provided to each new employee of the agency not later than 6 months after the date the new employee is appointed.

''(d) INFORMATION ONLINE.—The head of each agency shall make available information regarding whistleblower protections applicable to employees of the agency on the public website of the agency, and on any online portal that is made available only to employees of the agency if one exists.

''(e) DELEGEES.—Any employee to whom the head of an agency delegates authority for personnel management, or for any aspect thereof, shall, within the limits of the scope of the delegation, be responsible for the activities described in subsection (b).''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 23 of title 5, United States Code, is amended by adding at the end the following:

''2307. Information on whistleblower protections.''.

Subtitle B—Department of Veterans Affairs Employees

SEC. ___21. PREVENTION OF UNAUTHORIZED ACCESS TO MEDICAL RECORDS OF EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) DEVELOPMENT OF PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) develop a plan to prevent access to the medical records of employees of the Department of Veterans Affairs by employees of the Department who are not authorized to access such records;

(B) submit to the appropriate committees of Congress the plan developed under subparagraph (A); and

(C) upon request, provide a briefing to the appropriate committees of Congress with respect to the plan developed under subparagraph (A).

(2) ELEMENTS.—The plan required under paragraph (1) shall include the following:

(A) A detailed assessment of strategic goals of the Department for the prevention of unauthorized access to the medical records of employees of the Department.

(B) A list of circumstances in which an employee of the Department who is not a health care provider or an assistant to a health care provider would be authorized to access the medical records of another employee of the Department.

(C) Steps that the Secretary will take to acquire new or implement existing technology to prevent an employee of the Department from accessing the medical records of another employee of the Department without a specific need to access such records.

(D) Steps the Secretary will take, including plans to issue new regulations, as necessary, to ensure that an employee of the Department may not access the medical records of another employee of the Department for the purpose of retrieving demographic information if that demographic information is available to the employee in another location or through another format.

(E) A proposed timetable for the implementation of such plan.

(F) An estimate of the costs associated with implementing such plan.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Homeland Security and Governmental Affairs and the Committee on Veterans' Affairs of the Senate; and

(2) the Committee on Oversight and Government Reform and the Committee on Veterans' Affairs of the House of Representatives.

SEC. ___22. OUTREACH ON AVAILABILITY OF MENTAL HEALTH SERVICES AVAILABLE TO EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall conduct a program of outreach to employees of the Department of Veterans Affairs to inform those employees of any mental health services, including telemedicine options, that are available to them.

SEC. ___23. PROTOCOLS TO ADDRESS THREATS AGAINST EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall ensure protocols are in effect to address threats from individuals receiving health care from the Department of Veterans Affairs directed towards employees of the Department who are providing such health care.

SEC. ___24. COMPTROLLER GENERAL OF THE UNITED STATES STUDY ON ACCOUNTABILITY OF CHIEFS OF POLICE OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTERS.

The Comptroller General of the United States shall conduct a study to assess the reporting, staffing, accountability, and chain of command structure of the Department of Veterans Affairs police officers at medical centers of the Department.

SA 3995. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. (a) REPORT ON OPIOID ABUSE AND TREATMENT.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall publish on a publicly available Internet website of the Department of Veterans Affairs a report that includes the following information:

(1) A comprehensive list of all facilities of the Department offering an opioid abuse treatment program, including details on the types of services available at each facility.

(2) The number of veterans treated by a health care provider of the Department for opioid abuse during the year preceding the publication of the report.

(3) Of the veterans described in paragraph (2), the number treated for opioid abuse in conjunction with posttraumatic stress disorder, depression, or anxiety.

(4) With respect to veterans receiving treatment for opioid abuse—

(A) the average period of time veterans reported abusing opioids before beginning such treatment during the year preceding the publication of the report; and

(B) the main reasons reported to the Department by veterans as to how they came to receive such treatment, including self-referral or recommendation by a physician or family member.

(b) PROTECTION OF INFORMATION.—No information published under subsection (a) shall include any information that personally identifies a veteran.

SA 3996. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 in Division A, add the following:

SEC. ____. (a) DEFINITIONS.—In this section—

(1) the term ''families'' has the meaning given that term in section 3(b)(3) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3));

(2) the term ''low-income families'' has the meaning given that term in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2));

(3) the term ''Secretary'' means the Secretary of Housing and Urban Development; and

(4) the term ''very low-income families'' has the meaning given that term in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).

(b) PURPOSES.—The purposes of this section are—

(1) to give public housing agencies and the Secretary the flexibility to design and implement various approaches for providing and administering housing assistance that achieves greater cost effectiveness in using Federal housing assistance to address local housing needs for low-income families;

(2) to reduce administrative burdens on public housing agencies providing such assistance;

(3) to give incentives to assisted families to work and become economically self-sufficient;

(4) to increase housing choices for low-income families; and

(5) to enhance the ability of low-income elderly residents and persons with disabilities to live independently.

(c) MOVING TO WORK CHARTER PROGRAM AUTHORITY.—

(1) CONTRACT AUTHORITY.—

(A) IN GENERAL.—Subject to the phase-in requirements under subparagraph (B), the Secretary shall enter into charter contracts, beginning in fiscal year 2017, with not more than 250 public housing agencies administering the public housing program or assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(B) PHASE-IN.—The phase-in requirements under this subparagraph are as follows:

(i) By the end of fiscal year 2017, the Secretary shall have entered into charter contracts with not less than 80 public housing agencies described in subparagraph (A).

(ii) By the end of fiscal year 2018, the Secretary shall have entered into charter contracts with not less than 160 public housing agencies described in subparagraph (A).

(iii) By the end of fiscal year 2019, the Secretary shall have entered into charter contracts with not less than 250 public housing agencies described in subparagraph (A).

(2) CHARTER CONTRACTS.—A charter contract shall—

(A) supersede and have a term commensurate with any annual contributions contract between a public housing agency and the Secretary; and

(B) provide that a participating public housing agency shall receive—

(i) capital and operating assistance allocated to such agency under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g); and

(ii) assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(3) USE OF ASSISTANCE.—Any assistance provided under paragraph (2)(B)—

(A) may be combined; and

(B) shall be used to provide locally designed housing assistance for low-income families, including—

(i) services to facilitate the transition to work and self-sufficiency; and

(ii) any other activity which a public housing agency is authorized to undertake pursuant to State or local law.

(d) TERMS AND CONDITIONS OF ASSISTANCE.—

(1) APPLICABILITY OF UNITED STATES HOUSING ACT OF 1937.—Except as provided in this subsection, the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) shall not be applicable to any public housing agency participating in the Moving to Work Charter program established under this section.

(2) APPLICABLE 1937 ACT PROVISIONS.—The following provisions of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) are applicable to any public housing agency participating in the Moving to Work Charter program established under this section:

(A) Subsections (a) and (b) of section 12 (42 U.S.C. 1437j (a) and (b)) shall apply to housing assisted under a charter contract, other than housing assisted solely due to occupancy by families receiving tenant based rental assistance.

(B) Section 18 (42 U.S.C. 1437p) shall continue to apply to public housing developed under such Act notwithstanding any use of the housing under a charter contract.

(3) CHARTER CONTRACT TERMS.—A charter contract shall provide that a public housing agency—

(A) may—

(i) combine assistance received under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g), as described in subsection (c)(3); and

(ii) use such assistance to provide housing assistance and related services for activities authorized by this section, including those activities authorized by sections 8 and 9 of such Act;

(B) certify that in preparing its application for participation in the Moving to Work Charter program established under this section, such agency has—

(i) provided for citizen participation through a public hearing and, if appropriate, other means; and

(ii) taken into account comments from the public hearing and any other public comments on the proposed activities under this section, including comments from current and prospective residents who would be affected by such contract;

(C) shall ensure that not less than 75 percent of the families assisted under a charter contract shall be, at the time of such families' entry into the Moving to Work Charter program, very low-income families;

(D) shall establish a reasonable rent policy, which shall—

(i) be designed to encourage employment, self-sufficiency, and homeownership by participating families, consistent with the purposes of this section;

(ii) include transition and hardship provisions;

(iii) be included in the annual plan of such agency; and

(iv) be subject to the opportunities for public participation described in subsection (f)(1)(C)(iv);

(E) shall continue to assist not less than substantially the same total number of low-income families as would have been served had such agency not entered into such contract;

(F) shall maintain a comparable mix of families (by family size) as would have been provided had the agency not entered into such contract;

(G) shall ensure that housing assisted under such contract meets housing quality standards established or approved by the Secretary;

(H) shall receive training and technical assistance, upon request by such agency, to assist with the design and implementation of the activities described under this section;

(I) shall receive an amount of assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g) that is not diminished by the participation of such agency in the Moving to Work Charter program established under this section;

(J) shall be subject to the procurement procedures described in such contract;

(K) shall ensure that each family receiving housing assistance—

(i) is engaged in work activities that would count toward satisfying the monthly work participation rates applicable to the State in which such public housing agency is located for purposes of the State temporary assistance to needy families program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) if the family were receiving assistance or benefits under that program; or

(ii) would qualify under that program to an exception to engaging in such work activities; and

(L) shall provide housing assistance to families assisted under a charter contract for not more than 5 years.

(e) SELECTION.—In selecting among public housing agency applications to participate in the Moving to Work Charter program established under this section, the Secretary shall consider—

(1) the potential of each agency to plan and carry out activities under such program;

(2) the relative performance by an agency under section 6(j) of the United States Housing Act of 1937 (42 U.S.C. 1437d(j));

(3) the need for a diversity of participants in terms of size, location, and type of agency; and

(4) any other appropriate factor as determined by the Secretary.

(f) CHARTER REPORT.—

(1) CONTENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, and in place of all other planning and reporting requirements otherwise required, each public housing agency that is a party to a charter contract shall submit to the Secretary, on an annual basis, a single charter report, in a form and at a time specified by the Secretary.

(B) SOLE MEANS OF REPORTING.—A charter report submitted under subparagraph (A) shall be the sole means by which a public housing agency shall be required to provide information to the Secretary on the activities assisted under this section during a fiscal year, unless the Secretary has reason to believe that such agency has violated the charter contract between the Secretary and such agency.

(C) REQUIREMENTS.—Each charter report required under subparagraph (A) shall—

(i) document the use by a public housing agency of any assistance provided under a charter contract, including appropriate financial statements;

(ii) describe and analyze the effect of assisted activities in addressing the objectives of this section;

(iii) include a certification by such agency that such agency has prepared an annual plan which—

(I) states the goals and objectives of that agency under the charter contract for the past fiscal year;

(II) describes the proposed use of assistance by that agency for activities under the charter contract for the past fiscal year;

(III) explains how the proposed activities of that agency will meet the goals and objectives of that agency;

(IV) includes appropriate budget and financial statements of that agency; and

(V) was prepared in accordance with a public process as described in clause (iv);

(iv) describe and document how a public housing agency has provided residents assisted under a charter contract and the wider community with opportunities to participate in the development of and comment on the annual plan, which shall include not less than 1 public hearing; and

(v) include such other information as may be required by the Secretary pursuant to subsection (g)(2).

(2) REVIEW.—Any charter report submitted pursuant to paragraph (1) shall be deemed approved unless the Secretary, not later than 45 days after the date of submission of such report, issues a written disapproval because—

(A) the Secretary reasonably determines, based on information contained in the report, that a public housing agency is not in compliance with the provisions of this section or other applicable law; or

(B) such report is inconsistent with other reliable information available to the Secretary.

(g) RECORDS AND AUDITS.—

(1) KEEPING OF RECORDS.—Each public housing agency shall keep such records as the Secretary may prescribe as reasonably necessary—

(A) to disclose the amounts and the disposition of amounts under the Moving to Work Charter program established under this section;

(B) to ensure compliance with the requirements of this section; and

(C) to measure performance.

(2) ACCESS TO DOCUMENTS BY THE SECRETARY.—

(A) IN GENERAL.—The Secretary shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of, this section.

(B) LIMITATION.—Access by the Secretary described under subparagraph (A) shall be limited to information obtained solely through the annual charter report submitted by a public housing agency under subsection (f), unless the Secretary has reason to believe that such agency is not in compliance with the charter contract between the Secretary and such agency.

(3) ACCESS TO DOCUMENTS BY THE COMPTROLLER GENERAL.—The Comptroller General of the United States, or any duly authorized representative of the Comptroller General, shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of the Moving to Work Charter program established under this section.

(h) PROCUREMENT PREEMPTION.—

(1) IN GENERAL.—Any State or local law which imposes procedures or standards for procurement which conflict with or are more burdensome than applicable Federal procurement requirements shall not apply to any public housing agency under the Moving to Work Charter program established under this section.

(2) REDUCTION OF ADMINISTRATIVE BURDENS.—The Secretary may approve procurement procedures for public housing agencies participating in the Moving to Work Charter program established under this section that reduce administrative burdens of procurement requirements imposed by Federal law.

(i) SUBSEQUENT LAWS PREEMPTED.—A public housing agency participating in the Moving to Work Charter program established under this section shall not be subject to any provision of law which conflicts with the provisions of this section and which is enacted subsequent to the date of execution of such agency's charter contract or Moving to Work program agreement, as described in

subsection (j), unless such law expressly provides for such law's application to public housing agencies subject to this section.

(j) EXISTING AGREEMENTS.—Notwithstanding anything in this section or any other provision of law, any public housing agency which has an existing Moving to Work program agreement with the Secretary pursuant to section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321–281) and which is not in default thereof, may, at the option of such agency—

(1) continue to operate under the terms and conditions of such agreement notwithstanding any limitation on the terms contained in such contract; or

(2) at any time, enter into a charter contract with the Secretary on terms and conditions which are not less favorable to the agency than such existing agreement.

(k) PUBLIC HOUSING AGENCY EVALUATION.—

(1) IN GENERAL.—Not later than the end of fiscal year 2017, the Secretary shall appoint a Federal advisory committee consisting of public housing agencies with charter contracts, public housing industry organizations, resident organizations, other public housing and section 8 voucher stakeholders, and experts on accreditation systems in similar fields, to assess and develop a demonstration program to test standards, criteria, and practices for a national public housing agency accreditation system or other evaluation system.

(2) REPORT.—Not later than the end of fiscal year 2019, the committee established under paragraph (1) and the Secretary shall provide a report and recommendations to Congress with respect to the establishment of a national public housing agency accreditation system.

SA 3997. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. INSPECTION OF KITCHENS AND FOOD SERVICE AREAS AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall provide for the conduct of inspections of kitchens and food service areas at each medical facility of the Department of Veterans Affairs to ensure that the same standards for kitchens and food service areas at hospitals in the private sector are being met at kitchens and food service areas at medical facilities of the Department.

(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) ALTERNATE ORGANIZATION.—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) REMEDIATION PLAN.—

(1) INITIAL FAILURE.—If a kitchen or food service area of a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) not to meet the standards for kitchens and food service areas in hospitals in the private sector, that medical facility fails the inspection and the Secretary shall—

(A) implement a remediation plan for that medical facility within 48 hours; and

(B) Conduct a second inspection under subsection (a) at that medical facility within 7 days of the failed inspection.

(2) SECOND FAILURE.—If a medical facility of the Department fails the second inspection conducted under paragraph (1)(B), the Secretary shall close the kitchen or food service area at that medical facility that did not meet the standards for kitchens and food service areas in hospitals in the private sector until remediation is completed and all kitchens and food service areas at that medical facility meet such standards.

(3) PROVISION OF FOOD.—If a kitchen or food service area is closed at a medical facility of the Department pursuant to paragraph (2), the Director of the Veterans Integrated Service Network in which the medical facility is located shall enter into a contract with a vendor approved by the General Services Administration to provide food at the medical facility.

(d) REPORTS.—

(1) QUARTERLY.—Not less frequently than quarterly, the Director of each Veterans Integrated Service Network shall submit to Congress a report on inspections conducted under this section during that quarter at medical facilities of the Department under the jurisdiction of that Director.

(2) SUBSEQUENT PERIOD.—A Director of a Veterans Integrated Service Network may submit to Congress the report described in paragraph (1) not less frequently than semiannually if the Director does not report any failed inspections for the one-year period preceding the submittal of the report.

SEC. 252. INSPECTION OF MOLD ISSUES AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall provide for the inspection of mold issues at medical facilities of the Department of Veterans Affairs.

(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) ALTERNATE ORGANIZATION.—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) REMEDIATION PLAN.—If a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) to have a mold issue, the Secretary shall—

(1) implement a remediation plan for that medical facility within 48 hours; and

(2) Conduct a second inspection under subsection (a) at that medical facility within 90 days of the initial inspection.

(d) REPORTS.—

(1) QUARTERLY.—Not less frequently than quarterly, the Director of each Veterans Integrated Service Network shall submit to the Secretary of Veterans Affairs and Congress a report on inspections conducted under this section during that quarter at medical facilities of the Department under the jurisdiction of that Director.

(2) SUBSEQUENT PERIOD.—A Director of a Veterans Integrated Service Network may submit to Congress the report described in paragraph (1) not less frequently than semiannually if the Director does not report any mold issues for the one-year period preceding the submittal of the report.

SA 3998. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 of division B, add the following:

SEC. 251. COVERAGE UNDER DEPARTMENT OF VETERANS AFFAIRS BENEFICIARY TRAVEL PROGRAM OF TRAVEL IN CONNECTION WITH CERTAIN SPECIAL DISABILITIES REHABILITATION.

(a) IN GENERAL.—Section 111(b)(1) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

''(G) A veteran with vision impairment, a veteran with a spinal cord injury or disorder, or a veteran with double or multiple amputations whose travel is in connection with care provided through a special disabilities rehabilitation program of the Department (including programs provided by spinal cord injury centers, blind rehabilitation centers, and prosthetics rehabilitation centers) if such care is provided—

''(i) on an in-patient basis; or

''(ii) during a period in which the Secretary provides the veteran with temporary lodging at a facility of the Department to make such care more accessible to the veteran.''.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the beneficiary travel program under section 111 of title 38, United States Code, as amended by subsection (a), that includes the following:

(1) The cost of the program.

(2) The number of veterans served by the program.

(3) Such other matters as the Secretary considers appropriate.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

SA 3999. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 105, line 9, strike ''$5,000,000'' and insert ''$500,000''.

SA 4000. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 105, strike lines 5 through 10.

SA 4001. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 27, line 9, strike ''In addition'' and all that follows through the end of line 12.

SA 4002. Mr. BLUMENTHAL (for himself, Mr. MARKEY, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 44 of division A, strike line 3 and all that follows through page 45, line 21, and insert the following:

SEC. 131. (a) Section 133 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016 (division L of Public Law 114–113) is repealed.

(b) Section 133 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2015 (division K of Public Law 113–235) is amended by striking subsections (a) and (b).

SA 4003. Ms. COLLINS (for Mr. SULLIVAN (for himself, Mr. SCHATZ, and Mr. MARKEY)) proposed an amendment to the bill S. 1335, to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Ensuring Access to Fisheries Act''.

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

Sec. 1. Short title; table of contents.

TITLE I—NORTH PACIFIC FISHERIES

Subtitle A—North Pacific Fisheries Convention Implementation Act

Sec. 101. Short title.
Sec. 102. Definitions.
Sec. 103. United States participation in the North Pacific Fisheries Convention.
Sec. 104. Authority and responsibility of the Secretary of State.
Sec. 105. Authority of the Secretary of Commerce.
Sec. 106. Enforcement.
Sec. 107. Prohibited acts.
Sec. 108. Cooperation in carrying out Convention.
Sec. 109. Territorial participation.
Sec. 110. Exclusive economic zone notification.
Sec. 111. Authorization of appropriations.

Subtitle B—Miscellaneous

Sec. 121. Funding for travel expenses.
Sec. 122. National Sea Grant College Program Reauthorization Act of 1998.

TITLE II—SOUTH PACIFIC FISHERIES CONVENTION IMPLEMENTATION ACT

Sec. 201. Short title.
Sec. 202. Definitions.
Sec. 203. Appointment of United States Commissioners.
Sec. 204. Authority and responsibility of the Secretary of State.
Sec. 205. Authority of the Secretary of Commerce.
Sec. 206. Enforcement.
Sec. 207. Prohibited acts.
Sec. 208. Cooperation in carrying out Convention.
Sec. 209. Territorial participation.
Sec. 210. Exclusive economic zone notification.
Sec. 211. Authorization of appropriations.

TITLE III—NORTHWEST ATLANTIC FISHERIES CONVENTION AMENDMENTS ACT

Sec. 301. Short title; references to the Northwest Atlantic Fisheries Convention Act of 1995.
Sec. 302. Representation of the United States under Convention.
Sec. 303. Requests for scientific advice.
Sec. 304. Authorities of Secretary of State with respect to Convention.
Sec. 305. Interagency cooperation.
Sec. 306. Prohibited acts and penalties.
Sec. 307. Consultative committee.
Sec. 308. Definitions.
Sec. 309. Authorization of appropriations.
Sec. 310. Quota allocation practice.

TITLE I—NORTH PACIFIC FISHERIES

Subtitle A—North Pacific Fisheries Convention Implementation Act

SEC. 101. SHORT TITLE.

This subtitle may be cited as the ''North Pacific Fisheries Convention Implementation Act''.

SEC. 102. DEFINITIONS.

In this subtitle:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the advisory committee established under section 103.

(2) COMMISSION.—The term ''Commission'' means the North Pacific Fisheries Commission established pursuant to the North Pacific Fisheries Convention.

(3) COMMISSIONER.—The term ''Commissioner'' means a United States Commissioner appointed under section 103.

(4) CONVENTION AREA.—The term ''Convention Area''—

(A) means the waters of the high seas areas of the North Pacific Ocean; and

(B) excludes—

(i) the high seas areas of the Bering Sea and other high seas areas that are surrounded by the exclusive economic zone of a single nation, which are bounded to the south by a continuous line beginning at the seaward limit of waters under the jurisdiction of the United States around the Commonwealth of the Northern Mariana Islands at 20 degrees North latitude, then proceeding East and connecting the coordinates: 20°00′00″N, 180°00′00″E/W; 10°00′00″N 180°00′00″E/W; 10°00′00″N, 140°00′00″W; 20°00′00″N, 140°00′00″W; and thence East to the seaward limit of waters under the fisheries jurisdiction of Mexico; and

(ii) the exclusive economic zone of the United States or of any other country.

(5) COUNCIL.—The term ''Council'' means the North Pacific Fishery Management Council, the Pacific Fishery Management Council, or the Western Pacific Fishery Management Council established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852).

(6) EXCLUSIVE ECONOMIC ZONE.—The term ''exclusive economic zone'' means—

(A) with respect to the United States, the zone established by Presidential Proclamation Numbered 5030 of March 10, 1983 (16 U.S.C. 1453 note), the inner boundary of which, for purposes of this subtitle, is a line coterminous with the seaward boundary of each of the coastal States; and

(B) with respect to a foreign country, a designated zone similar to the zone referred to in subparagraph (A) for that country.

(7) FISHERIES RESOURCES.—

(A) IN GENERAL.—The term ''fisheries resources'' means all fish, mollusks, crustaceans, and other marine species, including any products thereof, caught by a fishing vessel within the Convention Area.

(B) EXCLUSIONS.—The term ''fisheries resources'' does not include—

(i) sedentary species insofar as they are subject to the sovereign rights of coastal nations consistent with Article 77, paragraph 4 of the 1982 Convention and indicator species of vulnerable marine ecosystems as listed in, or adopted pursuant to, Article 13, paragraph 5 of the North Pacific Fisheries Convention;

(ii) catadromous species;

(iii) marine mammals, marine reptiles, or seabirds; or

(iv) other marine species already covered by pre-existing international fisheries management instruments within the area of competence of such instruments.

(8) FISHING ACTIVITIES.—

(A) IN GENERAL.—The term ''fishing activities'' means—

(i) the actual or attempted searching for, catching, taking, or harvesting of fisheries resources;

(ii) engaging in any activity that can reasonably be expected to result in the locating, catching, taking, or harvesting of fisheries resources for any purpose;

(iii) the processing of fisheries resources at sea;

(iv) the transhipment of fisheries resources at sea or in port; or

(v) any operation at sea in direct support of, or in preparation for, any activity described in clauses (i) through (iv), including transshipment.

(B) EXCLUSIONS.—The term ''fishing activities'' does not include any operation related to an emergency involving the health or safety of a crew member or the safety of a fishing vessel.

(9) FISHING VESSEL.—The term ''fishing vessel'' means any vessel used or intended for use for the purpose of engaging in fishing activities, including a processing vessel, a support ship, a carrier vessel, or any other vessel directly engaged in such fishing activities.

(10) HIGH SEAS.—The term ''high seas'' does not include an area that is within the exclusive economic zone of the United States or of any other country.

(11) NORTH PACIFIC FISHERIES CONVENTION.—The term ''North Pacific Fisheries Convention'' means the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean (including any annexes, amendments, or protocols that are in force, or have come into force) for the United States, which was adopted at Tokyo on February 24, 2012.

(12) PERSON.—The term ''person'' means—

(A) any individual, whether or not a citizen or national of the United States;

(B) any corporation, partnership, association, or other entity, whether or not organized or existing under the laws of any State; or

(C) any Federal, State, local, tribal, or foreign government or any entity of such government.

(13) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of Commerce.

(14) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and any other commonwealth, territory, or possession of the United States.

(15) STRADDLING STOCK.—The term ''straddling stock'' means a stock of fisheries resources which migrates between, or occurs in, the exclusive economic zone of 1 or more parties to the Convention and the Convention Area.

(16) TRANSSHIPMENT.—The term ''transshipment'' means the unloading of any fisheries resources taken in the Convention Area from 1 fishing vessel to another fishing vessel either at sea or in port.

(17) 1982 CONVENTION.—The term ''1982 Convention'' means the United Nations Convention on the Law of the Sea of 10 December 1982.

SEC. 103. UNITED STATES PARTICIPATION IN THE NORTH PACIFIC FISHERIES CONVENTION.

(a) UNITED STATES COMMISSIONERS.—

(1) NUMBER OF COMMISSIONERS.—The United States shall be represented on the Commission by 5 United States Commissioners.

(2) SELECTION OF COMMISSIONERS.—The United States Commissioners shall be as follows:

(A) APPOINTMENT BY THE PRESIDENT.—

(i) IN GENERAL.—Two of the Commissioners shall be appointed by the President and shall be an officer or employee of—

(I) the Department of Commerce;

(II) the Department of State; or

(III) the United States Coast Guard.

(ii) SELECTION CRITERIA.—In making each appointment under clause (i), the President shall select a Commissioner from among individuals who are knowledgeable or experienced concerning fisheries resources in the North Pacific Ocean.

(B) NORTH PACIFIC FISHERY MANAGEMENT COUNCIL.—One Commissioner shall be the chairperson of the North Pacific Fishery Management Council or a designee of such chairperson.

(C) PACIFIC FISHERY MANAGEMENT COUNCIL.—One Commissioner shall be the chairperson of the Pacific Fishery Management Council or a designee of such chairperson.

(D) WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL.—One Commissioner shall be the chairperson of the Western Pacific Fishery Management Council or a designee of such chairperson.

(3) CHAIRPERSON.—The President shall designate 1 of the Commissioners appointed under paragraph (2) to serve as chairperson of the United States Commissioners.

(b) ALTERNATE COMMISSIONERS.—In the event of a vacancy in a Commissioner appointed under subsection (a), the Secretary of State, in consultation with the Secretary, may designate from time to time and for periods of time considered appropriate an alternate Commissioner to the Commission. An alternate Commissioner may exercise all powers and duties of a Commissioner in the absence of a Commissioner appointed under subsection (a), and shall serve the remainder of the term of the absent Commissioner for which designated.

(c) ADMINISTRATIVE MATTERS.—

(1) EMPLOYMENT STATUS.—An individual serving as a Commissioner, or an alternative Commissioner, other than an officer or employee of the United States Government, shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(2) COMPENSATION.—An individual serving as a Commissioner or an alternate Commissioner, although an officer of the United States while so serving, shall receive no compensation for the individual's services as such Commissioner or alternate Commissioner.

(3) TRAVEL EXPENSES.—

(A) IN GENERAL.—The Secretary of State shall pay the necessary travel expenses of a Commissioner or an alternate Commissioner in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(B) REIMBURSEMENT.—The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this paragraph.

(d) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT OF PERMANENT ADVISORY COMMITTEE.—

(A) MEMBERSHIP.—There is established an advisory committee which shall be composed of 11 members appointed by the Secretary as follows:

(i) A member engaging in commercial fishing activities in the management area of the North Pacific Fishery Management Council.

(ii) A member engaging in commercial fishing activities in the management area of the Pacific Fishery Management Council.

(iii) A member engaging in commercial fishing activities in the management area of the Western Pacific Fishery Management Council.

(iv) 3 members from the indigenous population of the North Pacific, including an Alaska Native, Native Hawaiian, or a native-born inhabitant of any State of the United States in the Pacific, and an individual from a Pacific Coast tribe.

(v) A member that is a marine fisheries scientist that is a resident of a State the adjacent exclusive economic zone for which is bounded by the Convention Area.

(vi) A member nominated by the Governor of the State of Alaska.

(vii) A member nominated by the Governor of the State of Hawaii.

(viii) A member nominated by the Governor of the State of Washington.

(ix) A member nominated by the Governor of the State of California.

(B) TERMS AND PRIVILEGES.—Each member of the Advisory Committee shall serve for a term of 2 years and shall be eligible for reappointment for not more than 3 consecutive terms. The Commissioners shall notify the Advisory Committee in advance of each meeting of the Commissioners. The Advisory Committee shall attend each meeting and shall examine and be heard on all proposed programs, investigations, reports, recommendations, and regulations of the Commissioners.

(C) PROCEDURES.—

(i) IN GENERAL.—The Advisory Committee shall determine its organization and prescribe its practices and procedures for carrying out its functions under this subtitle, the North Pacific Fisheries Convention, and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(ii) PUBLIC AVAILABILITY OF PROCEDURES.—The Advisory Committee shall publish and make available to the public a statement of its organization, practices, and procedures.

(iii) QUORUM.—A majority of the members of the Advisory Committee shall constitute a quorum to conduct business.

(iv) PUBLIC MEETINGS.—Meetings of the Advisory Committee, except when in executive session, shall be open to the public. Prior notice of each non-executive meeting shall be made public in a timely fashion. The Advisory Committee shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(D) PROVISION OF INFORMATION.—The Secretary and the Secretary of State shall furnish the Advisory Committee with relevant information concerning fisheries resources and international fishery agreements.

(2) ADMINISTRATIVE MATTERS.—

(A) SUPPORT SERVICES.—The Secretary shall provide to the Advisory Committee in a timely manner such administrative and technical support services as are necessary to function effectively.

(B) COMPENSATION; STATUS.—An individual appointed to serve as a member of the Advisory Committee—

(i) shall serve without pay; and

(ii) shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(C) TRAVEL EXPENSES.—

(i) IN GENERAL.—The Secretary of State shall pay the necessary travel expenses of members of the Advisory Committee in carrying out the duties of the Advisory Committee in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(ii) REIMBURSEMENT.—The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this subparagraph.

(e) UNITED STATES PARTICIPATION.—In instances in which the United States is participating in any meeting of the parties to the North Pacific Fisheries Convention, the United States shall be represented by the Commissioners and the Advisory Committee.

SEC. 104. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF STATE.

The Secretary of State may—

(1) receive and transmit, on behalf of the United States, reports, requests, recommendations, proposals, decisions, and other communications of and to the Commission;

(2) in consultation with the Secretary, act upon, or refer to other appropriate authority, any communication under paragraph (1);

(3) with the concurrence of the Secretary, and in accordance with the provisions of the Convention, object to any decision of the Commission; and

(4) in the conduct of any program, including scientific and research programs, under this subtitle, request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies, foreign governments, foreign agencies, or international intergovernmental organizations.

SEC. 105. AUTHORITY OF THE SECRETARY OF COMMERCE.

(a) PROMULGATION OF REGULATIONS.—

(1) AUTHORITY.—The Secretary, in consultation with the Secretary of State and, with respect to enforcement measures, the Secretary of the department in which the Coast Guard is operating, is authorized to promulgate such regulations as may be necessary to carry out the United States international obligations under the North Pacific Fisheries Convention and this subtitle, including recommendations and decisions adopted by the Commission.

(2) REGULATIONS OF STRADDLING STOCKS.—In the implementation of a measure adopted by the Commission that would govern a straddling stock under the authority of a Council, any regulation promulgated by the Secretary to implement such measure within the exclusive economic zone of the United States shall be approved by such Council.

(b) RULE OF CONSTRUCTION.—Regulations promulgated under subsection (a) shall be applicable only to a person or a fishing vessel that is or has engaged in fishing activities, or fisheries resources covered by the North Pacific Fisheries Convention under this subtitle.

(c) ADDITIONAL AUTHORITY.—The Secretary may conduct, and may request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in—

(1) scientific, research, and other programs under this subtitle;

(2) fishing operations and biological experiments for purposes of scientific investigation or other purposes necessary to implement the North Pacific Fisheries Convention;

(3) the collection, utilization, and disclosure of such information as may be necessary to implement the North Pacific Fisheries Convention, subject to sections 552 and 552a of title 5, United States Code, and section 402(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a(b));

(4) if recommended by the Commissioners, the assessment and collection of fees, not to exceed 3 percent of the ex-vessel value of fisheries resource harvested by vessels of the United States in fisheries conducted in the Convention Area, to recover the actual costs to the United States of management and enforcement under this subtitle, which shall be deposited as an offsetting collection in, and credited to, the account providing appropriations to carry out the functions of the Secretary under this subtitle; and

(5) the issuance of permits to owners and operators of United States vessels to engage in fishing activities in the Convention Area seaward of the exclusive economic zone of the United States, under such terms and conditions as the Secretary may prescribe, including the period of time that a permit is valid.

(d) CONSISTENCY WITH OTHER LAWS.—The Secretary shall ensure the consistency, to the extent practicable, of fishery management programs administered under this subtitle, the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.), the South Pacific Tuna Act of 1988 (16 U.S.C. 973 et seq.), section 401 of Public Law 108–219 (16 U.S.C. 1821 note) (relating to Pacific albacore tuna), the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.), the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567) and the amendments made by that Act, and Public Law 100–629 (102 Stat. 3286).

(e) JUDICIAL REVIEW OF REGULATIONS.—

(1) IN GENERAL.—Regulations promulgated by the Secretary under this subtitle shall be subject to judicial review to the extent authorized by, and in accordance with, chapter 7 of title 5, United States Code, if a petition for such review is filed not later than 30 days after the date on which the regulations are promulgated.

(2) RESPONSES.—Notwithstanding any other provision of law, the Secretary shall file a response to any petition filed in accordance with paragraph (1), not later than 30 days after the date the Secretary is served with that petition, except that the appropriate court may extend the period for filing such a response upon a showing by the Secretary of good cause for that extension.

(3) COPIES OF ADMINISTRATIVE RECORD.—A response of the Secretary under paragraph (2) shall include a copy of the administrative record for the regulations that are the subject of the petition.

(4) EXPEDITED HEARINGS.—Upon a motion by the person who files a petition under this subsection, the appropriate court shall assign the matter for hearing at the earliest possible date.

SEC. 106. ENFORCEMENT.

(a) IN GENERAL.—The Secretary and the Secretary of the department in which the Coast Guard is operating—

(1) shall administer and enforce this subtitle and any regulations issued under this subtitle; and

(2) may request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in the administration and enforcement of this subtitle.

(b) SECRETARIAL ACTIONS.—Except as provided under subsection (c), the Secretary and the Secretary of the department in which the Coast Guard is operating shall prevent any person from violating this subtitle in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though sections 308 through 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858, 1859, 1860, 1861) were incorporated into and made a part of this subtitle. Any person that violates any provision of this subtitle is subject to the penalties and entitled to the privileges and immunities provided in the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) in the same manner, by the same means, and with the same jurisdiction, power, and duties as though sections 308 through 311 of that Act (16 U.S.C. 1858, 1859, 1860, and 1861) were incorporated into and made a part of this subtitle.

(c) JURISDICTION OF THE COURTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the district courts of the United States shall have exclusive jurisdiction over any case or controversy arising under the provisions of this subtitle, and any such court may at any time—

(A) enter restraining orders or prohibitions;

(B) issue warrants, process in rem, or other process;

(C) prescribe and accept satisfactory bonds or other security; and

(D) take such other actions as are in the interest of justice.

(2) HAWAII AND PACIFIC INSULAR AREAS.—In the case of Hawaii or any possession of the United States in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that—

(A) in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam; and

(B) in the case of the Northern Mariana Islands, the appropriate court is the United States District Court for the District of the Northern Mariana Islands.

(3) CONSTRUCTION.—Each violation shall be a separate offense and the offense shall be deemed to have been committed not only in the district where the violation first occurred, but also in any other district authorized by law. Any offense not committed in any district is subject to the venue provisions of section 3238 of title 18, United States Code.

(d) CONFIDENTIALITY.—

(1) IN GENERAL.—Any information submitted in compliance with a requirement under this subtitle to the Secretary or to implement the Convention, including information submitted on or before the date of enactment of the Ensuring Access to Fisheries Act, shall be confidential and may not be disclosed, except—

(A) to a Federal employee who is responsible for administering, implementing, or enforcing this subtitle;

(B) to the Commission, in accordance with requirements in the North Pacific Fisheries Convention and decisions of the Commission, and, insofar as possible, in accordance with an agreement with the Commission that prevents public disclosure of the identity or business of any person;

(C) to State, Council, or Marine Fisheries Commission employees pursuant to an agreement with the Secretary that prevents public disclosure of the identity or business of any person;

(D) when required by court order; or

(E) when the Secretary has obtained written authorization from the person submitting such information to release such information to another person for a reason not otherwise provided for in this paragraph, and such release does not violate other requirements of this subtitle.

(2) USE OF INFORMATION.—

(A) IN GENERAL.—Except as provided under subparagraph (B), the Secretary shall promulgate regulations regarding the procedures the Secretary considers necessary to preserve the confidentiality of information submitted under this subtitle.

(B) EXCEPTION.—The Secretary may release or make public information submitted under this subtitle if the information is in any aggregate or summary form that does not directly or indirectly disclose the identity or business of any person.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be interpreted or construed to prevent the use for conservation and management purposes by the Secretary of any information submitted under this subtitle.

SEC. 107. PROHIBITED ACTS.

It is unlawful for any person—

(1) to violate any provision of this subtitle or any regulation or permit issued pursuant to this subtitle;

(2) to use any fishing vessel to engage in fishing activities without, or after the revocation or during the period of suspension of, an applicable permit issued pursuant to this subtitle;

(3) to refuse to permit any officer authorized to enforce the provisions of this subtitle to board a fishing vessel subject to such person's control for the purposes of conducting any search, investigation, or inspection in connection with the enforcement of this subtitle or any regulation, permit, or the North Pacific Fisheries Convention;

(4) to assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search, investigation, or inspection in connection with the enforcement of this subtitle or any regulation, permit, or the North Pacific Fisheries Convention;

(5) to resist a lawful arrest for any act prohibited by this subtitle or any regulation promulgated or permit issued under this subtitle;

(6) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of, any fisheries resources if the person knew or should have known in the exercise of due care that the fisheries resources were taken or retained in violation of this subtitle or any regulation or permit referred to in paragraph (1) or paragraph (2);

(7) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this section;

(8) to submit to the Secretary false information (including false information regarding the capacity and extent to which a United States fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Secretary is considering in the course of carrying out this subtitle if the person knew or should have known in the exercise of due care that the information was false;

(9) to assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with any observer on a vessel under this subtitle, or any data collector employed by or under contract to any person to carry out responsibilities under this subtitle;

(10) to engage in fishing activities in violation of any regulation adopted pursuant to this subtitle;

(11) to fail to make, keep, or furnish any catch returns, statistical records, or other reports required by regulations adopted pursuant to this subtitle to be made, kept, or furnished;

(12) to fail to stop a vessel upon being hailed and instructed to stop by a duly authorized official of the United States;

(13) to import, in violation of any regulation adopted pursuant to this subtitle, any fisheries resources in any form of those species subject to regulation pursuant to a recommendation, resolution, or decision of the Commission, or any fisheries resources in any form not under regulation but under investigation by the Commission, during the period such fisheries resources have been denied entry in accordance with the provisions of this subtitle;

(14) to make or submit any false record, account, or label for, or any false identification of, any fisheries resources which have been, or are intended to be imported, exported, transported, sold, offered for sale, purchased, or received in interstate or foreign commerce; or

(15) to refuse to authorize and accept boarding by a duly authorized inspector pursuant to procedures adopted by the Commission for the boarding and inspection of fishing vessels in the Convention Area.

SEC. 108. COOPERATION IN CARRYING OUT CONVENTION.

(a) FEDERAL AND STATE AGENCIES; PRIVATE INSTITUTIONS AND ORGANIZATIONS.—The Secretary may cooperate with departments and agencies of the United States Government, any public or private institutions or organizations within the United States or abroad, and, through the Secretary of State, the duly authorized officials of the government of any party to the North Pacific Fisheries Convention, in carrying out responsibilities under this subtitle.

(b) SCIENTIFIC AND OTHER PROGRAMS; FACILITIES AND PERSONNEL.—Each Federal department and agency is authorized, upon the request of the Secretary, to cooperate in the conduct of scientific and other programs and to furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties under the North Pacific Fisheries Convention.

(c) SANCTIONED FISHING OPERATIONS AND BIOLOGICAL EXPERIMENTS.—Nothing in this subtitle, or in the laws of any State, prevents the Secretary or the Commission from—

(1) conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation; or

(2) discharging any other duties prescribed by the North Pacific Fisheries Convention.

(d) STATE JURISDICTION NOT AFFECTED.—Nothing in this subtitle shall be construed to diminish or to increase the jurisdiction of any State in the territorial sea of the United States.

SEC. 109. TERRITORIAL PARTICIPATION.

The Secretary of State shall ensure participation in the Commission and its subsidiary bodies by the Commonwealth of the Northern Mariana Islands to the same extent provided to the territories of other nations.

SEC. 110. EXCLUSIVE ECONOMIC ZONE NOTIFICATION.

Masters of commercial fishing vessels of countries fishing under the management authority of the North Pacific Fisheries Convention that do not carry vessel monitoring systems capable of communicating with United States enforcement authorities shall, prior to or as soon as reasonably possible after, entering and transiting the exclusive economic zone bounded by the Convention Area—

(1) notify the United States Coast Guard of the name, flag state, location, route, and destination of the vessel and of the circumstances under which it will enter United States waters;

(2) ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place it is normally used for fishing activities and placed where it is not readily available for fishing activities; and

(3) if requested by an enforcement officer, proceed to a specified location so that a vessel inspection can be conducted.

SEC. 111. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated out of funds made available to the Secretary and the Secretary of State $500,000 for each of fiscal years 2017 through 2021 to carry out this subtitle and to pay the United States contribution to the Commission under Article 12 of the North Pacific Fisheries Convention.

Subtitle B—Miscellaneous

SEC. 121. FUNDING FOR TRAVEL EXPENSES.

(a) NORTH PACIFIC BERING SEA FISHERIES ADVISORY BODY.—Section 5 of the Act entitled ''An Act to approve the governing international fishery agreement between the United States and the Union of Soviet Socialist Republics, and for other purposes'', approved November 7, 1988 (Public Law 100–629; 16 U.S.C. 1823 note), is amended by adding at the end the following:

''(e) TRAVEL EXPENSES.—

''(1) IN GENERAL.—The Secretary of State shall pay the necessary travel expenses of the members of the advisory body established pursuant to this section in carrying out their service as such members in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

''(2) REIMBURSEMENT.—The Secretary of Commerce may reimburse the Secretary of State for amounts expended by the Secretary of State under this subsection.''.

(b) NORTH PACIFIC ANADROMOUS FISH COMMISSION.—

(1) UNITED STATES COMMISSIONERS.—Section 804 of the North Pacific Anadromous Stocks Act of 1992 (16 U.S.C. 5003) is amended by adding at the end the following:

''(e) TRAVEL EXPENSES.—

''(1) IN GENERAL.—The Secretary shall pay the necessary travel expenses of the United States Commissioners and Alternate United States Commissioners in carrying out the duties of the Commission in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

''(2) REIMBURSEMENT.—The Secretary of Commerce may reimburse the Secretary for amounts expended by the Secretary under this subparagraph.''.

(2) ADVISORY PANEL.—Section 805 of the North Pacific Anadromous Stocks Act of 1992 (16 U.S.C. 5004) is amended by striking subsection (e) and inserting the following:

''(e) COMPENSATION.—The members of the Advisory Panel shall receive no compensation for their service as such members.

''(f) TRAVEL EXPENSES.—

''(1) IN GENERAL.—The Secretary shall pay the necessary travel expenses of the members of the Advisory Panel in carrying out their service as such members in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

''(2) REIMBURSEMENT.—The Secretary of Commerce may reimburse the Secretary for amounts expended by the Secretary under this subparagraph.''.

SEC. 122. NATIONAL SEA GRANT COLLEGE PROGRAM REAUTHORIZATION ACT OF 1998.

Section 10 of the National Sea Grant College Program Reauthorization Act of 1998 (15 U.S.C. 1541) is amended by striking ''the United States Coast Guard'' each place it appears and inserting ''another Federal agency''.

TITLE II—SOUTH PACIFIC FISHERIES CONVENTION IMPLEMENTATION ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''South Pacific Fisheries Convention Implementation Act''.

SEC. 202. DEFINITIONS.

In this title:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the advisory committee established under section 203.

(2) COMMISSION.—The term ''Commission'' means the South Pacific Fisheries Commission established under the South Pacific Fisheries Convention.

(3) COMMISSIONER.—The term ''Commissioner'' means a United States Commissioner appointed under section 203.

(4) CONVENTION AREA.—The term ''Convention Area'' means—

(A) the waters of the Pacific Ocean beyond areas of national jurisdiction and in accordance with international law, bounded by the 10° parallel of north latitude and the 20° parallel of south latitude and by the 135° meridian of east longitude and the 150° meridian of west longitude; and

(B) the waters of the Pacific Ocean beyond areas of national jurisdiction and in accordance with international law—

(i) east of a line extending south along the 120° meridian of east longitude from the outer limit of the national jurisdiction of Australia off the south coast of Western Australia to the intersection with the 55° parallel of south latitude; then due east along

the 55° parallel of south latitude to the intersection with the 150° meridian of east longitude; then due south along the 150° meridian of east longitude to the intersection with the 60° parallel of south latitude;

(ii) north of a line extending east along the 60° parallel of south latitude from the 150° meridian of east longitude to the intersection with the 67° 16′ meridian of west longitude;

(iii) west of a line extending north along the 67° 16′ meridian of west longitude from the 60° parallel of south latitude to its intersection with the outer limit of the national jurisdiction of Chile; then along the outer limits of the national jurisdictions of Chile, Peru, Ecuador and Colombia to the intersection with the 2° parallel of north latitude; and

(iv) south of a line extending west along the 2° parallel of north latitude (but not including the national jurisdiction of Ecuador (Galapagos Islands)) to the intersection with the 150° meridian of west longitude; then due north along the 150° meridian of west longitude to its intersection with 10° parallel of north latitude; then west along the 10° parallel of north latitude to its intersection with the outer limits of the national jurisdiction of the Marshall Islands; and then generally south and around the outer limits of the national jurisdictions of Pacific States and territories, New Zealand and Australia until it connects to the commencement of the line described in clause (i).

(5) COUNCIL.—The term ''Council'' means the Western Pacific Regional Fishery Management Council.

(6) EXCLUSIVE ECONOMIC ZONE OF THE UNITED STATES.—The term ''exclusive economic zone of the United States'' means the zone established by Presidential Proclamation Numbered 5030 of March 10, 1983 (16 U.S.C. 1453 note), the inner boundary of which, for purposes of this title, is a line coterminous with the seaward boundary of each of the coastal States.

(7) FISHERY RESOURCES.—

(A) IN GENERAL.—The term ''fishery resources'' means all fish within the Convention Area.

(B) INCLUSIONS.—The term ''fishery resources'' includes mollusks, crustaceans, and other living marine resources, including any products thereof, as may be decided by the Commission.

(C) EXCLUSIONS.—The term ''fishery resources'' does not include—

(i) sedentary species in so far as they are subject to the national jurisdiction of coastal States pursuant to Article 77 paragraph 4 of the 1982 Convention;

(ii) highly migratory species listed in Annex I of the 1982 Convention;

(iii) anadromous species;

(iv) catadromous species;

(v) marine mammals;

(vi) marine reptiles; or

(vii) sea birds.

(8) FISHING.—

(A) IN GENERAL.—The term ''fishing'' means—

(i) the actual or attempted searching for, catching, taking, or harvesting of fishery resources;

(ii) engaging in any activity that can reasonably be expected to result in the locating, catching, taking, or harvesting of fishery resources for any purpose;

(iii) transshipment and any operation at sea in direct support of, or in preparation for, any activity described in this subparagraph; or

(iv) the use of any vessel, vehicle, aircraft, or hovercraft, in relation to any activity described in clauses (i) through (iii).

(B) EXCLUSIONS.—The term ''fishing'' does not include any operation related to an emergency involving the health or safety of a crew member or the safety of a fishing vessel.

(9) FISHING VESSEL.—The term ''fishing vessel'' means any vessel used or intended for use for the purpose of fishing, including a support ship, a carrier vessel, or any other vessel directly involved in such fishing operations.

(10) PANEL.—The term ''Panel'' means the Council's Advisory Panel.

(11) PERSON.—The term ''person'' means—

(A) any individual, whether or not a citizen or national of the United States;

(B) any corporation, partnership, association, or other entity, whether or not organized or existing under the laws of any State; or

(C) any Federal, State, local, tribal, or foreign government, or any entity of such government.

(12) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(13) SOUTH PACIFIC FISHERIES CONVENTION.—The term ''South Pacific Fisheries Convention'' means the Convention on the Conservation and Management of the High Seas Fishery Resources in the South Pacific Ocean (including any annexes, amendments, or protocols that are in force, or have come into force, for the United States), which was adopted at Auckland on November 14, 2009.

(14) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, American Samoa, Guam, and any other commonwealth, territory, or possession of the United States.

(15) STRADDLING STOCK.—The term ''straddling stock'' means a stock of fishery resources which migrates between, or occurs in, the exclusive economic zone of 1 or more parties to the South Pacific Fisheries Convention and the Convention Area.

(16) TRANSSHIPMENT.—The term ''transshipment'' means the unloading of all or any of the fishery resources or fishery resources products derived from fishing in the Convention Area on board a fishing vessel to another fishing vessel either at sea or in port.

(17) 1982 CONVENTION.—The term ''1982 Convention'' means the United Nations Convention on the Law of the Sea of 10 December 1982.

SEC. 203. APPOINTMENT OF UNITED STATES COMMISSIONERS.

(a) APPOINTMENT.—

(1) IN GENERAL.—The United States shall be represented on the Commission by not more than 3 Commissioners. In making each appointment, the President shall select a Commissioner from among individuals who are knowledgeable or experienced concerning fishery resources in the South Pacific Ocean.

(2) REPRESENTATION.—At least 1 of the Commissioners shall be—

(A) serving at the pleasure of the President, an officer or employee of—

(i) the Department of Commerce;

(ii) the Department of State; or

(iii) the United States Coast Guard; and

(B) the chairperson or designee of the Council.

(b) ALTERNATE COMMISSIONERS.—The Secretary of State, in consultation with the Secretary, may designate from time to time and for periods of time considered appropriate an alternate Commissioner to the Commission. An alternate Commissioner may exercise all powers and duties of a Commissioner in the absence of a Commissioner appointed under subsection (a).

(c) ADMINISTRATIVE MATTERS.—

(1) EMPLOYMENT STATUS.—An individual serving as a Commissioner, or as an alternate Commissioner, other than an officer or employee of the United States Government, shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code and chapter 171 of title 28, United States Code.

(2) COMPENSATION.—An individual serving as a Commissioner or an alternate Commissioner, although an officer of the United States while so serving, shall receive no compensation for the individual's services as such Commissioner or alternate Commissioner.

(3) TRAVEL EXPENSES.—

(A) IN GENERAL.—The Secretary of State shall pay the necessary travel expenses of a Commissioner or an alternate Commissioner in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(B) REIMBURSEMENT.—The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this paragraph.

(d) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT OF PERMANENT ADVISORY COMMITTEE.—

(A) MEMBERSHIP.—There is established an advisory committee which shall be composed of 7 members appointed by the Secretary as follows:

(i) A member engaging in commercial fishing in the management area of the Council.

(ii) 2 members from the indigenous population of the Pacific, including a Native Hawaiian and a native-born inhabitant of any State in the Pacific.

(iii) A member that is a marine fisheries scientist and a member of the Council's Scientific and Statistical Committee.

(iv) A member representing a non-governmental organization active in fishery issues in the Pacific.

(v) A member nominated by the Governor of the State of Hawaii.

(vi) A member designated by the Council.

(B) TERMS AND PRIVILEGES.—Each member of the Advisory Committee shall serve for a term of 2 years and shall be eligible for reappointment for not more than 3 consecutive terms. The Commissioners shall notify the Advisory Committee in advance of each meeting of the Commissioners. The Advisory Committee may attend each meeting and may examine and be heard on all proposed programs, investigations, reports, recommendations, and regulations of the Commissioners.

(C) PROCEDURES.—

(i) IN GENERAL.—The Advisory Committee shall determine its organization and prescribe its practices and procedures for carrying out its functions under this title, the South Pacific Fisheries Convention, and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(ii) PUBLIC AVAILABILITY OF PROCEDURES.—The Advisory Committee shall publish and make available to the public a statement of its organization, practices, and procedures.

(iii) QUORUM.—A majority of the members of the Advisory Committee shall constitute a quorum to conduct business.

(iv) PUBLIC MEETINGS.—Meetings of the Advisory Committee, except when in executive session, shall be open to the public. Prior notice of each non-executive meeting shall be made public in a timely fashion. The Advisory Committee shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(D) PROVISION OF INFORMATION.—The Secretary and the Secretary of State shall furnish the Advisory Committee with relevant information concerning fishery resources and international fishery agreements.

(2) ADMINISTRATIVE MATTERS.—

(A) SUPPORT SERVICES.—The Secretary shall provide to the Advisory Committee in a timely manner such administrative and

technical support services as are necessary to function effectively.

(B) COMPENSATION; STATUS; EXPENSES.—An individual appointed to serve as a member of the Advisory Committee—

(i) shall serve without pay; and

(ii) shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(e) MEMORANDUM OF UNDERSTANDING.—For fishery resources in the Convention Area, the Secretary, in coordination with the Secretary of State, shall develop a memorandum of understanding with the Council that clarifies the role of the Council with respect to—

(1) participation in United States delegations to international fishery organizations in the Pacific Ocean, including government-to-government consultations;

(2) providing formal recommendations to the Secretary and the Secretary of State regarding necessary measures for both domestic and foreign fishing vessels;

(3) coordinating positions with the United States delegation for presentation to the appropriate international fishery organization; and

(4) recommending those domestic fishing regulations that are consistent with the actions of the international fishery organization, for approval and implementation under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 204. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF STATE.

The Secretary of State may—

(1) receive and transmit, on behalf of the United States, reports, requests, recommendations, proposals, decisions, and other communications of and to the Commission;

(2) in consultation with the Secretary, act upon, or refer to other appropriate authority, any communication under paragraph (1);

(3) with the concurrence of the Secretary, and in accordance with the provisions of the Convention, object to any decision of the Commission; and

(4) in the conduct of any program, including scientific and research programs, under this title, request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies, foreign governments, foreign agencies, or international intergovernmental organizations.

SEC. 205. AUTHORITY OF THE SECRETARY OF COMMERCE.

(a) PROMULGATION OF REGULATIONS.—

(1) AUTHORITY.—The Secretary, in consultation with the Secretary of State and, with respect to enforcement measures, the Secretary of the department in which the Coast Guard is operating, is authorized to promulgate such regulations as may be necessary to carry out United States international obligations under the South Pacific Fisheries Convention and this title, including recommendations and decisions adopted by the Commission.

(2) REGULATIONS OF STRADDLING STOCKS.—If the Secretary has discretion in the implementation of 1 or more measures adopted by the Commission that would govern a straddling stock under the authority of the Council, the Secretary shall promulgate, to the extent practicable within the implementation schedule of the South Pacific Fisheries Convention and any recommendations and decisions adopted by the Commission, such regulations in accordance with the procedures established by the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(b) RULE OF CONSTRUCTION.—Regulations promulgated under subsection (a) shall be applicable only to a person or a fishing vessel that is or has engaged in fishing, or fishery resources covered by the South Pacific Fisheries Convention under this title.

(c) ADDITIONAL AUTHORITY.—The Secretary may conduct, and may request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in—

(1) scientific, research, and other programs under this title;

(2) fishing operations and biological experiments for purposes of scientific investigation or other purposes necessary to implement the South Pacific Fisheries Convention;

(3) the collection, utilization, and disclosure of such information as may be necessary to implement the South Pacific Fisheries Convention, subject to sections 552 and 552a of title 5, United States Code, and section 402(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a(b));

(4) if recommended by the Commissioners, the assessment and collection of fees, not to exceed 3 percent of the ex-vessel value of fishery resources harvested by vessels of the United States in fisheries conducted in the Convention Area, to recover the actual costs to the United States of management and enforcement under this title, which shall be deposited as an offsetting collection in, and credited to, the account providing appropriations to carry out the functions of the Secretary under this title; and

(5) the issuance of permits to owners and operators of United States vessels to engage in fishing in the Convention Area seaward of the exclusive economic zone of the United States, under such terms and conditions as the Secretary may prescribe, including the period of time that a permit is valid.

(d) CONSISTENCY WITH OTHER LAWS.—The Secretary shall ensure the consistency, to the extent practicable, of fishery management programs administered under this title, the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.), the South Pacific Tuna Act of 1988 (16 U.S.C. 973 et seq.), section 401 of Public Law 108–219 (16 U.S.C. 1821 note) (relating to Pacific albacore tuna), the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971 et seq.), and the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.).

(e) JUDICIAL REVIEW OF REGULATIONS.—

(1) IN GENERAL.—Regulations promulgated by the Secretary under this title shall be subject to judicial review to the extent authorized by, and in accordance with, chapter 7 of title 5, United States Code, if a petition for such review is filed not later than 30 days after the date on which the regulations are promulgated.

(2) RESPONSES.—Notwithstanding any other provision of law, the Secretary shall file a response to any petition filed in accordance with paragraph (1), not later than 30 days after the date the Secretary is served with that petition, except that the appropriate court may extend the period for filing such a response upon a showing by the Secretary of good cause for that extension.

(3) COPIES OF ADMINISTRATIVE RECORD.—A response of the Secretary under paragraph (2) shall include a copy of the administrative record for the regulations that are the subject of the petition.

(4) EXPEDITED HEARINGS.—Upon a motion by the person who files a petition under this subsection, the appropriate court shall assign the matter for hearing at the earliest possible date.

SEC. 206. ENFORCEMENT.

(a) IN GENERAL.—The Secretary and the Secretary of the department in which the Coast Guard is operating—

(1) shall administer and enforce this title and any regulations issued under this title; and

(2) may request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in the administration and enforcement of this title.

(b) SECRETARIAL ACTIONS.—Except as provided under subsection (c), the Secretary and the Secretary of the department in which the Coast Guard is operating shall prevent any person from violating this title in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though sections 308 through 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858, 1859, 1860, 1861) were incorporated into and made a part of this title. Any person that violates any provision of this title is subject to the penalties and entitled to the privileges and immunities provided in the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) in the same manner, by the same means, and with the same jurisdiction, power, and duties as though sections 308 through 311 of that Act (16 U.S.C. 1858, 1859, 1860, 1861) were incorporated into and made a part of this title.

(c) JURISDICTION OF THE COURTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the district courts of the United States shall have exclusive jurisdiction over any case or controversy arising under the provisions of this title, and any such court may at any time—

(A) enter restraining orders or prohibitions;

(B) issue warrants, process in rem, or other process;

(C) prescribe and accept satisfactory bonds or other security; and

(D) take such other actions as are in the interest of justice.

(2) HAWAII AND PACIFIC INSULAR AREAS.—In the case of Hawaii or any other State in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that—

(A) in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam; and

(B) in the case of the Northern Mariana Islands, the appropriate court is the United States District Court for the District of the Northern Mariana Islands.

(3) CONSTRUCTION.—Each violation shall be a separate offense and the offense shall be deemed to have been committed not only in the district where the violation first occurred, but also in any other district authorized by law. Any offense not committed in any district is subject to the venue provisions of section 3238 of title 18, United States Code.

(d) CONFIDENTIALITY.—

(1) IN GENERAL.—Any information submitted in compliance with a requirement under this title to the Secretary or to implement the Convention, including information submitted on or before the date of enactment of the Ensuring Access to Fisheries Act, shall be confidential and may not be disclosed, except—

(A) to a Federal employee who is responsible for administering, implementing, or enforcing this title;

(B) to the Commission, in accordance with requirements in the South Pacific Fisheries Convention and decisions of the Commission, and, insofar as possible, in accordance with

an agreement with the Commission that prevents public disclosure of the identity or business of any person;

(C) to a State or Council employee pursuant to an agreement with the Secretary that prevents public disclosure of the identity or business of any person;

(D) when required by court order; or

(E) when the Secretary has obtained written authorization from the person submitting such information to release such information to another person for a reason not otherwise provided for in this paragraph, and such release does not violate other requirements of this title.

(2) USE OF INFORMATION.—

(A) IN GENERAL.—Except as provided under subparagraph (B), the Secretary shall promulgate regulations regarding the procedures the Secretary considers necessary to preserve the confidentiality of information under this title.

(B) EXCEPTION.—The Secretary may release or make public information submitted under this title if the information is in any aggregate or summary form that does not directly or indirectly disclose the identity or business of any person.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be interpreted or construed to prevent the use for conservation and management purposes by the Secretary of any information submitted under this title.

SEC. 207. PROHIBITED ACTS.

It is unlawful for any person—

(1) to violate any provision of this title or any regulation or permit issued under this title;

(2) to use any fishing vessel to engage in fishing without, or after the revocation or during the period of suspension of, an applicable permit issued under this title;

(3) to refuse to permit any officer authorized to enforce the provisions of this title to board a fishing vessel subject to such person's control for the purposes of conducting any search, investigation, or inspection in connection with the enforcement of this title or the South Pacific Fisheries Convention;

(4) to assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search, investigation, or inspection in connection with the enforcement of this title or the South Pacific Fisheries Convention;

(5) to resist a lawful arrest for any act prohibited by this title or any regulation promulgated or permit issued under this title;

(6) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of any fisheries resources if the person knew or should have known in the exercise of due care that the fisheries resources were taken or retained in violation of this title or any regulation or permit referred to in paragraph (1) or paragraph (2);

(7) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this section;

(8) to submit to the Secretary false information (including false information regarding the capacity and extent to which a United States fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Secretary is considering in the course of carrying out this title if the person knew or should have known in the exercise of due care that the information was false;

(9) to assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with any observer on a vessel under this title, or any data collector employed by or under contract to any person to carry out responsibilities under this title;

(10) to engage in fishing in violation of any regulation adopted under this title;

(11) to fail to make, keep, or furnish any catch returns, statistical records, or other reports required to be made, kept, or furnished under this title;

(12) to fail to stop a vessel upon being hailed and instructed to stop by a duly authorized official of the United States;

(13) to import, in violation of any regulation promulgated under this title, any fishery resources in any form of those species subject to regulation pursuant to a recommendation, resolution, or decision of the Commission, or any fishery resources in any form not under regulation but under investigation by the Commission, during the period the fishery resources have been denied entry in accordance with the provisions of this title;

(14) to make or submit any false record, account, or label for, or any false identification of, any fishery resources which have been, or are intended to be imported, exported, transported, sold, offered for sale, purchased, or received in interstate or foreign commerce; or

(15) to refuse to authorize and accept boarding by a duly authorized inspector pursuant to procedures adopted by the Commission for the boarding and inspection of fishing vessels in the Convention Area.

SEC. 208. COOPERATION IN CARRYING OUT CONVENTION.

(a) FEDERAL AND STATE AGENCIES; PRIVATE INSTITUTIONS AND ORGANIZATIONS.—The Secretary may cooperate with departments and agencies of the United States Government, any public or private institutions or organizations within the United States or abroad, and, through the Secretary of State, the duly authorized officials of the government of any party to the South Pacific Fisheries Convention, in carrying out responsibilities under this title.

(b) SCIENTIFIC AND OTHER PROGRAMS; FACILITIES AND PERSONNEL.—Each Federal department and agency is authorized, upon the request of the Secretary, to cooperate in the conduct of scientific and other programs and to furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties under the South Pacific Fisheries Convention.

(c) SANCTIONED FISHING OPERATIONS AND BIOLOGICAL EXPERIMENTS.—Nothing in this title, or in the laws of any State, prevents the Secretary or the Commission from—

(1) conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation; or

(2) discharging any other duties prescribed by the South Pacific Fisheries Convention.

(d) STATE JURISDICTION NOT AFFECTED.—Nothing in this title shall be construed to diminish or to increase the jurisdiction of any State in the territorial sea of the United States.

SEC. 209. TERRITORIAL PARTICIPATION.

The Secretary of State shall ensure participation in the Commission and its subsidiary bodies by American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands to the same extent provided to the territories of other nations.

SEC. 210. EXCLUSIVE ECONOMIC ZONE NOTIFICATION.

Masters of commercial fishing vessels of nations fishing under the management authority of the South Pacific Fisheries Convention that do not carry vessel monitoring systems capable of communicating with United States enforcement authorities shall, prior to, or as soon as reasonably possible after, entering and transiting the exclusive economic zone of the United States seaward of the Convention Area—

(1) notify the United States Coast Guard of the name, flag state, location, route, and destination of the vessel and of the circumstances under which it will enter the exclusive economic zone of the United States seaward of the Convention Area;

(2) ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place it is normally used for fishing and placed where it is not readily available for fishing; and

(3) if requested by an enforcement officer, proceed to a specified location so that a vessel inspection can be conducted.

SEC. 211. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated out of funds made available to the Secretary and the Secretary of State $500,000 for each of fiscal years 2017 through 2021 to carry out this title and to pay the United States contribution to the Commission under Article 15 of the South Pacific Fisheries Convention.

(b) INTERNATIONAL COOPERATION AND ASSISTANCE.—

(1) IN GENERAL.—Subject to the limits of available appropriations and consistent with applicable law, the Secretary or the Secretary of State shall provide appropriate assistance, including grants, to developing nations and international organizations of which such nations are members to assist those nations in meeting their obligations under the South Pacific Fisheries Convention.

(2) TRANSFER OF FUNDS.—Subject to the limits of available appropriations and consistent with other applicable law, the Secretary and the Secretary of State are authorized to transfer funds to any foreign government, international, non-governmental, or international organization, including the Commission, for purposes of carrying out the international responsibilities under paragraph (1).

TITLE III—NORTHWEST ATLANTIC FISHERIES CONVENTION AMENDMENTS ACT

SEC. 301. SHORT TITLE; REFERENCES TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.

(a) SHORT TITLE.—This title may be cited as the ''Northwest Atlantic Fisheries Convention Amendments Act''.

(b) REFERENCES TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5601 et seq.).

SEC. 302. REPRESENTATION OF THE UNITED STATES UNDER CONVENTION.

Section 202 (16 U.S.C. 5601) is amended—

(1) in subsection (a)(1), by striking ''General Council and the Fisheries'';

(2) in subsection (b)(1), by striking ''at a meeting of the General Council or the Fisheries Commission'';

(3) in subsection (b)(2), by striking '', at any meeting of the General Council or the Fisheries Commission for which the Alternate Commissioner is designated'';

(4) in subsection (d)(1), by striking ''at a meeting of the Scientific Council'';

(5) in subsection (d)(2), by striking '', at any meeting of the Scientific Council for which the Alternative Representative is designated''; and

(6) in subsection (f)(1)(A), by striking ''Magnuson Act'' and inserting ''Magnuson-

Stevens Fishery Conservation and Management Act''.

SEC. 303. REQUESTS FOR SCIENTIFIC ADVICE.

Section 203 (16 U.S.C. 5602) is amended—

(1) in subsection (a)—

(A) by striking ''The Representatives may'' and inserting ''A Representative may'';

(B) by striking ''described in subsection (b)(1) or (2)'' and inserting ''described in paragraph (1) or (2) of subsection (b)''; and

(C) by striking ''the Representatives have'' and inserting ''the Representative has'';

(2) by striking ''VII(1)'' each place it appears and inserting ''VII(10)(b)''; and

(3) in subsection (b)(2), by striking ''VIII(2)'' and inserting ''VII(11)''.

SEC. 304. AUTHORITIES OF SECRETARY OF STATE WITH RESPECT TO CONVENTION.

Section 204 (16 U.S.C. 5603) is amended by striking ''Fisheries Commission'' each place it appears and inserting ''Commission consistent with the procedures detailed in Articles XIV and XV of the Convention''.

SEC. 305. INTERAGENCY COOPERATION.

Section 205(a) (16 U.S.C. 5604(a)) is amended to read as follows:

''(a) AUTHORITIES OF THE SECRETARY.—In carrying out the provisions of the Convention and this title, the Secretary may arrange for cooperation with—

''(1) any department, agency, or instrumentality of the United States;

''(2) a State;

''(3) a Council; or

''(4) a private institution or an organization.''.

SEC. 306. PROHIBITED ACTS AND PENALTIES.

Section 207 (16 U.S.C. 5606) is amended—

(1) by striking ''Magnuson Act'' each place it appears and inserting ''Magnuson-Stevens Fishery Conservation and Management Act''; and

(2) by striking ''fish'' each place it appears and inserting ''fishery resources''.

SEC. 307. CONSULTATIVE COMMITTEE.

Section 208 (16 U.S.C. 5607) is amended—

(1) in subsection (b)(2), by striking ''two'' and inserting ''2''; and

(2) in subsection (c), by striking ''General Council or the Fisheries'' each place it appears.

SEC. 308. DEFINITIONS.

Section 210 (16 U.S.C. 5609) is amended to read as follows:

''SEC. 210. DEFINITIONS.

''In this title:

''(1) 1982 CONVENTION.—The term '1982 Convention' means the United Nations Convention on the Law of the Sea of 10 December 1982.

''(2) AUTHORIZED ENFORCEMENT OFFICER.—The term 'authorized enforcement officer' means a person authorized to enforce this title, any regulation issued under this title, or any measure that is legally binding on the United States under the Convention.

''(3) COMMISSION.—The term 'Commission' means the body provided for by Articles V, VI, XIII, XIV, and XV of the Convention.

''(4) COMMISSIONER.—The term 'Commissioner' means a United States Commissioner to the Northwest Atlantic Fisheries Organization appointed under section 202.

''(5) CONVENTION.—The term 'Convention' means the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, done at Ottawa on October 24, 1978, and as amended on September 28, 2007.

''(6) CONVENTION AREA.—The term 'Convention Area' means the waters of the Northwest Atlantic Ocean north of 35°00′ N and west of a line extending due north from 35°00′ N and 42°00′ W to 59°00′ N, thence due west to 44°00′ W, and thence due north to the coast of Greenland, and the waters of the Gulf of St. Lawrence, Davis Strait and Baffin Bay south of 78°10′ N.

''(7) COUNCIL.—The term 'Council' means the New England Fishery Management Council or the Mid-Atlantic Fishery Management Council.

''(8) FISHERY RESOURCES.—

''(A) IN GENERAL.—The term 'fishery resources' means all fish, mollusks, and crustaceans, including any products thereof, within the Convention Area.

''(B) EXCLUSIONS.—The term 'fishery resources' does not include—

''(i) sedentary species over which coastal States may exercise sovereign rights consistent with Article 77 of the 1982 Convention; or

''(ii) in so far as they are managed under other international treaties, anadromous and catadromous stocks and highly migratory species listed in Annex I of the 1982 Convention.

''(9) FISHING ACTIVITIES.—

''(A) IN GENERAL.—The term 'fishing activities' means harvesting or processing fishery resources, or transhipping of fishery resources or products derived from fishery resources, or any other activity in preparation for, in support of, or related to the harvesting of fishery resources.

''(B) INCLUSIONS.—The term 'fishing activities' includes—

''(i) the actual or attempted searching for or catching or taking of fishery resources;

''(ii) any activity that can reasonably be expected to result in locating, catching, taking, or harvesting of fishery resources for any purpose; and

''(iii) any operation at sea in support of, or in preparation for, any activity described in this paragraph.

''(C) EXCLUSIONS.—The term 'fishing activities' does not include any operation related to emergencies involving the health and safety of crew members or the safety of a vessel.

''(10) FISHING VESSEL.—

''(A) IN GENERAL.—The term 'fishing vessel' means a vessel that is or has been engaged in fishing activities.

''(B) INCLUSIONS.—The term 'fishing vessel' includes a fish processing vessel or a vessel engaged in transshipment or any other activity in preparation for or related to fishing activities, or in experimental or exploratory fishing activities.

''(11) ORGANIZATION.—The term 'Organization' means the Northwest Atlantic Fisheries Organization provided for by Article V of the Convention.

''(12) PERSON.—The term 'person' means any individual (whether or not a citizen or national of the United States), and any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State).

''(13) REPRESENTATIVE.—The term 'Representative' means a United States Representative to the Northwest Atlantic Fisheries Scientific Council appointed under section 202.

''(14) SCIENTIFIC COUNCIL.—The term 'Scientific Council' means the Scientific Council provided for by Articles V, VI, and VII of the Convention.

''(15) SECRETARY.—The term 'Secretary' means the Secretary of Commerce.

''(16) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, and any other commonwealth, territory, or possession of the United States.

''(17) TRANSSHIPMENT.—The term 'transshipment' means the unloading of all or any of the fishery resources on board a fishing vessel to another fishing vessel either at sea or in port.''.

SEC. 309. AUTHORIZATION OF APPROPRIATIONS.

Section 211 (16 U.S.C. 5610) is amended to read as follows:

''SEC. 211. CONTRIBUTIONS TO ORGANIZATION.

''There is authorized to be appropriated out of funds made available to the Secretary and the Secretary of State $500,000 for each of fiscal years 2017 through 2021 to carry out this title and to pay the United States contribution to the Organization as provided in Article IX of the Convention.''.

SEC. 310. QUOTA ALLOCATION PRACTICE.

Section 213 (16 U.S.C. 5612) is repealed.

SA 4004. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban 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 division A, strike section 225 and insert the following:

SEC. 225. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the ''Secretary''), and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

(b) The Secretary shall take action under subsection (c) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance—

(1) receives a Uniform Physical Condition Standards (UPCS) score of 30 or less;

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies identified by the inspector at the project have been corrected; or

(3) receives a UPCS score between 31 and 59 and has received consecutive scores of less than 60 on UPCS inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c) CORRECTIONS OF DEFICIENCIES.—

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days and must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

(A) require immediate replacement of project management with a management agent approved by the Secretary;

(B) impose civil money penalties, which shall be used solely for the purpose of supporting safe and sanitary conditions at applicable properties, as designated by the Secretary, with priority given to the tenants of the property affected by the penalty;

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered;

(E) transfer the existing section 8 contract to another project or projects and owner or owners;

(F) pursue exclusionary sanctions, including suspensions or debarments from Federal programs;

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(e) The Secretary shall report quarterly on all properties covered by this section that are assessed through the Real Estate Assessment Center and have UPCS physical inspection scores of less than 60 or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—

(1) the enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times;

(2) actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

(3) any administrative or legislative recommendations to further improve the living conditions at properties covered under a housing assistance payment contract.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 17, 2016, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 17, 2016, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Integrating the Corporate and Individual Tax Systems: The Dividends Paid Deduction Considered.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 17, 2016, 11 a.m., to conduct a hearing entitled ''War in Syria: Next Steps to Mitigate the Crisis.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. COLLINS. 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 May 17, 2016, at 2:30 p.m., to conduct a hearing entitled ''America's Insatiable Demand for Drugs: Assessing the Federal Response.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 17, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''National Foster Care Month: Supporting Youth in the Foster Care and Juvenile Justice Systems.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Select Committee On Intelligence be authorized to meet during the session of the Senate on May 17, 2016, at 2:30 p.m., in room SH–219 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBER SECURITY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on East Asia, the Pacific, and International Cyber Security be authorized to meet during the session of the Senate on May 17, 2016, 4 p.m., to conduct a hearing entitled ''International Cybersecurity Strategy.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FISHERIES, WATER, AND WILDLIFE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Subcommittee on Fisheries, Water, and Wildlife of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 17, 2016, at 10 a.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Marine Debris and Wildlife: Impacts, Sources, and Solutions.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources' Subcommittee on Water and Power be authorized to meet during the session of the Senate on May 17, 2016, at 2 p.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Ms. COLLINS. Mr. President, I ask unanimous consent that Christopher Banks, a congressional detailee to the Appropriations Committee, be given floor privileges for the remainder of this session.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL POLICE WEEK

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 468, which was 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. 468) designating the week of May 15 through May 21, 2016, as ''National Police Week.''

There being no objection, the Senate proceeded to consider the resolution.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be added as a cosponsor to S. Res. 468.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. 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. 468) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

NORTH PACIFIC FISHERIES CONVENTION IMPLEMENTATION ACT

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 405, S. 1335.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1335) to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. COLLINS. Mr. President, I ask unanimous consent that the Sullivan substitute amendment be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4003) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill (S. 1335), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ORDERS FOR WEDNESDAY, MAY 18, 2016

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, May 18; 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 for 1 hour, with Senators permitted to speak therein, and with the majority controlling the first half and the Democrats controlling the final half; that following morning business, the Senate then resume consideration of H.R. 2577; finally, that all time during the adjournment and morning business count postcloture on the Blunt-Murray amendment No. 3900.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Ms. COLLINS. 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 following the remarks of the Senator from Rhode Island, Mr. WHITEHOUSE.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I thank the chairman for giving me this time at the end of the day and congratulate her on the progress that has been made with my senior Senator, JACK REED, on this bill.

This is the 137th time that I have addressed this body, asking us to wake up to the threat of climate change. While we sleepwalk, our atmosphere and oceans continue to suffer the damage caused by carbon pollution. As we do nothing, more and more Americans demand action. Look at the new findings from Yale and George Mason Universities. Despite years of industry climate denial propaganda, 75 percent of all registered voters—88 percent of Democrats, 78 percent of Independents, and 61 percent of Republicans—support regulating carbon dioxide as a pollutant; 74 percent of registered voters—88 percent of Democrats, 74 percent of Independents, and 56 percent of Republicans—say corporations and industry should do more to address global warming, and 68 percent of all registered voters—86 percent of Democrats, 66 percent of Independents, and 47 percent even of Republicans—believe fossil fuel companies should be required to pay a carbon tax and the money should be used to reduce other taxes, such as income taxes, by an equal amount.

So why does this Chamber sit idly by and not even have that conversation? Take the fossil fuel industry. For years Big Oil and its allies funded outright denial of man-made climate change. Now they have shifted strategies, from denial to dissembling—saying one thing but doing another.

Take ExxonMobil. In 2007, the oil giant committed to stop funding the front groups that promote science denial. Here is what they said: ''In 2008, we will discontinue contributions to several public policy research groups whose positions on climate change could divert attention from the important discussion on how the world will secure the energy required for economic growth in an environmentally responsible manner.''

This sounds like a step toward responsible corporate behavior. A casual reader might believe that ExxonMobil would in fact stop funding groups with anti-scientific climate positions. One might think that, but one would be wrong.

According to publicly available company documents, in 2014, ExxonMobil funded several organizations that promote climate science disinformation, including the American Legislative Exchange Council, which peddled legislation to State legislatures that include a finding that human-induced global warming ''may lead to . . . possibly beneficial climactic changes''; the Hoover Institution, whose senior fellow is not a climate scientist, argued that climate data since 1880 supports a conclusion that it would take as long as long as 500 years to reach 4 degrees centigrade of global warming; the Manhattan Institute of Policy Research, where a senior fellow writing about climate change said: ''The science is not settled, not by a long shot. . . . Furthermore, even if we accept that carbon dioxide is bad, it's not clear exactly what we should do about it''; the so-called National Black Chamber of Commerce, whose President and CEO, Harry Alford, played the debunked denier card, that ''there has been no global warming detected for the last 18 years. That is over 216 months in a row that there has been no detected global warming.'' By the way, NASA just reported that April was the hottest April ever recorded, just like every one of the past 7 months was the hottest ever recorded for that month. Let's not forget our friends at the Pacific Legal Foundation, whose senior attorney attacked EPA's authority to even regulate CO_2, in part, because it is a ''ubiquitous natural substance essential to life on Earth.''

Saying one thing and doing another—ExxonMobil is publicly saying it is separated from the climate denial outfits, but it is still subsidizing their work to undermine public understanding of climate change. This doesn't even count whatever they may be doing behind the dark money curtain that wretched Citizens United decision gave them.

The hypocrisy turns even worse in fossil fuel industry lobbying. An ExxonMobil executive recently stated: ''When governments are considering policy options, ExxonMobil believes a revenue-neutral carbon tax is the most effective way to manage carbon emissions.''

I have a revenue-neutral carbon tax bill, along with Senator SCHATZ, and I can assure this body that ExxonMobil is not lobbying in support of it. Every Member of Congress knows that all the massive political infrastructure of the fossil fuel industry is adamantly opposed to any meaningful action.

Shell Oil issued a report just last week that states: ''Economy-wide carbon pricing—whether through carbon trading, carbon taxes or mandated carbon-emissions standards—provides an efficient and cost-effective way of aligning incentives and motivating action across the economy to reduce carbon emissions.''

Top executives of six large European oil and gas companies, including Shell, BP and Statoil, issued a joint letter calling on governments ''to introduce carbon pricing systems where they do not yet exist at the national or regional levels. . . . [W]e and our senior staff will seek to engage and share our companies' perspectives on the role of carbon pricing in several important settings,'' which includes ''in our meetings with Ministers and government representatives.''

I ask unanimous consent to have printed in the RECORD the letter at the conclusion of my remarks.

The question is, Has any Member of the Senate ever seen Shell or BP or Statoil or any other oil and gas company or any of their lobbying entities even once lobby Members of Congress on carbon pricing—other than, of course, to say, hell, no.

My bill with Senator SCHATZ, the American Opportunity Carbon Fee Act, provides a market-based, revenue-neutral carbon fee—just like these companies say they support. It is built on principles espoused by leading Republican economists and by Republican former officeholders.

Despite the industry's claims, I have seen exactly zero evidence that any of these companies—or their sizable trade associations—are using any of their lobbying muscle to advance carbon pricing legislation. Instead, ExxonMobil and Shell and the trade associations that represent them continue to pump millions of dollars into political machinery designed to lobby against any action on climate change. They say one thing, but they do another.

This chart from the nonprofit research organization InfluenceMap shows the streams of money flowing from ExxonMobil and from Shell, as well as from the American Petroleum Institute, the Western States Petroleum Association, and even the Australian Petroleum Production and Exploration Association. In 2015 alone, ExxonMobil spent $27 million, Shell spent $22 million, and the American Petroleum Institute spent $65 million on obstructive climate lobbying. This money deluge includes advertising and public relations, direct lobbying in Congress and at statehouses, and political contributions and electioneering. They say one thing but do another—to the tune of $100 million a year.

As late as 2014, ExxonMobil gave the U.S. Chamber of Commerce $1 million for the chamber to propagate its climate message, delivered loud and clear not only here in Congress but in the courts, of absolute intransigence against any serious climate action. The U.S. Chamber is powerful, and in Congress we all see everywhere around us its implacable hostility against serious climate legislation.

The gap between ExxonMobil's stated support for a revenue-neutral carbon tax and its lobbying activities in Congress against any such thing is why Representative TED LIEU of California and I recently asked the American Geophysical Union, a topnotch scientific society, to reexamine its financial support from ExxonMobil. The American Geophysical Union is made up of honest scientists. In their world, they likely expect that when people say something, it is true. Sadly, in Congress we don't enjoy the same experience. The good-hearted folks at the American Geophysical Union appear to have been taken in by ExxonMobil's false claims of support for a carbon price. Since we actually see the fossil fuel industry's lobbying presence, we wanted to correct any false impression.

> What we see in Congress is that their lobbying efforts are 100 percent opposed to any action on Climate. . . . Whatever position AGU chooses to take, you should not take it based on self-serving representations by ExxonMobil.

POLITICO reported that in November ExxonMobil sent executives to Capitol Hill to try and convince congressional critics that ExxonMobil is a conscientious corporation that supports ''sound climate policy.'' Who did they think they were kidding? Do they think we don't know how they lobby? We are the targets of their lobbying. We know how they lobby. Unsurprisingly, the ExxonMobil executives left DC ''empty-handed . . . after refusing to directly answer questions about whether [ExxonMobil] had suppressed internal research that underscored the threat of climate change while publicly sowing doubt about climate science.''

Given the fossil fuel industry's massive conflict of interest on carbon pollution, there is every reason for them to play a double game: trying to buy a little credibility for themselves with their public comments, while at the same time using all their lobbying muscle to crush any threat of bipartisan action on the carbon pricing they claim to espouse.

Sadly, in this double game they play, the fossil fuel industry has essentially no corporate opposition in Congress. Across the private sector, there are great corporate leaders on climate change, but from what I see, corporate climate lobbying from the good guys nets to zero. The good guys have given up the field and let the fossil fuel industry to have its way with Congress unopposed, and the result is predictable: Many good Members of Congress are frozen in place, often against their better judgment.

I ask unanimous consent to have printed in the RECORD an article I recently wrote for Harvard Business Review explaining this reality.

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

[From the Harvard Business Review, Feb. 25, 2016]

THE CLIMATE MOVEMENT NEEDS MORE CORPORATE LOBBYISTS

(By Sheldon Whitehouse)

Across corporate America, there is broad support for action on climate change. Leading businesses and executives vocally supported President Obama on the Paris Agreement. Many companies have committed themselves to getting onto a sustainable path, and many are pushing their commitment out through their supply chains. This is good, and it's important.

But it makes us in Congress feel a little left out. The corporate lobbying presence in Congress is immense. But in my experience, exactly zero of it is dedicated to lobbying for a good, bipartisan climate bill.

Dante wrote that above the Inferno was a sign: ''Abandon hope all ye who enter here.'' But there is hope in Congress. Many of my Republican colleagues are eager for some political support, to counter the fossil fuel industry's relentless onslaught.

Despite the statements emitted from oil companies' executive suites about taking climate change seriously and supporting a price on carbon, their lobbying presence in Congress is 100% opposed to any action. In particular, the American Petroleum Institute, the oil industry trade association, is an implacable foe. Given the industry's massive conflict of interest, there is every reason to believe they are playing a double game: trying to buy a little credibility with these public comments while using all their quiet lobbying muscle to crush any threat of bipartisan action on the carbon pricing they claim to espouse.

I am a sponsor of a Senate carbon fee bill, so I know this firsthand. I see their destructive handiwork all around me—and they have no corporate opposition.

Let me use the example of two good guys: Coca-Cola and PepsiCo. I believe they care about climate change. They have no conflict of interest like fossil fuel companies do. Both signed a public letter urging strong action on climate in Paris. Pepsi signed two major business climate action pledges, the Ceres BICEP Climate Declaration in the United States and the Prince of Wales's Corporate Leaders Group Trillion Tonne Communiqué in the UK.

Coca-Cola's website says it will reduce CO_2 emissions by 25% by ''making comprehensive carbon footprint reductions across its manufacturing processes, packaging formats, delivery fleet, refrigeration equipment, and ingredient sourcing.'' Coca-Cola says, ''We . . . encourag[e] progress in response to climate change.'' Indra Nooyi, chair and CEO of PepsiCo says: ''Combating climate change is absolutely critical to the future of our company, customers, consumers—and our world. I believe all of us need to take action now.''

And they are taking action. Their effort puts Coke and Pepsi at the forefront of corporate climate responsibility. But they lobby Congress through a trade association, the American Beverage Association, and through the business lobbying group, the U.S. Chamber of Commerce. The American Beverage Association sits on the board of the U.S. Chamber of Commerce and contributes a lot of money to it.

The American Beverage Association, as far as I can tell, has never lobbied on climate change. When the Association thought Congress might impose a soda tax to fund health care, they lobbied like crazy—nearly $30 million dollars' worth. They know how to lobby, when they want to. But on climate, I've never seen it.

Everyone in Congress knows that the U.S. Chamber of Commerce is dead set against Congress doing anything serious about climate change. The U.S. Chamber is very powerful, and its power in Congress is fully dedicated to stopping any serious climate legislation. We see their hostility everywhere.

The result is that Coke and Pepsi take great positions on climate change in their public materials and private actions, but here in Congress their lobbying agencies don't support their position.

No corporate lobbying force is exerted for good on climate change. Mars, maker of the iconic M&M, is going fully carbon neutral. Its climate performance is spectacular. No lobbying. WalMart, America's biggest retailer, is spending tens of millions of dollars to become sustainable. No lobbying. Apple and Google and Facebook are forward-looking, cutting-edge companies of the future, and they lead in sustainability. No lobbying.

The reasoning I am given is always the same. People fear retribution, so embedded is the fossil fuel industry in Congress. The

result is the good guys abandoning the field to the worst climate actors in America: the fossil fuel industry and its array of front groups. They don't just lobby. The roughest of these, Americans for Prosperity, boasts loudly that it will spend $750 million in this election (it's already through $400 million and climbing) and that any effort to address climate change will put candidates in ''political peril,'' that they'll be ''at a severe disadvantage.'' Subtle like a brick.

My response is twofold.

Climate change is not just any other issue. It's so big an issue that the world's leaders just gathered in Paris to address it. It's so big an issue that it has its own page on most corporate websites. It's so big an issue that our former Pacific commander, Admiral Samuel J. Locklear, said it was the biggest national security threat we face in the Pacific Theater. To use his words, climate change ''is probably the most likely thing that is going to happen . . . that will cripple the security environment, probably more likely than the other scenarios we all often talk about.'' So it's big enough for corporations to treat it as more than just another issue in Congress.

Second, they can't hurt you if you organize. An antelope alone may fall to the hyenas, but the herd will protect itself. The fossil fuel industry can't punish Coke and Pepsi and WalMart and Apple and Google and Mars and all the other 100-plus companies who rallied publicly around a strong Paris agreement. You have to stand together.

Around Congress, the bullying menace of the fossil fuel industry is a constant. If the good guys cede the field to them, the result is predictable: members of Congress frozen in place, often against their better judgment. It doesn't have to be this way. I'm in Congress, and I'm writing here to say: we need you guys to show up.

Mr. WHITEHOUSE. Mr. President, it is time not just for us to wake up but for the good guys to show up. Fossil fuel folks for years outright denied climate change and happily funded their array of denial front groups. That failed the tests of truth and decency, but at least it was consistent. This new hypocrisy, to say one thing and do another, is playing with fire. First, it poses a legal risk. It is never good to say things you can't truthfully say under oath, which may be one reason we see such histrionics from the climate denial front groups about investigations where fossil fuel executives may have to tell the truth under oath. Second, it is a real reputation risk, especially among younger consumers who aren't going to love an industry that lies. It is hard to say that you are not lying when what you are saying and what you are doing are opposite.

It is time for the fossil fuel industry to end this new double game. Either put your money where your mouth is and start working with Congress to enact a price on carbon, as you say you wish, or go back to your climate denial and your creepy front groups and see how that works out for you, but saying one thing while you are doing the exact opposite is just not sustainable.

I yield the floor.

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

MAY 29, 2015.

Her Excellency, Ms. CHRISTIANA FIGUERES,
Executive Secretary of the UNFCCC,
Bonn, Germany.

His Excellency, Mr. LAURENT FABIUS President of COP21,
Paris, France.

DEAR EXCELLENCIES: Climate change is a critical challenge for our world. As major companies from the oil & gas sector, we recognize both the importance of the climate challenge and the importance of energy to human life and well-being. We acknowledge that the current trend of greenhouse gas emissions is in excess of what the Intergovernmental Panel on Climate Change (IPCC) says is needed to limit the temperature rise to no more than 2 degrees above pre-industrial levels. The challenge is how to meet greater energy demand with less CO_2. We stand ready to play our part.

Our companies are already taking a number of actions to help limit emissions, such as growing the share of gas in our production, making energy efficiency improvements in our operations and products, providing renewable energy, investing in carbon capture and storage, and exploring new low-carbon technologies and business models. These actions are a key part of our mission to provide the greatest number of people with access to sustainable and secure energy.

For us to do more, we need governments across the world to provide us with clear, stable, long-term, ambitious policy frameworks. This would reduce uncertainty and help stimulate investments in the right low carbon technologies and the right resources at the right pace.

We believe that a price on carbon should be a key element of these frameworks. If governments act to price carbon, this discourages high carbon options and encourages the most efficient ways of reducing emissions widely, including reduced demand for the most carbon intensive fossil fuels, greater energy efficiency, the use of natural gas in place of coal, increased investment in carbon capture and storage, renewable energy, smart buildings and grids, off-grid access to energy, cleaner cars and new mobility business models and behaviors.

Our companies are already exposed to a price on carbon emissions by participating in existing carbon markets and applying 'shadow' carbon prices in our own businesses to test whether investments will be viable in a world where carbon has a higher price.

Yet, whatever we do to implement carbon pricing ourselves will not be sufficient or commercially sustainable unless national governments introduce carbon pricing evenhandedly and eventually enable global linkage between national systems. Some economies have not yet taken this step, and this could create uncertainty about investment and disparities in the impact of policy on businesses.

Therefore, we call on governments, including at the UNFCCC negotiations in Paris and beyond—to:

Introduce carbon pricing systems where they do not yet exist at the national or regional levels.

Create an international framework that could eventually connect national systems.

To support progress towards these outcomes, our companies would like to open direct dialogue with the UN and willing governments. We have important areas of interest in and contributions to make to creating and implementing a workable approach to carbon pricing, including:

1. Experience. For more than a century we have provided energy to the world. We are global in reach, closely familiar with managing major projects and risks of many kinds, and well-versed in trading and logistics. As we are already users of carbon pricing systems across the world, exchange of information at international scale could help to identify the best solutions.

2. Motivation. We want to be a part of the solution and deliver energy to society sustainably for many decades to come. Like our counterparts in other industry sectors we will play a key role in implementing the measures and deploying the technologies that will lead to a lower carbon future. Low carbon business models and solutions are fragile until they reach critical size, but with linked carbon pricing systems worldwide, uncertainty would be reduced and such solutions will start to create value for business more rapidly.

3. Pragmatism. We believe our presence at the table could be helpful in designing an approach to carbon pricing that would be both practical and deliverable, as well as ambitious, efficient and effective.

4. A forum for discussion. Our companies and others have come together under the auspices of the World Economic Forum to form the Oil & Gas Climate Initiative, or are members of the International Emissions Trading Association, the World Bank or the UN Global Compact Carbon Pricing initiatives. We believe these forums may offer an appropriate ground for public-private dialogue on how to price carbon into energy.

Practically, we and our senior staff will seek to engage and share our companies' perspectives on the role of carbon pricing in several important settings:

In our meetings with Ministers and Government representatives.

As we attend and address conferences.

As we hold engagements with our investors.

As we conduct meetings with other stakeholders including partners, suppliers, academics and researchers.

As we hold meetings for management and staff within our businesses.

Pricing carbon obviously adds a cost to our production and our products—but carbon pricing policy frameworks will contribute to provide our businesses and their many stakeholders with a clear roadmap for future investment, a level playing field for all energy sources across geographies and a clear role in securing a more sustainable future.

We acknowledge the long-term challenge and appreciate that this will be transformative across the energy sector. Over many decades, our industry has been innovative and has been at the forefront of change. We are confident that we can build on our trajectory of innovation to meet the challenges of the future.

Each of us will copy this letter personally to key contacts among investors, governments, civil society and our staff.

Yours sincerely,

HELGE LUND,
BG Group.
BOB DUDLEY,
BP.
CLAUDIO DESCALZI,
Eni S.p.A.
BEN VAN BEURDEN,
Royal Dutch Shell.
ELDAR SAETRE,
Statoil ASA.
PATRICK POUYANNÉ,
Total S.A.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:15 p.m., adjourned until Wednesday, May 18, 2016, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 17, 2016:

OVERSEAS PRIVATE INVESTMENT CORPORATION

TODD A. FISHER, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2016.

DEVEN J. PAREKH, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2016.

AFRICAN DEVELOPMENT FOUNDATION

LINDA THOMAS–GREENFIELD, AN ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 27, 2015.

LINDA THOMAS–GREENFIELD, AN ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 27, 2021.

JOHN W. LESLIE, JR., OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 2019.

LINDA I. ETIM, OF WISCONSIN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 2021.

UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

GEORGETTE MOSBACHER, OF NEW YORK, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2018.

DEPARTMENT OF DEFENSE

ERIC K. FANNING, OF THE DISTRICT OF COLUMBIA, TO BE SECRETARY OF THE ARMY.

DEPARTMENT OF STATE

ROBERT ANNAN RILEY III, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATED STATES OF MICRONESIA.

KAREN BREVARD STEWART, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE MARSHALL ISLANDS.

MATTHEW JOHN MATTHEWS, OF OREGON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES SENIOR OFFICIAL FOR THE ASIA-PACIFIC ECONOMIC COOPERATION (APEC) FORUM.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

MARCELA ESCOBARI, OF MASSACHUSETTS, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

ASIAN DEVELOPMENT BANK

SWATI A. DANDEKAR, OF IOWA, TO BE UNITED STATES DIRECTOR OF THE ASIAN DEVELOPMENT BANK, WITH THE RANK OF AMBASSADOR.

DEPARTMENT OF STATE

ADAM H. STERLING, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SLOVAK REPUBLIC.

KELLY KEIDERLING-FRANZ, OF VIRGINIA, 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 ORIENTAL REPUBLIC OF URUGUAY.

STEPHEN MICHAEL SCHWARTZ, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF SOMALIA.

CHRISTINE ANN ELDER, OF KENTUCKY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LIBERIA.

ELIZABETH HOLZHALL RICHARD, OF VIRGINIA, 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 LEBANESE REPUBLIC.

EXTENSIONS OF REMARKS

RECOGNIZING CHIEF MASTER SERGEANT BRIAN L. ZATOR'S THIRTY-TWO YEARS OF SERVICE IN THE UNITED STATES AIR FORCE AND AIR FORCE RESERVE

HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. MURPHY of Pennsylvania. Mr. Speaker, I rise to recognize Citizen Airman Chief Master Sergeant Brian L. Zator upon the occasion of his retirement after 32 years of honorable service to our great Nation in the United States Air Force and Air Force Reserve.

Chief Zator was born on April 8, 1966 in Morgantown, West Virginia. He graduated from Saint Francis High School in Morgantown in 1984 and entered the Air Force in July that year. Upon graduation of Administration Management Specialist Course, he was assigned to the 62nd Air Base Group and then to the 446th Airlift Wing, McChord AFB, Washington, from 1984 to 1989, as an Administrative Specialist. In June 1989, he transitioned from the Air Force to the Air Force Reserve, joining the 911th Civil Engineer Squadron, Detachment Number 1, Morgantown, West Virginia as the Non-Commissioned Officer in charge (NCOIC), Management Assistant, of the Orderly Room. Then, in August 1991, he became an Air Reserve Technician, a dual hatted Citizen Airman, serving the Air Force Reserve Command as a Civil Servant during the week and again serving the Air Force Reserve Command as a member of the uniformed service during the weekends and whenever the nation called upon him with the 911th Airlift Wing, Civil Engineer Squadron, Pittsburgh International Airport, Air Reserve Station, Coraopolis, Pennsylvania. In 1995, he was promoted to the grade of Master Sergeant, taking on an active leadership role within the 911th Airlift Wing and within the Air Force Reserve Command. In 1997, he was selected as the winner of the Air Force Reserve Command Outstanding Civil Engineering Air Reserve Technician of the year award. That same year he was a member of the Air Force Reserve Command Outstanding Civil Engineering Squadron of the Year. In 1998, he alone was selected from thousands of his peers within the state, as the winner of the Air Force Association Outstanding Reservist Award for Pennsylvania.

In October 1999, he transitioned careers, both civilian and military, into the Financial Management career field. From October 1999 through October 2006, he was the Financial Management Superintendent as an Air Reserve Technician with the 911th Airlift Wing. In 2000, he again was promoted, this time to the grade of Senior Master Sergeant. Chief Zator was clearly being recognized by leadership within the Air Force Reserve Command for his abilities to assume additional responsibility and to lead within the 911th Airlift Wing. In 2001, he was again individually selected from thousands of his peers within the state as the winner of the Air Force Association Outstanding Reservist Award for Pennsylvania. In 2003, he was selected as the winner of the Air Force Reserve Command Financial Services Civilian of the Year award, and in 2004 he was selected as the winner of the 911th Airlift Wing Senior Noncommissioned Officer of the Year award. In 2005, he deployed to the 496th Air Base Group, Morón Air Base, Spain as a Deployed Paying Agent. That same year, and again in 2006, he was selected as the winner of the Air Force Reserve Command Financial Management Enlisted Superintendent of the Year award and the winner of the 2006, 911th Airlift Wing Civilian of the Year award. In 2006, he was promoted to the highest enlisted rank within the Air Force, Chief Master Sergeant. As a Chief Master Sergeant, one assumes responsibilities for all enlisted troops and serves as a guide and mentor for junior personnel, officer and enlisted, alike.

In November 2006 through January 2013, he served as the Chief of Financial Management for the 911th Airlift Wing. During that time, in 2007 and again in 2008, he was selected as the winner of the Air Force Reserve Command Comptroller Organization of the Year award, and in 2009, he was selected as the winner of the Air Force Reserve Command James E. Short Award for Outstanding Mentorship and Career Development. Then, in 2011, he was selected as the winner of the Air Force Reserve Command Financial Management Enlisted Superintendent of the Year and the winner of the 2011 Defense Finance and Accounting Service-Limestone's Partnership for Success Award. From January 2013 through September 2016, in Chief Zator's final military role within the Air Force Reserve, he was hand selected to be the Command Chief of the 911th Airlift Wing, Pittsburgh International Airport, Air Reserve Station, Coraopolis, Pennsylvania. During this time, Chief Zator served as the Wing Commanders' senior enlisted advisor on matters concerning troop welfare, effective utilization, and progress of the enlisted members of the 911th Airlift Wing. As an example of the work Chief Zator did on behalf of the 911th Airlift Wing, he went about forging partnerships with local educational institutions resulting in college level courses being taught at the 911th Airlift Wing. His vision came to fruition in January 2014, when the 911th Airlift Wing partnered with Robert Morris University and started teaching eight week General Education courses. These courses were part of the initiative to meet the forthcoming requirements for enlisted military personnel to have a Community College of the Air Force Associates Degree for consideration for promotion to Senior Master Sergeant and Chief Master Sergeant. Since this partnership, the 911th Airlift Wing has presented over 150 Community College of the Air Force Associate degrees to its members. The 911th Airlift Wing has gone from not being ranked in the top 25 percent of Community College of the Air Force Associates Degree graduates to being ranked Number 8 in 2014 to being ranked Number 2 in 2015 within the Air Force Reserve.

Mr. Speaker, on behalf of the United States Congress and a grateful Nation, I extend our deepest appreciation to Chief Master Sergeant Brian Zator for his many years of dedicated service. There is no question that the Air Force, Department of Defense, and the United States benefitted greatly from Chief Zator's visionary leadership, planning, and foresight, and we wish him and his wife, Lorie, and his son Nicolas, the very best.

TAMMY BANFIELD'S STORY

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. GUINTA. Mr. Speaker, on August 17th, 2015 Tammy Banfield was on her way out the door with her 2 year old daughter when she heard a knock on the door that would change their lives forever. Brien, her partner and father to their daughter Kendal, was in the ICU. On August 23, 2015 he was pronounced dead at 38 years old. Brien was a hard worker, a brother, a friend, a partner, and most importantly the father to three amazing girls. He was someone who put others before himself and lent a helping hand whenever possible. Brien struggled with depression, anxiety and an addiction that started at the age of 8. Despite his problems, he always made time for his family. From singing the ABC's to their daughter to cooking her dinner and changing her diapers, Brien always put his family first. Kendal, to this day, still speaks lovingly of her father. Tammy wants no one else to go through her family's trouble and she has seen firsthand that it is possible to recover from addiction. Tammy has two brothers who were able to recover from the treatment and an ongoing, consistent support team. Each individual's support team looks different; for some it is groups like AA, NA and the up-and-coming HA, while others rely on family and friends who have recovered. None of these options are possible without the ability to first seek and receive comprehensive, quality treatment.

HONORING DR. PAUL MODRICH

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise today to recognize and congratulate Dr. Paul Modrich, who grew up in Raton, New Mexico and won the 2015 Nobel Prize in Chemistry with Tomas Lindahl and Aziz Sancar. Dr. Modrich was awarded the Nobel Prize for explaining and mapping how the human body repairs mistakes in DNA replication during cell division, which experts say

will aid future research into the treatment of cancer and various illnesses associated with aging.

Dr. Modrich grew up in Raton, a town of less than 7,000 people in northern New Mexico, and graduated from Raton High School in 1964. From a young age, he frequently took on science projects with an inquisitive spirit that made it no surprise to family and friends when he decided to pursue a career as a scientist. After graduating, Dr. Modrich headed east to study biology at MIT, then moved to Stanford for his doctorate in biochemistry. He has spent most of his professional career at Duke University, where he became the James B. Duke Professor of Biochemistry in 1988.

Despite the geographic diversity of his endeavors, Dr. Modrich credits his childhood in Raton as a key inspiration for his career in science. ''There was huge biological diversity around me,'' he said. ''Within five miles, the ecology can change dramatically. It was very thought provoking.'' Raton is a special place where deep roots and a strong connection to the land are hallmarks of this community, and these qualities have left a lasting impact on Paul Modrich.

Dr. Modrich's accomplishments serve as a reminder that New Mexico is home to immense talent. His success stands as a testament to the virtues of hard work, determination, and curiosity, and provide an example that will encourage young people in New Mexico and across the country to follow their dreams and change the world. Dr. Modrich has shown that just because you are from a small town does not mean you can't go on to do big things. Again, congratulations to Dr. Modrich on his tremendous achievement. The people of Raton and New Mexico are proud of him.

RECOGNITION OF THE 10TH ANNIVERSARY OF MONTENEGRO'S INDEPENDENCE

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LAMBORN. Mr. Speaker, I rise today to congratulate Montenegro on the tenth anniversary of their independence, which will occur on Saturday, May 21.

Ten years ago this week, voters in Montenegro went to the polls in a referendum which posed the question, ''Do you want Montenegro to be an independent state?'' When the dust settled in the evening of May 21, 2006, 55.5 percent of voters chose to peacefully dissolve the union with Serbia.

Shortly thereafter, all five members of the United Nations Security Council recognized the newest country in the world. In a region marked by bullets and bombs, this was the beginning of a praiseworthy chapter in regional and trans-Atlantic history.

In addition, I am very pleased that this proud nation is on a path to become the newest member of NATO. Its inclusion in NATO will strengthen regional and trans-Atlantic security, and sends a strong message of strength to friend and foe alike.

Given that countries much larger than Montenegro often dominate our foreign policy, it is easy to overlook the importance of ten years of U.S.-Montenegro relations.

U.S. government assistance to Montenegro has aimed to help the country advance toward Euro-Atlantic integration, increase its ability to fight organized crime and corruption, strengthen its civil society and democratic structures, and provide stability in the fragile Balkans.

Meanwhile, American business leaders likewise play a vital role. For example, the Stratex Group is the largest American investor in Montenegro. The CEO was one of the first Jewish families to flee the scourge of Soviet Communism settling in our great country. Today, his company is working alongside our Embassy and recently just hosted airmen from the Air War College. Only two places in Montenegro fly the American flag: the U.S. Embassy and the Stratex properties.

Beyond strengthening our formal diplomatic alliance, my colleagues here in Congress must endeavor to creatively promote business and cultural diplomacy—in Montenegro and around the world. We must encourage our diplomats to have a greater appreciation for American investments in emerging democracies.

I believe that with a full commitment to rule of law, transparency and an independent judiciary, Montenegro will achieve its stated goal of further attracting American investors and, in the process, strengthen the trans-Atlantic community.

With the focus of Congress, I am confident Montenegrin government leaders will fully commit to prioritizing these critical reforms and educating a new generation about conducting corruption-free business in the 21st century. As Chairman of the Montenegro Caucus, I will continue to support Montenegro, and I will continue to support a stable, secure Europe based on collective self-defense, free trade and economic freedom, the rule of law, and democracy.

PEOPLE LIE—NUMBERS DON'T

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. SEWELL of Alabama. Mr. Speaker, today on this Restoration Tuesday, I rise to bring attention to the continued voter suppression affecting Americans around the country during this election year and the ongoing battle to protect the constitutional right to vote.

It has been said that new restrictive voting laws were made to prevent voter fraud, but there is little evidence showing a significant problem. It has been said that having certain photo IDs are a simple request for those seeking to vote, while thousands of Americans such as the elderly, college students and city-dwellers who use public transportation and others lack such newly required IDs. Much is done in the name of noble reasons, but often the truth lies not in words but in deeds and results. The truth is this—Americans want to vote, but these new suppressive state voting laws are making it especially difficult.

Here are some numbers: Seventeen states have introduced new voting procedures to be in place for the November election, more than half of which are being challenged in court. In all, over 30 states across the country have implemented new restrictive laws aimed at blocking the American people from the ballot box. After the Supreme Court decision in the Shelby case, the state of Alabama closed over 30 DMVs, the most common location to receive a photo ID. Strict voting ID laws in Texas could leave up to 600,000 voters without the proper ID. Also in 2008, Arizona had 400 voting polls. They went down to 200 voting polls in 2012 and now in 2016 they are down to 60.

Across the nation, voting polls have been shut down and voters have been shut out. New photo ID laws have been passed and eligible voters have been passed up. With so many new state laws that have made it harder for voters to get to the polls, we must take a hard look around and ask the question—why don't we want people to vote? Why make voting for eligible voters harder and not easier? Are these new laws really about preventing voter fraud? The leaders in Congress need to have answers to these questions. Suppression of the right to vote is especially un-democratic and ultimately un-American.

In the midst of this devastating blow to our democratic process, here are some numbers that we can be proud of: Virginia Governor Terry McAuliffe recently restored voting rights to about 200,000 individuals with a past felony conviction. On March 10th of this year, Maryland also restored the right to vote for an estimated 40,000 individuals with past felony convictions. It is encouraging to see examples of leaders who believe in our democracy and believe in the Constitutional right to have one's voice heard through their right to vote.

I don't have to remind anyone that this is an election year. But when I look around and see the ongoing suppression of the right to vote, I feel obligated to remind us all of what is at stake in this election. Every voice matters, every vote matters. Unfortunately, if eligible voters continue to be hindered by these new suppressive state laws; every voice will not be heard. Every potential vote will not be counted.

Voting rights need to be protected and eligible voters need proponents of the Constitution and the democratic process to fight for them—to fight for their rights. The suppression needs to stop, the oppression needs to stop, and the excuses need to stop. There is too much at stake this election year and Congress needs to stand up and do something about it now.

On this Restoration Tuesday, I give us all the charge to battle against the continued suppression of the American vote and stand strong by our principles of democracy, liberty, and justice for all.

Mr. Speaker, my Republican colleagues should join the 168 members of Congress and support H.R. 2867—the Voting Rights Advancement Act of 2015. Let's restore the Voting Rights Act of 1965. It is the right thing to do.

ANGELS OF ADDICTION

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. GUINTA. Mr. Speaker, Angels of Addiction is an organization created by Anne Marie Farley Zanfagna about a year after the death of her youngest daughter, Jacqueline Zanfagna. Jacqueline died of a heroin overdose on October 18, 2014. At the time of

Jackie's death, her parents, Anne and Jim Zanfagna made the decision to be open with her cause of death, in hopes of raising awareness of heroin addiction.

After Jacqueline passed away, Anne Marie, an artist who works with oil paints, found she could not paint. When she finally began to paint again, she painted a vibrant, joyful portrait of Jackie which she worked on over the period of a couple of months. Anne felt that the time spent working on her painting of Jacqueline was time spent with her daughter. Anne brought her painting of Jackie to the heroin addiction support group that she and her husband attend every third Sunday of the month in Plaistow, NH. Everyone at the meeting loved her painting and she offered to paint a portrait for another family who also lost their daughter to a heroin overdose.

Anne Marie Zanfagna's portrait art raises awareness of the danger of heroin addiction. As heroin addiction has reached epidemic proportions in America, many families have lost children or loved ones to the addiction. Ultimately, Anne Marie plans to create a traveling art show of portraits of those who have succumbed to heroin addiction which she hopes to bring to the State House in New Hampshire and then across the nation, to the U.S. Capitol.

Long term goals for Angels of Addictions include raising money for a yearly scholarship in Jacqueline Zanfagna's name for an outstanding student who plans to work in addiction recovery and art therapy. Angels of Addictions also plans to support other local addiction resources including a sober house for heroin addictions.

THE MEDICARE BENEFICIARY ENROLLMENT IMPROVEMENT ACT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. McDERMOTT. Mr. Speaker, I rise today to introduce the Medicare Beneficiary Enrollment Improvement Act. This bill provides newly-eligible Medicare beneficiaries with clearer, easier-to-understand information in their Welcome to Medicare package. This will help beneficiaries make better informed decisions regarding their options for receiving benefits through the Medicare program.

The decisions that newly-eligible beneficiaries make have consequences that can last a lifetime. For example, individuals who opt out of Part B coverage during their initial enrollment period must pay a lifetime premium penalty of 10 percent for each 12-month period in which they were not enrolled. By reforming the Welcome to Medicare package, this bill makes a small but important improvement that will provide beneficiaries with the information they need to fully understand their options.

IN HONOR OF THE 20TH ANNIVERSARY OF THE TAIPEI CHINESE CULTURE SUMMER CAMP

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. GOSAR. Mr. Speaker, I rise today to congratulate the Taipei Chinese Culture Summer Camp on its 20th anniversary.

The Taipei Chinese Culture Summer Camp, held in Phoenix, has been recognized for its outstanding performance time and time again. It was designated as an official Arizona Centennial Event, it has been recognized here in Congress, and it is a recipient of the Phoenix Mayor's Partnership Award.

Phoenix, Arizona and Taipei, Taiwan have enjoyed a Sister Cities Relationship for 37 years. The industrious people of Taipei share many things in common with Arizonans, including a strong work ethic, a peaceful nature, a love of nature and beauty, and amazing architecture.

The camp will take place June 13–17, 2016 and is open to students from all schools. This camp will promote Taiwanese and Chinese Culture, Folk Arts and Sports. In addition, it will educate our youth regarding the importance of cultural awareness and show the many similarities between our two cultures. The camp will also let children learn leadership and teamwork skills while also teaching an understanding of international issues and friendship among our nations. Perhaps most importantly for the children, it will be fun.

We recognize these achievements and encourage them to grow in the future. Again, it is my pleasure to congratulate the Taipei Chinese Summer Camp on its 20th anniversary.

HONORING JOSEPH ROBERT LEE SIGRIST

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Joseph Robert Lee Sigrist. Joe is a man who has exemplified the finest qualities of citizenship through his service in the United States Navy during the Second World War.

Joe enlisted in the Navy in 1943 where he performed vital maintenance on naval ships throughout California, Japan, and the Pacific until he completed his service in 1946. After the war, Joe continued his important work by attending the Colorado School of Mines. He worked as a machinist and tool and die maker before moving to St. Joseph, Missouri to work at Goetz Brewery. However, it could be said that one of his most notable accomplishments is his over 50 year marriage to his wife Phyllis.

Mr. Speaker, I proudly ask you to join me in commending Joseph Sigrist for his service to our country—a service that preserved the freedom of his fellow citizens and the future of the United States of America.

COURTNEY GRIFFIN'S STORY

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. GUINTA. Mr. Speaker, Courtney Griffin was an energetic child who always did well in her classes. Once she reached high school, her parents were amazed at her maturity and work ethic when she got her first job. In order to continue working her job, Courtney's parents allowed her to get a car to drive to and from work. Courtney's job required her to work late hours and she began hanging around the wrong people. She started coming home later and later, her grades fell and pills started going missing in their house. The older she got, the more times money and pills would go missing. Courtney was eventually accepted into the University of Hawaii, but her parents made her stay an extra year at home to prove she would not continue her behavior in college. Courtney began working for her father, handling all inventory duties for his business. She gradually saved up enough money to buy another car and got a boyfriend. But then Courtney's story took a turn for the worst and she began abusing heroin. She began disappearing for long periods of time and began stealing money from her father's company. Her parents tried to find her treatment, but all of the options were too expensive and their insurance company would not cover the bills. So they took Courtney to emergency rooms, hoping to get her admitted and treated. At every hospital she was released within an hour without any form of treatment. The local authorities told them that the only way to get Courtney help was to kick her out and cut her insurance so she could receive homeless benefits. Once her parents cut her off, Courtney moved in with her boyfriend's grandparents. Eventually, her boyfriend was arrested for violating parole and she was all on her own in a strange home with people she did not know. One night, she bought and used a dose of fentanyl that was 80 times stronger than she thought. That night, she drifted away and never woke up. In one day, Courtney's parents lost their child to an addiction that went untreated. Courtney's boyfriend overdosed in the same house, in the same room, in the same bed just a short while later.

TRIBUTE TO ELIZABETH AND DALE WICHMAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Elizabeth and Dale Wichman of Council Bluffs, Iowa, on the very special occasion of their 60th wedding anniversary. They were married on April 5, 1956, at Fort Lewis, Washington.

Elizabeth and Dale's lifelong commitment to each other and to their children, Michael, Susan, Sandra, and Julie, and their grandchildren and great-grandchildren truly embodies Iowa values. It is because of Iowans like you that I'm proud to represent our great state.

Mr. Speaker, I commend this great couple on their 60th year together, wishing them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

PERSONAL EXPLANATION

HON. RANDY HULTGREN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. HULTGREN. Mr. Speaker, on roll call no. 194, I was unavoidably detained during the roll call vote. Had I been present, I would have voted "Aye."

PAYING TRIBUTE TO DR. EUGENE B. HABECKER FOR HIS 11 YEARS OF OUTSTANDING SERVICE AS PRESIDENT OF TAYLOR UNIVERSITY

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor Dr. Eugene Habecker on the occasion of his retirement. For the past eleven years Dr. Habecker has devoted his life to providing an exceptional educational experience to the students of Taylor University. The people of Indiana's Fifth Congressional District are forever grateful for Dr. Habecker's dedication to the education of our country's future leaders.

Dr. Habecker demonstrated a lifetime passion for education, including his own. Before becoming the 30th President of Taylor University in 2005, he received a number of degrees. He is a proud Taylor University alumnus, receiving his bachelor's degree from Taylor University in 1968. He then went on to earn a master's degree from Ball State University in 1969, Ph.D. from the University of Michigan in 1981, J.D. from Temple University in 1974, a certificate from Harvard University in 1986, and several honorary degrees from numerous colleges and universities.

After earning an impressive number of degrees, he continued pursuing his passion for education. He held executive leadership positions at several educational institutions including George Fox University in Newberg, OR and Eastern University in St. Davids, PA. He served as President of Huntington College in Huntington, IN from 1981–1991, and was President and CEO of the American Bible Society from 1991–2005 before he returned to his alma mater to serve as President of Taylor University.

Taylor University, located in Upland, IN, was founded in 1846, making it one of the oldest evangelical Christian colleges in America. Throughout his tenure as President of Taylor University, Dr. Habecker has been instrumental in ensuring that Taylor's strong history as a university continued to flourish and grow. Under his leadership, Taylor University has been ranked the number one Midwest University in the category "Best Regional Colleges" by US. News & World Report for nine years straight (2007 through 2016). He is also credited with raising $180 million for operating, endowment, and capital projects. The funds raised have gone to many projects that have enhanced student life such as campus beautification projects, construction of new living centers, major upgrades to athletic facilities, and the establishment of international centers and a highly successful study abroad program. He also brings a group of students to the National Prayer Breakfast in Washington, D.C. each year, recognizing the importance of young Christians participating in this historic annual breakfast designed to serve as a forum for political, social, and business leaders to create a dialogue and build relationships.

His wife, Marylou, who is also a 1968 graduate of Taylor, has been influential as well with her diverse and extensive work in campus ministries. Marylou and Dr. Habecker have a clear passion for education and love for Taylor University. The school is dedicated to living life together in a discipleship community, and Dr. Habecker and Marylou have been exceptional leaders in facilitating such an environment.

Due to his astounding leadership, Dr. Habecker was chosen to serve on several boards including the Christian Management Association, National Association of Evangelicals, and Council for Christian Colleges and Universities. Additionally, he was selected to serve on three international boards, most notably the United Bible Societies Global Board. Through his work with the United Bible Societies Global Board and through Taylor University, Dr. Habecker and Marylou have traveled extensively, both nationally and globally. The primary focus of their travels has been promoting and educating others on how to be a successful leader in Christian education.

Dr. Habecker's astonishing commitment to higher education in Indiana and success as a leader has not gone unnoticed. He was awarded the Christian Management Award from the Christian Management Association (1989), Distinguished Alumni Citation from Huntington College (1989), Life Enrichment Award from the Charles Drew University of Medicine and Science (1996), Layperson of the Year Award from the National Association of Evangelicals (1999), and finally, his own Taylor University selected him as the 1998 Distinguished Alumnus for Professional Achievement.

Dr. Habecker made a remarkable impression on the lives of his students, faculty, and the Taylor University community. He and Marylou have left a legacy of success at Taylor that will be built upon for decades to come. On behalf of Indiana's Fifth Congressional District, I'd like to congratulate Dr. Habecker on his noteworthy career and extend a huge thank you for all the wonderful contributions he has made to the Hoosier community. I wish the very best to Dr. Habecker, Marylou, their three children, and seven grandchildren as he enjoys a well-deserved retirement.

HONORING SARAH CONROY ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Sarah Conroy, of Ozark, Missouri, who has been accepted by the National Academy of Future Physicians and Medical Scientists as a delegate to the Congress of Future Medical Leaders.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. It is specifically for students who aspire to be physicians or enter into the field of medical research, and helps to provide a path and mentorship for students to accomplish those dreams. It takes place at the University of Massachusetts over 3 days, and helps to spark meaningful dialogues and exchanges of ideas between future leaders in the medical field.

To be considered for acceptance as a delegate, applicants must be recommended by either a teacher or member of the Academy based on a proven track record of academic excellence. Students must have a minimum of a 3.5 GPA and represent all 50 states and Puerto Rico. It is an incredibly selective opportunity, and those students who qualify for selection have done so because of their hard work and diligence to their studies, not to mention their impressive intellect.

Mr. Speaker, Sarah Conroy, who attends Ozark High School, has shown a true passion for anatomy, biology and health science. Moreover, Sarah has excelled in her academics and will no doubt make Missouri proud as one of our delegates. I would like to extend my personal congratulations for her achievement, and on behalf of the 7th District of Missouri, I would like to thank her for representing our district.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Monday, May 16, 2016. Had I been present, I would have voted "yea" on roll call votes 194 and 195.

HONORING BOXING BEAR BREWING COMPANY

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor

Boxing Bear Brewing on their victory at the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

I am honored to know that Albuquerque, New Mexico's very own Boxing Bear Brewing received the Gold in the Sweet Stout of Cream Stout category, for their Chocolate Milk Stout, out of a total of 63 entries from around the world.

Boxing Bear Brewing was founded along the sandy banks of the Rio Grande River in northwest Albuquerque. Since opening, they have expanded rapidly in New Mexico with an outstanding selection of beer. After their victory at the World Beer Cup, head brewer and co-owner Justin Hamilton said, ''To win for a stout in a category with great breweries including Irish and American breweries just really solidified the fact that we have a presence not only locally, but nationally and now around the world.''

As a small locally owned manufacturing and service business Boxing Bear Brewing represents the prosperity of a burgeoning local craft beer industry in New Mexico. Boxing Bear Brewing is a testament to the contributions small businesses make to our country and communities and the idea that with hard work and dedication nothing is unattainable.

To this day lawyers, government officials, business leaders, political icons, artists and students continue to enjoy exquisite beers in Boxing Bear Brewing's friendly atmosphere. Mr. Speaker, I would like to take this moment to recognize Boxing Bear Brewing for their accomplishments in the 2016 World Beer Cup competition and commitment to our community at large. I am proud to know that we have a great business located in the First Congressional District of New Mexico.

TRIBUTE TO MARTY RIEKEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Marty Rieken of Oakland, Iowa, as he ends his term as President of the Iowa Funeral Directors Association (IFDA).

Marty has a long history of service within the field. He graduated from the Worsham College of Mortuary Science and became an apprentice at the Sellergen Lindell DeMarce Funeral Home in Red Oak, Iowa. Shortly after leaving his apprenticeship, Marty was hired as the Funeral Director of the Kessler Funeral Home in Audubon, Iowa. After years of hard work and dedication Marty now owns the Rieken Vieth Funeral Home in Oakland, Iowa and the Duhn Funeral Home in Griswold, Iowa. In addition to helping Iowa's families through their times of need, he has also been an active member of and tireless advocate for the Iowa Funeral Directors Association.

Marty's service to the Iowa Funeral Directors Association (IFDA) began in 2010 as the District 4 Governor, and then became the Secretary-Treasurer in 2013. In 2014, Marty served as President-Elect and was installed as President in 2015. Under Marty's leadership, the IFDA has seen unprecedented development and growth. He also implemented the IFDA's five year strategic plan and his guidance to the IFDA Board of Governors has helped to promote and support funeral service excellence.

Mr. Speaker, I commend Marty for his dedication and honorable service to Iowa families and the IFDA. It is an honor to represent him in the United States Congress. I ask my colleagues in the United States House of Representatives to join me in congratulating Marty for his outstanding leadership and in wishing him nothing but continued success.

PERSONAL EXPLANATION

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. NOLAN. Mr. Speaker, I was unavoidably detained for voting on Monday, May 16th. Had I been present and voting, I would have voted accordingly: Aye on Roll Call Vote Number 194 (Motion to Suspend the Rules and Pass H.R. 4743—National Cybersecurity Preparedness Consortium Act of 2016); and Aye on Roll Call Number 195 (Motion to Suspend the Rules and Pass H.R. 4407—Counterterrorism Advisory Board Act of 2016).

PRESIDENT OBAMA'S POLICIES HURT THE ECONOMY

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. SMITH of Texas. Mr. Speaker, in a recent interview President Obama claimed that unemployment and deficits were down and GDP was on the rise. Contrary to his claims, Americans know the facts and are well aware of his failed economic agenda.

Americans understand that the labor participation rate is at an historic low. Only 62 percent of Americans are employed or are seeking employment. One way to bring down unemployment is to create jobs. The other is to drive people out of the job market, which is what the president's policies have done.

Americans also realize that the national debt has nearly doubled under the Obama presidency and will exceed $20 trillion before he leaves office. This continued out-of-control spending has given us slow economic growth and stagnant wages.

American families know the facts about the president's failed economic policies.

REGARDING THE DUI REPORTING ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. COHEN. Mr. Speaker, I rise today in support of the DUI Reporting Act, a bill I introduced today with my Judiciary Committee colleague STEVE CHABOT.

If enacted, it would plug a glaring hole in our nation's drunk driving laws that inadvertently enables repeat offenders to be tried as first time offenders.

Currently, when police make a drunk driving arrest, they don't always have access to information about all of the driver's previous arrests for driving under the influence.

The reason is because not all police report DUI arrests to the National Crime Information Center, or ''NCIC'' for short, which is the national crime database that is made instantly available to police right from their patrol cars.

The consequences of this lack of reporting can prove tragic. Just last year there was a terrible accident in northern Mississippi, just outside of my Congressional District. Two teenagers were killed when the car they were driving was struck by a drunk driver who had accrued seven DUI charges since 2008 and had been allowed to plead guilty five times to a first-offense DUI.

The reason, according to a local investigation, was that none of the driver's DUI history had been reported to the NCIC.

When the highway patrol ran his driving record in the national database, his past DUI convictions never showed up.

This is shameful. This information should be reported so police can access it and get drunk drivers off the road.

Our bill would make that happen, by creating a financial incentive for states to require DUI arrests to be reported to the NCIC.

This bipartisan bill will save lives, and I urge my colleagues to help pass it quickly.

HONORING RYAN DIRKSEN ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Ryan Dirksen, of Springfield, Missouri, who has been accepted by the National Academy of Future Physicians and Medical Scientists as a delegate to the Congress of Future Medical Leaders.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. It is specifically for students who aspire to be physicians or enter into the field of medical research, and helps to provide a path and mentorship for students to accomplish those dreams. It takes place at the University of Massachusetts over 3 days, and helps to spark meaningful dialogues and exchanges of ideas between future leaders in the medical field.

To be considered for acceptance as a delegate, applicants must be recommended by either a teacher or member of the Academy based on a proven track record of academic excellence. Students must have a minimum of a 3.5 GPA and represent all 50 states and Puerto Rico. It is an incredibly selective opportunity, and those students who qualify for selection have done so because of their hard

work and diligence to their studies, not to mention their impressive intellect.

Mr. Speaker, Ryan Dirksen, who attends Springfield Catholic High School, has shown a level of dedication and aptitude for the health sciences that will leave him well prepared to represent Missouri at this Congress. I would like to extend my personal congratulations for his achievement, and on behalf of the 7th District of Missouri, I would like to thank him for representing our district.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 194 and 195. Had I been present, I would have voted aye on both.

TRIBUTE TO PATTY AND ELVIN SHAFAR

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Patty and Elvin Shafar on the very special occasion of their 70th wedding anniversary.

Elvin and Patty were married on May 13, 1946 and made their home in Bedford, Iowa. Their lifelong commitment to each other embodies Iowa's values. As the years pass, may their marriage continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

Mr. Speaker, I commend this lovely couple on their 70 years of life together and I heartily wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

PERSONAL EXPLANATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. SIMPSON. Mr. Speaker, on Monday, May 16, 2016, I was absent and missed the day's votes. Had I been present, I would have voted "Yea," on both Roll Call No. 194 and Roll Call No. 195.

HONORING LA CUMBRE BREWING

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor La Cumbre Brewing on their outstanding accomplishment during the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

I am honored to know that Albuquerque, New Mexico's very own La Cumbre Brewing received the Gold in the International Style Lager category, for their High Plains Pils, out of a total of 103 entries from around the world. La Cumbre Brewing President and Master Brewer, Jeff Erway explained that his company has been working on the recipe for this exquisite beer for the past three years.

La Cumbre Brewing was founded in Albuquerque in 2010 by Jeff and Laura Erway. Initially, the company had only three, 15 barrel fermenters and five part time employees. However, in the past five years they have expanded rapidly throughout New Mexico and the country. Today annual production exceeds 11,000 barrels of beer and La Cumbre Brewing employs a team of 35 people.

As a small locally owned manufacturing and service business La Cumbre Brewing represents the prosperity of a burgeoning local craft beer industry in New Mexico. La Cumbre Brewing is a testament to the contributions small businesses make to our country and communities and the idea that with hard work and dedication nothing is unattainable.

To this day lawyers, government officials, business leaders, political icons, artists and students continue to enjoy exquisite beers in La Cumbre Brewing's friendly atmosphere. Mr. Speaker, I would like to take this moment to recognize La Cumbre Brewing for their accomplishments in the 2016 World Beer Cup competition and commitment to our community at large. I am proud to know that we have a great business located in the First Congressional District of New Mexico.

CELEBRATING THE RETIREMENT OF DONALD RAY HILL

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. CARTER of Texas. Mr. Speaker, I rise today to celebrate the retirement of Donald Ray Hill of Taylor, Texas. A pillar of this bustling community nestled in the heart of my congressional district, Don's extraordinary commitment to service to his beloved home town reflects the best values of Central Texas.

Some people live an entire lifetime and wonder if they have made a difference in the world. Don Hill doesn't have that problem. From his service in the Marine Corps to his role as Mayor of the City of Taylor to serving as Steward at Allen Chapel A.M.E. Church for over 37 years to countless other endeavors, Don has led a life of devotion to his community.

Don was of service to all citizens. He worked tirelessly to feed the hungry, take care of the aged, and educate the young. The efforts of involved citizens like Don bring a community together and make residents proud to call Taylor home.

Retirement is to be celebrated and enjoyed. It is not the end of a career, but rather the beginning of a new adventure. I heartily salute Don Hill's work and contributions to his community. I wish him all the best as he begins his richly deserved retirement.

HONORING JOHN CRUMPTON ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LONG. Mr. Speaker, I rise today to honor John Crumpton, of Branson, Missouri, who has been accepted by the National Academy of Future Physicians and Medical Scientists as a delegate to the Congress of Future Medical Leaders.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. It is specifically for students who aspire to be physicians or enter into the field of medical research, and helps to provide a path and mentorship for students to accomplish those dreams. It takes place at the University of Massachusetts over 3 days, and helps to spark meaningful dialogues and exchanges of ideas between future leaders in the medical field.

To be considered for acceptance as a delegate, applicants must be recommended by either a teacher or member of the Academy based on a proven track record of academic excellence. Students must have a minimum of a 3.5 GPA, and represent all 50 states and Puerto Rico. It is an incredibly selective opportunity, and those students who qualify for selection have done so because of their hard work and diligence to their studies, not to mention their impressive intellect.

Mr. Speaker, John Crumpton, who attends Branson High School, has shown a level of excellence in academics and passion for science that leaves me fully confident that he will represent Missouri well at this Congress. I would like to extend my personal congratulations for his achievement, and on behalf of the 7th District of Missouri, I would like to thank him for representing our district.

TRIBUTE TO TYRA PENTON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Tyra Penton, of Bedford, Iowa for being selected for the 2016 Upward Bound Math and Science Program Hall of Fame Award.

The Northwest Missouri State University TRiO program created this Hall of Fame award to honor outstanding TRiO participants and to showcase the array of students within TRiO Programs. The TRiO Programs are federally-funded programs dedicated to helping first generation, low-income students succeed

in their precollege performance and ultimately in their higher education pursuits. Ms. Penton has shown the spirit, commitment and leadership necessary to be an outstanding award winner. She gives back to her community and maintains academic excellence. Tyra is the first recipient to be inducted into the Northwest TRiO Hall of Fame.

Mr. Speaker, the example set by Tyra demonstrates the rewards of harnessing one's talents and sharing them with the world. Her efforts embody the Iowa spirit and I am honored to represent her, and Iowans like her, in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating Ms. Tyra Penton for her achievements and in wishing her nothing but continued success.

COMMEMORATING THE LIFE OF WILLIAM HARVEY PRITCHETT

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. HURT of Virginia. Mr. Speaker, I submit these remarks to commemorate the life of William Harvey Pritchett of Pittsylvania County, Virginia, who passed away May 7, 2016 at age 88.

Mr. Pritchett was a man who believed in service to God, family, community and country. He was a faithful member of Bethel Baptist Church where he taught Sunday School and served as Sunday School Superintendent. Mr. Pritchett also served as a Deacon, a Trustee, Choir, and Chorus Member and in various other committee and leadership capacities both inside and outside of the church.

Mr. Pritchett, a native of Danville, graduated from Langston High School, attended Danville Community College, and earned his associate's degree in business from Christian Brothers College in Memphis, Tennessee. He also served our country for two years in the United States Army during World War II. Mr. Pritchett retired as a District Manager for Universal Life Insurance Company, where he worked for twenty five years.

Mr. Pritchett was the first African-American to serve on the Pittsylvania County Board of Supervisors and was a man who inspired many others to public service. He held the Banister District Supervisor seat for 20 years—first elected in 1991 and serving five terms before retiring in 2011. Mr. Pritchett also served six years as Vice Chairman and chaired the Board of Supervisors in 1996.

Mr. Pritchett was a strong advocate for education and establishing a local recreation department in Pittsylvania County; he served as president of the Dan River-Blairs Civic League, served on the Pittsylvania County Social Services board, served as the President of the Chief Elected Officials of the Workforce Investment Act, and Chaired the Dan River Business Development Center Board.

Mr. Pritchett is fondly remembered by all of his compatriots, including his successor, Pittsylvania County Board of Supervisors Chairman Jessie Barksdale, who stated, ''It was very obvious to me that Mr. Pritchett just had a passion to help other people [. . .] If not for Mr. Pritchett, I am positive I would not have run for office of any kind.''

On the occasion of the passing of William Harvey Pritchett, I ask that the Members of this House of Representatives join with me and the entire Pritchett family including his wife of 63 years, Lillie G. Pritchett, son Cedric Pritchett, brother Nelson Pritchett, and the community of Pittsylvania County, Virginia in honoring the memory of a great leader.

MONROE SHOCKS AND STRUTS 100TH ANNIVERSARY

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. WALBERG. Mr. Speaker, I rise today in recognition of the 100th anniversary of Monroe Shocks and Struts—founded in Monroe, Michigan.

In 1916, a humble mechanic and inventor, August F. Meyer, established Brisk Blast Manufacturing Company as a solution to combat frequent flat tires.

Under the leadership of Mr. Meyer, Brisk Blast quickly became a leading producer of tire pumps.

Two years later, Mr. Meyer partnered with Charles McIntyre, and the growing enterprise became Monroe Auto Equipment Company. The business soon perfected the first self-oiled, single-barreled tire pump, which increased sales to over two million a year.

In 1926, the first Monroe shock eliminator was introduced and quickly became one of the best known shock absorbers in the world, used by the majority of American automobile makers through the 1950s.

The emergent company soon became a world leader, as Monroe expanded internationally to Europe in 1964, Japan, Australia, and Mexico in 1972, and South America in 1974. Monroe was then purchased by global manufacturer Tenneco Inc. in 1977 and developed into the leading supplier to North American, Asian and European vehicle manufacturers.

Today, Monroe has cemented itself as the global leader in ride control, having introduced products such as Sensa-Trac, Reflex, and the popular Quick-Strut units.

Most notably, the innovative company still engineers and manufactures its products in North America, maintaining its global leadership as a domestic manufacturer. By partnering with a talented and highly committed workforce, Monroe is the predominant brand of vehicle ''ride control'' products.

I offer my best wishes to my constituents and friends at Monroe Shocks and Struts as they continue to provide motorists across the globe with safety and control.

HONORING MARBLE BREWERY

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Marble Brewery on their impressive showing during the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

Two years ago I had the privilege of honoring Marble Brewery for their first place finish out of 59 entries in the Kellerbier or Zwickelbier category. I am honored to be able to recognize Marble Brewery again for winning Bronze in the same category at this year's competition. Indeed, Marble Brewery beat out 67 other entries from around the world with their outstanding pilsner.

Marble Brewery was founded in Albuquerque in 2008 by Tim Rice, Jeff Jinnett, and John Gozigian. Since opening, they have expanded rapidly in New Mexico with an exceptional selection of beer. Today Marble Brewery's beers are already staples in restaurants and bars throughout our state, as well as in Colorado, and parts of Arizona.

Marble Brewery is a manifestation of the power of local businesses to provide jobs and services to our community. Mr. Speaker, the First Congressional District of New Mexico is lucky to have such a wonderful and world class brewery in downtown Albuquerque. I wish Marble Brewery years of continued success and look forward to hearing about their future achievements.

PAYING TRIBUTE TO DANIEL F. EVANS, JR. FOR HIS 13 YEARS OF OUTSTANDING SERVICE AS PRESIDENT OF IU HEALTH

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor Dan Evans, Jr. on the occasion of his retirement. Since 2002, Dan has served as the President and CEO of IU Health. In his 13 years as the system's President and CEO, Dan has overseen the expansion of the IU Health system from three hospitals in downtown Indianapolis to a unified statewide health system of nearly 20 hospitals and health centers that treat more than 2.5 million patients a year. The people of Indiana's Fifth Congressional District are forever grateful for Dan's commitment and dedication to the health of all Hoosiers.

Dan has a long history of devoting his time to bettering the lives of Hoosiers. Before entering the healthcare field, he received his J.D. in 1976 from the Indiana University School of Law. After receiving his degree, Dan worked as an attorney for Baker & Daniels LLP, now known as FaegreBD, in Indianapolis. In November 2002, he started the beginning of an incredibly successful career as President of Indiana University Health. Since then, Dan has shown exceptional leadership and has played an integral role in transforming IU Health into the outstanding health system it is today.

Throughout his tenure leading IU Health, Dan was instrumental in ensuring the hospital's continued growth and success. IU Health has long been a strong hospital system, but under Dan's leadership IU Health has grown into one of the leading hospitals in the state and nation. IU Health has consistently been included in the notable U.S. News & World Report's annual ''Best Hospitals

Ranking'' as the number one hospital in the state of Indiana. He made significant additions to IU Health including the opening of the world-class IU Health Melvin and Bren Simon Cancer Center, the IU Health Neuroscience Center, and the Riley Hospital for Children Simon Family Tower. He also played an active role in the recently announced plan for a regional academic health campus in Bloomington, which will focus on advanced research into producing innovative treatments. Additionally, he helped secure a $1 billion investment for a new adult academic health center in downtown Indianapolis.

Dan is well-known for his advocacy work at both the state and federal levels, taking time to speak with legislators about wellness programs, high-quality and accessible healthcare, the Healthy Indiana Plan, and the Graduate Medical Education program. His commitment to serving the healthcare needs of the low-income and underserved communities resulted in IU Health contributing more than $5.8 billion in community benefit and investment during his thirteen years at IU Health. He has also displayed continued dedication to his relationship with the United Methodist Church by facilitating the addition of United Methodist leaders to the hospital boards throughout the IU health system.

As a well-known leader in the healthcare sector, Dan has been selected to serve on a variety of prestigious community, academic, and healthcare related boards and committees, including the Indiana Health Information Exchange, the University HealthSystem Consortium, Central Indiana Corporate Partnership, the Indianapolis and Indiana Chambers of Commerce as well as the U.S. Chamber of Commerce. Additionally, he serves as chairman of the Indiana Hospital Association and is a member of the bars of Indiana, the Seventh Circuit, and the U.S. Supreme Court.

Dan's commitment to the highest standard of care and success as a leader has not gone unnoticed; he has received numerous accolades throughout his years in the healthcare industry. Most recently, Dan was awarded the 2015 Indiana Hospital Association's Distinguished Service Award for his exceptional leadership and devotion to his organization.

Dan leaves behind a strong legacy at IU Health and big shoes to fill. I am thrilled to hear he plans to remain active in the Indianapolis community and will have more time to partake in his favorite hobby, golf. On behalf of Indiana's Fifth Congressional District, I'd like to congratulate Dan on his remarkable career and extend a huge thank you for all of the wonderful contributions he has made to IU Health and the Hoosier community. I wish the very best to Dan, his wife, Marilyn, and their 4 children as he enjoys a well-deserved retirement.

HONORING WYATT BOWEN ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Wyatt Bowen, of Pierce City, Missouri, who has been accepted by the National Academy of Future Physicians and Medical Scientists as a delegate to the Congress of Future Medical Leaders.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. It is specifically for students who aspire to be physicians or enter into the field of medical research, and helps to provide a path and mentorship for students to accomplish those dreams. It takes place at the University of Massachusetts over 3 days, and helps to spark meaningful dialogues and exchanges of ideas between future leaders in the medical field.

To be considered for acceptance as a delegate, applicants must be recommended by either a teacher or member of the Academy based on a proven track record of academic excellence. Students must have a minimum of a 3.5 GPA and represent all 50 states and Puerto Rico. It is an incredibly selective opportunity, and those students who qualify for selection have done so because of their hard work and diligence to their studies, not to mention their impressive intellect.

Mr. Speaker, Wyatt Bowen, who attends Pierce City High School, has dedicated himself to his studies and exhibited a passion for health and medical studies, and will soon be representing the future of the state of Missouri at this conference. I would like to extend my personal congratulations for his achievement, and on behalf of the 7th District of Missouri, I would like to thank him for his representation of our district.

TRIBUTE TO JOYCE AND HAROLD ROCHHOLZ

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Joyce and Harold Rochholz on the very special occasion of their 60th wedding anniversary.

Joyce and Harold were married on May 16, 1956, residing in Casey, Iowa. They are the proud parents of three children, Kathy, Kristy and Jeff. They also have eight grandchildren and seven great-grandchildren.

Harold and Joyce's lifelong commitment to each other and their family truly embodies Iowa's values. I salute this lovely couple on their 60 years of life together and I wish them many more. As the years pass, may their marriage continue to strengthen and may they continue to love, cherish, and honor one another. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

IN HONOR OF EASTER SEALS CAMP ASCCA'S 40TH ANNIVERSARY

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention to recognize the 40th Anniversary of the Easter Seals Camp ASCCA—Alabama's Special Camp for Children and Adults.

The mission of Camp ASCCA is to help eligible children and adults with disabilities and/or health impairments achieve equality, dignity and maximum independence through the camp experience including therapeutic recreation and education.

The camp provides a safe and supportive environment for its campers and encourages each of them to meet and overcome new challenges.

Camp ASCCA has been providing this camping and outdoor recreation experience since 1976 and is the only program of its kind in the great State of Alabama.

Mr. Speaker, please join me in recognizing the 40th Anniversary of Easter Seals Camp ASCCA and thanking them for their service to these deserving individuals.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 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 $19,199,894,125,074.04. We've added $8,573,017,076,160.96 to our debt in 7 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. SWALWELL of California. Mr. Speaker, I was unable to be present for votes taken yesterday, Monday, May 16, due to a family health emergency. Had I been present, I would have voted as follows:

Roll Call Vote Number 194 (Passage of H.R. 4743, the National Cybersecurity Preparedness Consortium Act of 2016): Yes.

Roll Call Vote Number 195 (Passage of H.R. 4407, the Counterterrorism Advisory Board Act of 2016): Yes.

TRIBUTE TO JOAN WASKE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mrs. Joan Waske for being named the Lady Star of the Year in Afton, Iowa.

Joan is an active mother, grandmother and community member. She plays the organ at St. Edward Catholic Church, volunteers at the Afton Care Center and participates with senior activities at the local community center. She also co-owned and managed a farm with her husband Joe, while raising eleven children. Joan cooked, sewed, wrote poetry and made certain that music was always in their home.

Mr. Speaker, Joan Waske is an Iowan who has served her family, her church and her community with dignity and determination. 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 congratulating Joan Waske for this award and in wishing her continued health and happiness.

RECOGNIZING THE 2016 FINALISTS SELECTED IN THE 24TH CONGRESSIONAL DISTRICT OF TEXAS ART COMPETITION

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. MARCHANT. Mr. Speaker, I am privileged to recognize the following high school students from the 24th Congressional District of Texas who were selected as finalists from this year's entries in the Congressional Art Competition:

Lindsay Arnolds, ''Umbrella Summer''; Eunice Choe, ''Traditional''; Erin Crumpler, ''Birds of Coppell: Finch/Hawk/Robin''; Nicole Crumpler, ''Orchids/Frodo/Japanese Water Gardens''; Sabrina Del Rosario, ''Mr. Horn''; Paloma Diaz, ''Texas Born and Raised''; Kiana Fernandez, ''Somewhere Else in Blue''; Katie Gibbs, ''Pieces of My Heart''; Morgan Glover, ''Texas Skies''; Grant Gosser, ''America's Spirit''; Hannah Gosser, ''Grant Playing Pool''; Megha Goyal, ''Hope''; Hannah Javens, ''Let Them Drown''; Habesh Kisanga, ''Collisions''; Gabriel Ko, ''Matilda Taking Me around Dallas''; Ethan Lee, ''Still Life of Canteen and Lantern''; Mahir Morar, ''Drumlines/Slight of Hand''; Jeongho Park, ''The Bucking Horse''; Kate Sheedy, ''Nausea''; Morgan Sickman, ''Summer Spirit/Collage''; Kate Snow, ''Road Home''; Sarah Verheul, ''Sarah's Bike''; Alexandra Wilson, ''Two Tulips''; Katherine Yut, ''Poised for Flight/Independence Day''.

The art competition was represented by a variety of high schools in the 24th District, and I am honored at this time to acknowledge the participating schools and the students' art teachers:

Summer Neimann & Eric Horn, Carroll Senior High School; Holly Hendrix, Carrollton Christian Academy; Tamera Westervelt, Coppell High School; Kinzie Harvell, Colleyville Covenant Christian; Bob Thomas, Creekview High School; Kathryn Borum, The Highlands School; Beka Johnson, Parish Episcopal School; Brenda Robson, Prestonwood Christian Academy; Steve Ko, Steve Ko Art Studio; Beth Ritter-Perry, Townview Magnet School; Sue Traver, Trinity High School; Sharice Willliams, Uplift North Hills Preparatory.

Mr. Speaker, I ask all my distinguished colleagues to join me in congratulating these exceptional high school artists on becoming finalists in the 24th Congressional District of Texas Art Competition.

HONORING NEXUS BREWERY

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Nexus Brewery on their triumph during the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

I am honored to know that Albuquerque, New Mexico's very own Nexus Brewery received the Gold in the Honey Beer category, for their Honey Chamomile Wheat, out of a total of 55 entries from around the world. Nexus head brewer, Kaylynn McNight explained, ''I'm also very proud of it because it's my own recipe. It's one of the first seasonal beers that I made here that turned into a house beer.''

As a small locally owned manufacturing and service business, Nexus Brewery represents the prosperity of a burgeoning local craft beer industry in New Mexico. Nexus Brewery is a testament to the contributions small businesses make to our country and communities and the idea that with hard work and dedication nothing is unattainable.

To this day lawyers, government officials, business leaders, political icons, artists and students continue to enjoy exquisite beers in Nexus' friendly atmosphere. Mr. Speaker, I would like to take this moment to recognize Nexus Brewery for their accomplishments in the 2016 World Beer Cup competition and commitment to our community at large. I am proud to know that we have a great business located in the First Congressional District of New Mexico.

TRIBUTE TO BARB AND LARRY RILEY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mr. and Mrs. Larry and Barb Riley for being recognized with a Lifetime Leadership Award. They received this award as Main Street Iowa celebrated 30 years of commitment to downtown and commercial district revitalization.

Barb and Larry Riley received this award which recognized ''inspirational leadership and volunteers who have made significant contributions to the local Main Street Programs' mission.'' The Rileys work hard to make Greenfield, Iowa a great place to live and work. They volunteer with numerous organizations and with the school district as well as help with community clean-up programs.

Mr. Speaker, Barb and Larry Riley are Iowans who have served their community of Greenfield, Iowa. It is with great honor that I recognize them today. I ask that my colleagues in the U.S. House of Representatives join me in congratulating Barb and Larry Riley for receiving the Lifetime Leadership Award and wish them continued health and happiness.

PERSONAL EXPLANATION

HON. RANDY HULTGREN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. HULTGREN. Mr. Speaker, on roll call no. 195, I was unavoidably detained during the roll call vote. Had I been present, I would have voted ''Aye.''

RECOGNIZING E. ROBERT GOODKIND

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mrs. LOWEY. Mr. Speaker, today I rise to recognize my constituent and friend, E. Robert Goodkind, of Rye, New York, for his more than 60 years of service to the American Jewish community and in particular for his visionary leadership of the American Jewish Committee.

Mr. Goodkind grew up in Lawrence, New York and attended Woodmere Academy, where he developed an interest in government and international relations. As an undergraduate at Princeton University, Bob also nourished a commitment to Jewish values and the State of Israel. He graduated from Harvard Law School and led a successful career in private practice, crafting an expertise in corporate law, trusts and estates, and charitable organizations law.

After marrying Barbara, his devoted wife, and raising three children, Bob increased his involvement with Jewish civic and cultural life, by joining the American Jewish Committee, where he quickly assumed a leadership role in mobilizing action in support of human rights, promoting interfaith dialogue, and advancing universal standards of decency.

In the 1990's, Bob spearheaded the formation of the Jewish Foundation for Christian Rescuers, to provide financial support to aged and needy righteous gentiles, who had rescued Jews during the Holocaust.

From 2004 to 2007, Bob served as National President of the American Jewish Committee, during which time he traveled the world on behalf of the AJC, engaging with leaders and speaking out against human rights violations, intolerance, and injustice. He was also a passionate advocate for Israel in the halls of the United States Congress.

On both the local and national level, Bob has worked to strengthen mutual understanding and relations between Jews and African Americans, both of whose histories have been shaped by oppression and bigotry.

Throughout his life, Bob Goodkind has personified the core Jewish value of Tikkun Olam—the enduring charge to perfect the world.

Mr. Speaker, I urge my colleagues to join me today in honoring his exceptional life of devotion to the causes of humanity, brotherhood, and the American Jewish community.

HONORING KELSIE ELLINGSWORTH ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Clever High School student Kelsie Ellingsworth, of Clever, Missouri, on her being accepted as a delegate to the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. Specifically, it's designed for students aspiring to become physicians or medical researchers, and provides a path and mentorship for students to accomplish their goals.

To be considered for acceptance as a delegate, applicants are either recommended by a teacher or member of the Academy based on a proven track record of academic excellence. Delegates represent all 50 states plus Puerto Rico, and must have a minimum 3.5 GPA. Students like Ellingsworth who qualify for this incredibly selective honor exemplify top-tier diligence and academic talent.

Mr. Speaker, Kelsie Ellingsworth has not only excelled in her academics, but has shown a passion for science and medicine that will serve her future aspirations well. I urge my colleagues to join me in congratulating her for this achievement. On behalf of Missouri's Seventh Congressional District, I wish Kelsie the best of luck in all her future endeavors.

TRIBUTE TO DEBBIE AND DALE MENNING

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Debbie and Dale Menning for being recognized with a Lifetime Leadership Award. They received this award as Main Street Iowa celebrated 30 years of commitment to downtown and commercial district revitalization.

Debbie and Dale Menning received this award which recognized ''inspirational leadership and volunteers who have made significant contributions to the local Main Street Programs' mission.'' The Mennings assisted with Guthrie Center, Iowa's initial application to become a Main Street community. They are heavily involved with Main Street Iowa committees and the work that is involved in making this Main Street Iowa community successful.

Mr. Speaker, Debbie and Dale Menning are Iowans who have served their community of Guthrie Center, Iowa. It is with great honor that I recognize them today. I ask that my colleagues in the U.S. House of Representatives join me in honoring the Mennings for receiving the Lifetime Leadership Award and wish them continued health and happiness.

HONORING ROBERT MAYERSOHN

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. DEUTCH. Mr. Speaker, I rise today to recognize Robert Mayersohn, who is being honored for receiving the ''Champion of Students'' award by Broward County Public Schools. This prestigious award is given to an outstanding individual who advocates for students on the occasion of Broward County Public Schools' 100th anniversary.

Mr. Mayersohn is a graduate of Syracuse University, and has a distinguished record of outstanding service to his community. He has protected the needs of students as an experienced education advocate, surrogate parent and guardian ad litem. Mr. Mayersohn is also a successful entrepreneur and small business owner. He has a long history of civic and community involvement. For nearly two decades, Mayersohn has fought on behalf of parents, teachers and students to improve the public schools of Broward County. He has served as the Chair of the Broward County School Parent ESE Advisory Council and is a current Executive Board Member of the Broward County Council of PTAs/PTSAs. His tireless work in support of local students is truly impressive and worthy of recognition.

Throughout his career in education and public service, Robert Mayersohn has shown himself to be an outstanding leader in his community. I am pleased to join the Broward County Public Schools in honoring Mr. Mayersohn for his ongoing commitment to excellence and distinguished service to our community.

HONORING SECOND STREET BREWING

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Second Street Brewing on their tremendous success during the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

I am honored to know that Albuquerque, New Mexico's very own Second Street Brewing received the Silver in the Imperial India Pale Ale category, for their Trebuchet Imperial India Pale Ale, out of a total of 181 entries from around the world. Second Street President and Brewmaster, Rod Tweet, explained, ''It's well known that Imperial IPA is an extremely competitive category, and with 181 entries this year, it was the second largest in the contest. Our Brewing team is really proud of the award.''

Second Street Brewing was founded in 1996 and today brews 60 unique styles of ales and lagers. As a small locally owned manufacturing and service business Second Street Brewing represents the prosperity of a burgeoning local craft beer industry in New Mexico. Second Street Brewing is a testament to the contributions small businesses make to our country and communities and the idea that with hard work and dedication nothing is unattainable.

To this day lawyers, government officials, business leaders, political icons, artists and students continue to enjoy exquisite beers in Second Street's friendly atmosphere. Mr. Speaker, I would like to take this moment to recognize Second Street Brewing for their accomplishments in the 2016 World Beer Cup competition and commitment to our community at large. I am proud to know that we have a great business located in the First Congressional District of New Mexico.

PERSONAL EXPLANATION

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. FORBES. Mr. Speaker, due to the recent passing of my mother I was unable to cast my vote yesterday on two important pieces of legislation. Had I been in the chamber I would have voted YES on the Motion to Suspend the Rules and pass the National Cybersecurity Preparedness Consortium Act of 2016, H.R. 4743, and YES on the Motion to Suspend the Rules and pass the Counterterrorism Advisory Board Act of 2016, H.R. 4407.

CONGRATULATING THE MARION HIGH SCHOOL BOYS' BASKETBALL TEAM ON THEIR EIGHTH STATE CHAMPIONSHIP TITLE

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to congratulate the Marion High School Boys' Basketball team for winning the Indiana Boys' Basketball Class 3A State Championship. The Marion High School Giants, hailing from Marion in Grant County, defeated the Evansville Bosse Bulldogs in an historic game. This state title is a momentous win for the Giants, as it marks their 8th consecutive state championship title, which ties the record for most consecutive wins in Indiana boys' basketball history.

The Giants played in the spotlight of the IHSAA throughout this impressive season. Under the leadership of Head Coach James Blackmon, the team finished the season with a remarkable record of 23–7. Coach Blackmon, who is a Marion High School graduate and had an impressive basketball career himself, returned to Marion to coach the team in 2013. Coach Blackmon leads by example and inspires his players with his coaching and character. He works tirelessly to motivate, train, and push his team to dream big and reach their goals. 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 Blackmon's dedication to excellence.

While their 8th consecutive state title is momentous on its own, what the Giants basketball team accomplished during the state championship was even more extraordinary than that. The Giants broke records for highest combined 3-point field goal percentage, most points scored in a quarter, scoring 31 points in the 3rd quarter alone, and most points in a half, scoring 48 points total in the second half. In addition to the Giants' significant team accomplishments, individuals from the team were acknowledged for their outstanding contributions and accomplishments. Senior Reggie Jones tied the record for highest individual free-throw percentage, making 100 percent of his free throws during the state championship game. Reggie was also named the Chronicle-Tribune's Boys Basketball Player of the Year, selected to be one of Hoosier Basketball Magazine's Top 60 Senior Boys' Basketball Players, and was chosen for the IBCA/Subway Senior All-State Team. Additionally, Reggie, along with senior teammate Vijay Blackmon and junior Tim Leavell were selected to play on the All-NCC 1st team.

Throughout the years, the Giants have demonstrated incredible dedication to their sport—putting in countless hours on the court and the weight room. They have been supported by their committed parents, coaches, and trainers. High school sports are a special experience. They teach discipline, build character, and allow young men and women to have an experience they will remember for a lifetime. This team exemplifies the wonderful attributes that high school sports teach, and I am proud to represent such a hardworking and highly regarded group of young men and coaches.

On behalf of Indiana's 5th Congressional District, I'd like to extend huge congratulations to the Marion High School Boys' Basketball Team. I look forward to cheering the team on through another great season next year and send my best wishes as the Giants work toward breaking the record for most consecutive wins. Go Giants.

HONORING THE PERMIAN BASIN HONOR FLIGHT

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. CONAWAY. Mr. Speaker, I rise to recognize the 90 Veterans from West Texas who will be visiting our Washington D.C. this week, sponsored by the Permian Basin Honor Flight. On behalf of a grateful state and nation, we welcome these heroes to the nation's capital.

The Veterans on this Honor Flight are: Richard Galloway, Darrell Sanders, Clinton Adams, Mike Barber, Jerry Pinkston, SFC Aaron Hernandez, Dennis Sever, Jimmy L. Fine, Benny B. Fine, Alejos Rios Lara, Ira E. Wilson, Larry J. Monroe, Helen A. Bird, Jackie Lee Voss, Gary Clayton Collinsworth, Charles R. Sessions, Jimmy G. George, James R. Priest, Lowell D. Wade Jr., Horace L. Bowden, Margaret Voisel Forster, Larry K. Bagley, Donald E. Gorden Jr., Domingo Carrizales, James Miller, Paul W. Janssen, David P. Brockman, Robert L. Neff, James H. Silvers, Robert S. Thames, Bobbie R. Kerrigan, Rolland L. Rose, Gary W. Ward, Roscoe C. Haynes, Leonard C. Martinez, Donald R. Price, Luis R. Lopez, Gene A. Roberts, Melvin M. Longwell Jr., James H. Shaw, Ricky A. Warnick, Curtis D. McClain, Billie G. Mathis, James F. Kemper, Billie Ray Norman, Willard C. Walker, Jerome J. Engler, Stephen L. McConnell, Dock R. Clark, David H. Box, John W. Calhoun, Garland D. Pearce, Charles R. McMillian, Thomas E. Mindling, John Gutierez Alderete, David A. Dixon, Robert L. Kasper, Warren J. Lange, James V. Yakshaw, Tom D. Dodd, William E. Halfmann, Donald E. McClure, Johnny A. Wright, Robert C. Schlagal, Steven D. Rea, Juan Tarin, David Madrid, John M. Williams, Ronnie M. Nunley, Richard Cotte, Mark D. Kator, Jimmie K. Matthews, Milton R. Williamson, James L. White, Robert L. Teters, Steven W. Wagner, Roberto Martinez, Michael G. Roquemore, Mark E. Webb, Harry A. Spannaus, James W. Huston, Michael D. Jackson, Kenneth D. Carte, Michael W. Griffis, John R. Hayes, Edward Comacho, and Duane Janssen.

Mr. Speaker, I am humbled to have the opportunity to meet these brave men and women who exemplify the best of our country. Their sacrifice and commitment to the duty to our nation can never be fully repaid, and I hope that when they visit our nation's monuments in Washington D.C., the gratitude and respect we have for them will truly be reflected.

Mr. Speaker, please join me in thanking these veterans and their families for their exemplary dedication and service to this great nation. I would also like to extend a special thank you to the local communities, all of the volunteers, and Mr. John West and Ms. Teresa Galloway for their extensive work in organizing this Honor Flight. This trip would not have been possible without all the financial and emotional support of the people who have put in so much hard work and personal time to make sure this trip could be possible.

HONORING COLONEL DOUGLAS J. SCHWARTZ

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. ROKITA. Mr. Speaker, I rise today to honor a great Hoosier and a highly decorated American Airman.

Colonel Douglas J. Schwartz of the United States Air Force, retired on May 14, 2016 from his post as Commander of the 434th Air Refueling Wing based at Grissom Air Reserve Base in Miami County, Indiana. The 434th Air Refueling Wing is the largest KC–135R Stratotanker unit in the Air Force Reserve Command.

Colonel Schwartz received his commission through Officer Training School in 1981 as a graduate from Purdue University, earning a Bachelor of Science degree in management. He began pilot training at Williams Air Force Base in Arizona, and was assigned to the 325th Bomb Squadron at Fairchild Air Force Base in Washington state. He transferred to the Air Force Reserve in 1992, where he flew KC–135R Stratotankers with the 72nd Air Refueling Squadron at Grissom Air Reserve Base. Prior to taking command at Grissom, Colonel Schwartz served as commander of the 927th Air Refueling Wing based at MacDill Air Force Base in Florida.

Colonel Schwartz has numerous command and leadership assignments at the squadron, wing and numbered air force level including assistant chief pilot, chief of standardization and evaluation, operations officer, flight commander, detachment commander, group commander, vice commander, director of staff and wing commander. He is a command pilot with more than 4,200 flying hours and has deployed in support of Operations Joint Endeavor, Iraqi Freedom and Enduring Freedom, amongst others.

I sincerely thank Colonel Schwartz for his amazing leadership at Grissom over the last two years and wish him many clear skies ahead.

TRIBUTE TO ELAINE AND VIRGIL HILDEBRAND

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Elaine and Virgil Hildebrand of Hancock, Iowa, on the very special occasion of their 70th wedding anniversary. They celebrated their anniversary on March 23, 2016. Virgil and Elaine reside on their farm in Hancock.

Virgil and Elaine's lifelong commitment to each other and their children, Bill, Janice, Joyce, and the late JoAnn truly embodies Iowa values. As they reflect on their 70th anniversary, I know it is filled with happy memories and continued hope for their future years together.

Mr. Speaker, I commend this great couple on their 70th year together and I wish them many more years of happiness. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

DR. JOHN THUSS

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. MEADOWS. Mr. Speaker, I rise today to recognize Dr. John Thuss of Caldwell County, North Carolina. On behalf of the people of Western North Carolina, I would like to thank Dr. Thuss for his dedication to the residents of

Caldwell County and congratulate him on his retirement after so many years of service.

Over his 16 years of service as a Caldwell County Commissioner, Dr. Thuss presided over several critical projects vital to the economic, educational, and conservation interests of the people of Caldwell County. He was instrumental in the designation and preservation of Wilson Creek as a Wild and Scenic River and has demonstrated his commitment to expanding educational opportunities through his work establishing the Caldwell Early College High School and Caldwell Career Center Middle College. Dr. Thuss' concern for public education is further evidenced by his support for West Caldwell High School athletics and Communities in Schools, the nation's largest and most effective dropout prevention program. During his time on the Board of Directors of the Caldwell County Chamber of Commerce, Dr. Thuss has been a vocal supporter of local businesses and economic development throughout Caldwell County. He is a former member of the North Carolina Board of Health and a former member of the Human Resource Committee of the National Association of County Officials. After a year of service as an at-large member of the Board of Directors of the North Carolina Association of County Commissioners (NCACC), Dr. Thuss was honored as the NCACC's Outstanding Commissioner of the Year.

Dr. John Thuss is a model public servant whose work for his community has earned him respect and gratitude across Western North Carolina. I am proud to honor Dr. John Thuss for his long service to Caldwell County and sincerely express the gratitude and best wishes of the people of North Carolina as he enters retirement.

HONORING CANTEEN BREWHOUSE

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Canteen Brewhouse on their achievement during the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

I am honored to know that Albuquerque, New Mexico's very own Canteen Brewhouse received the Silver in the Bohemian-Style Pilsner category, for their High Plains Pils, out of a total of 65 entries from around the world.

Canteen Brewhouse was founded in Albuquerque in 1994 as the Il Vincino Brewing Company. Over the past 20 years their beers have become staples in our state and have gone on to win over 140 local, national, and international awards. In 2014, Il Vincino Brewing Company updated its name to Canteen Brewhouse.

As a small locally owned manufacturing and service business Canteen Brewhouse represents the prosperity of a burgeoning local craft beer industry in New Mexico. Canteen Brewhouse is a testament to the contributions small businesses make to our country and communities and the idea that with hard work and dedication nothing is unattainable.

To this day lawyers, government officials, business leaders, political icons, artists and students continue to enjoy exquisite beers in Canteen Brewhouse's friendly atmosphere. Mr. Speaker, I would like to take this moment to recognize Canteen Brewhouse for their accomplishments in the 2016 World Beer Cup competition and commitment to our community at large. I am proud to know that we have a great business located in the First Congressional District of New Mexico.

HONORING NORMA HARRIS ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Neosho High School student Norma Harris on her being accepted as a delegate to the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. Specifically, it's designed for students aspiring to become physicians or medical researchers, and provides a path and mentorship for students to accomplish their goals.

To be considered for acceptance as a delegate, applicants are either recommended by a teacher or member of the Academy based on a proven track record of academic excellence. Delegates represent all 50 states plus Puerto Rico, and must have a minimum 3.5 GPA. Students like Harris who qualify for this incredibly selective honor exemplify top-tier diligence and academic talent.

Mr. Speaker, as a perennial Honor Roll student at her high school, Norma Harris has displayed elite academic qualifications, which will undoubtedly serve her future aspirations well. I urge my colleagues to join me in congratulating her for this achievement. On behalf of Missouri's Seventh Congressional District, I wish Norma the best of luck in all her future endeavors.

IN HONOR OF LAVERNE JACKSON

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to congratulate Mrs. LaVerne Guice Chatmon Jackson of Columbus, Georgia on her 97th birthday on May 17, 2016. Mrs. Jackson has been an outstanding member of the community through her work as a nurse for 37 years and her service to numerous civic and charitable organizations.

LaVerne Guice was born in Birmingham, Alabama on May 17, 1919. She came from a large family of six children. Her father, Thomas Jefferson Guice, was a blacksmith for the Frisco railroad for many years and her mother, Minnie Waters Guice, was a teacher for over forty years.

In 1936, Mrs. Jackson graduated from Industrial High School (now A.H. Parker High School) in Birmingham, Alabama. She earned a degree from the Norwood School of Nursing, also located in Birmingham. Mrs. Jackson continued her education at the University of Chicago, the University of North Carolina at Chapel Hill, Miles College, and Tuskegee Institute (now University).

Mrs. Jackson's Christian faith has been important to her since a young age when she chose to become baptized at Sardis Baptist Church in Birmingham. When she married the late Warren Pete Chatmon, II, she became a member of Green Liberty Baptist Church, where she served on the Usher Board and in the Young Matrons, and sang in the choir.

Mrs. Jackson was able to touch many lives during her 37 years as a Public Health Nurse for the Jefferson County Department of Health in Birmingham. During those years, she worked in a variety of capacities, helping to heal people of all ages and from all walks of life. When she retired in 1984, she said, ''One could not have had a more rewarding career; to have the responsibility of promoting health and wellbeing is in itself rewarding for it has not only affected the present population but it will have an impact on future generations as well. You can be assured that I will continue to work in our community promoting health and wellbeing, for the nurse in me will never retire.''

In 1986, Mrs. Jackson, then a widow, decided to move to Columbus, Georgia to reunite with her childhood sweetheart, the late CW4 Lawton W. Jackson. Mrs. Jackson and her husband became active members of the First African Baptist Church in Columbus.

Mrs. Jackson quickly fell in love with her new city and volunteered much of her time to better the Columbus community. She served in the Metro Columbus Urban League, United Negro College Fund, American Heart Association, American Diabetes Association, March of Dimes, Lindsay Creek Association, Girl Scouts of America, Columbus Health Fair, and the Columbus Community Center. Mrs. Jackson also served the Fort Benning community as President, Vice President, and Chaplain of the Ladies Auxiliary of the Officer's Wives Club and the Chattahoochee Valley Chapter of the Retired Officers Association. Her giving spirit, concern for others, and contributions to the community led to Mrs. Jackson's induction into the Gracious Ladies of Georgia in 1995.

Mrs. Jackson is also a charter member of the Xi Chapter of Chi Eta Phi Sorority, Inc. An active member for more than fifty years, Mrs. Jackson has served as president of both the Birmingham and Columbus chapters. On the national level, she served as the Dean of Pledges and South East Regional Director.

Mrs. Jackson has lived a selfless and generous life, serving as a nurse and volunteer. She has been blessed with two children, Gwendolyn Chatmon Corrin and Warren Pete Chatmon, III; ten grandchildren; six great-grandchildren; and two great-great-grandchildren.

Mr. Speaker, I ask my colleagues to join me and my wife, Vivian, in extending our best wishes to LaVerne G. Jackson on her 97th

birthday. As we celebrate another year of this outstanding citizen's life, we would do well to follow the example of her legacy of striving to improve the quality of life of others.

HONORING BOSQUE BREWING

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Bosque Brewing on their achievement during the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

I am honored to know that Albuquerque, New Mexico's very own Bosque Brewing received the Bronze in the Australian or International-Style Pale Ale category, for their Riverwalker IPA, out of a total of 84 entries from around the world.

Bosque Brewing was founded in Albuquerque in October 2012. Since opening, they have expanded rapidly in New Mexico with an outstanding selection of beer. Although just four years old, Bosque Brewing's beers are already staples in restaurants and bars throughout our state.

As a small locally owned manufacturing and service business Bosque Brewing represents the prosperity of a burgeoning local craft beer industry in New Mexico. Not only is Bosque Brewery a thriving business in the heart of downtown Albuquerque, but they are an active and engaged partner in our local community. Each month Bosque Brewery designates an ''Adoption Brew'' and donates $1 from every sale to the ABBA fund, an organization that extends 0 percent interest loans to families aspiring to adopt domestically and internationally. Bosque Brewery is a testament to the contributions small businesses make to our country and communities and the idea that with hard work and dedication nothing is unattainable.

To this day lawyers, government officials, business leaders, political icons, artists and students continue to enjoy exquisite beers in Bosque's friendly atmosphere. Mr. Speaker, I would like to take this moment to recognize Bosque Brewery for their accomplishments in the 2016 World Beer Cup competition and commitment to our community at large. I am proud to know that we have a great business located in the First Congressional District of New Mexico.

TRIBUTE TO SHARON ANDERSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Sharon Anderson of Adair, Iowa for being named the 2015 Adair Citizen of the Year.

Sharon was cited for her devotion to the community youth in Adair through her leadership in the children's Christmas programs. She is a dedicated volunteer with WACKO (We Are Christ's Kids on a Mission) organization, where they recently packaged meals for Outreach, Inc. Sharon also provides music at the Anita Nursing Home each week. The award ceremony was held at the Good Shepherd Lutheran Church in Adair where she was honored among family and friends.

Mr. Speaker, it is an honor to represent Sharon Anderson in the United States Congress. I invite my colleagues in the United States House of Representatives to join me in congratulating her on receiving this well-deserved award and wish her nothing but continued success.

COMMEMORATING 60TH ANNIVERSARY OF LANDMARK SUPREME COURT DECISION IN BROWN V. BOARD OF EDUCATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise to commemorate the 62nd anniversary of the historic Supreme Court decision in Brown v. Board of Education, which overturned the doctrine of ''separate but equal'' that had been the law of the land since 1896 when the Supreme Court decided Plessy v. Ferguson.

In Brown v. Board of Education, the Supreme Court declared that separate public schools for black and white Americans were unconstitutional.

This unanimous decision sparked the movement toward desegregation of American institutions and paved the way for the civil rights movement.

On the anniversary of this landmark decision, it is appropriate that we pay tribute to our ancestors who endured and lived through those days of crisis and challenge so that we could enjoy the right to vote, the right to equal protection of the law, and to enjoy the blessings of liberties.

This historic case originated in Topeka, Kansas, and involved a black third-grader named Linda Brown, who had to walk one mile through a railroad switchyard to get to her black elementary school, even though a white elementary school was only seven blocks away.

Linda's father, Oliver Brown, tried to enroll her in the white elementary school, but the principal of the school refused.

Brown went to McKinley Burnett, the head of Topeka's branch of the National Association for the Advancement of Colored People (NAACP) and asked for help.

The NAACP persuaded other black parents to join in a complaint and in 1951 the NAACP sought an injunction that would forbid the segregation of Topeka's public schools.

The U.S. District Court for the District of Kansas heard Brown's case and refused to overrule the precedent of Plessy v. Ferguson which allowed separate but equal school systems for blacks and whites.

The case was taken to the Supreme Court on October 1, 1951 and set up one of the landmark cases in the history of the American justice system.

The argument of the great civil rights lawyer, Thurgood Marshall of the NAACP, and counsel for plaintiff Brown won the day.

On May 17, 1954, Chief Justice Earl Warren read the unanimous decision of the Supreme Court:

> We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other ''tangible'' factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does. . . . We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.

With those few words more than a century of racial discrimination and separation were dealt a great blow.

It is up to us to preserve the hard-won gains of those who led the fight and won the case of Brown v. Board of Education.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2833–S2914

Measures Introduced: Eight bills and one resolution were introduced, as follows: S. 2935–2942, and S. Res. 468. **Pages S2877–78**

Measures Reported:

S. 2937, to authorize appropriations for the Department of State for fiscal year 2017. **Page S2877**

Measures Passed:

Justice Against Sponsors of Terrorism Act: Senate passed S. 2040, to deter terrorism, provide justice for victims, after withdrawing the committee amendment in the nature of a substitute, and agreeing to the following amendment proposed thereto: **Pages S2845–48**

Cornyn/Schumer Amendment No. 3945, in the nature of a substitute. **Pages S2847–48**

National Police Week: Senate agreed to S. Res. 468, designating the week of May 15 through May 21, 2016, as "National Police Week". **Pages S2910–11**

North Pacific Fisheries Convention Implementation Act: Senate passed S. 1335, to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012, after agreeing to the following amendment proposed thereto: **Page S2911**

Collins (for Sullivan) Amendment No. 4003, in the nature of a substitute. **Page S2911**

Measures Considered:

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act—Agreement: Senate continued consideration of H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, taking action on the following amendments proposed thereto: **Pages S2835–45, S2848–69**

Adopted:

Collins (for King) Amendment No. 3934 (to Amendment No. 3896), to authorize the use of funds to carry out a matching program with the Department of Education to identify veterans who are unemployable due to a service-connected disability and who are also borrowers of Federal student loans in order to streamline and expedite the process through which such veterans may discharge their Federal student loans. **Page S2868**

Collins (for Rubio) Amendment No. 3918 (to Amendment No. 3896), to shorten the time given to a property owner to respond to a violation of a contract and the time given to the Secretary to develop a Compliance, Disposition, and Enforcement Plan. **Page S2868**

Collins (for Heller) Amendment No. 3905 (to Amendment No. 3896), to prohibit funds from being used to provide housing assistance benefits to individuals convicted of certain criminal offenses. **Page S2868**

Collins (for Rubio) Amendment No. 3926 (to Amendment No. 3896), to determine the effectiveness of Real Estate Assessment Center physical inspections. **Page S2868**

Collins (for Manchin) Amendment No. 3961 (to Amendment No. 3896), to allow airports to use airport improvement program funds to repair damage to runway safety areas caused by natural disasters. **Pages S2868–69**

Collins (for Booker) Amendment No. 3941 (to Amendment No. 3896), to slightly modify the scope of projects eligible for railroad safety grants. **Page S2869**

Kirk (for Tester/Kirk) Amendment No. 3914 (to Amendment No. 3896), to require the Comptroller General of the United States to submit to Congress a report evaluating force structure and military construction requirements in Europe. **Page S2869**

Kirk/Tester Amendment No. 3938 (to Amendment No. 3896), to make a technical correction to section 132 of title I of division J of Public Law 114–113. **Page S2869**

Kirk (for Heller) Amendment No. 3948 (to Amendment No. 3896), to modify the contents of the quarterly report on disability compensation claims. **Page S2869**

Kirk (for Heitkamp/Collins) Amendment No. 3954 (to Amendment No. 3896), to require coordination within the Department of Veterans Affairs to meet the readjustment and psychological counseling needs of veterans in rural and highly rural communities. **Page S2869**

Kirk (for Bennet) Amendment No. 3971 (to Amendment No. 3896), to authorize the Secretary of Veterans Affairs to provide monthly assistance allowance to disabled veterans training to compete on the United States Olympic Team. **Page S2869**

Pending:

Collins Amendment No. 3896, in the nature of a substitute. **Page S2835**

McConnell (for Lee) Amendment No. 3897 (to Amendment No. 3896), to prohibit the use of funds to carry out a rule and notice of the Department of Housing and Urban Development. **Pages S2835, S2861–62**

McConnell (for Nelson/Rubio) Amendment No. 3898 (to Amendment No. 3896), making supplemental appropriations for fiscal year 2016 to respond to Zika virus. **Page S2835**

McConnell (for Cornyn) Modified Amendment No. 3899 (to Amendment No. 3896), making emergency supplemental appropriations for the fiscal year ending September 30, 2016. **Page S2835**

McConnell (for Blunt) Modified Amendment No. 3900 (to Amendment No. 3896), Zika response and preparedness. **Pages S2835, S2852–61**

Collins (for Blunt) Amendment No. 3946 (to Amendment No. 3900), to require the periodic submission of spending plan updates to the Committee on Appropriations. **Page S2852**

A motion was entered to close further debate on Collins Amendment No. 3896 (listed above), and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of McConnell (for Blunt) Modified Amendment No. 3900 (to Amendment No. 3896) (listed above). **Page S2867**

A motion was entered to close further debate on the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of Collins Amendment No. 3896. **Page S2867**

During consideration of this measure today, Senate also took the following action:

By 50 yeas to 47 nays (Vote No. 73), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on McConnell (for Nelson/Rubio) Amendment No. 3898 (to Amendment No. 3896) (listed above). **Page S2851**

By 52 yeas to 45 nays (Vote No. 74), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on McConnell (for Cornyn) Modified Amendment No. 3899 (to Amendment No. 3896) (listed above). **Pages S2851–52**

By 68 yeas to 29 nays (Vote No. 75), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on McConnell (for Blunt) Modified Amendment No. 3900 (to Amendment No. 3896). **Page S2852**

A unanimous-consent agreement was reached providing that notwithstanding the Monday, May 16, 2016 adoption of Collins (for Feinstein/Portman) Amendment No. 3922 (to Amendment No. 3896), to allow jurisdictions to maintain access to certain funds deposited in their HOME Investment Trust Fund that would otherwise expire, be modified with the changes at the desk. **Pages S2844–45**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, May 18, 2016; and that all time during the adjournment and morning business count post-cloture on McConnell (for Blunt) Modified Amendment No. 3900 (to Amendment No. 3896). **Page S2911**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13047 of May 20, 1997, with respect to Burma; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–48) **Page S2876**

Nominations Confirmed: Senate confirmed the following nominations:

Eric K. Fanning, of the District of Columbia, to be Secretary of the Army. **Page S**

Linda Thomas-Greenfield, an Assistant Secretary of State (African Affairs), to be a Member of the Board of Directors of the African Development Foundation for the remainder of the term expiring September 27, 2015.

Linda Thomas-Greenfield, an Assistant Secretary of State (African Affairs), to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 27, 2021.

John W. Leslie, Jr., of Connecticut, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2019.

Linda I. Etim, of Wisconsin, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2021.

Georgette Mosbacher, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2018.

Todd A. Fisher, of New York, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2016.

Deven J. Parekh, of New York, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2016.

Robert Annan Riley III, of Florida, to be Ambassador to the Federated States of Micronesia.

Karen Brevard Stewart, of Florida, to be Ambassador to the Republic of the Marshall Islands.

Matthew John Matthews, of Oregon, for the rank of Ambassador during his tenure of service as United States Senior Official for the Asia-Pacific Economic Cooperation (APEC) Forum.

Marcela Escobari, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development.

Swati A. Dandekar, of Iowa, to be United States Director of the Asian Development Bank, with the rank of Ambassador.

Adam H. Sterling, of Virginia, to be Ambassador to the Slovak Republic.

Kelly Keiderling-Franz, of Virginia, to be Ambassador to the Oriental Republic of Uruguay.

Stephen Michael Schwartz, of Maryland, to be Ambassador to the Federal Republic of Somalia.

Christine Ann Elder, of Kentucky, to be Ambassador to the Republic of Liberia.

Elizabeth Holzhall Richard, of Virginia, to be Ambassador to the Lebanese Republic. **Page S2914**

Messages from the House: **Pages S2876–77**

Measures Referred: **Page S2877**

Additional Cosponsors: **Pages S2878–79**

Statements on Introduced Bills/Resolutions: **Pages S2879–81**

Additional Statements: **Pages S2875–76**

Amendments Submitted: **Pages S2881–S2910**

Authorities for Committees to Meet: **Page S2910**

Privileges of the Floor: **Page S2910**

Record Votes: Three record votes were taken today. (Total—75) **Pages S2851–52**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:15 p.m., until 9:30 a.m. on Wednesday, May 18, 2016. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2911.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies approved for full committee consideration an original bill entitled, "Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2017".

STATUS OF ADVANCED NUCLEAR TECHNOLOGIES

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the status of advanced nuclear technologies, after receiving testimony from Mark Peters, Director, Idaho National Laboratory, Department of Energy; Jacob DeWitte, Oklo Inc., Sunnyvale, California; John Gilleland, TerraPower, Bellevue, Washington; John L. Hopkins, NuScale Power, Portland, Oregon; and Stephen E. Kuczynski, Southern Nuclear Operating Company, Inc., Atlanta, Georgia.

WATER AND POWER LEGISLATION

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine S. 2524, to insure adequate use and access to the existing Bolts Ditch headgate and ditch segment within the Holy Cross Wilderness in Eagle County, Colorado, S. 2533, to provide short-term water supplies to drought-stricken California and provide for long-term investments in drought resiliency throughout the Western United States, S. 2616, to modify certain cost-sharing and revenue provisions relating to the Arkansas Valley Conduit, Colorado, S. 2902, to provide for long-term water supplies, optimal use of existing water supply infrastructure, and protection of existing water rights, and S. 2907, to amend the Energy and Water Development and Related Agencies Appropriations Act, 2015, to strike the termination date for funding for pilot projects to increase Colorado River System water in Lake Mead, after receiving testimony from Senators Feinstein and McCain; Estevan Lopez, Commissioner, Bureau of Reclamation, Department of the Interior; Leslie Weldon, Deputy Chief, National Forest System, Forest Service, Department of Agriculture; Thomas Buschatzke, Arizona Department of Water Resources Director, Phoenix; Bill Long, Southeastern Colorado Water Conservancy District, Pueblo; Timothy Quinn, Association of California Water Agencies, Sacramento; Laura Ziemer, Trout

Unlimited, Bozeman, Montana; and Dan Keppen, Family Farm Alliance, Klamath Falls, Oregon.

MARINE DEBRIS AND WILDLIFE

Committee on Environment and Public Works: Subcommittee on Fisheries, Water, and Wildlife concluded a hearing to examine marine debris and wildlife, focusing on impacts, sources, and solutions, after receiving testimony from Jim Kurth, Deputy Director, Fish and Wildlife Service, Department of the Interior; Chris Pallister, Gulf of Alaska Keeper, Anchorage; Jenna R. Jambeck, University of Georgia College of Engineering, Athens; Nicholas J. Mallos, Ocean Conservancy Trash Free Seas, Washington, D.C.; and Jonathan Stone, Save The Bay, Providence, Rhode Island.

INTEGRATING THE CORPORATE AND INDIVIDUAL TAX SYSTEMS

Committee on Finance: Committee concluded a hearing to examine integrating the corporate and individual tax systems, focusing on the dividends paid deduction considered, after receiving testimony from Michael J. Graetz, Columbia Law School, New York, New York; Judy A. Miller, American Retirement Association, Arlington, Virginia; Steven M. Rosenthal, Urban Institute and Brookings Institution Tax Policy Center, Washington, D.C.; and Bret Wells, University of Houston Law Center, Houston, Texas.

WAR IN SYRIA

Committee on Foreign Relations: Committee concluded a hearing to examine the War in Syria, focusing on next steps to mitigate the crisis, after receiving testimony from Robert S. Ford, Middle East Institute, Nancy Lindborg, United States Institute of Peace, and Tamara Cofman Wittes, Brookings Institution Center for Middle East Policy, all of Washington, D.C.

INTERNATIONAL CYBERSECURITY STRATEGY

Committee on Foreign Relations: Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy received a closed briefing on international cybersecurity strategy from Christopher Painter, Coordinator for Cyber Issues, and Judith Strotz, Director, Office of Cyber Affairs, Bureau of Intelligence and Research, both of the Department of State.

AMERICA'S DEMAND FOR DRUGS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine America's insatiable demand for drugs, focusing on assessing the Federal response, after receiving testimony from Michael P. Botticelli, Director of National Drug Control Policy; Kana Enomoto, Principal Deputy Administrator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services; and Diana C. Maurer, Director, Homeland Security and Justice, Government Accountability Office.

FOSTER CARE AND JUVENILE JUSTICE SYSTEMS

Committee on the Judiciary: Committee concluded a hearing to examine National Foster Care Month, focusing on supporting youth in the foster care and juvenile justice systems, after receiving testimony from Lisa Nelson, Iowa 3rd Judicial District Juvenile Court Services, Sioux City; Jeffrey Lind, Beltrami County Health and Human Services, Bemidji, Minnesota; Macon Stewart, Georgetown University McCourt School of Public Policy Center for Juvenile Justice Reform, Washington, D.C.; and Sonya Brown, New Orleans, Louisiana.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 5258–5271; and 3 resolutions, H.J. Res. 94; H. Con. Res. 131; and H. Res. 734 were introduced. **Pages H2699–H2700**

Additional Cosponsors: **Pages H2700–01**

Reports Filed: Reports were filed today as follows:

H.R. 3484, to authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, and for other purposes, with an amendment (H. Rept. 114–570);

H. Res. 735, providing for further consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes (H. Rept. 114–571); and

H. Res. 736, providing for consideration of the bill (H.R. 4974) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes; providing for consideration of the bill (H.R. 5243) making appropriations for the fiscal year ending September 30, 2016, to strengthen public health activities in response to the Zika virus, and for other purposes; and for other purposes (H. Rept. 114–572). **Page H2699**

Speaker: Read a letter from the Speaker wherein he appointed Representative Duncan (TN) to act as Speaker pro tempore for today. **Page H2431**

Recess: The House recessed at 10:48 a.m. and reconvened at 12 noon. **Page H2436**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rabbi Jay Weinstein, Young Israel of East Brunswick, East Brunswick, New Jersey. **Page H2436**

Suspension: The House failed to agree to suspend the rules and pass the following measure:

Reducing Regulatory Burdens Act: H.R. 897, amended, to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, by a ⅔ yea-and-nay vote of 262 yeas to 159 nays, Roll No. 199. **Pages H2446–55, H2457–58**

Motion to Instruct Conferees: The House rejected the Esty motion to instruct conferees on S. 524 by a yea-and-nay vote of 182 yeas to 236 nays, Roll No. 198. The motion was debated Friday, May 13th. **Pages H2456–57**

Subsequently, the Chair appointed the following conferees:

For consideration of the Senate bill and the House amendments, and modifications committed to conference: Representatives Upton, Pitts, Lance, Guthrie, Kinzinger (IL), Bucshon, Brooks (IN), Goodlatte, Sensenbrenner, Smith (TX), Marino, Collins (GA), Trott, Bishop (MI), McCarthy, Pallone, Ben Ray Luján (NM), Sarbanes, Gene Green (TX), Conyers, Jackson Lee, Judy Chu (CA), Cohen, Esty, Kuster, and Courtney.

From the Committee on Education and the Workforce, for consideration of title VII of the House amendment, and modifications committed to conference: Representatives Barletta, Carter (GA), and Scott (VA).

From the Committee on Veterans' Affairs, for consideration of title III of the House amendment, and modifications committed to conference: Representatives Bilirakis, Walorski, and Ruiz.

From the Committee on Ways and Means, for consideration of sec. 705 of the Senate bill, and sec. 804 of the House amendment, and modifications committed to conference: Representatives Meehan, Dold, and McDermott. **Page H2458**

National Defense Authorization Act for Fiscal Year 2017: The House began consideration of H.R. 4909, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, and to prescribe military personnel strengths for such fiscal year. Consideration is expected to resume tomorrow, May 18th. **Pages H2438–46, H2455–56, H2458–98**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–51, modified by the amendment printed in part A of H. Rept. 114–569, shall be considered as adopted in the House and in the Committee of the Whole, in lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule. **Pages H2438–39, H2455**

Agreed to:

Thornberry amendment (No. 1 printed in part B of H. Rept. 114–569) that clarifies that the special transfer authority in section 1702 is subject to appropriation Acts; **Page H2667**

Thornberry en bloc amendment No. 1, as modified, consisting of the following amendments printed in part B of H. Rept. 114–569: McKinley (No. 4) that increases the National Guard Youth Challenge Program under Civil Military Programs by $15 million and decreases by the same amount Operations and Maintenance, Defense-wide; Guthrie (No. 5) that authorizes the Secretary of the Army to continue to provide for the production, treatment, management, and use of natural gas located under Fort Knox, Kentucky; Gallego (No. 6) that requires each branch of the Armed Services to monitor prescribing of medications to treat PTSD among Service Members; Graves (MO) (No. 7), as modified, that requires the DOD to report to the Armed Services Committee on the agency's use of a two-phase procurement process; Jackson Lee (No. 8) that requires outreach for small business concerns owned and controlled by women and minorities required before

conversion of certain functions to contractor performance; Jackson Lee (No. 9) that requires the Government Accountability Office to include in its annual report to Congress a list of the most common grounds for sustaining protests related to bids for contracts; Hunter (No. 15) that expands the use of the Transportation Worker Identification Credential (TWIC) regarding access at DoD installations; Royce (No. 17) that prohibits any action to impair U.S. jurisdiction and control over Naval Station Guantanamo Bay unless authorized or provided by subsequent statute or treaty, based on unique legal history of that U.S. base; Moore (No. 20) that expresses the sense of Congress regarding the intentional targeting of and attacks against medical facilities and medical providers in Syria; Forbes (No. 21) that requires that the Secretary of Defense submit a report at the end of each fiscal year listing each request received from Taiwan and each letter of offer to sell any defense articles or services under the Arms Export Control Act to Taiwan during such fiscal year; Graves (MO) (No. 23) that reins in SBA's authority to fund initiatives outside its current authorized authority; and Adams (No. 27) that provides for online entrepreneurial counseling services through the Service Corps of Retired Executives (SCORE) program and requires SCORE to submit a study and report on the future of the program through a strategic plan that covers the course of the next 5 years; **Pages H2667–73**

Westerman amendment (No. 2 printed in part B of H. Rept. 114–569) that provides an additional $82.4 million for the Surface-To-Air missile MSE program that mitigates critical shortfall in Army War Reserve requirements; takes $82.4 million from Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Nonproliferation, Material management and minimization account; **Pages H2673–75**

Thornberry amendment (No. 11 printed in part B of H. Rept. 114–569) that amends Section 101 of the National Security Act of 1947 to address the National Security Council's enlarged staff size and subsequent micromanagement of military operations, which is inconsistent with its statutory advisory and coordination roles; also increases oversight and accountability by requiring Senate confirmation of the National Security Advisor if the staff size of the National Security Council exceeds 100 employees; **Pages H2677–79**

Walorski amendment (No. 13 printed in part B of H. Rept. 114–569) that amends the Freedom of Information Act to include the National Security Council (NSC) and makes the FOIA requirement effective after Senate confirmation of National Security Advisor; **Pages H2681–82**

Thornberry en bloc amendment No. 2 consisting of the following amendments printed in part B of H. Rept. 114–569: Calvert (No. 19) that requires a report on the Department of Defense civilian work force and contractors; Collins (NY) (No. 28) that requires the Secretary of the Army to consider using cost-competitive technologies that minimize waste generation and air emissions as alternatives to current disposal methods when reducing munitions in the stockpile of conventional ammunition or B5A Account; Russell (No. 29) that expresses the Sense of Congress that the Dept. of Defense should reassess their guidelines on how they evaluate motor carrier safety performance; the GAO found that DOD lowered standards to Dept. of Transportation standards, even for the transport of hazardous materials; Costa (No. 30) that directs the Secretary to report to the Committees of jurisdiction regarding the efficacy of prioritizing training exercises for National Guard IRT teams with well drilling capability in locations in disadvantaged communities with drinking water supplies that have been impacted as a result of drought; McKinley (No. 31) that requires the Secretary of Defense to establish an electronic tour calculator so that reservists could keep track of aggregated active duty tours of 90 days or more served within a fiscal year; Meng (No. 32) that requires GAO report on admissions practices and gender composition of military service academies; Palmer (No. 33) that allows for the award of a Distinguished Service Cross to 1st LT Melvin M. Spruiell for his acts of valor during WWII as a member of the Army serving in France with the 377th Parachute Field Artillery, 101st Airborne Division; Sewell (AL) (No. 34) that allows cyber institutes to place a special emphasis on entering into a partnership with a local educational agency located in a rural, under served, or underrepresented community; Takano (No. 35) that includes in the report to Congress on the direct employment pilot program for members of the National Guard and Reserve (Sec. 566) a comparison of the pilot program to other DOD and VA unemployment and underemployment programs; Grayson (No. 36) that requires the inclusion of information concerning the availability of treatment options and resources available to address substance abuse (including alcohol, prescription drug, and opioid abuse), as part of the required servicemember preseparation counseling; Bost (No. 37) that makes a technical change to impact aid program; and DelBene (No. 38) that eliminates the 2-year eligibility limitation for noncompetitive appointment of military spouses to civil service positions when a member of the Armed Forces is relocated in connection with their service; **Pages H2682–85**

Kelly (PA) amendment (No. 16 printed in part B of H. Rept. 114–569) that prohibits funds from being used to destroy anti-personnel landmine munitions unless the Secretary of Defense submits a report on research into operational alternatives to these munitions; **Pages H2687–88**

Walorski amendment (No. 18 printed in part B of H. Rept. 114–569) that requires the United States Government and the government of a foreign country to enter into a written memorandum of understanding regarding the transfer of an individual from Guantanamo Bay and transmitted to the Congress; **Pages H2688–90**

Thornberry en bloc amendment No. 3 consisting of the following amendments printed in part B of H. Rept. 114–569: Turner (No. 22) that expresses a Sense of Congress that the United States should take certain actions relevant to maintaining NATO's solidarity, strength, and deterrent capability in addition to promoting NATO enlargement at the July 2016 NATO Summit in Warsaw, Poland; Hanna (No. 24) that directs Small Business Development Centers to provide, to the extent practicable, cyber assistance to small businesses; requires the Small Business Administration and the Department of Homeland Security to develop a joint "SBDC Cyber Strategy" to provide necessary guidance to Small Business Development Centers regarding how they can improve the coordination and provision of federal cyber assistance to small businesses; Bera (No. 39) that requires the Secretary of Defense, in consultation with the Secretaries of the VA, Education, and Labor, to submit a report to Congress detailing the transfer of skills into college credit or technical certifications for members of the Armed Forces leaving the military; McGovern (No. 40) that requires the Secretary of Defense to design and produce a military service medal to honor retired and former members of the Armed Forces who are radiation-exposed veterans (Atomic Veterans); Grayson (No. 41) that requires the Secretary of Defense to consider "comparable quality of service" as criteria used to determine partnership agreements between facilities of the uniformed services and local or regional health care systems; Carter (TX) (No. 42) that places specific reporting requirements on the Defense Department when prescribing and distributing Mefloquine to members of the Armed Forces, and requires the Secretary of Defense to conduct an annual review for each Mefloquine prescription; expands the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury's mission to include the study of the adverse health effects of Mefloquine; Wilson (SC) (No. 43) that modifies Section 825(f) of the FY17 NDAA to sunset the required report after five years; Wilson (SC) (No. 44) that modifies the effective date for section 901(a)(1) of the National Defense Authorization Act for Fiscal Year 2015 by extending it one year to February 1, 2018; Beyer (No. 45) that ensures that DOD is using LPTA in an effective and appropriate manner as a source selection process. States that it should be DOD policy to avoid LPTA use in circumstances that potentially deny the Department the benefits of cost and technical tradeoffs in the source selection process; Burgess (No. 46) that requires a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law; Turner (No. 47) that requires the Secretary of the Air Force to provide a briefing to the House Armed Services Committee on the process used to include proximity to certain commercial airports as part of its Strategic Basing Process; Frankel (FL) (No. 49) that expresses Congress's appreciation to American veterans disabled for life and supports the annual recognition of these individuals each year; and Beyer (No. 50) that pairs the FAA and the DOD to study possible changes to these routes and altitude caps to minimize the impact from these overflight operations; **Pages H2690–93**

Thornberry en bloc amendment No. 4 consisting of the following amendments printed in part B of H. Rept. 114–569: Zeldin (No. 48) that requires the United States Navy to specifically assess synthetic aperture sonar systems and subsequently report on whether they are a suitable for incorporation on the Littoral Combat Ship (LCS); Trott (No. 51) that states that the President shall instruct the U.S. Ambassador to the United Nations to use the voice and vote of the United States to seek the establishment of a United Nations processing center in Erbil, Iraq to assist internationally displaced communities; Vela (No. 52) that requires the Department of Defense to submit a report to Congress on the impact of cartel violence in Mexico on U.S. national security; Thornberry (No. 53) that requires the Secretaries of Defense and State to submit to the appropriate committees of Congress a report containing a description of the steps the United States has taken, plans to take, and will take to provide Taiwan with arms of a defensive character in accordance with the Taiwan Relations Act; Nolan (No. 54) that prohibits funding from the Syria Train and Equip program to recipients that the Secretary of Defense has reported as having misused provided training and equipment; Aguilar (No. 55) that creates a pilot program to improve the ability of the Army and Air Force, respectively, to recruit cyber professionals; Dold (No. 56) that extends the authorization of a 2014 project for barracks at Great Lakes, IL; Judy Chu (CA) (No. 57) that ensures that the Small Business Administration considers the population density of the area to be

serviced by women's business centers when reviewing and selecting eligible entities for WBC grants; Perlmutter (No. 58) that allows deed restrictions on former U.S. Army land at Rocky Mountain Arsenal to be modified or removed should an environmental risk assessment determine the property is protective for residential or industrial uses; Pompeo (No. 59) that requires the Director of National Intelligence to complete a declassification review of intelligence reports related to the past terrorist activities of individuals who were transferred or released from GTMO, and make available to the public any information declassified as a result of the declassification review; and McSally (No. 61) that places a prohibition on enforcement of military commission rulings preventing members of the Armed Forces from carrying out otherwise lawful duties based on member gender, such as guarding high-value detainees at Guantanamo Bay; **Pages H2693–95**

Rogers (AL) amendment (No. 26 printed in part B of H. Rept. 114–569) that fences 50% of the funds for the Office of the Secretary of Energy until he provides a specific report to the specified congressional committees; and **Pages H2696–97**

Zinke amendment (No. 60 printed in part B of H. Rept. 114–569), as modified, that ensures the security of our land-based nuclear forces and ensures an acquisition strategy that will field a UH 1N replacement aircraft in fiscal year 2018; adds a new section titled Requests for Forces to Meet Security Requirements for Land-Based Nuclear Forces. **Pages H2697–98**

Rejected:

Garamendi amendment (No. 3 printed in part B of H. Rept. 114–569) that sought to reduce the authorization for the Ground Based Strategic Deterrent program by $17.93 million, the amount identified by the Government Accountability Office as in excess of program need for Fiscal Year 2016; increase the authorization for Air Force procurement of Large Aircraft Infrared Countermeasures by $17.93 million to address an unfunded requirement identified by the Air Force; and **Pages H2675–76**

Larsen (WA) amendment (No. 25 printed in part B of H. Rept. 114–569) that sought to amend waiver on prohibition of use of atomic energy defense funding for work with Russia to allow the Secretary of Energy to issue waiver if activity will significantly reduce the nuclear threat, regardless of backlog at DOE defense nuclear facilities. **Pages H2695–96**

Proceedings Postponed:

McKinley amendment (No. 10 printed in part B of H. Rept. 114–569) that seeks to require the Secretary of Defense to ensure that every tactical missile program of the Department of Defense that uses solid propellant as the primary propulsion system shall have at least two fully certified rocket motor suppliers in the event that one of the rocket motor suppliers is outside the national technology and industrial base; **Pages H2676–77**

Nadler amendment (No. 12 printed in part B of H. Rept. 114–569) that seeks to remove funding prohibitions on the closure of the prison at Guantanamo Bay, Cuba; and **Pages H2679–81**

Poe (TX) amendment (No. 14 printed in part B of H. Rept. 114–569), as modified, that seeks to insert a proposed new text for Sec. 1048. **Pages H2685–87**

H. Res. 732, the rule providing for consideration of the bill (H.R. 4909) was agreed to by a recorded vote of 234 ayes to 181 noes, Roll No. 197, after the previous question was ordered by a yea-and-nay vote of 239 yeas to 177 nays, Roll No. 196. **Pages H2455–56**

Recess: The House recessed at 6:39 p.m and reconvened at 11:51 p.m. **Page H2698**

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared with respect to Burma is to continue in effect beyond May 20, 2016—referred to the Committee on Foreign Affairs and ordered to be printed (H. Rept. 114–135). **Page H2446**

Senate Messages: Messages received from the Senate today appear on pages H2446, H2677.

Senate Referral: S. 2040 was referred to the Committee on the Judiciary. **Page H2698**

Quorum Calls—Votes: Three yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H2455–56, H2456, H2457, H2457–58. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:53 p.m.

Committee Meetings

FOCUS ON THE FARM ECONOMY: IMPACTS OF ENVIRONMENTAL REGULATIONS AND VOLUNTARY CONSERVATION SOLUTIONS

Committee on Agriculture: Subcommittee on Conservation and Forestry held a hearing entitled "Focus on the Farm Economy: Impacts of Environmental Regulations and Voluntary Conservation Solutions". Testimony was heard from Celia Gould, Director, Idaho State Department of Agriculture; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Appropriations: Full Committee held a markup on the Defense Appropriations Bill for FY

2017; Legislative Branch Appropriations Bill for FY 2017; and the Revised Report on the Interim Suballocation of Budget Allocations for FY 2017. The Defense Appropriations Bill for FY 2017 and the Legislative Branch Appropriations Bill for FY 2017 were ordered reported, as amended. The Revised Report on the Interim Suballocation of Budget Allocations for FY 2017 passed.

ASSESSING THE DEPARTMENT OF DEFENSE'S EXECUTION OF RESPONSIBILITIES IN THE U.S. FOREIGN MILITARY SALES PROGRAM

Committee on Armed Services: Subcommittee on Oversight and Investigations held a hearing entitled ''Assessing the Department of Defense's Execution of Responsibilities in the U.S. Foreign Military Sales Program''. Testimony was heard from Vice Admiral Joseph Rixey, U.S. Navy, Director, Defense Security Cooperation Agency, Department of Defense; Claire Grady, Senior Executive Service, Director, Defense Procurement and Acquisition Policy, Undersecretary of Defense for Acquisition, Technology, and Logistics; and Beth McCormick, Senior Executive Service, Director, Defense Technology Security Administration, Office of the Secretary of Defense.

HELPING STUDENTS SUCCEED BY STRENGTHENING THE CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT

Committee on Education and the Workforce: Full Committee held a hearing entitled ''Helping Students Succeed by Strengthening the Carl D. Perkins Career and Technical Education Act''. Testimony was heard from Senator Kaine and public witnesses.

THE OBAMA ADMINISTRATION'S MEDICARE DRUG EXPERIMENT: THE PATIENT AND DOCTOR PERSPECTIVE

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''The Obama Administration's Medicare Drug Experiment: The Patient and Doctor Perspective''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee began a markup on H.R. 4775, the ''Ozone Standards Implementation Act of 2016''; and H.R. 4979, the ''Advanced Nuclear Technology Development Act of 2016''.

INTEREST ON RESERVES AND THE FED'S BALANCE SHEET

Committee on Financial Services: Subcommittee on Monetary Policy and Trade held a hearing entitled ''Interest on Reserves and the Fed's Balance Sheet''. Testimony was heard from public witnesses.

LEGISLATIVE PROPOSALS TO ENHANCE CAPITAL FORMATION, TRANSPARENCY, AND REGULATORY ACCOUNTABILITY

Committee on Financial Services: Subcommittee on Capital Markets and Government Sponsored Enterprises held a hearing entitled ''Legislative Proposals to Enhance Capital Formation, Transparency, and Regulatory Accountability''. Testimony was heard from public witnesses.

U.S. DEPARTMENT OF STATE COUNTERTERRORISM BUREAU: FY 2017 BUDGET

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation, and Trade held a hearing entitled ''U.S. Department of State Counterterrorism Bureau: FY 2017 Budget''. Testimony was heard from Justin Siberell, Acting Coordinator for Counterterrorism, Bureau of Counterterrorism, Department of State.

OVERSIGHT OF FEDERAL EFFORTS TO ADDRESS ELECTROMAGNETIC RISKS

Committee on Homeland Security: Subcommittee on Oversight and Management Efficiency held a hearing entitled ''Oversight of Federal Efforts to Address Electromagnetic Risks''. Testimony was heard from Chris P. Currie, Director, Homeland Security and Justice Issues, Government Accountability Office; Brandon Wales, Director, Office of Cyber and Infrastructure Analysis, National Protection and Programs Directorate, Department of Homeland Security; Joseph McClelland, Director, Office of Energy Infrastructure Security, Federal Energy Regulatory Commission, Department of Energy; and a public witness.

FLYING BLIND: WHAT ARE THE SECURITY RISKS OF RESUMING U.S. COMMERCIAL AIR SERVICE TO CUBA?

Committee on Homeland Security: Subcommittee on Transportation Security held a hearing entitled ''Flying Blind: What are the security risks of resuming U.S. Commercial Air Service to Cuba?''. Testimony was heard from the following Department of Homeland Security officials: Larry Mizell, TSA Representative, Transportation Security Administration; Paul Fujimura, Assistant Administrator, Office of Global Strategies; John Wagner, Deputy Executive Assistant Commissioner, Customs and Border Protection; and Seth Stodder, Assistant Secretary of Homeland Security, Border, Immigration and Trade Policy; and Kurt Tong, Principal Deputy Assistant Secretary,

Bureau of Economic and Business Affairs, Department of State.

MISCELLANEOUS MEASURES

Committee on House Administration: Full Committee held a markup on Committee Resolution 114–17, regarding the House Safe Program; Committee Resolution 114–18, to Amend the Voucher Documentation Standards; H.R. 5160, to amend title 40, United States Code, to include as part of the buildings and grounds of the National Gallery of Art any buildings and other areas within the boundaries of any real estate or other property interests acquired by the National Gallery of Art; H.R. 4511, the ''Gold Star Families Voices Act''; H.R. 4092, to reauthorize the sound recording and film preservation programs of the Library of Congress, and for other purposes; H.R. 4733, to permit the United States Capitol Police to accept certain property from other Federal agencies and to dispose of certain property in its possession; H.R. 5227, to authorize the National Library Service for the Blind and Physically Handicapped to provide playback equipment in all forms, to establish a National Collection Stewardship Fund for the processing and storage of collection materials of the Library of Congress, and to provide for the continuation of service of returning members of Joint Committee on the Library at beginning of a Congress; and H.R. 4734, to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate. The following bills were ordered reported, without amendment: H.R. 5160, H.R. 4511, H.R. 4092, H.R. 4733, H.R. 5227, and H.R. 4734. Committee Resolution 114–17 and Committee Resolution 114–18 were adopted, without amendment.

SAFEGUARDING OUR SYMBOL OF DEMOCRACY: U.S. CAPITOL POLICE'S MANAGEMENT PLAN FOR 2017 AND BEYOND

Committee on House Administration: Full Committee held a hearing entitled ''Safeguarding our Symbol of Democracy: U.S. Capitol Police's Management Plan for 2017 and Beyond''. Testimony was heard from Matthew Verderosa, Chief of Police, U.S. Capitol Police.

SYNTHETIC DRUGS, REAL DANGER

Committee on the Judiciary: Subcommittee on Crime, Terrorism, Homeland Security, and Investigations held a hearing entitled ''Synthetic Drugs, Real Danger''. Testimony was heard from Louis Milione, Deputy Assistant Administrator, Drug Enforcement Administration; and public witnesses.

LEGISLATIVE MEASURE

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing on H.R. 4768, the ''Separation of Powers Restoration Act of 2016''. Testimony was heard from public witnesses.

THE IMPLICATIONS OF PRESIDENT OBAMA'S NATIONAL OCEAN POLICY

Committee on Natural Resources: Subcommittee on Water, Power and Oceans held a hearing entitled ''The Implications of President Obama's National Ocean Policy''. Testimony was heard from public witnesses.

WHITE HOUSE NARRATIVES ON THE IRAN NUCLEAR DEAL

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''White House Narratives on the Iran Nuclear Deal''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Full Committee held a markup on H.R. 5233, the ''Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016''; H.R. 24, the ''Federal Reserve Transparency Act of 2015''; H.R. 5199, the ''Construction Consensus Procurement Improvement Act of 2016''; H.R. 5226, the ''Regulatory Integrity Act of 2016''; S. 1550, the ''Program Management Improvement Accountability Act''; H.R. 433, to designate the facility of the United States Postal Service located at 523 East Railroad Street in Knox, Pennsylvania, as the ''Specialist Ross A. McGinnis Memorial Post Office''; H.R. 2607, to designate the facility of the United States Postal Service located at 7802 37th Avenue in Jackson Heights, New York, as the ''Jeanne and Jules Manford Post Office Building''; H.R. 3218, to designate the facility of the United States Postal Service located at 836 Anacapa Street, Santa Barbara, California as the ''Special Warfare Operator Master Chief Petty Officer (SEAL) Louis 'Lou' J. Langlais Post Office Building''; H.R. 3931, to designate the facility of the United States Postal Service located at 620 Central Avenue Suite 1A in Hot Springs National Park, Arkansas, as the ''Chief Petty Officer Adam Brown United States Post Office''; H.R. 3953, to designate the facility of the United States Postal Service located at 4122 Madison Street, Elfers, Florida, as the ''Private First Class Felton Roger Fussell Memorial Post Office''; H.R. 4010, to designate the facility of the United States Postal Service located at 522 North Central

Avenue in Phoenix, Arizona, as the ''Ed Pastor Post Office''; H.R. 4425, to designate the facility of the United States Postal Service located at 110 East Powerhouse Road in Collegeville, Minnesota, as the ''Eugene J. McCarthy Post Office''; H.R. 4747, to designate the facility of the United States Postal Service located at 6691 Church Street in Riverdale, Georgia, as the ''Major Gregory E. Barney Post Office Building''; H.R. 4761, to designate the facility of the United States Postal Service located at 61 South Baldwin Avenue in Sierra Madre, California, as the ''Louis Van Iersel Post Office''; H.R. 4777, to designate the facility of the United States Postal Service located at 1301 Alabama Avenue in Selma, Alabama as the ''Amelia Boynton Robinson Post Office Building''; H.R. 4877, to designate the facility of the United States Postal Service located at 3130 Grants Lake Boulevard in Sugar Land, Texas, as the ''LCpl Garrett W. Gamble, USMC Post Office Building''; H.R. 4925, to designate the facility of the United States Postal Service located at 229 West Main Cross Street, in Findlay, Ohio, as the ''Michael Garver Oxley Memorial Post Office Building''; H.R. 4960, to designate the facility of the United States Postal Service located at 525 N Broadway in Aurora, Illinois, as the ''Kenneth M. Christy Post Office Building''; H.R. 4975, to designate the facility of the United States Postal Service located at 5720 South 142nd Street in Omaha, Nebraska, as the ''Petty Officer 1st Class Caleb A. Nelson Post Office Building''; H.R. 4987, to designate the facility of the United States Postal Service located at 3957 2nd Avenue in Laurel Hill, Florida, as the ''Sergeant First Class William 'Kelly' Lacey Post Office''; and H.R. 5028, to designate the facility of the United States Postal Service located at 10721 E Jefferson Ave in Detroit, Michigan, as the ''Mary Eleanora McCoy Post Office Building''. The following bills were ordered reported, without amendment: H.R. 5233, H.R. 5226, H.R. 433, H.R. 2607, H.R. 3931, H.R. 3953, H.R. 4010, H.R. 4425, H.R. 4747, H.R. 4761, H.R. 4777, H.R. 4877, H.R. 4925, H.R. 4960, H.R. 4975, and H.R. 4987. The following bills were ordered reported, as amended: H.R. 24, H.R. 5199, S. 1550, H.R. 3218, and H.R. 5028.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017; MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2017; ZIKA RESPONSE SUPPLEMENTAL APPROPRIATIONS ACT, 2016

Committee on Rules: Full Committee held a hearing on H.R. 4909, the ''National Defense Authorization Act for Fiscal Year 2017'' [amendment consideration]; H.R. 4974, the ''Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2017''; and H.R. 5243, the ''Zika Response Supplemental Appropriations Act, 2016''. The committee granted, by voice vote, a modified-open rule for H.R. 4974. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI. The rule provides that clause 2(e) of rule XXI shall not apply during consideration of the bill. The rule provides that after general debate the bill shall be considered for amendment under the five-minute rule except that: 1) amendments shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent; and 2) no pro forma amendments shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule provides one motion to recommit with or without instructions. Additionally, the rule granted a closed rule for H.R. 5243. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill and provides that it shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides that clause 2(e) of rule XXI shall not apply during consideration of the bill. The rule provides one motion to recommit. In section 3, the rule provides that section 514 of H.R. 4974 shall be considered to be a spending reduction account for purposes of section 3(d) of House Resolution 5. In section 4, the rule provides that during consideration of H.R. 4974 pursuant to the rule, it shall not be in order in the Committee of the Whole to use a decrease in Overseas Contingency Operations funds to offset an amendment that increases an appropriation not designated as Overseas Contingency Operations funds or vice versa. Lastly, in section 5, the rule provides that during consideration of H.R. 4974, 1) section 310 of House Concurrent Resolution 125, as reported in the House, shall have force and effect in the Committee of the Whole; and 2) section 3304 of Senate Concurrent Resolution 11 shall not apply. The Committee granted, by record vote of 9–3, a structured rule for

further consideration of H.R. 4909. The rule provides no further general debate. The rule makes in order only those further amendments printed in the Rules Committee report and amendments en bloc described in section 3 of the resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. Waives all points of order against the amendments printed in the report or against amendments en bloc described in section 3 of the rule. Section 3 provides that it shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. Provides one motion to recommit with or without instructions. Testimony was heard from Chairman Rogers of Kentucky, and Representatives Lowey, Al Green of Texas, Dent, Bishop of Georgia, Fleming, Bordallo, Davis of California, Gabbard, Garamendi, Langevin, Walz, McGovern, Polis, Barr, Boustany, Clyburn, Carter of Georgia, Jackson Lee, Gosar, Foster, Rigell, Lee, Rohrabacher, Price of North Carolina, Schiff, Sanford, Maxine Waters of California, Welch, Sean Patrick Maloney of New York, Hanna, Griffith of Virginia, Yoho, Gibson, Rangel, and Mulvaney.

A REVIEW OF RECENTLY COMPLETED UNITED STATES ARMY CORPS OF ENGINEERS CHIEF'S REPORTS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing entitled "A Review of Recently Completed United States Army Corps of Engineers Chief's Reports". Testimony was heard from Major General Donald "Ed" Jackson, Deputy Commanding General, Civil and Emergency Operations, U.S. Army Corps of Engineers.

VETERANS IN TECH: INNOVATIVE CAREERS FOR ALL GENERATIONS OF VETERANS

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing entitled "Veterans in Tech: Innovative Careers for All Generations of Veterans". Testimony was heard from public witnesses.

MEMBER DAY ON TAX-RELATED PROPOSALS TO IMPROVE HEALTH CARE

Committee on Ways and Means: Subcommittee on Health held a Member Day hearing entitled "Tax-Related Proposals to Improve Health Care". Testimony was heard from Representatives Jenkins of Kansas, Smith of Nebraska, Paulsen, Noem, Messer, Meadows, Kelly of Pennsylvania, Bera of California, Thompson of California, Boustany, Stewart, Meng, McSally, and DelBene.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, MAY 18, 2016

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: to hold hearings to examine the Telephone Consumer Protection Act at 25, focusing on effects on consumers and business, 10 a.m., SR–253.

Committee on Environment and Public Works: business meeting to consider S. 2816, to reauthorize the diesel emissions reduction program, S. 2795, to modernize the regulation of nuclear energy, S. 1479, to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, S. 921, to direct the Secretary of the Interior to establish a nonregulatory program to build on and help coordinate funding for restoration and protection efforts of the 4-State Delaware River Basin region, H.R. 3114, to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, S. 2754, 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", General Services Administration resolutions, and the nomination of Jane Toshiko Nishida, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency, 9:30 a.m., SD–406.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine Every Student Succeeds Act implementation, focusing on perspectives from education stakeholders, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine assessing the security of critical infrastructure, focusing on threat, vulnerabilities, and solutions, 10 a.m., SD–342.

Committee on Indian Affairs: to hold hearings to examine S. 2785, to protect Native children and promote public safety in Indian country, S. 2916, to provide that the

pueblo of Santa Clara may lease for 99 years certain restricted land, and S. 2920, to amend the Tribal Law and Order Act of 2010 and the Indian Law Enforcement Reform Act to provide for advancements in public safety services to Indian communities, 2:15 p.m., SD–628.

Committee on the Judiciary: to hold hearings to examine the nominations of Donald Karl Schott, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit, Paul Lewis Abrams, to be United States District Judge for the Central District of California, Stephanie A. Finley, to be United States District Judge for the Western District of Louisiana, Claude J. Kelly III, to be United States District Judge for the Eastern District of Louisiana, and Winfield D. Ong, to be United States District Judge for the Southern District of Indiana, 10 a.m., SD–226.

Subcommittee on Crime and Terrorism, to hold hearings to examine ransomware, focusing on understanding the threat and exploring solutions, 3 p.m., SD–226.

Committee on Small Business and Entrepreneurship: to hold hearings to examine small business and the Affordable Care Act, 2 p.m., SR–428A.

House

Committee on Agriculture, Full Committee, hearing entitled ''Service in the Field: Veteran Contributions to National Food Security'', 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies, markup on the Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2017, 10 a.m., 2358–C Rayburn.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, markup on the Transportation, Housing and Urban Development, and Related Agencies Appropriations Bill, FY 2017, 11:30 a.m., 2358–A Rayburn.

Committee on Education and the Workforce, Full Committee, markup on H.J. Res. 87, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of Labor relating to ''Interpretation of the 'Advice' Exemption in Section 203(c) of the Labor-Management Reporting and Disclosure Act''; and H.R. 5003, the ''Improving Child Nutrition and Education Act of 2016'', 11 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Full Committee, markup on H.R. 4775, the ''Ozone Standards Implementation Act of 2016''; and H.R. 4979, the ''Advanced Nuclear Technology Development Act of 2016'' (continued), 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled ''Examining the CFPB's Proposed Rulemaking on Arbitration: Is It in the Public Interest and for the Protection of Consumers?'', 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, markup on H. Res. 374, recognizing the 50th anniversary of Singaporean independence and reaffirming Singapore's close partnership with the United States; H. Res. 650, providing for the safety and security of the Iranian dissidents living in Camp Liberty/Hurriya in Iraq and awaiting resettlement by the United Nations High Commissioner for Refugees, and permitting use of their own assets to assist in their resettlement; H. Con. Res. 129, expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs; S. 284, the ''Global Magnitsky Human Rights Accountability Act''; and S. 1252, the ''Global Food Security Act of 2016'', 10 a.m., 2172 Rayburn.

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''Democracy Support Strategies in Africa'', 2:30 p.m., 2172 Rayburn.

Committee on Natural Resources, Subcommittee on Indian, Insular and Alaska Native Affairs, hearing on H.R. 4289, to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and to the Bristol Bay Area Health Corporation located in Dillingham, Alaska, and for other purposes; and S. 246, the ''Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act'', 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Examining Employee Misconduct at EPA'', 9 a.m., 2154 Rayburn.

Subcommittee on Information Technology; and Subcommittee on Government Operations, joint hearing entitled ''The Federal Information Technology Reform Act (FITARA) Scorecard 2.0'', 2 p.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Space, hearing entitled ''Next Steps to Mars: Deep Space Habitats'', 2 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing entitled ''Border Station Construction: Minimizing Costs and Leveraging Private Dollars'', 10 a.m., 2253 Rayburn.

Committee on Veterans' Affairs, Full Committee, markup on H.R. 5178, the ''Veterans Success on Campus Act of 2016''; H.R. 5229, to direct the Secretary of Veterans Affairs to carry out a study to evaluate the effectiveness of programs, especially in regards to women veterans and minority veterans, in transitioning to civilian life, and for other purposes; H.R. 4138, to authorize the Secretary of Veterans Affairs to recoup relocation expenses paid to or on behalf of employees of the Department of Veterans Affairs; H.R. 3286, the ''HIRE Vets Act''; H.R. 3471, the ''Veterans Mobility Safety Act of 2015''; 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''; 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. 4782, the ''Veterans' Compensation Cost-of-Living Adjustment Act of 2016''; H.R. 4087, the ''Fair Treatment for Families of Veterans Act''; and H.R. 3715, the ''Final Farewell Act of 2015'', 10:30 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Social Security, hearing entitled ''Protecting Social Security from Waste, Fraud, and Abuse'', 10 a.m., B–318 Rayburn.

Subcommittee on Human Resources, hearing entitled ''The Heroin Epidemic and Parental Substance Abuse: Using Evidence and Data to Protect Kids from Harm'', 2 p.m., 1100 Longworth.

Next Meeting of the SENATE

9:30 a.m., Wednesday, May 18

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of H.R. 2577, Transportation, Housing and Urban Development, and Related Agencies Appropriations Act. Senate expects to vote on or in relation to McConnell (for Blunt) Modified Amendment No. 3900 (to Amendment No. 3896).

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, May 18

House Chamber

Program for Wednesday: Continue consideration of H.R. 4909—National Defense Authorization Act for Fiscal Year 2017 (Subject to a Rule). Consideration of H.R. 5243—Zika Response Appropriations Act of 2016 (Subject to a Rule). Begin consideration of H.R. 4974—Military Construction and Veterans' Affairs and Related Agencies Appropriations Act, 2017 (Subject to a Rule).

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