

construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4068. Mr. MORAN (for himself, Mr. DAINES, Mr. INHOFE, Mr. HATCH, Mr. GARDNER, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4069. Mr. MORAN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4070. Mr. MORAN (for himself, Mr. DAINES, Mr. BLUNT, Mr. TILLIS, Mr. RUBIO, Mr. INHOFE, Mr. BOOZMAN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4071. Mr. HATCH (for himself, Mr. INHOFE, Mr. LEE, and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4072. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4073. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4074. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4075. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4076. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4077. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4078. Mr. MCCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill S. 2613, to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006.

SA 4079. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4080. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4081. Ms. HEITKAMP (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 4068.** Mr. MORAN (for himself, Mr. DAINES, Mr. INHOFE, Mr. HATCH, Mr. GARDNER, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1023.

**SA 4069.** Mr. MORAN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

#### **SEC. 402. REVISION 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:

“(1) For the Army, 480,000.

“(2) For the Navy, 324,615.

“(3) For the Marine Corps, 185,000.

“(4) For the Air Force, 321,000.”

#### **SEC. 403. SUPERSEDING FISCAL YEAR 2017 END STRENGTHS FOR CERTAIN ELEMENTS OF THE SELECTED RESERVE.**

(a) **INEFFECTIVENESS OF CERTAIN END STRENGTHS.**—Paragraphs (1) through (6) of section 411(a) shall have no force or effect.

(b) **SUPERSEDING END STRENGTHS.**—The Armed Forces specified 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.

(c) **APPLICABILITY OF CERTAIN AUTHORITIES.**—Subsections (b) and (c) of section 411 shall apply in the calculation of end strengths under subsection (b) of this section.

**SA 4070.** Mr. MORAN (for himself, Mr. DAINES, Mr. BLUNT, Mr. TILLIS, Mr. RUBIO, Mr. INHOFE, Mr. BOOZMAN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 1027, insert the following:

#### **SEC. 1027A. STRENGTHENING OF CERTIFICATION REQUIREMENTS RELATING TO THE TRANSFER OR RELEASE OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

(a) **CERTIFICATION REQUIREMENT GENERALLY.**—Subsection (a) of section 1034 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) in the subsection heading, by striking “PRIOR”; and

(2) by striking paragraph (1) and inserting the following new paragraph (1):

“(1) **IN GENERAL.**—Except as provided in paragraph (2), no amount authorized to be appropriated or otherwise made available for the Department of Defense or any other department, agency, or element of the United States Government may be used after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 to transfer, release, or assist in the transfer or release of any individual detained at Guantanamo to the custody or control of any foreign country or other foreign entity unless the Secretary of Defense certifies to the appropriate committees of Congress that the individual no longer poses a continuing threat to the security of the United States, its citizens, and its interests as described in subsection (b). The certification with respect to an individual shall be submitted not later than 30 days after the date on which the Secretary makes the determination that the individual no longer poses a continuing threat to the security of the United States, its citizens, and its interests.”

(b) **CERTIFICATION ELEMENTS.**—Subsection (b) of such section is amended—

(1) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(2) by inserting before paragraph (2), as redesignated by paragraph (1) of this subsection, the following new paragraph (1):

“(1) the individual to be transferred or released no longer poses a continuing threat to the security of the United States, its citizens, and its interests;”

(3) in paragraph (2), as so redesignated, by inserting “or release” after “transfer”;

(4) by inserting “or released” after “transferred” each place it appears; and

(5) in subparagraph (B) of paragraph (4), as so redesignated, by striking “paragraph (2)(C)” and inserting “paragraph (3)(C)”.

(c) **ADDITIONAL MATTERS IN CONNECTION WITH CERTIFICATIONS.**—Such section is further amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) **ADDITIONAL MATTERS IN CONNECTION WITH CERTIFICATIONS.**—

“(1) **RECOMMENDATIONS.**—In determining whether to make a certification described in subsection (b) on an individual, the Secretary shall take into account, and include with the certification, the recommendations and military value analyses of the following: “(A) The Chairman of the Joint Chiefs of Staff.

“(B) The Chiefs of Staff of the Armed Forces, with respect to the effects of the transfer or release on military personnel with a residence for their permanent duty station in the geographic area, or forward deployed forces, in the foreign country concerned.

“(C) The commander of the geographic combatant command having the foreign country or entity to which the individual will be transferred or released within its area of operational responsibility.

“(D) The Commander of the United States Southern Command.