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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by Dr. Benny Tate, senior pastor of Rock Springs Church in Milner, GA.

The guest Chaplain offered the following prayer:

Let us pray.

Our most kind and gracious Heavenly Father, as we bow our heads and hearts before You, we come with a grateful heart. I lift this esteemed body of individuals to Your care and blessing. My prayer is that You will illuminate their understanding because, as Ben Franklin reminded us, You are the Father of lights. I pray for every Member that they would follow the direction of President Abraham Lincoln and be driven to their knees by an overwhelming conviction that they had nowhere else to go. God, give our leaders direction and guidance. I ask You to unify the hearts of the men and women serving in this body, for unity is where You commanded the blessing. May every Member remember the goal is more important than any role, and our Lord teaches us that the greatest of all is the one who serves, and anyone can be great because anyone can serve.

We pray this prayer, respecting all faiths, but we pray this prayer in the Name of our Lord and Savior, Jesus Christ.

Until You come, we pray. 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.

The PRESIDING OFFICER (Mr. HELLER). The Senator from Georgia.

WELCOMING THE GUEST CHAPLAIN

Mr. PERDUE. Mr. President, I want to take just a moment today to recognize Dr. Benny Tate of Rock Springs Church in Milner, GA, for being here with us to deliver this morning's opening prayer.

Benny is my personal pastor, my dear friend, and inspiration for both my wife and me. He offered us constant prayer and support as I entered this political journey and continues to do so today.

Before I was sworn in to the Senate, we joined Benny on a personal mission trip to Haiti. It was a life-changing trip. We went to a community that had been stricken by the earthquake in 2010. We saw kids who were still sleeping and eating on the ground in tents. Yet we saw hope, and that is hope I will carry with me the rest of my life because of this man, Benny Tate.

Thank you, Brother Benny, for your faith, your life, and your service. We are all honored to have you here today.

Mr. President, I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

OBAMACARE

Mr. MCCONNELL. Mr. President, here is the headline too many Kentuckians had to wake up to this morning: ''Health insurance rate hike requests average 17 percent in [my home State].''

The story noted that these double-digit premium increases continue a national trend of hefty hikes as insurers adapt to a market reshaped by President Obama's signature health care law—in other words, more unaffordable premium increases, thanks to ObamaCare.

It was unfortunate to hear some of ObamaCare's defenders try to pretend otherwise and blame these rates on something like uncertainty over Kynect's future. As the story notes, ''the only company that will offer plans statewide on the exchange next year said the requested rate increase has nothing to do with the end of Kynect.'' Yesterday I shared stories from Kentuckians who continue to suffer under this law.

Thanks to what we learned last night, I am afraid we will be hearing even more. ObamaCare's defenders need to own up to what their partisan law is doing to the middle class and not waste another moment trying to deflect attention elsewhere. They need to work with us to relieve the pain of ObamaCare and start over with real care.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. MCCONNELL. Mr. President, the men and women who sign up to defend our Nation don't ask for much, but our Nation certainly asks a lot of them. They sacrifice on our behalf every day. They deserve the kind of support that the National Defense Authorization Act before us can provide. It will honor commitments to veterans, servicemembers, and their families. It will authorize raises, support Wounded Warriors, and improve military benefits and health care. We need to pass it. The Democratic leader needs to stop preventing us from doing so.

Yesterday in his opening remarks, he claimed he was holding up the bill because he hadn't had the chance to read it—then talked about a new book he is reading.

Today in his opening remarks he will surely make more excuses for Democrats not to do their jobs—then head to a press conference titled ''Do Your Job.''

You can't make this stuff up. But it is not funny.

Look, we get it. Democrats want to run TV ads claiming the Senate can't

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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get anything done. They know that is a really tough sell. They know the only chance to make it work is by slow-walking bills they actually support.

Democrats don't actually want to be on record opposing our troops before Memorial Day, so they support the bill in public then bog it down in private and cover with one embarrassing excuse after the next: We haven't read it. It was written in secret. The dog ate it. It is just embarrassing.

As the chairman of the Armed Services Committee said, ''We need to move forward with this legislation. We need to move forward with it now, for the sake of our men and women who are serving and defending this Nation and putting their lives on the line.'' He is right.

So here is an idea. How about Democrats skip talking about doing their jobs at a press conference and actually do their jobs instead? They can follow the lead of this Republican majority—a majority that continues to do its job—and show how important things can be accomplished for the American people as a result. So no more needless delays, no more embarrassing excuses, and no more blocking benefits for the men and women of our military. Let's work together to get this done. We have already seen what is possible in the Republican-led Senate when we do.

THE REPUBLICAN-LED SENATE

Mr. MCCONNELL. Mr. President, so much has changed since the American people elected a new Republican majority to get the Senate back to work. Americans have told us to break through the gridlock and get the Senate focused on real solutions again. We have, and we are.

This doesn't mean our colleagues across the aisle will always cooperate; we have certainly seen an unfortunate example of that this particular week. But what is clear is how the underlying fundamentals have changed: Committees are now functioning; legislative processes are now working; we now continue to get important things done for the people who sent us here.

It all started with a simple philosophy: Give Senators and the people they represent more of a say in the legislative process, and they will take more of a stake in the legislative outcome, regardless of party. So we did, and the results have been encouraging. This is how we have been able to transform gridlock into progress and dysfunction into solutions.

To give an example of what I mean, we recently took as many rollcall votes on one bill, the Energy Policy Modernization Act, as the Senate took in all—all—of 2014 under the previous majority. It is remarkable how far we have come in such a short time.

Consider what we were able to achieve for our constituents in 2015 alone. Some said Congress could never break old traditions of short-term fixes and patches and punts, but we repeatedly proved them wrong with meaningful and substantial reforms instead.

That is certainly true of the new education reform law we passed. It replaced No Child Left Behind with ''the largest devolution of federal control to the states in a quarter-century.'' It is a hugely important reform that empowers parents and prevents Washington from imposing Common Core. That is a notable conservative achievement.

The same could be said of the decisive action we took to enact permanent tax relief for families and small businesses or to bring an end to a job-killing energy embargo from the 1970s or to place on President Obama's desk a bill that would finally end ObamaCare's cycle of broken promises and pain for the middle class.

We secured pay raises for our troops, help for our veterans, and hope for the victims of human trafficking. We passed a landmark cyber security law that will help safeguard America's personal information. We achieved the most significant transportation solution in years, one that will finally allow us to rebuild roads, bridges, and crumbling infrastructure without raising taxes by a penny.

We got a lot done for the American people in 2015. We are continuing to get a lot done for the American people in 2016.

In just a few months, the Republican-led Senate has passed legislation providing real solutions on a range of issues: Addressing the prescription opioid and heroin epidemic that is ravaging our country with critical, comprehensive legislation; modernizing American energy with the first broad energy bill since the Bush administration; improving airport security and consumer protections with the most pro-passenger, pro-security FAA reauthorization in years; deterring North Korea's growing aggression with comprehensive sanctions; keeping the Internet open and accessible by permanently banning government from taxing your access to the Internet; supporting American manufacturing by reducing tariffs that make it harder for American businesses to compete and to grow; defending American innovation and entrepreneurship protections against the theft of intellectual property; and just this week, combating sexual assault and human trafficking with new protections for victims and enhanced tools for law enforcement.

These are just some of the things we have been able to accomplish the past few months alone. But we are not finished. None of this would have been possible without functioning committees and capable leaders to guide them. Those chairs often choose to focus on ideas where Republicans and Democrats can agree, not just where the two parties disagree, and we have gotten some really important legislation passed as a result.

We have seen some truly notable anecdotes, too, like the fact that the Finance Committee has approved more bills to date in the 114th Congress ''than any single Congress since 1980''; like the fact that we got the appropriations process started this year at the earliest point in the modern budgeting era—in other words, in about 40 years; like the fact that we passed the first of these three appropriations bills at the earliest point in the modern budgeting era as well.

It is good to see the appropriations process finally getting back on track after so many years of dysfunction. It is incredibly important for the Senate, it is definitely healthy for the democratic process, and it will certainly allow us to address a variety of funding issues in a more thoughtful and deliberative way.

Take Zika, for instance. Combating the spread of the Zika virus has been a priority for both parties, so Republicans and Democrats deliberated and forged a compromise in committee. Senators debated that compromise out here on the floor and voted to pass it. Now Members of the Senate and the House are preparing the process of going to conference so we can get this measure down to the President. That is how you get good legislation to the President. That is what is known as doing your job around here.

Of course, it will not be easy to get the appropriations process back on track completely after so many years of dysfunction, but we are committed to doing all we can. We have clearly demonstrated strong and steady progress already, and that is something that benefits both parties. It means more Members get a say. It means more scrutiny is brought to bear on the funds that are spent. It means more regular order and more of a Senate that functions even better for everyone.

I am proud of all we have accomplished in such a short time. We have put the Senate back to work, we have continued to get our jobs done, and that has allowed us to pass important legislation for the American people who, after all, sent us all here.

I thank Senators from both sides who have worked with us to restore this Chamber to a place of higher purpose. I know there is more we can accomplish together, so let's keep working to ensure that we do.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

ISSUES BEFORE THE SENATE

Mr. REID. Mr. President, it is not necessary to go into great detail about the past, but it is important to talk about the past so we understand what is going on now and what the future holds.

The biggest change coming from the Republican majority is what the Democratic minority has done. We have cooperated. We are not in the business of

filibustering everything. During the first 6 years of the Obama administration, the Republicans initiated more than 600 filibusters. They filibustered everything. As an example, we tried to do the Energy bill for 5 years. Each time we tried, it was brought to a standstill by the Republicans.

We have a Republican bill that we worked on. It is the same bill we did with Senator SHAHEEN in the past with some additions to it. What happened to that bill is that it has gone to the dark hole in the House. They have stripped everything out of it that we had done. It is gone. We have done our utmost to cooperate.

For my friend to talk about this Republican Senate that has done so much, he would have tremendous difficulty finding any one thing that we didn't try to do—any one thing. I talked about energy. It doesn't matter what it was, it was filibustered—I repeat—more than 600 times. The record will never be broken, I hope, as it has been a real detriment to our country and the U.S. Senate. For my friend to come and talk about how great the Senate is, is really absurd.

I don't know if he is taking the pages from Donald Trump—if you say enough that is wrong, people will say: Well, maybe it is not that bad. This Republican Senate is a do-nothing Senate. He talked about opioid legislation. There isn't anyone—not anyone from the Centers for Disease Control and Prevention, any of the public health agencies around the country—who thinks what happened in the Senate helped them. Why? Because there is no money. They shuffled things around. There is no money. Opioid legislation needs money. They have refused to fund it.

I don't know how long it has been, but it has been at least 4 months since the people of Flint, MI, came to the realization that they had been poisoned—their children had been poisoned with lead. We tried so many different ways to get the Republicans to help that beleaguered city, but, no, not a chance. The people of Flint, MI, are still drinking and bathing with bottled water. The children are still suffering the awfulness of lead. It is so detrimental to little brains.

He talks about the Zika virus. How sad that he would think that giving no money to this program is a good deal. I will talk about that in a little more detail. The Zika virus is extremely serious. It could affect as many as 39 of our United States. There is no money. The President has said, and I will say right now, we should not go on recess while there is no money for Zika. The way things are set up under his great plan, the Zika virus will be funded sometime this fall. The mosquitoes will be dead or gone home—wherever that home is—by that time, and the American people will be infected.

There was a mistake made by his staff dealing with renewable tax credits, which is so important to the Presiding Officer's State and other States, and there have been efforts made to correct that mistake. That hasn't been done yet.

The House of Representatives, led by the Republicans, can't pass a simple budget. This great Senate that he talks about couldn't pass a budget. We don't have a budget. We have no district court nominations. We have emergencies all over the country because there are too many people in trouble who want to litigate, and there are no judges to do that. No, we are not going to move on judges because Barack Obama, in their mind, is an illegitimate President, and they have created Donald Trump—what has happened the last 7½ years, the Republicans opposing anything that President Obama tried to do. They have created Donald Trump. They are not only failing us on district court nominations, circuit court nominations, we have a Supreme Court that has been bare. We don't have a full complement of Supreme Court Justices. For my friend to stand here and say we are doing our job is absurd.

If he wants to talk about the Defense authorization bill, we will be happy to do that. Here is a quote from MITCH MCCONNELL, which is basically what today's vote on the Defense authorization bill is all about: ''The Defense authorization bill requires 4 to 5 weeks to debate.'' That is what he said. Now he is changing his tune. I am not saying it is 4 to 5 weeks, but this bill is almost 2,000 pages, which we received the night before last at 5 o'clock. Shouldn't Members and their staff be able to read these 2,000 pages before we dive into litigating and offering amendments?

I will say, again, the chairman of the committee, the senior Senator from Arizona, has said: I am going to violate the budget agreement we have by bringing in $18 billion more for defense. The budget agreement says he can't do that unless you equally fund nondefense. Shouldn't we take a look at that? Shouldn't we take a look at a 2,000-page bill—actually, 1,660 pages, not counting the annex that came on board Wednesday night as part of the bill? Shouldn't we take a look at that? There are all kinds of earmarks, little goodies in that bill. We need to take a look at it. Is there anything wrong with that? I don't think so.

We look forward to considering this legislation. We did much better than the Republicans. If you want to go back, another little insight into history—they not only fought going onto the bill, once we went on it, they wouldn't let us get off the bill. That is not where we are coming from.

We have a lot of things to do. We have to do TSCA. I hope he would find time in his busy schedule, his great accomplishments, to work on a bill we have been trying to complete. I worked on this bill for the first time 28 years ago in the Senate. I was chairman of the subcommittee in the Senate. I did my best to take on the chemical industry, and I am sorry to report they won and America lost, but now we have an opportunity to have the American people winning for a change. What is the holdup in doing that bill? It is a conference report.

Four weeks ago, I stood on the floor and said we shouldn't go on break without having giving President Obama the $1.9 billion he needs to fight the Zika virus. Four weeks later—we are still off next week—we are not going to worry about those pesky mosquitoes. The Senate is going to recess for another week. We are going to come back for 4 weeks and then we are out for 7 weeks. This great plan of my friend, the Republican leader, is somewhat misleading. Anything he has been able to get done and tried to boast about are things they held us up from doing for 6 years.

Last Friday President Obama said we should not leave today without having given public health officials the resources they need to combat the spread of Zika in the United States. Researchers, doctors, and health officials—not only in the United States, all over the world—need this money. This money will be spent in America, but there will be a lot of effects around the world. There will be a lot of problems in Central and South America that we will be able to help. If we do it the right way, they can develop a vaccine at NIH, the Centers for Disease Control. They can't do it without money. Again, there is no money. They shift things around. They say they have a plan. Don't worry about Ebola, which was 18 months ago—a ravaging fear in the American people. It is still there, once that disease pops up again, that condition pops up again in Africa, because it infects Americans who are there. But they have taken most of the money from Ebola, and the House is going to take all of it in this great plan he has. They need this money. They need it to prepare for this public health threat, which is here.

To leave now without putting an emergency spending bill on the President's desk is the height of irresponsibility. No matter how you boast about that, that is a fact.

As was reported by the Washington Post this morning, the New England Journal of Medicine released findings from the study of the Zika virus. Here is what they found: Women infected with Zika early in their pregnancies may have as high as a 13-percent chance of having a baby with microcephaly. What is that? The brain doesn't grow. The skull caves in. It is a devastating birth defect, involving very small heads and incomplete development of the brain.

Mosquitoes have caused problems in the world for generations—many generations—but we have never had a report that the mosquito would transmit a virus that would cause 13 percent of pregnant women to have these deformed babies.

The Republican leader only needs to keep the Senate in session next week

so we can pass a stand-alone Zika funding bill that gives our country what it needs now, not this fall. We need to act before local transmission starts occurring in the continental United States. That is going to be soon. Late this fall will not do the trick. This fall is too late. It is time to act, not take a break. The Republican leader should not send the Senate out of session until we have done all we can to protect the American people from the threat of this horrible virus.

It doesn't take into consideration the other things we are just leaving: Flint, MI, opioids. There are so many things we are walking away from in this institution.

OBAMACARE

Mr. REID. Mr. President, I am so happy to have my friend talk about ObamaCare. I am happy to have him talk about that because he is making himself not look very good, and that is a gross understatement. Yesterday the Commonwealth Fund released its fourth survey of ObamaCare. Here is what they found: Since the enactment of the Affordable Care Act, 28 million people have gained coverage either through marketplaces or Medicaid. In the last 3 years, the number of uninsured Americans have been reduced by 13 million people. Those are 13 million more people who have insurance now than they had 3 years ago, and 82 percent of American adults enrolled in private plans or government coverage said they were satisfied with their plans.

Those numbers are further evidence the Affordable Care Act is helping the American people. It is getting people insured, many for the first time in their lives. Yesterday a woman came to me and said: Thank goodness. I—a diabetic—have been able to buy insurance because of ObamaCare.

It is giving families important subsidies so they can afford the plan they need, and it is providing options, allowing Americans to cater their health insurance plans to their needs. Much has been made recently about premiums. My friend has made a big deal about premiums, especially by Republicans looking for any opening to spread misinformation, falsehoods. They love to come and talk about ObamaCare, how horrible it is for the American people. Allow me to set the record straight again. At this point, we are all looking at proposed increases. This, of course, is preliminary information.

Let's consider Arkansas as an example. I picked Arkansas because one of the Senators from Arkansas is usually presiding, and I want him to hear this. Three out of the four companies that offer policies on Arkansas' health insurance marketplace proposed high premium increases for their enrollees. All of these increases were hikes of at least 10 percent. Fortunately, for the people of Arkansas, the Affordable Care Act helps. For starters, the vast majority of enrollees in Arkansas are protected from premium increases. Why? Because ObamaCare tax credits actually cap health insurance premiums for 85 percent of consumers. In Arkansas, 87 percent of consumers receive tax credits that help make coverage affordable; 62 percent of Arkansas enrollees had the option to select plans as low as $75 per month after tax credits. There are other ObamaCare provisions that safeguard against these rates that are out of line. Thanks to a provision within the law, State leaders have the resources to conduct a thorough review of the proposed rate increases. In Arkansas' case, the State received $9.2 million to study proposed premium increases. Now it is up to Arkansas' Governor and insurance commissioner to do the job and examine their rate proposals. State leaders have until August 23 to approve final rates for the 2017 exchange plans.

The Arkansas insurance commissioner, Allen Kerr, already made it clear that he and the Governor are opposed to the hikes. Governor Hutchinson is a well known, fine man. I served with his brother and him in Congress. His brother was in the Senate.

Allen Kerr said:

> Governor Hutchinson and I do not believe there is substantive justification for these rate increases. For that reason, we expect to take action to deny the requested rate increases until there is sufficient justification to properly consider any rate increase.

Before we passed the Affordable Care Act, Americans in the individual insurance market were hit with double-digit health premium increases every year without any exception. Back then, if the insurance company said you need to pay more, you either paid up or lost your insurance. Consumers had no recourse. And they were charged more because they had an illness the previous year. They were charged more for all kinds of reasons. And insurance companies could deny covering certain conditions all together—one is if you were a woman.

Now that Americans have ObamaCare in their corner, insurers can no longer charge more because you are sick or deny coverage to someone who has a certain illness. All conditions are covered, period. When insurance companies want premium increases, States have resources to fight back just like Arkansas, and when consumers decide that a plan is no longer working, they can—and should—shop around. In fact, everyone should do all they can to ensure that they are getting the best deal possible. That is what these marketplaces are for—to give the American people options.

The Republican leader should be embarrassed by what he said this morning. For all this misinformation said on the Senate floor almost every day, the truth can't be hidden: The Affordable Care Act is keeping Americans insured and providing them options to find health coverage that meets their needs.

I say to my friend the Republican leader, that is why today America has the lowest uninsured rate in the history of the country. The uninsured rate is at 9.1 percent. That is the lowest rate ever. The facts are undeniable. The Affordable Care Act is working.

Will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ROUNDS). Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2943, which the clerk will report.

The senior assistant legislative clerk read as follows:

> Motion to proceed to Calendar No. 469, S. 2943, a bill 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.

Mr. REID. 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. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WASTEFUL SPENDING

Mr. COATS. Mr. President, I am back here for the 44th edition of ''Waste of the Week.'' I am starting to enjoy this, and I hope someone else is, but what we don't enjoy is the fact that the government is wasting taxpayer money. We have been documenting this for 44 weeks now, and we have come up with a significant total that is approaching $200 billion of waste.

People get up every morning, go to work—put in a hard-day's work if they have a job—try to save money so they can get the mortgage paid each month, get the insurance covered, get the gas tank filled up in the car, and hopefully save a little money for their kids' education. But every time they get a paycheck at the end of the week, they look at it and see deductions for this, that, and everything, such as State taxes, Federal taxes, sales taxes, excise taxes, such as the tax at the pump, and on and on it goes. You can't go to a grocery store, clothing store, or any retail store without getting a tax slapped on everything you buy. That money comes to Washington as a Federal tax, and at the very least, the taxpayer is due

careful use of their hard-earned tax dollars to fund the Federal Government. There are essential functions that the Federal Government and only the Federal Government can deal with—States participate with the payment of interstate highways, along with some Federal support—and one of those functions is national defense.

The minority leader was just talking about delays, delays, delays, and how we are not getting anything done. My colleagues and I have been standing around here all week waiting to move on to one of the essential functions of government that has to be done every year, and that is funding for our national security and national defense. Through the use of parliamentary maneuvers, the minority leader, who was just talking about not getting anything done, is the reason we are not getting it done.

I can understand that there is an issue that the other side doesn't think should go forward and they want to use senatorial privileges and procedures to stop it from going forward. I mean, that happens on both sides of the aisle. But national defense is something for which we have bipartisan support. In the end, this bill will probably pass 98 to 2 or 100 to nothing.

What the minority leader didn't say is that every Democrat on the defense committee, after spending hundreds of hours putting this together, supported it.

The minority leader comes down here and says: We don't know what is in it. His own people wrote this legislation, along with Republicans, and in the end, the committee sanctioned it by voting for it. Every Democrat on the committee voted for this bill, and now the minority leader comes down to the floor and says: We don't know what is in it. Why don't you talk to your own people? Why not talk to the people you have assigned to this committee?

I can understand why he doesn't want to read every word of this bill—I don't think he reads every word of any bill—but I don't understand why he is using that tactic to keep us from going forward with something the Federal Government must provide for—our defense—at a time when threats are as high as we have ever seen. The world is on fire, and we need a strong national defense. Both Democrats and Republicans understand that, and yet we have wasted an entire week because the minority leader has used procedural motions to keep us from even talking about the bill. This isn't passage of the bill; this is not amending the bill; this is about the ability to come here and start talking about the bill.

I didn't come down here to discuss this particular issue; I came down here to talk about how money that is sent here by taxpayers is used and the waste and misuse of that money. But you can't sit here very long and listen to the minority leader without some response to his nonsensical approach on this issue. The only good news is that very few people were watching, so what difference does it make? I am here to talk about the waste of the week. I hope the pages enjoy this one. You can't make up some of this stuff.

The Government Accountability Office has the accountability of what we do with taxpayer dollars, and they keep pouring stuff out of here through the inspectors general, whose job it is to make sure the taxpayer dollars are spent accordingly for what they need to be spent for, and they have a category called waste, fraud, and abuse.

I have just been scratching the surface of the waste, fraud, and abuse of hard-earned taxpayer dollars. Those dollars ought to go into the savings of our taxpayers and not sent here to Washington to be wasted. I have been down here 44 times talking about separate wastes of the week, and it is outrageous. If this body does anything, we should take the word of those in the government who have pointed at agencies that have incorporated waste, fraud, and abuse and deal with it.

Here we go with ''Waste of the Week'' 44. It is called the solar field of death. It sounds like a movie—solar field of death. This week we are looking at a solar powerplant that puts taxpayers on the hook for $1.5 billion.

Here is the history. In 2011 the Department of Energy provided a $1.5 billion loan guarantees for the development of a solar thermal field in California called Desert Sunlight. We all know there is a lot of sunlight in the desert. It is one of the largest solar fields in the world. But most of us understand—and we see these solar fields and solar panels on top of some houses and commercial buildings—that these solar panels absorb sunlight and turn it into energy, and that is an alternative energy to what we usually get from a powerplant burning coal, gas, or whatever.

Environmentalists like this because it doesn't use coal. There has been a war on Coal and a war on fossil fuels, but what really surprises me is the war on natural gas, which has just a fraction of the carbon emissions that come out of fossil fuel. Nevertheless, alternative energy is something the government has been pursuing, but we would like them to pursue that in a way that is economically feasible and doesn't put the taxpayer at such great risk.

Well, the Obama administration essentially, in its war on coal, has said: Look, go on out there, and we will put up loan guarantees. Do your thing. Experiment, et cetera, et cetera, et cetera, and if it fails, don't worry—the taxpayer will back it up because we have given a guarantee to some of these companies with ideas.

Some of the ideas have worked, some have been cost-effective, but many fewer than people thought. This one was supposed to be the ultimate. They said: Let's go out in the desert. The Sun shines all the time, and we will not put solar panels out there, but instead we will put out mirrors.

Here is a picture of it out in the desert. There are literally hundreds of thousands of mirrors out there all directed at this tower. This tower then reflects the heat bouncing off the mirrors all directed in here toward the tower, which then boils water and then it produces through a steam turbine that energy and send it out over the wires to light up homes, factories, and provide electricity for people in California.

That sounds pretty straightforward. Maybe it is a good idea. It probably would have been good if they tested it out before they put the mirrors out there. If they had done that, maybe they would have learned some things.

What was the first thing they learned? Nobody seemed to factor in that the Sun doesn't always shine in the desert because sometimes there are clouds. As it turns out, one-third of the power they thought they would get they don't get because it is cloudy. You would think somebody would have said before the government offered a $1.5 billion guarantee: What about the cloudy days? They projected how much energy can be gotten to light up and provide electricity for California when the Sun is shining, but they are operating on the basis that the Sun is always going to be shining.

How about nighttime? How much light or heat are we going to get directed toward those mirrors from the Moon? Not very much, if anything. Clouds came to be a factor, and what we found out is that the plant is producing only about a quarter of the energy that was originally envisioned.

I am not a scientist, and I am not somebody who has a specialty in alternative energy, but I think I would have had the gumption to say: How about clouds? Are these projections that you have made regarding the kind of energy that is going to be produced going to be cost effective so that the taxpayer is not on the hook? Apparently, somebody didn't figure that out because we are only getting a quarter of what we thought we were going to get out of it.

What the company did is say: OK. We are not getting what we wanted, but we need an extension. We need extensions on payments to the Federal Government because the plant isn't generating the kind of energy needed and therefore not getting the kinds of profits from the users of electricity for us to pay back the loan. So the Obama administration said: Yes, we are for alternative energy. Go ahead. We will extend this. They did extend the payments. Earlier this year, the California Public Utilities Commission gave the plant a lifeline, giving it 1 more year to fix the problems.

Another problem was that while production improved, the average price for a megawatt hour of electricity from the plant was $150. Compare that with the price for a megawatt, the same amount of energy, on natural gas, which is $35. The customers said: Wait

a minute. I am paying a utility bill at the rate of $150 per megawatt hour of electricity, and if we were using natural gas, we would only pay $35. So what is the deal here? It turned out that alternative energy, while it is alternative, also is not cost effective.

The assumption is that we are saving on carbon emissions. OK. Well, that didn't work either. For starters, it takes the boilers that they have to heat up because, of course, it is nighttime and the mirrors aren't reflecting any Sun that reflects heat that causes the water to boil and then to be used to turn the turbines to produce electricity. It takes 4.5 hours every day to get up to speed. Guess how they do that? They have to use natural gas to get it to the point where then the Sun can add more to it. Maybe somebody didn't figure that out, either.

In 2014, the plant emitted 46,000 metric tons of carbon—nearly twice the amount of carbon that power plants can emit under California State law. So the State said: Here's the limit of what you can emit in carbon, but thank goodness we have this solar field because that doesn't issue any. Well, it issues twice as much as what they were getting out of natural gas. That apparently didn't get figured in.

People say: Well, there is an environmental advantage here. This environmental advantage means we don't have to put carbon in the air, and it is going to be a much cleaner source of energy, and there will not be any adverse effects on the environment. They have to also factor in that there are birds that fly in the air—a lot more birds than you might think. The heat has killed over 3,500 birds each year. They fry to death because there is so much heat reflected from those mirrors, and it is a huge field. The birds are probably attracted to the light, and by the time they get into this field, it is like going into a deep fat fryer.

In Indiana there is a saying that if you can fry it, you can eat it. I have seen pictures of these fried birds. Trust me, we don't want to eat them. But $1.5 billion in taxpayers' money has been spent for a solar field of death that kills thousands of birds each year, doesn't produce much energy, and then, finally, sets itself on fire. I am not making this up. They had the mirrors redirected the wrong way, so it hit the cables that were providing the source for the energy to go down, and the cables caught on fire. I had a picture with the tower on fire, but we didn't bring it down here.

What a boondoggle. I mean, look, is this interesting? Yeah. Is this funny? Yeah, but this is taxpayer money. This is a waste of $1.5 billion of taxpayer-guaranteed money. This is money that people send to Washington after a hard week's work. So, while it is interesting to talk about fried birds and mirrors redirecting the energy to the tower that catches on fire, the clouds coming over, and so on and so forth, the serious issue here is it is yet another waste of taxpayer money.

Think what this $1.5 billion could be used for if it could be left in the hands of the taxpayer for whatever use—to pay the mortgage, send the kids to school—or if it could be used for common defense, protecting the American people from terrorist attacks or essential functions or repairing bridges or paving some roads.

It is like driving in a third world country here in Washington, DC. There are potholes one wouldn't believe—cracks in the roads. Bumping along, I see people's hubcaps flying off cars and people pulled over to the side because their tire is blown out. I blew out two tires a year ago for the same reason.

No environmental activist, fiscal conservative, or rational person should continue to support solar field of death. So I am labeling this as a waste of the week. The Obama administration continues to refuse to admit any of these half-baked—in this case fully fried—ideas that don't succeed. They are continuing to advocate for the solar field of death rather than put taxpayer money to better use.

So here we go, adding $1.5 billion to a waste of taxpayer money, putting us to $172 billion of accountable money spent through government agencies' waste, fraud, and abuse.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, are we in morning business?

The PRESIDING OFFICER. The Senate is postcloture on the motion to proceed.

Mr. HELLER. I ask unanimous consent to speak as in morning business for up to 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEMORIAL DAY

Mr. HELLER. Mr. President, every day that I drive into Washington, DC, coming here to work, I pass by the Iwo Jima Memorial and Arlington National Cemetery. It is a humbling reminder of the valiant men and women from across this Nation who have answered the call of duty in two world wars, the wars in Korea, Vietnam, the Persian Gulf, Iraq, Afghanistan, and numerous other conflicts waged to keep America free. It constantly reminds me that the ongoing fight to care for our Nation's veterans is my duty and my responsibility as a Member of the U.S. Senate.

These fearless warriors had moms and dads of their own. They had sons, daughters, loved ones, neighbors, and friends, but they selflessly made the ultimate sacrifice for all of us.

They stood against tyranny, fought oppression and injustice, defended liberty with the highest measure of honor, valor, and courage. They demonstrated the greatest love a person can have by laying down their lives for our country.

The greatest honor we can bestow on our men and women in uniform and their families is to remember their immeasurable sacrifice. While we carry on the tradition of Memorial Day, let us never forget that every day is a chance to thank and honor our patriots in uniform.

Last week I had the honor of attending the final sendoff for two of Nevada's very own at Arlington National Cemetery. I would like to speak about one of them. His name is Bob Wheeler.

Bob Wheeler was a patriot in every sense of the word. He joined the U.S. Air Force in November of 1962, serving in the pararescue career field. He was recognized as a true innovator in his leadership position, opening the door for free-fall parachuting and combat tactics. He led by example, working diligently and earnestly to help those around him and to protect our country.

Bob was credited with saving 28 lives throughout his career, including vulnerable aviators who had crashed and distressed seamen in the Vietnam war.

He received the Distinguished Flying Cross for Valor, the Airman's Medal, numerous commendation medals, 17 Air Medals and SEA Service ribbons. His 20 years of service and bravery will never be forgotten.

These are the types of men and women our armed services are made up of, and they live across this Nation in each and every State representing us in this body.

I had the pleasure of working with Bob Wheeler personally. He served on my Nevada Veterans Advisory Council. We worked as a team along with the rest of the council to help improve resources for Nevada's veterans community. His firsthand knowledge of combat and veterans' needs cannot be replicated. He was one of a kind, and I am thankful to have had him as an ally helping Nevada's veterans.

That is why I am disappointed to hear the head of the VA, Secretary Robert McDonald, comparing the wait times veterans experience at the VA for health care appointments to the wait times at Disney theme parks. It is totally inappropriate, and it is inexcusable. It shows there is still a culture and attitude inside the VA that needs to be changed. The mission of the VA should be serving the veterans, not finding ways to avoid accountability.

With the words ''To care for him who shall have borne the battle and for his widow, and his orphan,'' President Lincoln affirmed the government's obligation to care for those injured in war and to provide for families who gave the ultimate sacrifice. Congress will do this by working diligently on behalf of those who served and survived, which is why one of the greatest privileges of serving Nevada in this body is the opportunity to sit on the Senate Veterans' Affairs Committee.

Recently I joined my colleagues to introduce the Veterans First Act. It focuses on improving the delivery of care and benefits to our Nation's veterans and their families. Specifically, I championed causes that reform the VA disabilities claims process and create a

system that can withstand surges in disability claims without generating another claims backlog.

I also sought to implement a new, voluntary 5-year pilot program to help reduce the large backlog of appeals at the Veterans Benefits Administration. I want to establish a new channel whereby veterans can expedite their appeal instead of having to wait 2 to 4 years for a decision by the Board of Veterans Appeals.

Finally, I want to ensure that all those veterans and their families are cared for, which is why this bill includes provisions to reimburse VA-funded shelters for the care of children of homeless veterans.

On behalf of the State of Nevada, the U.S. Senate, and the United States of America, I express my sincere gratitude to the families of all Nevadans who have given their lives in the line of duty. I assure you that your loss will never be forgotten, and I thank and commend each of the brave Nevadans currently serving in our Armed Forces, as well as their families, for their sacrifice. But my gratitude extends across the Nation to all veterans and their families. We owe all of you a debt of thanks that can never be repaid.

May God bless our troops, and may He continue to bless this great country.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY BILL

Mrs. BOXER. Mr. President, we are working behind the scenes to allow a vote on H.R. 2576, the Frank R. Lautenberg Chemical Safety for the 21st Century Act. My understanding of the status of this vote is that we are fine on the Democratic side, but there is an objection to moving to it on the Republican side. I am hopeful this can be resolved because this bill has been the most complicated, difficult, and emotional journey that I have ever had in the Senate.

The fact that we have reached agreement—the vast, vast majority of us—showed in the House vote, where I think there were only about 1 dozen ''no'' votes. I think it is ripe for a vote. When you talk about regulating chemicals—toxic chemicals—it is not just an academic discussion. It has real-life consequences. When you name a bill after Senator Frank Lautenberg, who fought for the environment all of his life, it better be a bill worthy of his name.

The cost of toxic chemicals to society is enormous. It is not only in terms of dollars but in terms of pain and suffering. They have extracted a very, very high cost on our people.

Let me give you a few examples, because sometimes we talk in technicalities. I want to talk in realities. Asbestos is one of the most harmful chemicals known to humankind. It takes 15,000 lives a year. It is linked to a deadly form of lung cancer called mesothelioma. That is when microscopic asbestos fibers, which are invisible and stay suspended in the air, get deep into the lungs of so many people, including children. They breathe these fibers deep into the lungs, where those fibers cause serious damage.

Another example brought to me by my brave firefighters in San Francisco is flame retardants. That is another category of dangerous chemicals that has been linked to a wide array of serious health problems, including cancer, reduced IQ, developmental delays, obesity, and reproductive difficulties. These harmful chemicals have been added to dozens of everyday items such as furniture and baby products.

Now, we know there are flame retardants that are way safer. We know we can do better than we have done so far. Again, I want to say that the San Francisco firefighters who gave testimony in my EPW Committee when I was chairman about the cancer rates they are experiencing believe it is directly related to flame retardants.

So, again, reforming TSCA, which is the Toxic Substances Control Act, is not about a theory. It is about our families. It is about being a part of a cancer epidemic that we have to get under control.

Now, we know that the TSCA bill, as it was written so many years ago—in the 1970s—was very weak. It was impossible for the EPA really to regulate any chemical because the standard was so weak. They could not prove that it needed to be regulated.

Therefore, that bill has needed to be reformed for so many years. When the Federal Government, in essence, had no program or very little program, the States stepped in to fill the void. My State, thankfully, was one of the States that stepped in to fill the void. Several States did so. About a dozen States, roughly, had strong programs to regulate these chemicals.

So I knew that these States were doing a good job. I knew if we were to pass a Federal bill, we had to allow the States to continue their good work. But when the Lautenberg-Vitter TSCA bill was first introduced, shortly before Frank Lautenberg passed away in 2013, something was terribly wrong. There was total preemption of State action.

The standard for the Federal bill was so weak that we would just have nothing going on. We would have a bill in name only, a law in name only. Nothing would be able to be regulated. Now, I had worked previously with Frank Lautenberg on four TSCA bills dating back to 2005. Every one of those bills before that 2013 Lautenberg-Vitter bill was strong and took the side of the American people, not the chemical companies. It never preempted the States.

What it basically said is that we will set a floor, as we do in most environmental laws. If the States want to do more to protect their people—whether your State is California, North Dakota, South Dakota, Washington, Massachusetts, or New York; it does not matter—the States would be free to do more if they felt a particular chemical was harming their population.

I always thought that States' rights were big around here. Well, when you read that bill, in 2013, I will tell you, it looked like it was written by the chemical companies. I could never support it. That bill was a travesty. It was a disaster. I fought it every step of the way. Again, there was sweeping preemption of my State's ability and every State's ability to protect citizens from harmful chemicals.

Again, it was a very weak standard for evaluating chemicals. The way it worked was really incredible. If a chemical was just being looked at by the EPA, States were out of the picture—out of the picture. So, S. 1009, in my opinion and in the opinion of many experts who helped me throughout all this—the nurses and doctors who cared, all kinds of wonderful environmental groups, and the Breast Cancer Fund; and I will list those later—they helped me. I realized again that that bill—that original bill—would have had no controls whatsoever and given the chemical companies the green light to do whatever they wanted regardless of its impact on the health of our people. Again, the States were left completely out of the picture the minute the EPA announced they were looking at a chemical. That situation, I could never have allowed to continue.

I stopped the bill from moving forward while I negotiated to get rid of its flaws. Now, this is the first time I have ever stood here and said I stopped a bill. I am known as a legislator. I want to find the sweet spot. But we didn't find the sweet spot until just recently, I am happy to say. But it was a very lonely battle at times—just a couple of people working with me here. One person even said I was the most unpopular person because I was not getting out of the way. But that is not why I am here. I can't get out of the way of a bad bill.

Now, when the Republicans took the gavel of EPW, the Environment and Public Works Committee, a new bill, S. 697, was introduced by Senators UDALL and VITTER. I looked at that bill. I swear, I said it looked like it was written by the chemical companies. Again, I was heartbroken. Sure enough, a story broke in the Hearst newspapers entitled: ''Questions raised on authorship of chemicals bill.''

I ask unanimous consent to have that article printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Hearst Newspaper, Mar. 16, 2015]

QUESTIONS RAISED ON AUTHORSHIP OF CHEMICALS BILL

(By David McCumber)

WASHINGTON.—It's certainly well-known in Washington that when it comes to the making of the sausage, lobbyists frequently have their thumbs in the pork. But usually, they don't actually leave their electronic signatures on bills.

The elaborately titled Frank Lautenberg Chemical Safety for the 21st Century Act makes its debut at a Senate Environment and Public Works Committee hearing Wednesday. It's a high-stakes bill: If it becomes law, it would be the first update in 39 years of federal regulation of toxic substances like asbestos, formaldehyde and hundreds of other chemicals.

In recent days, a draft of the bill—considered the product of more than two years of negotiation and collaboration between Sen. David Vitter, R–La., Sen. Tom Udall, D–N.M., and both chemical industry and environmental groups—was circulated by Udall's office ahead of the hearing. The draft bill, obtained by Hearst Newspapers, is in the form of a Microsoft Word document. Rudimentary digital forensics—going to ''advanced properties'' in Word—shows the ''company'' of origin to be the American Chemistry Council.

The ACC, as the council is known, is the leading trade organization and lobbyist for the chemical industry. And opponents of the Vitter-Udall bill have pounced on the document's digital fingerprints to make the point that they believe the bill favors industry far too much.

''We're apparently at the point in the minds of some people in the Congress that laws intended to regulate polluters are now written by the polluters themselves,'' said Ken Cook, president of the Environmental Working Group, who will testify against the bill at Wednesday's hearing.

''Call me old-fashioned, but a bill to protect the public from harmful chemicals should not be written by chemical industry lobbyists. The voices of our families must not be drowned out by the very industry whose documented harmful impacts must be addressed, or the whole exercise is a sham,'' Sen. Barbara Boxer, D–Calif., said Monday.

Boxer, who chaired the committee when the Democrats held the majority, and Sen. Edward Markey, D–Mass., have introduced an alternative version of the bill with much more stringent regulatory provisions.

Udall's office was a little indignant and somewhat embarrassed Monday. ''That document originated in our office,'' said Udall's communications director, Jennifer Talhelm. ''It was shared with a number of stakeholders including at least one other senator's office. One of those stakeholders was the ACC.

''We believe that somebody at the ACC saved the document, and sent it back to us,'' Talhelm said, accounting for the digital trail. ''Sen. Udall's office has been very, very engaged with bringing various stakeholders to the table as part of the process of writing the best possible bill,'' Talhelm added. ''This is just one example.''

Earlier this month, a New York Times story detailed Udall's alliance with the chemical industry on the bill. In that story, ACC President Cal Dooley, a former California Democratic congressman, said ''the leadership (Udall) is providing is absolutely critical'' to the industry.

On Monday, ACC spokeswoman and vice president Anne Kolter said, ''It doesn't mean the original document was generated here. Anyone could have put that (digital signature) in there. You could change it.''

Asked if that meant she was denying ACC wrote the document, she said, ''I have no idea. . . . There's no way for anyone to tell.''

''You're not the first reporter to ask about this,'' she said. ''We've been able to raise enough questions'' that nobody else has written about it, she added.

Cook of the Environmental Working Group said the copy of the draft he received bore the same electronic signature, and a Boxer staffer on the committee confirmed that their copy did as well. A Senate IT staffer told Boxer's office, ''We can confidently say that the document was created by a user with American Chemistry Council. Their name is specified as Author and their Organization is specified as American Chemistry Council.''

The Vitter-Udall version of the bill is expected to gain enough bipartisan support to pass out of committee to the Senate floor.

The bill's fate from there is uncertain, and some of the Boxer-Markey provisions could possibly be included in the final bill.

In its current form, the bill is opposed by many environmental, health and labor organizations and several states, because it would gut state chemical regulations.

Mrs. BOXER. According to this story:

[T]he draft bill, obtained by Hearst Newspapers, is in the form of a Microsoft Word document. Rudimentary digital forensics . . . shows the ''company'' of origin to be the American Chemistry Council.

Imagine: The bill that was being circulated came right out of the computer of the American Chemistry Council. How could anyone believe it was a fair and just bill that protected the public? That document was not simply a set of comments by the chemical industry. It was circulated as the most current draft of the bill at the time. Everyone will see the story, and I commend the reporter for doing this deep investigation. But I never gave up on the bill. I continued to negotiate with my colleagues.

I commend Senators WHITEHOUSE, MERKLEY, and BOOKER. They went forward and negotiated some significant fixes to that disastrous bill as it moved through the EPW Committee. Their improvements were very important but still many serious flaws remained. My State of California and other States that had programs to regulate chemicals and all these public interests—probably 450 public organizations that protect the health of our children, of our families, of our elderly, of our disabled—were all strongly against it.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of letters from States and many organizations demonstrating the opposition to and concern with the bill.

You can see what the opposition was, and still colleagues said: No, no, no, Senator BOXER, you are unreasonable. Well, really, was I unreasonable when we had letters against the bill and letters expressing concern from the Massachusetts attorney general; letters from the attorneys general of New York, Iowa, Maine, Maryland, Oregon, and Washington; a letter from the Office of the Attorney General of California; the California Environmental Protection Agency; the Washington State Department of Ecology; the Vermont attorney general; a letter from Safer Chemicals, Healthy Families; the American Association for Justice; the Asbestos Disease Awareness Organization; a letter from the Breast Cancer Fund; the American Sustainable Business Council Action Fund; the Environmental Working Group, which opposed it; 25 law professors; health care organizations; the Union of Concerned Scientists; the Environmental Health Strategy Center; Safer States; Earthjustice; Seventh Generation; a reproductive health letter; and a letter from the Center for Environmental Health? They are all in here.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LETTERS OF CONCERN ON S. 697

Letter from Massachusetts Attorney General Maura Healey

Letter from the Attorneys General of New York, Iowa, Maine, Maryland, Oregon, and Washington

Letter from Brian E. Nelson, General Counsel, Office of California Attorney General

Letter from the California Environmental Protection Agency (Cal EPA)

Letter from Washington State Department of Ecology

Letter from Vermont Attorney General's office

Letter from Safer Chemicals, Healthy Families

Letter from American Association for Justice (AAJ)

Letter from Asbestos Disease Awareness Organization

Letter from the Breast Cancer Fund

Letter from the American Sustainable Business Council Action Fund

Letter from the Environmental Working Group

Letter from 25 Law Professors

Letter from Health Care Organizations on S. 697

Letter from the Union of Concerned Scientists

Letter from Environmental Health Strategy Center

Letter from Safer States

Letter from Earthjustice

Letter from Seventh Generation

Reproductive Health Letter

Letter from Center for Environmental Health.

Mrs. BOXER. The history of this bill must be made permanent in the record. It started out as a disaster, and it got to a point where it is better than current law. That makes me very happy. The negotiations on the bill continued. Again, several Members helped us, and we still had problems with the bill.

We tripled our efforts to improve it. I want to say that the 450 organizations that were part of the Safer Chemicals, Healthy Families coalition worked with me. They were the wind at my back.

My staff, the EPW staff director and chief counsel, Bettina Poirier, and my senior policy adviser, Jason Albritton, were incredible.

I also thank the Asbestos Disease Awareness Organization.

As I said before, asbestos is one of the most dangerous chemicals in existence today. It is the poster child for the failure of the old TSCA law that we are reforming.

These organizations and States stood strong despite enormous pressure. They took a lot of heat. I am so grateful to them for their persistence because—let's be clear—without their persistence, without just a few lawmakers who had the courage to stand up to the special interests, we never ever would have been able to negotiate

improvements to this bill—so many improvements to this bill.

I want to be clear that a lot of these organizations still think the bill is too weak and still would like to see it stronger, and so would I.

If I could write this bill myself, I would use the usual formula we have for environmental laws. We set a standard. We set a floor. People have to abide by it. But if the States feel they can do more, they should be able to.

In this bill, although the States now have a tremendous amount of leeway, they don't have 100-percent leeway. That is why there is still opposition—not so much in the Senate but with some of the organizations. But I have to say to them that this is a bill that I believe is better than current law.

There was a 24/7 commitment from my staff. They worked Friday nights, Saturdays, Sundays—constantly. They constantly worked well with Senator INHOFE's staff to get the best bill we could.

My staff, as do all of us, have strong family obligations and responsibilities. So I just wish to take a minute to thank their families for sharing them with us, because they missed family time. They did it for the good of all of the children in the country, because when we control these toxic chemicals and we protect our children, it is going to help everybody.

I am for this bill because we made amazing improvements to it, and I am going to highlight these improvements.

No. 1, the first major area of improvement is in the preemption of States. I said before that if I had written the bill, I would have no preemption. I would set the floor and let the States make it even better. We were unable to get that. But here is what the facts are. The States are free to take whatever action they want on any chemical, and there are many—thousands, tens of thousands. The States are free to take whatever action they want on any chemical until the EPA has taken a series of steps to consider a particular chemical. That is the first thing. They are free on any chemical they want until the Federal Government announces that they are studying certain chemicals.

No. 2, when EPA announces the chemicals they are studying, the States are still not shut out. They have up to a year and a half to take action on these particular chemicals to avoid preemption until EPA takes final action. So if there is no chemical being studied, they can study any chemical in the States, and they can control any chemical. When EPA announces steps, they still have a year and a half to ban that chemical until we see the results of the Federal Government.

No. 3, even after EPA announces its regulation, the States can still have a waiver so they can still regulate the chemical. They will have to make the case. For example, if the EPA decides to do very little regulation of a chemical that is very present in one of our States because of perhaps the oil industry or fracking or something and if the State has a reason to do more, it can go get a waiver. We made that waiver a lot easier for States than when it originally came to us.

The first 10 chemicals that EPA evaluates under the bill are also exempted from preemption until the final rule is issued. This is very important because the EPA is already studying about 10 chemicals. State or local restrictions on a chemical that were in place before April 22, 2016, will not be preempted. So if any one of your States took action on a chemical before April 22, 2016, they will not be preempted.

The second area of improvement concerns asbestos. I fought hard to ensure that dangerous substances like asbestos are prioritized to get the attention they deserve from regulators. I talked about asbestos as one of the most harmful substances known to humankind. I believe it should have been banned a long time ago. I support an immediate ban and will introduce a standalone bill to do just that. But the prioritization in this bill is a start.

The third area of improvement includes cancer clusters. We added a provision—which was based on my bill with Senator CRAPO, the Community Disease Cluster Assistance Act, or Trevor's Law—that provides localities that ask for it a coordinated response to cancer clusters in their communities.

I wish to say to Trevor, who may be listening: Thank you, Trevor. He came forward and he told his story.

Fourth, persistent chemicals that build up in the body are a priority in this legislation.

Fifth, the bill ensures that toxic chemicals that are stored near drinking water are prioritized. Remember that in 2014 West Virginia lost their drinking water supply because there were chemicals stored right near that drinking water supply, causing havoc and disruption.

I thank the two Senators from West Virginia for supporting me on that.

Sixth, the bill enables EPA to order independent testing if there are safety concerns about a chemical, and those tests will be paid for by the chemical manufacturer. The EPA, if they have concerns, regardless of their program, can go into a chemical company and say: We see that you have been using this chemical more, and we are worried about it. We order you to provide for us a very unbiased, independent analysis of whether it is safe.

I thank Members in the House for working hard with us on this important improvement, and that is Members on both sides of the aisle.

Finally, even the standard for evaluating whether a chemical is dangerous is better. The bill requires EPA to evaluate chemicals based on risk—not cost, risk—and considers the impact on vulnerable populations. This is very critical because the old law was useless. It was thrown out in court.

All of these fixes make the bill better than current law.

Looking forward, I think it is important to note that the new TSCA law—which I am so hopeful will pass today, if we can—will only be as good as the EPA is good. With a good EPA we can deliver a much safer environment for the American people, safer products, less exposure to harmful toxics, and better health for our people.

With a bad EPA that does not value these goals, not much will get done. But if there is no action—I want to underscore this—States will be free to act and that is a very important point. My message to the States is this: Do not dismantle what you have going. Rev it up because you still have the ability to be leaders on protecting your citizens from toxic chemicals.

Compared to where we started, the improvements in this bill provide a much better balance between the States and the Federal Government. But let me be clear again, in case I wasn't clear enough. If I had written this bill on my own, I would have modeled it after other environmental laws, such as the Clean Air Act and the Safe Drinking Water Act, where the Federal Government sets a floor and the States are free to set a higher bar. The bills that I worked on with Frank Lautenberg did not put an unprecedented ceiling on how much we could protect the people. Having said all of that, there are so many chemicals out there that are not being looked at or studied.

I believe a good EPA, working with the States, can make a major improvement if this bill is carried out with a sense of purpose and commitment. The journey to this moment has been the most difficult journey I have ever had to take on any piece of legislation.

I see the majority leader on the floor. He and I worked hard on the transportation bill, and that was a long and winding road. This one was much more difficult.

But I can honestly say to you today that there were so many committed people in the Senate and House—Members of both parties. I really do have to give a shout out to Leader PELOSI, the Democratic leader, to STENY HOYER, to FRANK PALLONE, and to all of those on the House side who worked so hard, and to their counterparts in the Republican Party. In the Senate, there is Senator INHOFE, and there are Senators from my committee from both sides of the aisle without which we would not be here. To the staffs, to the public interest organizations, and to the States, we have scored a significant step forward for the American people.

I hope this bill will come before us today. If it does, I will vote yes. If it comes to us after recess, I will vote yes.

But I really wanted to make this statement because I think the history of this bill is clear to me. I think that history is being rewritten by some about this bill. And I wanted to make sure I put into the RECORD all the problems we had at the beginning and all

the improvements we obtained at the end.

I thank the Chair for his patience, and 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. UDALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. RUBIO). Without objection, it is so ordered.

Mr. UDALL. Mr. President, recently we have had some very welcoming news out of the House of Representatives on the Toxic Substances Control Act. The House passed that in the last several days 403 to 12—a wonderful, large, bipartisan majority—and I am glad we are going to proceed to TSCA sometime soon and deal with the legislation on the Senate floor.

Mr. President, most Americans believe if they buy a product at the grocery store or a hardware store, the government has tested it and determined it is safe. Until now, that has not been true. We are exposed to hundreds of chemicals in our daily lives. In countless ways we can breathe, eat, and drink chemicals. They can be absorbed through our skin, even from common household items. Some are toxic, but almost none are regulated.

Let me cite now a couple of examples. There are flame retardants in your sofa and in other furniture that get up into the air when pressure is put on the furniture. There is formaldehyde in pressed-wood floors and carpets, glues and adhesives even in noniron shirts. There are the PFOA compounds from the nonstick coating on your frying pans and bakeware. Most water bottles are BPA-free now, but you still find BPA in your credit card receipts. Some laser printers give off ultrafine particles like volatile organic compounds that can cause serious health problems. I could go on and on and on with the list of chemicals out there in our society that citizens are exposed to every day.

As a result of that exposure, we carry these chemicals around in our bodies, even before we are born, but we don't know the full impact they are having on our health because in the last 40 years only a handful have ever been reviewed for safety. The EPA lacks the ability to evaluate and the authority to regulate, even though some have linked many of these chemicals to various kinds of diseases, such as cancer, infertility, Parkinson's disease, diabetes, hyperthyroidism, and other diseases that are out there.

Infants, pregnant women, the elderly, and workers exposed to chemicals on the job are particularly at risk for chemical exposure. For example, we have seen an increase in cancer rates among firefighters who get exposed to chemicals from smoldering furniture in house fires.

That is why we must pass the Frank R. Lautenberg Chemical Safety for the 21st Century Act. It will be a working chemical safety law for the whole country—for our families, for our children. We will, for the first time, have a cop on the beat when it comes to safety and protecting our children and our communities from dangerous chemicals. For the first time in 40 years, we are going to have that cop out there working hard to make sure our families are safe.

Getting here has taken years—years of negotiations and collaboration, working with stakeholders across the country. Now, Congress can send the President a strong, bipartisan environmental reform bill, and he will sign it into law. There is no doubt about that from the statement put out by the administration on this bill. In fact, I think they called it landmark reform by the Congress.

The EPA has commented on the bill. They stated:

> [This bill] is a clear improvement over current law and is largely consistent with the administration's principles for TSCA reform. Critically, the bill would address the fundamental flaws that have hindered EPA's ability to protect human health and the environment from chemical risks.

The administration has also put out a statement of policy saying that it ''strongly supports'' this legislation.

Americans have been calling out for this reform for decades. They understand we need a national solution to our broken chemical safety law because they have seen the impacts firsthand, like Dominique Browning, who works with Moms Clean Air Force. She survived kidney cancer and now wants a safer place for her kids. When she asked her doctor what caused her illness, he said:

> It's one of those environmental ones. Who knows. We are full of chemicals.

And Lisa Huguenin. Lisa is a Ph.D. scientist who has done work on chemical exposure at Princeton and Rutgers and at the State and Federal level, but it isn't what she saw at work that motivated her to work for reform. It was what she saw at home. Lisa's 13-year-old son Harrison was born with autism and other autoimmune deficiencies. Five years ago, Lisa testified before Senator Lautenberg's subcommittee on the need for reform. Since then, her husband Marc has undergone tests for a rare and newly discovered disease that wasn't even known to exist when she testified. So she is eager to see TSCA reform be signed into law.

Lisa recently wrote to me and said:

> The concerns I expressed 5 years ago remain today. I have no way of knowing if the household products that I use or the toys my son plays with are really safe because the chemicals that make them up are not rigorously tested and there is little or no information regarding them. And if I, a person well educated in the field of human exposure to chemicals, cannot be confident that I am keeping my family safe, then neither can the average person.

My office has appreciated Lisa's emails and photographs of Harrison dressed as a broccoli for Halloween and of Marc playing his favorite guitar. They have inspired us to keep going, to recognize that this legislation has a tremendous impact on real people. Thanks to Lisa and Dominique and the many others who care about a safe environment, healthy kids, the safety of the clothes we wear, the pots and pans we cook with, and the substances we breathe, we finally have an opportunity to pass a law that will keep our kids safe from dangerous chemicals.

TSCA was enacted in 1967 and was one of the major laws of the 1960s and 1970s. That was when Rachel Carson and environmental leaders who worked with her opened our eyes. They showed us how air pollution, water pollution, and chemicals in our environment were affecting our health and changing ecosystems right in our backyards. TSCA was supposed to protect American families, but it didn't.

Since 1976, thousands of chemicals a year have been manufactured and released onto the market without a safety evaluation and without meaningful regulation. In over four decades, the EPA has been able to restrict just five chemicals and has prevented only four chemicals out of tens of thousands from going to market. It took 40 years to fix this broken system. Now we have historic reform—decades in the making and decades overdue.

Here are some of the ways we are reforming this broken law and replacing it with a working safety program:

Under the old TSCA, reviewing chemicals was discretionary. This new law requires that EPA methodically review existing chemicals for safety, starting with the worst offenders.

The old TSCA required that the EPA consider the costs and benefits of regulation and then study the safety of chemicals. This new law requires that the EPA consider only the health and environmental impacts of a chemical, and, if they demonstrate a risk, the EPA must regulate it. This new law states that when it considers the safety of a chemical, the EPA must evaluate how it would impact the most vulnerable—pregnant women, infants, the elderly, and chemical workers.

The old TSCA put burdensome requirements on the EPA. To test a chemical, the EPA had to show it posed a potential risk, and then it had to go through a long rulemaking process. Our new law gives the EPA new authority to order testing without those hurdles.

The old TSCA allowed new chemicals to go to market without any real review. An average of about 750 new chemicals flowed onto the market a year. This new law would require the EPA to determine that all chemicals are safe before they go to the market.

The old TSCA allowed companies to hide information about their products, claiming it is confidential business information even in an emergency. This new law will ensure that companies can no longer hide. States, medical

professionals, and the public will have access to this information. It ensures that businesses must justify when they keep information confidential, and that will expire after 10 years.

The old TSCA underfunded the EPA, so it never had the resources to do the job. This new law creates a new, dedicated funding stream that requires industry to pay its share—$25 million a year.

In addition, this new law ensures victims access to the courts if they are hurt, minimizes unnecessary testing on animals, and ensures States can continue to take strong action on dangerous chemicals.

We have spent a great deal of time on the right of States to act. My colleague, Senator BOXER, has said this is one of the hardest pieces of legislation she has ever worked on. I agree with her. Finding the right balance between State and Federal was not easy; there is no doubt about it. But we stayed at the table, we worked hard, and I believe we have a true compromise. It is a compromise that creates stronger Federal tools to test, review, and regulate chemicals, that ensures States can act when the EPA is not acting, that protects the work that States have already done, and that allows States to get a waiver when there is overlap with the EPA.

Some of our colleagues have said that, while they will support this bill, it isn't a bill they would have written. I agree. If it were up to me, I would have written a different bill. But, if it were up to me, it also wouldn't have taken 40 years for us to get to reform. And it isn't up to me. It isn't up to any one of us. Legislating, especially on complex and difficult issues—issues that affect all aspects of health, environment, and commerce—takes work, it takes patience, and it takes compromise. This bill took all the hard work, patience, and cooperation we had. The end result is a stronger regulatory program to test and assess chemicals, a stronger program to ensure that our most vulnerable children and loved ones are protected, and a stronger program that ensures the public has access to important health and safety information on chemicals.

Our colleagues in the House supported this bill, as I said earlier, 403 to 12. That is two more votes than the Clean Air Act amendment got in 1991, so it shows strong bipartisan support. This is the largest margin for a major environmental bill in decades. I believe the Senate very soon will follow suit.

This probably isn't the place to do it. I have a long list of people I would like to thank in terms of the staff effort. One of the things that is absolutely clear is our staff—all of our staff that were involved in this—worked very hard and helped us reach that perfect spot where we had a good compromise, so I will do some of those thank-yous at a later point.

But I want to say, it is very important that we realize why we named this law after Frank Lautenberg. He started us on this path. It was Frank Lautenberg. I have a picture of him here with his grandchildren. The picture was taken by his wife Bonnie Lautenberg, who is a wonderful photographer.

Frank was always motivated. He was always motivated by his children and grandchildren. He used to sit in committee, and I will never forget him asking questions very specifically: How does this impact future generations—children, grandchildren? What impact is this going to have?

He became very frustrated with the gridlock, with the problems that we were having in terms of the Environmental and Public Works Committee. So he teamed up with Senator VITTER, and almost immediately 12 Democrats and 12 Republicans joined in on that bill. I was one of the 12 Democrats.

Shortly thereafter, we lost Frank, so I decided this is something that should be picked up and continued. Frank had set such a great example, and we had some good bipartisan momentum. So Senator VITTER and I had dinner, and we decided we were going to see this through.

One of our greatest partners—and, really, our inspiration in helping us see this through—was Bonnie Lautenberg. She took her pain and agony and wanted to get something done; she plowed it into something positive. She has been absolutely terrific in terms of working with all of us in the House and in the Senate. I know Representative SHIMKUS in the House has said some very flattering things about her, all of which are true.

One of the things she did is help hold together Frank Lautenberg's staff, who had worked on the legislation for close to 15 years. They had various drafts over the years of chemical legislation. They knew the facts, they knew the evidence, and they knew what was out there and the dangers to the children and the grandchildren. So she worked with them, and she helped keep us on track.

It is wonderful to have her with us today in Washington, being able to see this happen hopefully today, maybe a little bit later in the day. I want to thank her so much and have her know that she really inspired us, kept us focused, and kept us on track.

I am hopeful that we are going to act very soon. I urge all of my colleagues to support this legislation. I urge the President to sign it. If we do that, we are going to be in a much better place as a country and as a society.

Mr. President, I see that my good friend Senator INHOFE, chairman of the committee, is here. They always say around here—and I know my good friend, PATTY MURRAY, told me this: You don't get a bill through this Congress without having a strong chairman, and there couldn't have been a stronger chairman than Chairman INHOFE.

Mr. INHOFE. Will the Senator yield? Before he leaves the floor, I want to get in on this because the Senator said a lot of really great things.

I don't recall at any time someone from the private sector like the Lautenbergs coming in and participating the way that she has. I really do appreciate it. I know she is around here somewhere.

But let me say this to the Senator: You came in when we lost Frank and where we all were at that time. I have to say publicly that you are the guy who jumped in there and filled the vacuum that was created by his loss. We could not have done it.

When I stop and think about all the people who are supporting this, in the years I have been here—I am talking about 22 years here in the Senate—I have never seen this happen before, where we have so much unanimity, not even on the highway bills or things we have done together. I want to make sure everyone knows that you are very much the reason where we are today. I hope we can finish this up today and make everyone happy.

I was talking to a group yesterday. In talking about this, we haven't really used the issue of jobs as we should have. They were talking about how many—I will not name the companies—that are right now employing in places such as China, India, and other places because of the uncertainty of the definitions that we have in this country. This completely solves that. I don't think anyone has ever put pencil to how many jobs can be immediately recreated in this country, along with other things, that will be coming in the future. This could end up being the greatest jobs bill, not of the year, but of the decade.

Does the Senator agree with that?

Mr. UDALL. I very much agree with that. When it comes to innovation, when it comes to moving in the direction of creating products that are going to be sustainable over time, I don't have any doubt that this bill is going to have a huge impact. I think the thing that the Senator, as chairman, helped us do is—we always kept everybody at the table. Industry was at the table, environmental groups, public health groups. The EPA was giving us technical advice. We had the States and others. We stayed at the table and worked through the problems and created a piece of legislation that I think, when it becomes law, will end up helping to create jobs, make a safer environment, and protect our families and our children.

I will never forget when Senator VITTER and I came to you when you became the chairman at the beginning of this Congress. We told you of the bipartisan support we had, and you said right then: We are going to get on this. We are going to do this.

You have been true to your word. You have worked very hard on this. It has been an inspiration for me to work in a bipartisan way and have a strong chairman. We ran into bumpy times with the House for a while, but having

a strong chairman really made a difference on this. So I thank the Senator so much.

Mr. INHOFE. I appreciate that—and personalities also. We had the far left and the far right. Everybody realized that this is something we all can agree on.

Do I understand from the Senator that Bonnie Lautenberg is here today?

Mr. UDALL. Bonnie Lautenberg is here with the Congress. We don't want to violate any of the rules. I think she is in the room with us here today. She came down today. As the Senator knows, we have a First Lady's Luncheon, and all the spouses attend that luncheon. Then in the night, all the Senators get together for the annual dinner. Bonnie Lautenberg has been here ever since then. She has been down here numerous times, as the Senator knows.

I don't know if the Senator was here earlier. I was remarking on what a great photograph this is of Frank Lautenberg. Look at the grandchildren. They all have wonderful smiles. As the Senator knows, he always talked in committee about his grandchildren. She is a pretty incredible photographer. She took this picture.

Mr. INHOFE. Frank and I used to talk about that. I have 20 kids and grandkids. We used to compete with each other in exchanging pictures, one of the many things that we had in common.

I look forward to visiting. I look forward to making this a major accomplishment. It is so important to do it today because we have a recess coming up, the House has a recess coming up, and there are a lot of people and companies out there who are making decisions now as to what they are going to do, all predicated on their certainty that this bill is going to pass. So we will join together and just do the best we can to make that happen for the sake of a lot of jobs around the country.

Mr. UDALL. We sure will.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ZIKA VIRUS

Mrs. MURRAY. Mr. President, it has now been months since President Obama first put forward a strong emergency funding proposal to respond to the Zika virus. We now know that more than 1,400 cases of Zika have been reported in the United States and territories. Just today, the Washington Post reported that according to a new study, the odds of having a child with microcephaly as a result of a Zika infection could be higher than even previously thought—as high as 13 percent for women who are infected early in their pregnancies.

The researchers who conducted the study urged health care systems to ''prepare for an increased burden of adverse pregnancy outcomes in the coming years.'' The CDC is already monitoring almost 300 expecting mothers for possible Zika infections. Those numbers are unfortunately only expected to grow. This is a public health emergency, and it demands action.

While it shouldn't have taken so long, Democrats and Republicans have been able to agree on a bipartisan downpayment on the President's proposal, which would get emergency funding into the hands of first responders and researchers right away. We passed that agreement last week and, unfortunately, it hasn't gone anywhere.

Senate Democrats have urged our Republican colleagues to work with us on sending our bipartisan agreement to the House for a vote, but they have said they will only agree to do that if we agree to Affordable Care Act cuts. This is no time for quid pro quo politics or hostages. This is a time to protect our families. I am going to ask again that our Senate Republicans reconsider and join us to get this bill to the House. There, I hope that House Republicans will drop their partisan, underfunded billing and give our bipartisan agreement a vote. Then, I hope the President can sign it and we can get a serious response to this emergency underway.

Families and communities are expecting us to act. Parents are wondering whether their babies will be born safe and healthy. In Congress, we should be doing everything we can to tackle this virus without any further delay.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, sometimes I feel like our Democratic colleagues will not take yes for an answer. As the distinguished Senator from Washington knows, we have passed a $1.1 billion appropriation to combat the Zika virus. It is something we all agree on, on a bipartisan basis.

What the Senator from Washington objects to is the fact that it happens to be attached to another appropriations bill, but the process is that now gets reconciled with the bill passed by the House and then sent to the President. The good news is, there is already $580 million in unexpended Ebola funds that can be used as a downpayment to deal with the Zika virus.

The Presiding Officer and I have come from States where the mosquito which carries the Zika virus is present. We all appreciate the seriousness of this, and we are determined to act on a bipartisan basis. The Senator from Washington knows that, but that doesn't stop her and her colleagues from coming to the floor and making demands that we do this instantaneously.

Mr. President, to give you a sense of what is going on, we have been trying to get our Democratic colleagues to allow us to pass the Defense authorization bill all week. What we have been told is, no, they need more time to review it. Every Democrat in the Armed Services Committee voted for the Defense authorization bill. It has been posted online for some time now. Anybody who cares about what is in the bill has had plenty of time to read it. Even though the Senate voted unanimously yesterday to proceed to the legislation—which is not a word you hear often around here, ''unanimous''—the bill has been stopped in its tracks by our Democratic colleagues. It is shameful because this is our primary vehicle to make sure our men and women in the military get the resources and equipment they need in order to defend the country. That is why Congress has been able to pass a defense authorization bill every year for 50 years-plus. Taking care of our national defense is our No. 1 job in the Federal Government, but the Democratic leader and his colleagues, apparently with their complicity, have been doing everything they can to slow down this legislation. They know we are coming up on a weeklong Memorial Day recess, so they have delayed it another week before we can take it up when we return.

This also gives our men and women in uniform a pay raise, but apparently they are being used once again as a political pawn or football. It is shameful, and it is unnecessary. Somebody said: Well, it is just politics. It is one of the reasons the American people look with such disdain at what happens in Washington these days because these sorts of things—politics, partisanship—get put ahead of our duty to protect those who defend the Nation.

We will have a vote later on today to get on the bill. I know Senator MCCAIN, the chairman of the Armed Services Committee, is eager to get on this bill, to deal with the amendments. The majority leader has said the week we come back, we will not leave until we complete our work on the Defense authorization bill.

I think one of the reasons our friends across the aisle are dragging their feet on this legislation is because they are getting a little worried at the contrast between the productiveness of the 114th Congress compared to the 113th Congress when they were in charge. We know what happened then, after a disastrous election, which many incumbent Democrats lost the election because they didn't have anything to point to as a record of accomplishment because of the failed strategy of the then-majority leader from Nevada. Even Senators in the majority party didn't have records of success they could point to, to commend them to the voters for their own reelection. It was a devastating loss. The majority became the minority, and new management was put in charge.

Senator MCCONNELL, the majority leader, said he thinks it is important for the Senate to return to its regular

role, considering and building consensus to pass bipartisan legislation, and that is exactly what we have done. Ironically, many of our Democratic friends, who are now in the minority, have had a greater opportunity to participate in passing legislation as Members of the minority more so than they did when they were in the majority, essentially when Senator REID shut down the U.S. Senate.

We have seen a productive Senate this year and last, notwithstanding the efforts to shut down the Defense authorization bill. For example, last week the Senate passed three bills. It passed an appropriations bill, it passed the POLICE Act—to make sure our law enforcement officials get the training they need to, to deal with active shooter training—and we passed a bill called the Justice Against Sponsors of Terrorism Act. They all had strong bipartisan support. That last bill is making sure families who lost loved ones in 9/11 get justice—the justice they deserve, wherever the facts may lead.

The bottom line is, we are doing our dead-level best, despite the dead weight of the other side, on occasion—such as the Defense authorization bill—to stop us from making progress. I think it is pretty clear what is going on, so I will not dwell on that any longer, but my response to them is to simply stop playing politics with our men and women in uniform and drop the stall tactics. It is blatant, it is obvious to everyone with eyes in their head, and it is absolutely shameful.

COAST ACT

Mr. President, in less than a week, hurricane season will be upon us. The Presiding Officer knows that well, coming from Florida. Residents along the gulf coast will be preparing for all that a major storm might bring, including flooding, storm surges, and high winds. The hundreds of miles of Texas coast and the State's location along the Gulf of Mexico make it particularly vulnerable to hurricanes and storms. That would be Texas. Because the area is so densely populated—Houston, TX, for example, right there in the middle of the Texas gulf coast—and includes one of our Nation's busiest ports and energy hubs, the potential for major damage along the Texas coast could have significant ramifications, not just for the region but for the rest of the country as well.

When Hurricane Ike made landfall in 2008, we got a glimpse of how bad it could be. The storm caused a tremendous amount of damage as it made its way through the Caribbean, from Haiti to the Dominican Republic and Cuba. Storm surges in parts of Texas were estimated to be as high as 20 feet. Ike was the second costliest U.S. hurricane on record, causing billions of dollars' worth of damage. Sadly, it took the lives of dozens across the Caribbean and the United States.

As the hurricane season gets underway, I know many Texans have been reminded of that terrible storm and many worry about the potential damage another big storm coming through our coastline would bring. It is not a question of if, it is a matter of when that is going to happen. We need to make sure we are doing what we can to protect those on the coast and to protect our economy from the next Hurricane Ike.

I have been encouraged to see many efforts underway at the State and local level in Texas on how to develop the best plan to approach the problem. Several groups in the State are currently studying the coastline and determining where Texas is most defenseless against a major storm.

In Congress, I have joined with other members of the Texas delegation to authorize the U.S. Army Corps of Engineers to assess the vulnerabilities and to propose how we can best mitigate future damage, but there is room to do more because we know this process is simply too slow. It is not as fast as it needs to be, which is why I introduced something I call the COAST Act, which stands for the Corps' Obligation to Assist in Safeguarding Texas. It is pretty straightforward.

This legislation would require the Corps of Engineers to use the data in other studies that are sound science and already completed for their planning at the State and local level. In that way, the Corps of Engineers is not just duplicating efforts and burning the clock when we can't afford to do that. So we can speed up the process so the Texas coast can get the protection it needs sooner. It would also let the final recommendations of the Corps proceed without going through numerous and unnecessary bureaucratic hurdles. In other words, once the Corps determines the best course of action to keep Texans on the coast safe, they will not have to wait for another congressional approval to authorize it. The COAST Act is a lesson in streamlining the Federal Government—something we could use more of—so that folks who may be in harm's way can get what they need faster. I want to particularly express my appreciation to Congressman RANDY WEBER on the other side of the Capitol, who has introduced a similar bill as well. I hope that as we prepare for the upcoming hurricane season, we can get this legislation passed.

CALLING FOR APPOINTMENT OF A SPECIAL COUNSEL

Mr. President, on one final matter, yesterday the inspector general's office at the State Department released a 70-plus-page report telling us what many people suspected all along. That report criticized then-Secretary of State Hillary Clinton's use of a private, unsecured email server while she was our Nation's top diplomat and having access to and processing highly classified information—some of our Nation's most confidential and classified secrets. Some people have wondered why recent poll numbers have not been kind to Mrs. Clinton when it comes to her trustworthiness. A Washington Post-ABC News national poll found that just 37 percent of the people who responded to that poll believe Hillary Clinton is honest and trustworthy, while 57 percent said they don't think she is. This is a serious problem, not just for Mrs. Clinton but for the country.

There are those who wonder why people are so upset with Washington. What they see is a culture of corruption that doesn't address some of these fundamental issues. Well, time and again we have heard Secretary Clinton and her allies say that her use of a private email server was wholly consistent with State Department policy. But, of course, the report that was just released by the inspector general yesterday says otherwise and revealed a host of other inconsistencies.

First, the report indicates that Clinton's email use was not in accordance with State Department standards, and, more than that, the former Secretary of State neglected to get the formal approval she needed in order to use her private server.

Second, Secretary Clinton and her supporters, including the President, have maintained that her server was not a security risk, while others, such as former Secretary of Defense Bob Gates, said they were confident that our Nation's adversaries—China and Russia, well known for their cyber attacks—were taking full advantage of an unsecured server and using and gaining access to classified information which was now—in the words of Representative POMPEO, who serves on the Intelligence Committee in the House—like putting intelligence on Twitter. In effect, that is what Mrs. Clinton did. But, of course, the report from the inspector general calls all of this into question and asserts that when some of Clinton's staffers raised concerns about a potential breach to the system, the relevant security officials at the State Department were not alerted. They just weren't alerted in accordance with State Department policy. Even though Secretary Clinton has maintained that she has been fully complying with every request related to an investigation of her use of the private server, the inspector general report makes clear that the Secretary and her staff refused to be interviewed. That is not cooperating with the authorities. She can't refuse to talk to the FBI, and a number of her staffers have been, and she said she will make herself available. I bet she will because she really doesn't have any choice. But to say she is cooperating with an investigation by the inspector general at the State Department and then refusing to be interviewed is just—well, let's call it what it is—a lie.

Similarly, the report reveals that Secretary Clinton didn't turn over all of her work-related emails upon leaving office, like she said she did. She only did so almost 2 years after leaving, and the State Department basically had to demand it, even then we know she deleted—she told us this—

thousands of emails before turning over those she deemed work related. I suspect the forensics experts at the FBI have been able to recover a lot of the emails that she deleted. We all know if you delete emails, they remain on the server in a digital format. The truth will come out sooner or later, but I just have to say the conduct of the former Secretary demonstrates why people just don't trust her. Of course, the recent contradictions are just outrageous and indicate that rather than cooperation, her intention has been to obstruct the public's right to know.

This report underscores why I believe we need an independent investigation into this matter. I called for the appointment of a special counsel because it is clear that the Attorney General, who serves at the pleasure of President Obama, is going to have very little incentive or intention to pursue the appropriate investigation. So I have asked Attorney General Lynch to appoint a special counsel to provide some modest level of independence so the public can know that we have gotten to the bottom of this despite Secretary Clinton's denials and obfuscation and statements of untruth. We need to get to the bottom of it. It is absolutely critical that we do so.

I hope Attorney General Lynch reconsiders my call for a special counsel.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

OPIOID EPIDEMIC

Mr. MANCHIN. Mr. President, we have come to a crisis point in our country. In 2014, 18,893 people died due to a prescription opioid overdose. On average, 51 people die every day. What we are talking about is legal prescription drugs that are basically produced by pharmaceuticals, which are great companies. They are approved by the Food and Drug Administration, which is supposed to look out for the well-being and welfare of all the citizens of this great country. They are prescribed to us by our doctors, the most trusted persons outside of our family. Now it has become an epidemic. It is doing more harm to people than anything I know of right now.

When I talk about an epidemic, we have lost over 200,000 people since 1999, and not to raise this to the level that we should so we can fix this is ridiculous, and the trend is still going in the wrong direction. Some 16 percent more people died in 2014 than died in 2013. We have lost almost 200,000 Americans to prescription opioid abuse since 1999, as I said, and we must take action to stop the epidemic. Unfortunately, a major barrier that those who are suffering from opioid addiction face is inefficient access to substance abuse treatment.

There is not one of us in the Senate or in our States, who doesn't have somebody in their immediate or extended family or a close friend that has not been affected either by legal drug abuse or illicit drugs. If you talk to those without any means, you know they have nothing. They have nowhere to go. There are no treatment centers, and we haven't stepped up to the plate.

All of the States' budgets are taxed, if you will. Every time we do something with the Federal Government's budget, we have to have a pay-for. We have been looking for ways to do something to make sure that every State has a sufficient amount of treatment centers to help those who need it. In fact, between 2009 and 2013, only 22 percent of Americans suffering from opioid addiction participated in any form of addiction treatment. We talked about addiction treatment. For so many years, we all looked at any type of drug use as being the crime, and we put them away. We put them in jail. We spent $450 billion in the last 20 years for incarceration. Not one time did we look at this issue and say: This might be an illness, and an illness needs treatment, and a treatment can actually cure somebody. We haven't thought along those lines, and it needs to change.

In 2014, in my State of West Virginia, 42,000 West Virginians, including 4,000 children, sought treatment for legal drug abuse but failed to receive it. They needed treatment. They said: Please help us. Think about this. A family who has done everything, including exhausting all of their resources, has to have their child arrested and convicted with a felony so that child can go to drug court and get the treatment he or she needs. Isn't that a sad scenario? The largest long-term facility in West Virginia with more than 100 beds is Recovery Point, in Huntington. It has a waiting list that is 4 to 6 months long. This is the most successful treatment center, and it is run by former addicts. These are people who hit rock-bottom. They know what it takes. They have all come back and have been keeping themselves clean and mentoring other people. They have more of a success rate than anyone I know of in my State.

In 2014, about 15,000 West Virginians received some form of drug or alcohol abuse treatment, but nearly 60,000 West Virginians were identified as in need of substance abuse treatment and couldn't find help.

Based on conversations with West Virginia State Police, 8 out of 10 of all of their calls are drug related. Imagine if the Presiding Officer, who is from the beautiful State of Florida, should ask his law enforcement how many calls they get that are drug related. It is unbelievable. The costs are prohibitive as far as what we are spending now and how much is being taken out of our economy. These are people who have recognized they needed help and were turned away because there were not enough facility beds or health care providers in their community or they couldn't afford the pricey high-end facilities out there.

That is why I joined my colleagues this week to introduce the Budgeting for Opioid Addiction Treatment Act. This Life BOAT Act would establish a steady, sustainable funding stream to provide access to substance abuse treatment. This is a difficult thing for a lot of my colleagues and friends on the other side of the aisle. Somehow, we have to step up to the plate and not worry about this being a tax. There are those who have said that we can't take out another tax and have pledged: I won't go for a new tax.

How about voting for treatment? How about voting to help people? How about voting to put people back in the economic mainstream to be a part of this great country of ours? How about taking them out of the prisons and not incarcerating people who don't have violent or sexual crimes and can basically be rehabilitated? We have a tax on cigarettes because we know it is harmful to you. We have a tax on alcohol because we know it is harmful for you. We have nothing on opioids. I have a piece of legislation—and we are looking for more and more sponsors all the time—that would tax 1 penny for every milligram of opioid that is prescribed. We know opioids are addictive. We were led to believe that they weren't addictive.

When opioids first came out in 1980, the pharmaceutical companies said this is a wonder drug with 24-hour relief from severe pain, and it is non-addictive. Guess what. The genie is out of the bottle, and we lost 200,000 citizens. But we have doctors prescribing them.

We prescribe more opioids than anyone in the world. We consume more painkillers than anybody in the world. I am talking about the entire world. There are only 330 million in our country. When we look at the population of the world, which consists of 7 billion people, and we consume over 80 percent of all opioids produced in the world. We only have 5 percent of the world's population. Something is dead wrong. That 1 penny will generate—if you can believe this—$1.5 to $2 billion a year. This is what we call the penny of gold. We can help people. We can go back to every community and every State in this great country of ours and help people get their lives back. We can help people get clear and clean and working again.

Every week I come to the floor and read a letter. I read letters from all over the country. I read letters of those from my State who have been affected. The legal drug abuse of opioids has been a silent killer. We haven't talked about it enough. We have had someone in our family—whether it is your child, mother, father, aunt, uncle, or cousin—and we were ashamed. Guess what. We continue to lose more and more people. Now they are coming forward.

I want to read another letter. These letters have a common theme. They mention how hard it is to get themselves or their loved ones into treatment. Sometimes it takes months, and sometimes it never happens. This problem stems from our lack of systems to

help those who are looking for help. We need permanent treatment facilities to help people get clean and stay clean.

I say to all of my colleagues: This is not a Democratic or Republican problem. This is an American epidemic, and I don't believe one person—whether Democrat or Republican—can argue against voting for 1 penny to try to help cure people who have been affected by this epidemic. It won't cost anybody one vote—not one vote. I hope they will consider that.

Today I am reading an anonymous letter from a veteran in West Virginia about his struggle to get his sons into one of the treatment facilities they desperately need.

He says:

I'm sure many have heard my story before. I have a 34-year-old son that first got addicted to Oxycontin while residing in Wyoming County. He had been in trouble with the law for stealing everything from ATVs or whatever he could get his hands on.

Most addicts, as you know, basically commit a felony. First, they steal from their families or friends of their family. When they run out of people who won't turn them in, they steal from anyone's home they can break into—anything they can do to get the money that gives them the fix they need for their addiction. Then they end up with a felony, and the system basically spirals down.

This young man stole everything he could get his hands on. They went to a methadone clinic. They have methadone and Suboxone. These are wonder drugs that are supposed to help an addict wean off drugs, but they never do. Methadone and Suboxone still have the heroin effect in them. And people get on those and they can't get off of them either.

Well then a Methadone Clinic was opened in Beaver, WV. He went to this clinic. I'm not sure what dosage he started at but I know till here recently he was on 120 milligrams a day.

And 120 milligrams a day is a lot.

He had lost his take homes—

Which is what they give him to self-medicate.

—so he had to drive from Mercer County to Beaver, WV, everyday. He had trouble holding down jobs, so if he didn't have the money he couldn't go or get dosed. The clinic there only takes cash or credit card.

I helped my son finance his home, cars, and lots of time I wasn't getting paid, I would pay these to protect my credit but I might not get my money back.

This is the father's and mother's credit.

So here recently I started to stop paying things.

Cut him off cold turkey.

Now he has pawned most of what he had in his house for cocaine, he says it's to help him with methadone withdrawals, I'm not sure. But his wife is getting ready to leave him, their son has been living with me since November of 2015.

My wife and I called and tried to find him a detox and inpatient treatment, but since he hasn't weaned down at the clinic they say he don't meet their criteria. My son hasn't had methadone to the best of my knowledge since May 8th, 2016.

I have told him he can't live in his house if he can't pay the bills. He says he will accept treatment at a detox, the only place I found that may take him is a behavioral health at Appalachian Regional in Beckley for his depression and bipolar and they will help him to be safe while going through withdrawals.

We don't have the money to afford private care, he is on WV Medicaid. Most places he can go is out of state and WV won't pay for it. I'm so afraid that I'm going to lose my 34 year old son to this dilemma. I hope there is someone out there that can hopefully get him free of his addictions, so he can live and prosper.

He said that is only one son.

That's one son, my other son, is 30 and he too has some addictions and mental health issues. I paid his rent for 2 months to remove him from my home because he was so disruptive and searching for alternatives, such as he has been going to southern highlands for over 4 years for [his] bipolar [treatment].

He has been seeing the same physician. He has checked himself into the Pavilion in Mercer County several times but checks himself out he says its [be]cause they won't give him his medications that he wants.

This is another problem we have. A lot of people who go to the hospitals or clinics, if they don't get what they want, they give a bad report to the doctor or medical facility, and it hurts them on their reimbursement for Medicare and Medicaid. We have a piece of legislation to change that also.

He has been prescribed clonopins and Neurontin's. He prefers to either take them all at once per day or more than prescribed, since I moved him out of his apartment, I hear he diverts them for other drugs. He hasn't had a job in years.

I don't know what to do to help my two sons. I know the system hasn't seemed to benefit them at all but they still get their medications and etc.

It kind of keeps their addiction going on.

If they don't get the prescribed ones they search for street drugs and they will sell their own soles and [even] mine to get them. What is a parent to do?

For mothers it's hard to see your child in pain and maybe more willing to give them money and so forth but I have learned that is only enabling them. But there is so many ones out there it's too easy for them to get the drugs or divert them.

I feel we need to do a few things. One, we must either put strict controls on methadone clinics—

And I can assure that methadone clinics do not work and shouldn't be prescribed to everyone, and there should be professionals who prescribe methadone and it should be closely regulated—

and not let them keep our families hostage for their life.

What they mean by that is that once they go to these clinics, they never let them go. They are with them for life.

Two, counselors and physicians need to try and understand what is a success in treatment or failure. If our children can't function in normal society, hold down a job, take medications as directed, that plan of treatment isn't working, let's do something else . . . don't keep doing the same thing to get them out of the office.

Why keep them in the same type of program to give them the fix they are looking for when they are never going to be cured? Don't keep going to the same thing and expect a different result. Let's get them out of this type of situation.

It's not working, what is next?

People are asking and begging for help. They truly are, in West Virginia, in the Presiding Officer's beautiful State, and every State. It is atrocious what is going on.

We have legislation, and I think we can put our politics aside. This is not Democratic or Republican. I have said it over and over. This doesn't have a home. This is a killer. It is epidemic—200,000 have died. In my State of West Virginia last year, 630 West Virginians died of legal prescription overdoses—legal. This is not counting illicit overdoses—legal prescription overdoses.

So I am committed to fighting this with every breath I have in my body. I hope we will consider legislation we can work on, that is bipartisan and that will help every person in every State in America.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Florida.

Mr. RUBIO. Madam President, we are on a motion to proceed to the National Defense Authorization Act, and there are so many different aspects of national security and defense that we touch upon. The Senator from West Virginia actually touched on one of them. A lot of people may not consider it that way, but the threat posed to the United States by transnational criminal groups operating out of Mexico and other parts of the hemisphere are a direct threat to the security of our people.

We had a hearing earlier today in our subcommittee, the Western Hemisphere Subcommittee, and we heard testimony from government officials and the administration talking about the threats being posed.

Here is the bottom line. You have these multibillion dollar, multinational entities operating south of our border. We all heard about El Chapo Guzman and the Sinaloa Cartel, but there are others as well, and they are both growing poppy opiates, but they are also manufacturing synthetic fentanyl. There is a prescription version of fentanyl, but this is a synthetic, nonpharmaceutical version, and all of it, basically 100 percent of the stuff they are growing, is being trafficked directly to the United States. There is not a State in the Union or territory in our country or jurisdiction represented by any Member of the Senate which has not been deeply impacted by this war they are waging against us. So it was an insightful hearing and I think reminds us that on the one side we need to deal with treatment aspects because people who are dependent on an opiate substance are sick and they need help as if it is a disease, not a crime.

The other aspect of it is the people pushing the stuff into our country, deliberately targeting us. They are murderers. They are not just killers because they kill each other and innocent people, they are killers because they know the people they are selling these drugs to, they are deliberately trying to hook them on these drugs and they read and know the overdose deaths we have seen. There is an extraordinary growing military-to-military relationship between the national defense parts of our government and our partners in Mexico and other countries and will continue to be. There has to be because these groups need to be defeated or they will continue to spread their poison and death into cities, towns, and our States.

HUMAN RIGHTS

Madam President, another aspect of national defense that people don't think about when people think about national defense is the issue of human rights. So much of the instability that is happening around the world that we have to respond to militarily out of our national security interests are driven by the violation of human rights.

Oftentimes our soldiers, sailors, our service men and women, when called to engage militarily or be present militarily in any part of the world, are also having to deal with the consequences of what is happening from a human rights perspective. Where it gets difficult is in many cases some of the countries that are violating the human rights of their people and others happen to be military allies of ours. It is always a balance that people argue, but no matter what our arrangements may be with any potential military partner anywhere in the world, we should never back away from the cause of human rights, for not only is it the right thing to do, which speaks to our values as a people and nation, but human rights is also a leading cause of instability. The violation of human rights leads to this instability. It is what causes people to take to the streets to try to get rid of their governments and their leaders.

So I come to the floor today to bring to your attention an ongoing human rights issue that weighs heavily on me and should weigh heavily on all of us. Every day people are unjustly detained, tortured, publicly shamed, and murdered, often at the hands of their own government. Here is what their crimes are: simply disagreeing with the government—disagreeing through journalism, blogging, peaceful organizing, or for simply being in a different religion. In jail cells all around the world, there are innocent men and women who wanted nothing more than to freely express themselves in the society in which they live.

The vast number of political prisoners held by repressive regimes is a sobering reminder of how much work remains to uphold basic human rights and advance democratic values. From Cuba to China, from Turkey to Saudi Arabia, people are suffering for exercising freedoms that our Creator gave them.

I say the phrase ''political prisoners,'' but I remind you that these prisoners oftentimes are ordinary people like us—people who dream of a greater future for their country, people who envision a better life for their families and loved ones. They are journalists, bloggers, many are human rights activists, educators. Some are politicians. We also have pastors, mothers and fathers and students.

America traditionally has been a voice for those oppressed. We as a country and as a people have engaged in what Ronald Reagan once described as ''the age-old battle for individual freedom and human dignity.'' It is unacceptable for America to forsake this legacy today, to turn its back on our fellow human beings who are losing their lives or being imprisoned for exercising their fundamental, God-given freedoms.

This is why last September my office launched a social media campaign we call hashtag ''expressionNOToppression.'' Each week we highlight a different political prisoner or prisoner of conscience in an effort to put a human face on the many who suffer from oppressive regimes around the world.

Today I come to share the stories of some of the people we have championed in the past year.

In 2014, Tibetan writer and blogger Dawa Tsomo was detained for breaking China's cyber laws by publishing articles that the government considered ''politically sensitive.'' To this day, she is missing. Today, China is one of the most repressive countries in the entire world.

In Cuba, matters are just as serious, if not worse. Beatings, public acts of shame, and termination of employment are well-known consequences of disagreeing with the Castro regime. The Castro regime has rearrested almost all of the 53 political prisoners it released as part of the supposed normalization of relations that President Obama undertook at the end of 2014.

Remember the 53 names on the list of people they were going to let go as part of the normalization? Virtually all 53 of them have since been rearrested.

The Cuban people know they deserve better. Groups throughout the island have continuously stood up against oppression. One of the most prominent is the group the Ladies in White or, in Spanish, Damas de Blanco. Many of those who make up this group are the wives and relatives of jailed dissidents protesting the unlawful imprisonment of their husbands, sons, brothers, and fathers. So each Sunday following Catholic mass, the Ladies in White take to the streets in a silent march. They are often harassed, arrested, and even beaten by the Cuban Government.

In fact, this last Sunday, the leader of the Ladies in White was arrested. She will soon be placed on trial and can face between 3 months and 5 years in prison, but this sort of treatment hasn't stopped them. Week after week, these women continue to protest the Castro regime and fight for the freedom of their nation and of their loved ones.

In the disaster that has become Venezuela, due to its incompetent tyrant leader, Nicolas Maduro, a tyrant who is an incompetent clown, we have seen one of the most prominent opposition leaders, Leopoldo Lopez, arrested and sentenced to 13 years 9 months in prison on charges of terrorism, murder, and grievous bodily harm and public incitement—sounds like pretty serious charges. Here is the reality. Leopoldo Lopez, who was the Governor of a prominent state in the country, was imprisoned for advocating for a constitutional democratic and peaceful change in the Venezuelan Government. That is why he is in jail.

Since the Venezuelan Government's crackdown on opponents began in February of 2014, dozens of innocents have been killed, thousands have been beaten and targeted for intimidation, and hundreds more have been jailed, not to mention that most of these political prisoners in Venezuela are men.

Do you know what happens to the wives of these men in jail when they go visit their spouses in prison? They are often stripped-searched by male guards in front of their families as the act of ultimate humiliation. This is what we are dealing with in Venezuela.

In late March of this year, the Venezuelan National Assembly passed a law that would extend amnesty to more than 70 prisoners in Venezuela because they had an election. Even though the Maduro government always steals the elections in Venezuela, the loss was so overwhelming they couldn't steal this election. So the opposition won control of the Venezuelan National Assembly, and they passed a law that extended amnesty to more than 70 political prisoners who are in Venezuelan jails simply because they opposed Maduro, not because they committed a crime.

To no one's surprise, the tyrant Nicolas Maduro promised to block it. He claimed it was unconstitutional. Only a few weeks later, he sent a law to the supreme court and urged them to overturn it. Four days after his request, the supreme court—a supreme court which is illegitimate because it is completely stacked with his cronies—granted him his wish and declared the law unconstitutional.

So that is why there has been a coup d'etat in Venezuela. That is why democracy has been canceled and why there is now tyranny. You have an elected national assembly being ignored, and you have a supreme court being stacked with cronies who are basically a rubberstamp for the tyrant. The result is the gross violation of human rights, most prominently of Leopoldo Lopez.

In Pakistan, we have seen proponents of religious freedom murdered for criticizing blasphemy laws. In March of

2011, Shahbaz Bhatti, Pakistan's Federal Minister of Minority Affairs—and, by the way, the only Christian to serve in Pakistan's Cabinet—was shot to death by the Pakistani Taliban outside of his mother's home. Five years have passed. The Pakistani Government has failed to bring his murderers to justice and have failed to reform the blasphemy law that continues to encourage violence, murder with impunity, and the marginalization of religious minorities. As a result, numerous other prisoners of conscience in Pakistan suffer behind bars.

Finally, as President Obama visited Vietnam this week, a Vietnamese blogger and human rights activist named Nguyen Huu Vinh was languishing in a state prison for having voiced the wrong opinions about his government.

These example are just a tiny window into the world of political oppression that exists today. Their cases are only a few that we have highlighted in our hashtag ''expressionNOToppression'' campaign.

I ask unanimous consent to have printed in the RECORD a list of additional political prisoners we have featured.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

The list is as follows: Danilo Maldonado of Cuba, Jason Rezaian of the United States—held in Iran, Bao Zhuoxuan of China, Sawan Masih of Pakistan, Raif Badawi of Saudi Arabia, Ko Htin Kyaw of Burma, Arif and Leyla Yunus of Azerbaijan, Luaty Beirão of Angola, Atena Farghadani of Iran, Ismail Alexandrani of Egypt, the Todos Marchamos group in Cuba, Eskinder Nega of Ethiopia, Erdem Gül of Turkey, Can Dündar of Turkey, Vladimir Kara-Murza of Russia, Mikhail Kasyanov of Russia, the SOS Venezuela group in Venezuela, Sombath Somphone of Laos, Boris Nemtsov of Russia, who was murdered, the Ladies in White in Cuba, Zainab Al-Khawaja of Bahrain, Osvoldo Rodriguez Acosta of Cuba, Mohammed Zahir al-Sherqat of Turkey, Waleed Abu Al-Khair of Saudi Arabia, Khadija Ismayilova of Azerbaijan, Nguyen Van Dai of Vietnam, and Youcef Nadarkahni of Iran.

Mr. RUBIO. They span the globe from Angola to Laos, from Iran to Burma. All of these men and women were seen as a threat to the leaders of their nations. But I—and I agree the Presiding Officer as well—see them as heroes. Just because they aren't fighting on a battlefield doesn't mean they aren't putting their lives on the line for the greater good of their people and their nation.

In a country where we are free to express ourselves, it is hard to grasp this risk. It is difficult to imagine a prominent journalist in the United States fearing for his or her life solely for doing their job or to fathom a popular blogger facing the death penalty solely for expressing their thoughts. Well, this should be just as unimaginable, to jail independent journalists in the rest of the world.

The families of the prisoners I mentioned today have also paid a price. Most of these families spend their days and nights unsure if they will ever again see their loved ones. There are no visiting hours. There are no phone calls. In the cases of many on death row, their families often find out they have been executed on the state-run media. Children are being left to grow up on their own, wondering where their mother or their father has gone, wondering if they will ever feel their embrace again.

But there are reasons to be hopeful, for when free people speak out, it can make a difference in the lives of the oppressed. As a result of numerous international efforts, including our hashtag ''expressionNOToppression'' campaign, some prisoners of conscience have been released from jail and reunited with their families, although they may not be able to return to their home country. We saw it in the case of the Cuban street artist known as El Sexto, who was freed last October after 10 months in prison. We saw it in the case of prominent Azerbaijani human rights activist Leyla Yunus and her husband Arif, who were released from jail only on the grounds of deteriorating health but have since been allowed to travel to the Netherlands for medical care and to be reunited with their daughter. Once released, many have agreed that our advocacy on their behalf was a great encouragement to them and their families and, by the way, likely resulted in better treatment or even a speedier release.

A few years ago, famed Soviet dissident Natan Sharansky testified on Capitol Hill. He said of himself and fellow prisoners of conscience in the USSR that ''we could never survive even one day in the Soviet Union if our struggle was not the struggle of the free world.'' We should take to heart this sentiment he expressed and embrace the struggle of political prisoners who languish unjustly as I speak.

We must do everything we can to raise awareness of the brutality taking place in repressive regimes around the world. We must not forget the hundreds of people who are being tortured or being deprived of their lives for trying to bring freedom to their land while illegitimate governments desperately cling to power.

Even with our strategic allies, such as Saudi Arabia, we can never stop insisting that they show respect for women, for all human life, and for the God-given fundamental rights of all people.

Oppressed peoples do not stay oppressed forever. Oppressive governments do not stay in power forever. Inevitably, the human yearning to be free and to achieve a better life for one's self and one's family eventually cannot be restrained.

Today, I pray for those who are victims of their own government. I pray for the release of prisoners of conscience and their families. I pray that our own country stands firmly by its principles by calling for the sacred right of every man and woman and child to be free.

TRIBUTE TO MAGGIE DOUGHERTY

Lastly, Madam President, on a point of personal privilege, I would like to take a moment to thank Maggie Dougherty, who has been a valuable member of my legislative team for the past 5 years and specialized in issues of human rights around the world.

Her expertise and, just as importantly, her passion on these issues have been invaluable to me and to my staff. Her service to our country, to the people of Florida, to the Senate, and to many individuals and families like the ones I just mentioned who suffer around the world will not be forgotten.

I thank you for your service, Maggie. I wish you the best of luck in your future endeavors.

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. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY BILL

Mr. MERKLEY. Madam President, today I rise to discuss the Frank R. Lautenberg Chemical Safety for the 21st Century Act. This is landmark legislation that will honor the legacy of our dear colleague Frank Lautenberg. I had the privilege to serve with Frank for a number of years and know how passionately he wanted to undertake this challenge of the toxic substances that are in our everyday products, our household products, that are causing cancer and causing other diseases because we have completely failed to regulate them. I so much appreciate that Frank Lautenberg took on this cause, pushed it forward, and presented it in a bipartisan fashion—a fashion that continued following his death.

In this Congress, this bill is the equivalent of a unicorn, as the phrase goes, a bipartisan, bicameral compromise that majorly reforms a badly broken law. It has brought Democrats and Republicans together to take action to protect public health. I felt honored and privileged to be a part of this coalition that has worked toward a final bill for over a year. This process has not been easy, but things that are worth doing rarely are easy.

I think it is important to recognize some of the champions in this process. Of course I recognize Frank Lautenberg and all he did to put this in motion.

Following his death, Senators TOM UDALL and DAVID VITTER deserve a tremendous amount of credit for having the bold vision to come together and to carry the torch of bipartisan compromise after his passing. Their persistence and their dedication in this effort through thick and thin have been remarkable.

Chairman INHOFE also deserves a great deal of credit for his work to shepherd this bill through the Environment and Public Works Committee.

Hopefully, we will get it through the floor of the Senate. Certainly the result of the bicameral negotiations that have been completed—the bill has now gone through the House and is coming back over here.

I commend Ranking Member BARBARA BOXER for her leadership and her determination to make this the strongest bill it could possibly be. Her determination to make sure of the ability of States to act was not compromised, knowing that her State, California, has been a major leader—one of the few States that really have gone after toxic chemicals and set an example for the country. Her tenacity unquestionably has led to a stronger bill.

Senator MARKEY, as the subcommittee ranking member, brought enormous depth of knowledge and leadership to this process and was instrumental in the negotiations.

Finally, I especially want to thank Senators WHITEHOUSE and BOOKER, who teamed up with me to push for important changes before the markup in committee and who have been tremendous partners through the process.

There are many others, of course, in the Senate and in the House, on the Republican side and the Democratic side, who have played a role in getting this bill to where it is now—a few small steps from being signed into law.

I would like to specifically thank the Environmental Defense Fund. On any project like this, you need forces inside the building, but you also need forces outside the building marshaling expertise, creating a conversation among grassroots proponents, and bringing their expertise and their insights to bear. Their lead senior scientist, Richard Denison, played an instrumental role in the preparation of this bill.

Many Americans don't know that the chemicals in their household products are completely unregulated. It has been 40 years since the last major reform to our Federal chemical laws took place. There has been absolutely no action of any kind since 1991, when there was a failed effort to regulate asbestos, which, again, citizens believe must surely be regulated given its incredible impact on the public health of our Nation.

But for 40 years the law has been badly broken, and for 40 years generations of Americans have been exposed to unsafe chemicals and the Federal Government has been powerless to act. That is four decades too long.

The most powerful Nation on the Earth should not be powerless to regulate toxic chemicals in our everyday products. Now we are on the cusp of passing a historic bill that will change all of that.

How bad is this problem? Last year I partnered with the Environmental Defense Fund and with researchers at Oregon State University to find out just that. The Oregon State University researchers developed a small silicone wristband that picks up toxic chemicals that each of us is exposed to every day, in the air and water around us, in our furniture, and in our household products. Twenty-five participants wore one of these silicone wristbands for a week, and then the wristbands were taken to a laboratory to analyze what the individual had been exposed to. The results were sobering. Each participant had been exposed to at least 10 potentially dangerous chemicals.

Beth Slovic, a reporter for Willamette Week who wore one of the wristbands, described scouring labels in her household after her results came back, trying to find out which products were the culprits so she could get rid of them, but largely she couldn't find the source.

She wrote:

> Even if I had [found the source], I wouldn't have been safe from worry. You can try to avoid certain synthetic chemicals in your own home, but try avoiding them at work or on the bus. Products with industrial chemicals, such as those sprinkled in carpets and cushions supposedly to keep them from bursting into flames, break down and are in our dust.
>
> As the information packet for the [wristband] experiment explained, ''You can't shop your way out of the problem.''

Beth mentioned the issue of industrial chemicals that are put into our carpets, supposedly to keep them from bursting into flames. There is quite a story behind these flame retardants in our carpets, in our upholstery, in our foam cushions, and it is not a story that will make any of us feel good. It will make all of us feel we need to have this bill passed, however.

Here is the challenge: These flame retardants are cancer-causing. The chemical industry got a bill passed requiring them to be put into household products such as foam, upholstery, and carpets.

Imagine that you are a new mother or a new father and your little baby is down there on the carpet, their nose 1 inch from the floor, and then you read about the fact that carpet is permeated with cancer-causing chemicals, that those chemicals cling to the dust that comes from the carpet as it is worn out, walked on and so forth, and that virtually every child gets exposed in this fashion, increasing their risk of cancer. Wouldn't you as a mother or father say: That is outrageous. Why doesn't Congress do something about that?

We are now poised to do something about that, to regulate cancer-causing toxic chemicals in our household products. It is way past time, but we have to seize this moment and make it happen.

Right now Americans are powerless to protect themselves from chemicals that hurt pregnant women, chemicals that hurt young children, chemicals that can hurt their child's development, and chemicals that could cause cancer.

Since TSCA passed in 1976, over 4 million babies have been born with birth defects and 15 million babies have been born preterm. Since 1976, 21 million people in the United States have died of cancer. And just since the Fifth Circuit case that struck down the Environmental Protection Agency's ban on asbestos in 1991, about 375,000 Americans have died from mesothelioma, a disease directly linked to asbestos exposure.

Clearly we need to change our law and replace a dysfunctional law with one that will work. This bill is set up in a fashion that it will take on the most serious, high-risk products that are already in our environment—the high-risk molecules—and have a thorough process for studying them and then acting appropriately in the cases where citizens are exposed to those products. This bill provides a process for looking at future chemicals before they are put into our products, before they cause health problems for Americans, before they cause disease, before they cause cancer, before they cause birth defects, and before they are attached to dust that gets into the lungs of our little babies crawling on carpets. That would be a tremendous improvement. We will make sure everyday products are safe before they are in our classrooms, before they are in our workplaces, and before they are in our homes.

Because of this bill, the EPA will have the tools and resources needed to evaluate all of the dangerous chemicals that are already in the market, and they will have the muscle to eliminate unsafe uses. There is nothing more important than helping the health and well-being of Americans now and for generations to come.

One key element of this dialogue has been on whether it compromises the ability of States to act when they detect chemicals they are concerned about. This bill has been specifically constructed to make sure States have that power. Any law written before April 22 is grandfathered. Certainly any bill that was written to control lead pipes in homes, that was written in the past, is grandfathered. You don't have to worry about any sort of pause or preemption of State authority.

Anytime the Federal Government says there is a high-priority chemical—one they are going to take a close look at—there is a period of time called scoping. In that period of time, any State that proposes a rule—all action on that rule is grandfathered; it can go right ahead. If the State has passed a law in that period, the law is grandfathered.

Then, during the period of time which is referred to as risk evaluation following the scoping and determining what particular forms of exposure are ones that create a risk, during that time, the only thing that would cause a State to be unable to act is if it was exactly the same chemical in exactly the same use out of the hundreds of thousands of chemicals in the world.

Furthermore, even then, there is a waiver that says the State can act if they show there is a scientific paper that shows that chemical is a risk, if they are not violating the supremacy clause of the Constitution and if they are not violating the commerce clause of the Constitution. So, in fact, States have full power to operate throughout these phases as a result of these various clauses.

The bipartisan team that has worked on this has run a marathon together. Now, after many miles, innumerable meetings, and late nights, we are just inches from a momentous improvement over current law. Current law has been completely, 100 percent dysfunctional for decades, leading to the exposure of our children, our babies, ourselves, and everyone in America to a huge list of toxic chemicals.

Senators in this Chamber will get a lot of attention for their work on this bill, but I wish to note that behind the scenes, the staff has labored day and night—a bipartisan team of staff. They worked many late nights and they had many sleepless moments while trying to figure out and finesse good policy and a path that would keep this bipartisan effort rolling forward.

I especially wish to thank my staffer who has taken the lead on this issue. Adrian Deveny has done a tremendous job. He has put in an enormous amount of time contributing substantial expertise and has worked hard to reach out to other staff members and other offices to listen and understand the challenges and the many perspectives and find a way forward. He made sure that when things were tense, lines of communication stayed open.

Because people stayed in the room and listened to each other, the staff and the Senators, on a bipartisan, bicameral basis, remained committed to the vision laid out by Frank Lautenberg that we will no longer allow Americans to be routinely exposed to toxic chemicals in their household products. That means taking on the existing chemicals, and that means having a process for new chemicals before they are introduced and making sure they do not pose a new challenge, a new disease, a new risk.

The finish line is within sight, and it is up to all of us to get there for the safety and health of every American. Let's get it done.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Madam President, are we in morning business?

The PRESIDING OFFICER. We are postcloture.

Mr. WICKER. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. Madam President, let me congratulate my friend from Oregon for his remarks and simply point out to the Chair and to my fellow Members that this is another example of bipartisan accomplishments in the Senate and in the House. This represents a lot of work on both ends of the building, Republicans and Democrats coming together. As my friend said, it is about to get done.

When we put this on top of a number of accomplishments, including education, including dealing with the Zika virus, including dealing with the drug problem and so many other things, we have actually been able to get legislation done and sent to the President and signed into law to help make our country better, stronger, and better protected.

I appreciate what my friend said about the TSCA bill. I am also optimistic about it.

Madam President, switching gears to the National Defense Authorization Act, I am also optimistic about that. Obviously, we had hoped to pass the bill before Memorial Day as a tribute to the people who have gone before us and paid the ultimate sacrifice for the freedom we enjoy as Americans. Obviously, the bill has taken longer than I hoped it would and for reasons that are hard for me to understand. Nevertheless, we are going to get to it. We are on the bill now, and we are going to hopefully finish it the week after the Memorial Day recess.

I very much appreciate the fact that we are going to pass another bipartisan NDAA bill, which will be signed by the President. It is going to give our troops the opportunity to have the tools and resources they need in a very dangerous world.

It funds the Defense Department at $602 billion. Our friends should know and the public should know that this $602 billion is the figure requested by the President of the United States, so we are coming with a bipartisan number. We have had some questions on the part of our friends on the other side of the aisle about spending elsewhere, but we should be clear—and there is no question about it—the President requested $602 billion for defense, and this bill gives our troops and the President that $602 billion. It deals with such important issues as preserving the progress we have made in Afghanistan, continuing our fight against the Islamic state, bolstering readiness against an aggressive Russia, standing up on behalf of one of our most important allies, the state of Israel, in a very troubling time.

Earlier this year, Director of National Intelligence James Clapper said it correctly. He reiterated the reality of unpredictable instability. And that is what we are facing, Madam President. So this bill is designed to address that.

Also, I would mention it is designed to alleviate some of the shortages caused by the Budget Control Act when it was passed in 2011. The world is a lot different today than it was in 2011. As a last resort, the law put in place across-the-board defense cuts that were really never intended to take place. Collectively, we should have addressed the mandatory programs where the spending problems actually are, but instead, over the past 6 years, the Budget Control Act has required almost $200 billion in defense cuts. Sequestration remains the law of the land and will return unless Congress acts in 2018.

The Army now has 100,000 fewer soldiers than it did 4 years ago. The Marines will be nearly 5,000 below their optimal force. Our Air Force is the smallest it has ever been in the history of the Air Force. And with 272 ships in the fleet, the Navy is well below its requirement of 308 ships.

I am pleased to serve as chairman of the Subcommittee on Seapower of the Committee on Armed Services. As such, I was happy to work with other members of the subcommittee on the Navy and seapower title to this bill. I want to thank my colleague Senator HIRONO of Hawaii, the ranking Democratic member of the subcommittee, for her leadership.

As I said, we are years away from achieving the Navy's ship requirement of 308 ships. There is also no plan to meet the National Defense Panel's recommendation for more ships—either 323, at a minimum, or up to 346 ships. So we are well away from where we really need to be to protect America and our freedom of movement around the globe. Meanwhile, the Navy has significant budget constraints. Its 2017 request is $8 billion less than the 2017 value presented in last year's budget.

Nonetheless, we worked on a number of items to do the best we can with the money we have. First, we looked at the viability of the 30-year shipbuilding plan. Secondly, we worked to ensure that limited taxpayer dollars are used wisely. Thirdly, we looked forward to the future and what should be required of our future surface combatant ships and what costs might constrain the budget. And fourthly, we worked to ensure that the Navy and Marine Corps can continue to provide force protection around the world.

So thanks to the members of my subcommittee and my ranking member Senator HIRONO for that.

But seapower is only one part of the bill. It may be the one I have worked on more carefully, but there are other parts of the National Defense Authorization bill. As you know, Madam President, there is no authorization in the bill for another round of base closings. I very much support that provision and believe that no further base closing rounds should be authorized, and we don't.

Also, there is an extension of prohibitions on the closing of Guantanamo Bay and a prohibition of the transfer of any detainees from there. There is also support for the recommendation of the National Commission on the Future of the Army regarding aviation force structure. I advocated the creation of this commission, along with my colleague Senator GRAHAM, in the wake of unvetted proposals to cut the size of

the National Guard and reallocate Apache helicopters. So I am glad we have addressed that problem and are on the way—hopefully week after next—to passing this important bill.

It is fitting that Americans will gather on Memorial Day in the next few days, remembering the patriots who made the ultimate sacrifice and honoring the patriots who are today voluntarily stepping forward to make our country strong and great and helping all our citizens enjoy the freedoms we have today.

I am glad to be part of this bill. I congratulate the leadership of the committee and the Senate, and I look forward to passing this Defense bill without further delay.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Madam President, I ask unanimous consent that on Monday, June 6, notwithstanding rule XXII, following morning business, the motion to proceed to S. 2943 be agreed to and the Senate proceed to the consideration of S. 2943 and Senator FISCHER, or her designee, be recognized to offer her amendment No. 4206; further, that the time until 5:30 p.m. be equally divided between the managers or their designees, and that at 5:30 p.m. the Senate vote on the Fischer amendment, with no second-degree amendments in order to the amendment prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Now, Madam President, I ask unanimous consent that at 1:30 p.m. today, the Senate proceed to executive session for the en bloc consideration of Calendar Nos. 462 and 463; that there be 15 minutes for debate only on the nominations, equally divided in the usual form; that upon the use or yielding back of time, the Senate vote on the nominations in the order listed without intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Michigan.

ZIKA VIRUS

Ms. STABENOW. Madam President, we are here just a few days before Memorial Day, when all across the country, Americans are going to go to parades to pay tribute to troops who made the ultimate sacrifice. They will invite friends and family over and fire up the grill. I think we all look forward to those family gatherings.

At least that is what Americans usually do over this holiday weekend. This year, they might have second thoughts. I know I am getting asked a lot of questions by my family, not because of rain but because of something more frightening. Since the beginning of the year, public health experts have been warning us about a severe threat to moms and babies—the Zika virus. It causes severe damage to fetal brains, birth defects, and even death.

Zika is not just coming to the United States; it is already here. People are concerned, and they want us to act. There are already more than 150 pregnant women in the United States who have been infected, and we are hearing of more every day. We have four in Michigan so far, and the threat is growing.

We are fortunate to have doctors and scientists at the Centers for Disease Control and Prevention and the National Institutes of Health who have the skills and the knowledge to get Zika under control. I have great confidence in their ability to create a vaccine, to do what needs to be done on testing, and to get the information we don't have right now on the full impact of the Zika virus.

These brilliant minds are ready to go to work in the lab to find a treatment, to develop a vaccine that can help protect the health of babies, of pregnant moms, and of women of childbearing age. We are now hearing about a different kind of reaction to the Zika virus in men, as well, so we are still learning every single day. But that work will be costly. Specifically, these doctors and scientists asked for $1.9 billion, and they included an extremely detailed action plan for where the money would go and the work that would be done.

Unfortunately, we have not yet sent an appropriation to the President of the United States to sign so they can get to work. Republicans in Congress have said no to the full request. Senate Republicans have agreed to $1.1 billion. I am glad we have been able to get agreement to move something forward as a first step, even though it is not what the scientists and doctors have said needs to happen. But I signed on because it was the best we could get at the moment, and we have to get started.

What is incredibly concerning is that the House of Representatives was even more shortsighted. They gave researchers only one-third of what they asked for—one-third of what they say they need to go into the lab and develop the vaccines that will protect our children, will protect pregnant moms, and protect all of us who may be impacted in some way.

On top of that, in the House, they are using gimmicks to disguise the fact that they are raiding one public health fund to pay for another. So it is as if there is a fire, and you send a fire engine out. Then another fire starts on the other side of town. And instead of sending a different fire engine out, you just take the one and send it to the other fire. Well, wait a minute. People wouldn't put up with that in the community, and they certainly aren't going to put up with what we are seeing coming from the Republicans in the House. So they are playing games and denying doctors and researchers the money they need to keep us safe.

Many of these Members talk tough about keeping Americans safe, but right now we have a frightening virus that is getting more severe every passing day. Yet Republican colleagues, particularly in the House, have no sense of urgency. We haven't seen a sense of urgency to take the Senate compromise out of an appropriations bill, put it into an emergency bill, and send it to the President.

Madam President, I can't imagine how scary this must be for a pregnant woman right now—even for women in Michigan, where the threat is far less severe than in other parts of the country. Yet when my own family members, when others across Michigan—friends I talk to, the others I have had a chance to talk to in the last couple of weeks—turn on the television, they have to hear from Republicans in Washington who refuse to take this threat seriously.

We have to take this seriously. Make no mistake, this is a major public health emergency. These mosquitoes are not picking and choosing whether they are going to bite Democrats versus Republicans. The reality is that this is a public health emergency for all Americans, and we need to treat it as that.

For Republicans to go home for Memorial Day without dealing with this threat is incredibly insensitive and irresponsible. We have work to do. This is another case where we need to make sure we are doing our job. We are here; we are willing to do that. We must equip our doctors and medical researchers with the tools they need to keep our families safe.

For a threat of this scale, we should not be delaying in any way, and we can't do this on the cheap. We can't only do part of it. We have to do what needs to be done with the doctors, the researchers, and the people we trust in our country. We have the most brilliant minds in the world. They are telling us what needs to be done, but they need the resources to get it done.

The richest Nation in the world can't afford to take the steps necessary to defeat the world's most urgent public health crisis. Really? I don't think so. It is time to act.

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. VITTER. 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. VITTER. Madam President, I ask unanimous consent that since Senator

INHOFE and I will speak on the same important topic, we speak back to back for up to 15 minutes total.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY BILL

Mr. VITTER. Madam President, we rise together with so many other Members of the Senate on a bipartisan basis to strongly support the chemical safety bill which passed the U.S. House of Representatives with enormous bipartisan support and is ready to pass here in the Senate.

This is a long day coming. First, this is an element of Federal law that has been in dire need of updating. All stakeholders—left, right, and middle—have said that for decades. Secondly, we have been working on this specific bill, this solution to that problem, for over 5 years.

I started over 5 years ago with what I think we would reasonably characterize as a Republican proposal, in contrast to a clearly Democratic proposal by then-Senator Frank Lautenberg. We had these competing partisan proposals for some time, but in early 2013 we made a very determined effort to try to bridge that divide and come up with a strong bipartisan proposal to achieve two absolutely necessary objectives: one, to make sure we fully protect the health and safety of all Americans with regard to chemicals that are in products we use every day—that is paramount, and that has to happen—and two, to make sure we do it in a way that allows American companies to remain science and innovation leaders in this important sector of our economy.

I have to say that when we started these discussions in early 2013, I think both Frank Lautenberg and I were very cynical about our chances of success. We were miles apart, but we were determined to get this done. We met and negotiated and discussed in good faith. Our staffs did as well. That led to a real breakthrough in 2013—a bipartisan bill to update this area of environmental law with regard to chemical safety.

In 2013 we introduced the first bipartisan proposal with regard to that. Sadly, Frank Lautenberg passed shortly after we completed that work and introduced that bill. But I am very happy that many others took up the cause, led on the Democratic side by TOM UDALL of New Mexico. Many others were involved. I see Senator BOOKER here, Frank Lautenberg's successor in that New Jersey Senate seat. He has been involved. Certainly the chair of our committee, JIM INHOFE, has been extremely involved and in the weeds in a positive way and supportive. Over the 3 years since the introduction of the first version of the bill, that led to this strong bipartisan bill we have before us that passed the House with overwhelming support.

Not many things pass the U.S. House of Representatives with that sort of overwhelming support—I think there were a total of 12 ''no'' votes. Not many things come to the U.S. Senate with this sort of near unanimous or unanimous support. Nothing in the last several decades in the category of major environmental legislation has done that.

This is a major achievement, and it is a positive achievement when we look at the substance of the legislation. It ensures the proper protection of health and safety for all Americans because these are chemicals in products that we use and touch every minute of every day and that enhance our lives and quality of life, and it is a workable regulatory regime that does it in a workable way so that American companies in this sector—and a lot of them, I am proud to say, are in Louisiana—can remain science and innovation leaders. That is why it has widespread industry support. That is why it has widespread support among many other groups, including environmental groups. That is why it garnered such an overwhelming bipartisan vote in the U.S. House of Representatives. And that is why it has overwhelming bipartisan support here in the Senate. The Senate version of this bill passed by voice vote. There were no articulated objections to it. It passed by voice vote with very strong support. That remains the base of this bill. That remains the heart and soul of this bill.

The final version—the bill we are considering now—has been posted online for almost a week. Under the House rules, that needed to happen. That happened late last week, and it has been publicly available for some time, certainly enough time for all Members to dissect and digest it. So I encourage final positive action on this bill to move us forward in a significant way.

Madam President, with that, I yield to the chairman of the committee, who has been a great leader to advance this cause.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, first, let me thank the Senator from Louisiana. It has been a long fight for a long time. Of course, I understand that Bonnie Lautenberg—who has been a very significant part of the discussion as we have gone along—is here today, and she is living this historic day with us. I say ''historic day'' because the Senate can take the final steps necessary to send the Frank R. Lautenberg Chemical Safety for the 21st Century Act to be signed into law. That can happen today. Today the Senate can pass a bill with a tremendous amount of support. I think the Senator from Louisiana articulated it very well. We had individuals from the far right and the far left all in agreement.

I would add to that that we have an impressive list of groups that are supporting this: the Obama administration, American Chemistry Council, Environmental Defense Fund, U.S. Chamber of Commerce, Humane Society, National Association of Manufacturers, March of Dimes, American Petroleum Institute, National Wildlife Federation, Alliance of Automobile Manufacturers, Americans for Tax Reform, National Association of Chemical Distributors, and American Fuel & Petrochemical Manufacturing. Everybody. We are talking about labor unions and manufacturers. It is very rare.

I agree with the Senator from Louisiana. I don't recall, in my experience here, ever having the array of support from organizations and people that we have with this. I have been working along with that group since 2012, and then Senator Lautenberg approached me and asked for my help. I think that was the time Republicans became a majority—no, we were still a minority at that time. But he wanted to have everyone involved in this from the different parties and different philosophical realms, and that is exactly what happened.

I know my friend Bonnie Lautenberg, as I mentioned, is here today. I have never seen a bill in process that has garnered the support of someone like, in this case, the widow of Frank Lautenberg. She is there all the time, making sure this proper tribute we are going to make today becomes reality.

I think the key provisions have been covered by my friend from Louisiana. Let me join him in thanking all our friends from the left and friends from the right for joining together on something that is really good for America.

One thing that hasn't been talked about very much is the number of jobs. I talked to a large group of manufacturers yesterday, and they said we never talk about jobs. There are jobs overseas today because of the uncertainty here in terms of how we are treating chemicals in this country. They can't put forth the money and resources necessary unless they know there is certainty that they are going to be able to use whatever chemicals they have to use to produce whatever they are producing. Where are they now? They are in China, India, Mexico—places where they don't have to deal with this problem. So that is a major thing that is happening.

UNANIMOUS CONSENT REQUEST—H.R. 2576

Madam President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Chair lay before the Senate the message to accompany H.R. 2576; further, that the majority leader or his designee be recognized to make a motion to concur in the House amendment to the Senate amendment; that there be no other motions in order and there be up to 3 hours of debate equally divided between the two leaders or their designees on the motion; finally, that upon the use or yielding back of time, the Senate vote on the motion to concur in the House amendment to the Senate amendment with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Madam President, reserving the right to object, one of the pledges I made to the people of Kentucky when I came here is that I would read the bills. This bill came here on Tuesday. It is 180 pages long. It involves new criminalization—new crimes that will be created at the Federal level. It includes preemption of States. It includes a new Federal regime which would basically supersede regulations—or lack of regulations—in Louisiana or Texas or Oklahoma. I think it deserves to be read, to be understood, and to be debated, so I object to just rushing this through and saying: Oh, you can't read the bill.

I told people—everybody involved in this—I just want to read the bill. We have been working on it now for 2 days, looking at the bill. We have been talking to people who worked on the bill. Is it not unreasonable to ask that we have time to read a bill?

Here is the other problem: Every day in my office, business comes into my office. And what do they say? We are regulated to death. We are sick and tired of regulators from the executive branch who are out of control.

So what does this bill do? It takes the power away from the States and creates a new Federal regulatory regime.

Here is the whole problem: People are now saying ''Please regulate us,'' and when they get overregulated, they say ''Please stop overregulating us.''

We should think through how we are going to do things around here. We should take the time to read the bills. We should take the time to understand the bills.

I will continue to object until we have had time to look at the bill thoroughly. With that, I object.

The PRESIDING OFFICER (Mrs. ERNST). Objection is heard.

The Senator from Louisiana.

Mr. VITTER. Madam President, let me say that I regret an objection to this very reasonable path forward. No one objects to all Members of the Senate reading the bill. I encourage all Members of the Senate to read the bill. There has been and is continuing opportunity to do that.

As you heard, that unanimous consent request wasn't rushing through anything; it was a 3-hour debate and a rollcall vote.

The final version of the bill has been publicly available for everyone to read, dissect, and digest for about a week. It is largely similar to the Senate version that passed months ago and to which there was no objection raised. That passed by voice vote. So there is no impediment to everyone having adequate time to read and digest the bill. The final version has been available for that purpose for about a week.

I think it is unfortunate that we can't move forward in this sort of clear, reasonable, and straightforward way, but we certainly will in the near future, and I look forward to that.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I regret that the Senator from Kentucky has left the Chamber because the two things he mentioned were the criminal provisions and the preemption. The criminal provisions and the preemption have been with us for 6 months—not for 2 days, not for 3 days, but for 6 months. That is exactly what we voted on in December. You can't ask for more time than that to consider the provisions of a bill.

The other thing is that we are all supporting the two components of the bill—that is, the criminal provisions and the preemption. Again, they have been here for 6 months.

I ask that we have a chance to reconsider. We know this is going to pass. We know that when we get back, it will pass. It will pass because we have to go through all the procedures of a cloture vote on the motion to proceed and all that. So we know it is going to pass. That is not the issue. It is just that if we could do it now instead of 2 weeks from now. There are people making decisions today as to what they are going to be doing and what products they are going to be manufacturing and where they are going to do it. And to put that off for 2 more weeks after we have been working on this for 6 months is not a fair way to conduct business.

I hope that later on today we will have an opportunity to get this done. There is no reason not to do it. Everyone is for it. Every group I mentioned is for it. Every Democrat, Republican, liberal, conservative is all for it. This is our opportunity to get it done. There is still time today to do that. I hope that between now and 1:45, which is the scheduled time for our vote, that will be a reality.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Madam President, I am very grateful that my chairman of my committee, Environment and Public Works, spoke so eloquently about the issues surrounding this bill. I am new to the Senate—at least in Senate terms—because I have been here for 2½ years, but I have never seen such a broad-based coalition involved in supporting a bill—a coalition that extends from the far right to the far left, a coalition that brings industry and activists together, a coalition that brings environmentalists together, as well as those who seek economic growth. This is a tremendous coalition. But even more so for me as a relatively new Senator, it has been one of the greatest privileges I have had in the Senate to work together in such a cooperative way to bring about legislation for which you really could build such a broad base of support.

I applaud my colleagues, and I applaud the chairman and the ranking member. I applaud all the members on the EPW Committee and others for working on a bill that does earn, in my opinion, speaking as a man from New Jersey, the right to have the name of my predecessor Frank Lautenberg on it.

Senator Lautenberg was a giant in New Jersey. He served this country with distinction. He was a veteran. He was a public servant. He actually ran a business and grew it to be a mighty one in my State and beyond. You cannot truly begin to appreciate the void that was left by him, but the great thing about this champion of transportation, of infrastructure, of consumer safety, of fighting for his fellow citizens, this champion's work, where he began working in partnership with Senator VITTER to try to move this forward and then sadly died—this is one of his great legacies. One of his great contributions was his effort to begin what has now been a multiple-year effort to reform the toxic hazardous chemical law. Senator Lautenberg's efforts were the instigating factor, the ignition of this success that we are having today of such a broad-based bill, of such broad-based support. It reflects his work, his efforts, and his legacy.

I am very proud I had the honor of finishing Senator Frank Lautenberg's term in the Senate last year. During that time and still today, I see on a daily basis the urgency around his efforts.

I know that after Senator Lautenberg passed, his spirit was still very much manifest in this area when his wife, Bonnie Lautenberg, took up the important cause and served as one of the fiercest champions in strengthening this bill we are talking about now. She was here working, lobbying, nursing, pushing, cajoling, convincing, making sure we got to this day.

I am very proud that during my 2½ years, I was able to enter into the work to get this legislation to where it is today. I saw Senator TOM UDALL's leadership, and I want to praise that. I saw how tireless he was working on this. I am grateful for Senator UDALL's, Senator VITTER's, Chairman INHOFE's, and everyone's staff, as they worked together to get this bill to where it is today.

At the beginning of 2015, my colleagues, Senator WHITEHOUSE and Senator MERKLEY, and I began by negotiating with Senators UDALL and VITTER to make what we saw as urgently needed improvements to this bill. Working together, I am proud we were able to make those improvements to the preemption provisions that were involved in some of the things my colleague from Kentucky was just talking about—making sure that States still have a role in the process, still have power and authority in this process, and have the ability now to co-enforce with the Federal Government around this bill.

I was also very proud of a provision in this bill that will significantly minimize new animal testing and potentially save tens of thousands of animals from unnecessary suffering.

I am proud that the revised bill passed out of the EPW Committee with strong bipartisan support. I am also proud that since the EPW Committee has improved this bill, Senators UDALL and VITTER have stayed at the negotiating table and continued to take input from folks on both sides of the aisle, continuing to make this a better bill.

Senators MERKLEY, DURBIN, BOXER, the bill's sponsor, and others have made additional changes to make this bill strong.

We would never have gotten this strong of a TSCA reform bill if it weren't for the work of people on both sides of the political aisle, if it weren't for the work of people within industry, if it weren't for the work of advocacy groups, and if it weren't for groups I have come to respect a tremendous amount, such as the Environmental Defense Fund, whose early engagement and constant pressure played such an important role.

This is one of those rare moments where you have a full court press, both sides of the aisle and individuals who are representing multiple sectors all coming together to make a strong bill. They are making a strong bill because everyone was in agreement that the legislation we had—decades' old, the TSCA bill—was broken. It was broken in that it did not protect consumer safety. It was broken in that it did not give predictability and certainty to the industry. It was broken because it put America's health at risk. Whether it was children or our seniors, it created an environment where people could get sick. It had no teeth. It had no strength. When this bill becomes law, it will protect American families, it will protect our children from dangerous chemicals, and it will give industry the certainty it needs.

I urge my colleagues to pass the Frank Lautenberg bill today. I want to thank everyone again. This is a result of a tremendous coalition of efforts, a symphony of focus and work, of people coming together to do something that many people think is rare in the Senate—that we all can work together across partisan lines to make good legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

TRIBUTE TO DAVID MCBEE

Mr. COTTON. Madam President, I want to recognize today David McBee of Gassville, AK, as this week's Arkansan of the Week for his charitable contributions to his North Arkansas community. By day, David is the regional manager at Arvest Bank's Yellville branch, but he spends much of his free time after work and on the weekends volunteering for several causes in the area.

Last year, David's leadership helped his Arvest branch become the top fundraiser in the State for the Cotter Backpack Program, a local charity that provides backpacks of food to schoolchildren in need. His efforts led to Cotter schools receiving the Spirit of Arkansas Award 2 years in a row.

David also spends countless hours organizing the annual Cotter Warrior 5K Color Run each fall. Earlier this year, David planned a community Feed the Pack Day, where volunteers collected change at intersections and various other sites around the Mountain Home and Gassville area and donated the proceeds to fight hunger in the region.

On the weekends, you can find David at the football field, where he is one of the voices of the Arkansas Tornados, a local semiprofessional football team. I think Cotter High principal Amanda Britt said it best when she wrote in her nomination of David, ''He is always willing to step in and help for anything we need.''

David's tireless dedication to his community is Arkansas at its very best, and I am proud to recognize his many contributions in this small way.

David, on behalf of all Arkansans, thank you for all you do to make our home State a better place.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate now proceed to executive session for the consideration of the nominations previously ordered.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session for the en bloc consideration of the following nominations, which the clerk will report.

The bill clerk read the nominations of Laura S.H. Holgate, of Virginia, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador; and Laura S.H. Holgate, of Virginia, to be the Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

The PRESIDING OFFICER. Under the previous order, there will be 15 minutes equally divided for the consideration of these nominations.

The Senator from Ohio.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. PORTMAN. Madam President, I rise today to talk about an issue that affects all of us in this Chamber and all of the communities we represent. I also rise on behalf of the 200,000 Ohioans who are currently struggling with an addiction to prescription drugs or opiates.

Heroin and prescription drug addiction has gripped our country. Unfortunately, we are facing an epidemic now, and I want to rise today to talk about how we can do a better job to address that. This is the seventh time I have come to the floor of the Senate to speak on this issue since the Comprehensive Addiction and Recovery Act passed the Senate on March 10. That vote was 94 to 1, showing that Members from every single State are affected by this and want to address it. The Comprehensive Addiction and Recovery Act, CARA, is a good start and will make a big difference because it is comprehensive and it addresses every aspect of the issue, from education and prevention through treatment and recovery, and helps our law enforcement folks and helps get these prescription drugs out of our communities. It is a good piece of legislation that I hope we will be able to get to the President's desk for his signature.

For the first 5 weeks I came to the floor, I talked about the fact that I hoped the House would act. I urged the House to act quickly on this emergency that is affecting our communities. Last week I came to the floor to say thank you to the House because they did act. They voted on 18 separate bills. Combined, they were a response to this epidemic, and I think that was a very important step forward.

I am encouraged that now the two Chambers, the House and Senate, are trying to figure out a way to come together with a conference to come up with one bill that can be sent to the President for his signature. I do believe the legislation we passed in the Senate is more comprehensive, and I hope the House will be willing to take some of our measures, particularly in the area of prevention, which was left out, because I think preventing this addiction in the first place and keeping people out of the funnel of addiction is incredibly important.

It has been 77 days since the Senate passed CARA, and we lose about 120 Americans a day to drug overdoses or about 1 every 12 minutes. This means we have lost about 9,000 Americans to drug overdoses since the Senate passed this legislation back on March 10. About 300 Ohioans have lost their lives to heroin and prescription drug overdoses.

We were told by the Centers for Disease Control and Prevention that in 2014 Ohio had the second most overdoses of any State in the Union and fifth highest, overall, overdose death rate.

I have seen the consequences of this every time I go home. I will be home tomorrow and will have the opportunity to visit with some people who are trying to help on this issue, but everywhere I go I hear about it.

Last night I had a tele-townhall meeting. We have about 25,000 Ohioans on the phone at any one time at these tele-townhall meetings. Somebody called in to talk about our legislation, CARA. His name was Joe. He is from Delta, OH, and he was very open about

his situation. He said he had been a heroin addict for 15 years. He said he was 33 years old. He said he had a stroke when he was 25 that was related to his use of heroin. He said he had been in and out of treatment programs. He was clean now, but he was tired of going to funerals. He said he had been a pallbearer at about 20 funerals of friends of his who had died from overdoses. He said he was ready to straighten out his life and get back on track. He also talked about how tough that is; that the grip of this addiction is so strong, it is very difficult to go through a treatment program and into recovery and come out clean. He said he likes our legislation because he believes there should be more treatment out there. He said many people who want to go to treatment cannot get the treatment they need. We also talked about the stigma that is attached to addiction. That many people don't go forward to even tell their families, much less get into treatment, because of the stigma around this disease.

Unfortunately, stories like Joe's are in the headlines every day. Just since I spoke on the floor last week, more headlines are coming out of Ohio. It is everywhere, by the way. It knows no ZIP Code. It is in the inner city, it is in your community wherever you live, it is in suburbs, and it is in our rural areas. In fact, the per capita use in rural areas may be higher than it is in the inner city.

This week the Cleveland Plain Dealer began a series of stories on those whose lives have been cut short by this epidemic, and I applaud them for that. By raising awareness of this issue, I think that will help in terms of the prevention side of this, and I think it will also help people to be able to seek treatment.

The stories the Cleveland Plain Dealer is featuring includes a fentanyl overdose death of an 18-year-old named Nicholas DiMarco, who was an honor student at North Olmsted High School. They include the story of Patrick O'Malley, a bright, young graduate of Ohio University. Patrick used prescription painkillers—drugs we all know the names of, like Vicodin and Percocet. He abused them and became addicted. Money started being missing from his mom's wallet. Laptops, televisions, and other items went missing from their home. He told his brother he didn't want to keep using. He wanted to stop. He said he had a disease, and it is a disease. He sought treatment and went into rehab at the Free Clinic in Cleveland, OH. I have been there and have seen the good work they do. Sadly, he relapsed, and just 2 weeks later his brother found him dead in his bedroom with a needle stuck in his arm. He was 25 years old.

Unfortunately, these stories continue to be told because this is what is happening in our communities. Mary Jo Trocano was a grandmother who had chronic pain. She was prescribed painkillers to deal with her chronic pain, and like so many others, she became addicted to them. When she ran out, this grandmother switched to heroin. It is less expensive and more accessible. She fought this addiction for 10 years, but Mary Jo was found dead in the backyard of an abandoned house in the west side of Cleveland recently in her late fifties.

These are just stories from one town, Cleveland, but they can happen in your hometown. Again, no ZIP Code in the country is safe from this strong grip of this particular addiction.

Just last Friday, police in Niles, OH, seized $100,000 worth of heroin from one man. Three days later, a prison guard in Athens, OH, pled guilty to assisting the drug traffickers and getting drugs into the prison system.

In Columbus, a mom pled guilty to involuntary manslaughter after her daughter, Annabella, who was just 14 months old, ingested fentanyl-laced heroin at a drug house. Annabella died of an overdose and her mom is now facing up to 11 years in prison. Fentanyl, by the way, is a synthetic form of heroin. It has similar qualities except it is much stronger—often as much as 50 times stronger than heroin. Unfortunately, many of the overdose deaths in Cleveland are due to the fentanyl that is often laced with the heroin. In fact, there have been more deaths in Cleveland, OH, in this first quarter than ever. In fact, we are looking at probably doubling the number of overdose deaths if we continue on this pace in Cleveland, OH, compared to last year. This is how serious it is in my State and your State, wherever you live.

On May 9, Ohio State troopers seized $20,000 in heroin on Route 23 in Marion County, a rural area. Just 3 days later, three people died of drug overdoses in Marion County in a 24-hour period.

Every one of these victims had family, friends, or classmates who are now suffering themselves. It shouldn't be this way, but unfortunately that is just the tip of the iceberg. In addition to the 9,000 Americans we have lost since this legislation passed the U.S. Senate—think about this—there are hundreds and thousands more who are wounded. They have lost their jobs, been driven to theft or fraud, gone to jail, broken relationships with loved ones because the drug is everything. This is what I hear and what I heard last night in the tele-townhall. What I hear from other recovering addicts is that the drug becomes everything. Therefore, the families are torn apart and therefore the job means nothing. They turn to theft when they had never before crossed that line of committing a crime. That is the status quo today.

Getting a comprehensive bill to the President's desk for signature and getting it to our communities will help. It has to be comprehensive because we know it is not going to work if it just addresses one side of the issue or another.

There has been a debate over funding for this legislation. Some have said more funding is the answer to all of our problems. Unfortunately, some have tried to politicize this a little bit, and I suggest what they are doing is not going to help because what we need to do is get a comprehensive bill out there that talks about providing funding—and I believe there should be more funding—that goes to the evidence-based programs we know work, and that is what this legislation does. It is based on 3 years of work. We brought experts in from all over the country. We had five conferences in Washington, DC. We had conferences about how to help our veterans, pregnant moms, addicted babies, and ensure that we have more people who are given the right kind of treatment—medication-assisted treatment—to be able to get back on track.

Yes, I have supported more funding, and we should continue to try to get more funding to address this problem, but it is not just a matter of putting more money into it, it is also a matter of spending that money wisely. That is what this legislation does. Yes, there is more money. It has $80 to $100 million in additional funding, but it also has funding that will be used for what we know works.

We need to be sure we do this soon because, again, this epidemic is growing. CARA, Comprehensive Addiction Recovery Act, insists that we are targeting this funding toward evidence-based education, treatment, and recovery programs. There are 130 national anti-drug groups that support this legislation because of the fact that they were part of putting it together. They know what works out there and what doesn't work. This is a national effort. It is one that will save lives and will make a difference in so many other people's lives and will begin to actually turn the tide on this epidemic.

Again, this legislation is one that 94 Senators supported. Only one Senator opposed it. Again, that shows how this has become an issue in every single State that has to be addressed because it is affecting everybody in every community. CARA has a number of things on prevention education that are incredibly important to keep people out of the funnel of addiction and help people make the right decisions, particularly for teens, parents, other caretakers, and aging other populations. It does more in terms of making people aware of this connection between prescription drugs and heroin. Probably four out of five heroin addicts in Ohio today started out with prescription drugs, and for people to know that, it helps them avoid being in the situation they are, like the grandmother in Cleveland I talked about who was exposed to more and more painkillers and became addicted to them.

CARA also improves treatment by expanding the availability of naloxone. This is the miracle drug that can actually stop and reverse an overdose. Law enforcement agencies and first responders support our legislation because they appreciate the fact that

there is more funding for naloxone, also called Narcan, and also because there is more training in our legislation so people have the training to be able to save lives and reverse these overdoses.

It also expands treatment for prisoners who are suffering from addiction disorders. With evidence-based treatments, we can break this cycle of addiction and crime. Prosecutors have told me that in some counties in Ohio, more than 80 percent of the crime is now directly related to this opioid addiction. We are told that 95 percent of the people who are in jail or prison will be released someday and about half of them will end up back in jail within 2 or 3 years. Much of the recidivism, this revolving door in the prison system, has to do with this drug abuse issue. Families are torn apart when people go back and forth in the prison system. One of the reasons for the increase in crime, and why many crimes are committed, is to pay for an addiction. Breaking that cycle will help ex-offenders stay out of prison and help them to live out that God-given purpose.

CARA also expands disposal sites for unwanted prescription medications to keep them out of the hands of our kids. It would strengthen prescription monitoring programs to allow the States to monitor what goes on in their own State and to also know what is happening in the State next to them. If somebody is monitored for overusing prescription drugs in one State but can simply cross the line into another State and get those drugs, that doesn't help solve the problem. This legislation provides the ability to have a drug monitoring program that is inoperable between the States.

These are critical policy improvements, and they are part of a comprehensive approach to an epidemic that is devastating communities across the country. Yes, we need more funding, but we also need some of these changes in law to be able to spend the money more effectively.

I know these statistics about drug abuse are heartbreaking and can be very discouraging, but there are also many stories of hope we should not forget, and those stories are inspiring. It is about those who are struggling and find a way to get their lives back together.

Ashley Bryner of Newton Falls, OH, which is near Youngstown, started using drugs when she was 13 years old. By 16 she had gone to cocaine and by 18 she was addicted to painkillers. When she was 24, she switched to heroin when the painkillers became too expensive and too hard to get. Again, heroin is less expensive than prescription drugs today in my State of Ohio.

She said:

> When I was in addiction, I was living in hell. It just takes over your mind. . . . Everything I did when I was using was all to feed my addiction.

The drugs became everything. Then she decided to get help. She was ready. She didn't want to live like that anymore. She checked into Trumbull Memorial Hospital in Trumbull County. It took her 18 months to recover.

She said:

> I had to re-learn to walk, talk, everything, without dope. It was like being born all over again.

Four years later, she is clean and has full custody of her three sons. She is working for the Trumbull County Children's Services. She is helping others fighting addiction and excelling at her job. She is beating this.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PORTMAN. Madam President, I hope we can send this comprehensive legislation to the Whitehouse as soon as possible, to give more people hope, to be able to reverse the tide of this addiction and allow those Americans to live out their God-given purpose.

I yield back my time.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, shortly we will be voting on Laura Holgate for the nomination to the position of Ambassador and U.S. Representative to the Vienna Office of the United Nations and the International Atomic Energy Agency, IAEA.

I urge my colleagues to vote for her confirmation. She came through the Senate Foreign Relations Committee and is strongly recommended by that committee.

Ms. Holgate's extensive experience makes her uniquely qualified to serve in this position. She has served in senior positions in the Department of Energy and the Department of Defense for 14 years, building and leading global coalitions to prevent States and terrorists from acquiring and using weapons of mass destruction.

She currently serves as the Senior Director for Weapons of Mass Destruction, Terrorism and Threat Reduction on the National Security Council. Having this post filled with a highly qualified nominee has never been more critical. The position of the U.S. representative to multiple U.N. agencies as well as the IAEA includes the U.N. Office on Drugs and Crime, the United Nations High Commissioner for Refugees, and the International Monetary Money Laundering Information Network, among many others.

This position covers a range of other issues at the IAEA, including North Korea. The International Atomic Energy Agency in the coming years will be responsible for monitoring and verifying the nuclear agreement with Iran, confronting North Korea's continued violations of its nuclear obligations, and dealing with a variety of other nonproliferation threats. We need Laura Holgate in this position to represent U.S. interests and for our national security, and I urge my colleagues to support her nomination.

I yield the floor.

VOTE ON HOLGATE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Holgate nomination?

The nomination was confirmed.

VOTE ON HOLGATE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Holgate nomination?

Mr. CARDIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. FLAKE).

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Pennsylvania (Mr. CASEY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 29, as follows:

[Rollcall Vote No. 88 Ex.]

YEAS—67

Alexander	Gillibrand	Nelson
Baldwin	Graham	Paul
Bennet	Grassley	Perdue
Booker	Hatch	Peters
Boxer	Heinrich	Reed
Brown	Heitkamp	Reid
Cantwell	Hirono	Rounds
Capito	Isakson	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Cassidy	Klobuchar	Shelby
Coats	Leahy	Stabenow
Cochran	Manchin	Tester
Collins	Markey	Tillis
Coons	McCain	Udall
Corker	McCaskill	Vitter
Cornyn	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Ernst	Mikulski	Wicker
Feinstein	Murkowski	Wyden
Franken	Murphy	
Gardner	Murray	

NAYS—29

Ayotte	Fischer	Risch
Barrasso	Heller	Roberts
Blunt	Hoeven	Rubio
Boozman	Inhofe	Sasse
Burr	Johnson	Scott
Cotton	Kirk	Sessions
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Moran	Toomey
Enzi	Portman	

NOT VOTING—4

Blumenthal	Flake
Casey	Sanders

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Arkansas.

MORNING BUSINESS

Mr. BOOZMAN. 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. Is there objection?

Without objection, it is so ordered.

The Senator from Washington.

URGING THE UNITED STATES SOCCER FEDERATION TO IMMEDIATELY ELIMINATE GENDER PAY INEQUITY

Mrs. MURRAY. Mr. President, I am delighted to be here today with the senior Senator from Maryland, a longtime champion for women in this country and their access to equal pay, because in our country, women in the workplace—no matter where they live, no matter their background, no matter what career they choose—on average earn less than their male colleagues. That wage gap even exists and extends to Olympic gold medalists and World Cup champions who are playing for our U.S. women's national soccer team.

Today we are on the floor to show support for the women's national soccer team and to affirm the sense of the Senate that we support equal pay for equal work for all women in our country.

Just last year we all cheered on the women's national soccer team as they beat Japan 5 to 2 to win the World Cup. In the past three Olympics, our women's team has brought home the gold, and their team is ranked first in the world.

But despite all of those tremendous successes, these players do not get paid on par with their male counterparts. Think about the young girls who are watching who see these players at the top of their game valued less than men. These are some of the most visible athletes in the world.

In 2015, 750 million people in the world tuned in to watch the Women's World Cup. Twenty-five million of those viewers were here in the United States. So this isn't just about the money. It is about the message it sends to women and girls across our country and the world.

The pay gap between the men's and the women's national soccer teams is emblematic of what is happening across our country. On average, women get paid just 79 cents for every dollar a man makes. This is at a time when women more than ever are likely to be the primary breadwinner of their family. The wage gap isn't just unfair to women. It hurts our families, and it hurts our economy.

Carli Lloyd is a cocaptain of the U.S. women's national soccer team. Last year she scored three of the five goals in the final World Cup match. A few months ago, she was one of the players who filed a wage discrimination case with the Equal Employment Opportunity Commission.

Shortly after the news of that have case broke, Carli Lloyd said: ''We are not backing down anymore.''

I know my Democratic colleagues won't back down in the fight for equal pay, but on the Senate floor today, we have a chance to show our support for women athletes and women in the workforce who get paid less than their male colleagues.

Two weeks ago, I, along with 21 of my colleagues, introduced S. Res. 462 to make clear that pay discrimination is wrong. This resolution urges U.S. Soccer to end pay disparities and treat all athletes with respect and with dignity, and it expresses our strong support to end the pay gap and strengthen equal pay protections.

We are here to give the Senate the opportunity to take a stand with the members of the U.S. Soccer women's team against the pay gap and wage discrimination and to support this legislation.

I will offer the resolution in just a minute, but before I do, I turn the floor over to my senior colleague. I hope that once this resolution is adopted, if we can get it adopted, we can support the equal pay for equal work that she has championed for so many years.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise today to join my distinguished colleague from Washington State, a longstanding advocate for women and children and, really, fundamental fairness.

Today I join her in urging that the U.S. Soccer Federation end the gender gap and stop kicking women around. Women across our country are still paid less than men, just 79 cents for every $1 a man makes. This wage gap is felt by all women, even champions playing for the U.S. women's soccer team.

These champions won the World Cup last year. They brought in $20 million more in revenue than the men's team, but they are paid four times less.

When do we reward victory? When do we reward being a champion? How about equal pay for equal work? They belong on the same types of playing fields.

Those women are taking action by going to the EEOC Commission, and it is time to score one for equality. Equal pay for all must be our goal. We want equal pay for equal work, whether we are U.S. Senators, nurses, executive assistants, or whether we are professional athletes.

I stand with the women's soccer team and women across the United States in their fight for equal wages. They kick the ball around, but we are getting tired of being kicked around. Give us equal pay for equal work. Let's change the lawbook—the Federal lawbook—so that they can change their checkbook.

Why should our women go to the Olympics and go for the gold when they aren't paid the gold.

Let's pass this resolution. Let's show our support for the U.S. women's soccer team. Let's set an example for young girls, soccer athletes, daughters, nieces, and granddaughters. Let's pass the Paycheck Fairness Act, but today let's start with passing this resolution.

This is a real-world solution in support of them, but it really highlights the fact that we not only adopt resolutions, but we want to adopt solutions to finish the job that we started with equal pay.

I compliment the Senator from Washington State for bringing this resolution to the floor.

Mrs. FEINSTEIN. Last month, the national women's soccer team filed a complaint with the Equal Employment Opportunity Commission.

The complaint states that women are paid just 40 percent of what men are paid—despite the fact that our women's soccer team has long been one of the best in the world. The team has won four of the last five Olympic Gold Medals and three of the last seven World Cups.

However, the wage gap between the men and women's team is stark. Women are paid $3,600 per game while men are paid $5,000 per game. Women soccer players are awarded a win bonus of $1,350 per game. In contrast, male soccer players are awarded win bonuses of between $6,250 and $17,625 per game.

That is up to 13 times more. This differential is so significant that a woman player who wins all 20 exhibition games would still make $1,000 less than a male player who lost all 20 exhibition games.

Women soccer players are even given smaller per-diems when they travel. Women receive $50 per day, while men receive $62.50 per day. These examples represent the pervasiveness of wage discrimination in this country.

The most successful women's soccer team in the world still earns just 40 cents for every dollar earned by men, and that needs to change. The Senate should stand in solidarity with the national women's soccer team and pass this resolution.

Of course, what is happening to the women's soccer team isn't an isolated event. It is indicative of a much broader, entrenched problem in this country.

Women are still paid just 79 cents for every dollar earned by men. This means that every woman who works full time is paid $10,700 less—every year.

This gap has a significant effect on the economic security of working families—40 percent of women are the primary or sole breadwinners in their families.

That means 40 percent of families depend on women's wages to pay the bills. Every dollar women lose to the wage gap makes a difference.

Here are just a few examples of what the wage gap costs families: $10,700 is more than 1 year's worth of groceries for a family of 4, 7 months of mortgage and utility payments, or 11 months of rent.

The wage gap is even bigger for African-American and Latino women. African-American women are paid just 60 cents. Hispanic women are paid just 55 cents. We can't allow this discrimination to continue.

The wage gap is a national problem. It affects all women, and the Senate must take action. The Paycheck Fairness Act is a good place to start.

I have long supported this bill, which is sponsored by Senator BARBARA MIKULSKI. The Paycheck Fairness Act would protect women from retaliation if they ask about wages and require employers to justify paying women less than men for the same job.

Women often don't know they are being paid less than men, and making the system more transparent will help reduce the wage gap. The bill would also make it easier for women to take legal action under the Equal Pay Act, including class action lawsuits.

Under current law, it is significantly easier to recoup lost wages if they were denied through other discriminatory practices, like failure to pay overtime. Lastly, the bill would create a training program to help women negotiate their salaries.

This is a commonsense bill and one that is long overdue. President John F. Kennedy signed the Equal Pay Act in 1963. At the time, women made 59 cents for every dollar earned by men. In 53 years, we have only closed the gap by 16 cents.

At this rate, it will not be eliminated until 2059. Women and their families deserve better, and they can't afford to wait that long. I strongly urge the Senate to pass the Paycheck Fairness Act and the resolution before us today.

In closing, the Senate has an opportunity to stand up for equal pay for the women's soccer team—and all American women—by adopting this resolution.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 462 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 462) urging the United States Soccer Federation to immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. MURRAY. Mr. President, I know of no further debate at this time on this resolution and ask unanimous consent that the Senate now proceed to vote on adoption of the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

If there is no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 462) was agreed to.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the preamble be agreed to and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 12, 2016, under ''Submitted Resolutions.'')

The PRESIDING OFFICER. The Senator from Wisconsin.

REMEMBERING MARY BABULA

Ms. BALDWIN. Mr. President, I rise today to celebrate the life and work of Mary Babula.

For 44 years, Mary was a tireless and passionate advocate for children and early childhood educators and a valued resource for policymakers.

I was fortunate to work closely with Mary throughout my time in local and State government and later as a Member of the House of Representatives. Beyond our professional work together, Mary was a friend and also a mentor.

I first met Mary in the 1980s when I was serving on the Dane County Board of Supervisors and concurrently in an appointed position on the Community Coordinated Child Care board of directors.

Mary was at once an advocate for children and for the predominantly female professionals who teach and care for them. She understood that our children would only have safe, stimulating, and nurturing experiences in childcare settings if we invested in their training, credentialing, and adequate compensation.

Those who are entrusted with the care of children while their parents are engaged in work or study deserve that high value. Mary was a passionate leader in that regard.

Mary Babula organized early childhood educators to be effective voices on their own behalf. Whether it was lobbying for tuition assistance funding for low-income parents to be able to be afford high-quality childcare or rallying for worthy wages, Mary wanted early childhood educators to be seen, heard, and respected.

A Wisconsin native, Mary Babula attended the University of Wisconsin-Madison and graduated with a degree in social work, later receiving a graduate degree in continuing and vocational education. She began her work with children as a part-time volunteer at a Madison daycare center while in college. She later worked as a teacher and director at Christian Day Care Center in Madison.

In 1971, Mary began working with the Wisconsin Early Childhood Association, otherwise known as WECA, and later became the organization's executive director. During her years at WECA, Mary led the organization through a wide variety of instrumental changes. The establishment of the Federal child care and development block grant signaled new opportunities for WECA to increase its direct impact on childhood education and development. Through this program, WECA managed quality-improvement grants and established the Wisconsin Child Care Improvement Project. This project spurred the development of Child Care Resource and Referral agencies throughout Wisconsin, which provided parents a clear and responsible guide when selecting child care.

In the 2000s, WECA began to administer the REWARD Wisconsin Stipend Program, supported a mentoring program, and led efforts that resulted in the development and beginning of YoungStar, an important program that continues to serve as Wisconsin's childcare quality rating and improvement system. Her efforts and initiatives at WECA continue as her legacy.

Mary's passion for her children, caregivers, and educators extended well past the walls of WECA. She was eager to work with elected officials at the State, local, and Federal level to lend her expertise and knowledge. I had the privilege of working closely with Mary on numerous occasions and often sought her input on childcare issues as important legislation advanced through Congress.

Beyond her work with children, Mary brought her energy and dedication to numerous community groups, including Womonsong, Friendship Force, and the Wisconsin Women's Network.

I am fortunate to have known Mary as an advocate, as a friend, and as a mentor. I never let her small stature fool me. She had a soft yet powerful voice when it came to ensuring that the youngest and most vulnerable members of our community received a very strong start in life. Thousands of Wisconsin families can trace the early education of their children directly back to her advocacy. She leaves behind a huge and powerful legacy.

Mary Babula passed away late last year. She is survived by her life partner, Mary Mastaglio, her mother Miriam, and three sisters. Many family members and friends join in celebrating her life and legacy.

I yield back the remainder of my time.

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. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INSPECTOR GENERAL REPORT ON SECRETARY CLINTON'S NON-GOVERNMENT SERVER AND EMAIL ARRANGEMENT

Mr. GRASSLEY. Mr. President, the State Department inspector general has released findings regarding the State Department's email practices for

the last five Secretaries of State. This report makes clear that Secretary Clinton has not told the truth to the American people about her nongovernment server and email arrangement.

As I have noted many times before, Secretary Clinton's nongovernment server arrangement prevented the State Department from complying with the Freedom of Information Act. She used the private server to avoid the law that requires archiving Federal records. It was designed to wall her email off from the normal treatment of a government official's email communications.

The inspector general found that Secretary Clinton failed to surrender all official emails to the Department prior to leaving government service.

The inspector general found that Secretary Clinton's email practices ''did not comply with the Department's policies that were implemented in accordance with the Federal Records Act.'' In other words, she violated the law. The inspector general has made clear that Secretary Clinton neither sought nor received any permission to maintain her nongovernment server arrangement. Moreover, the report says that if she had, that permission would have been denied.

These findings directly conflict with her many misleading public statements.

Secretary Clinton said on July 7, 2015, ''Everything I did was permitted. There was no law. There was no regulation. There was nothing that did not give me the full authority to decide how I was going to communicate.''

That statement is false.

Her staff also failed to comply with Department policy and records laws. They routinely conducted State Department business on personal email accounts.

After the controversy broke, they eventually turned over 72,000 pages of work related emails from those private accounts. These emails were not preserved in Department recordkeeping systems as required by Department policies and Federal records laws. In other words, her staff also violated the law.

Documents in those 72,000 pages were systematically withheld from Freedom of Information Act requestors and congressional oversight committees, including the Senate Judiciary Committee, which I chair. Based on the inspector general report, it appears that the Department failed to produce key documents to Congress from these personal email accounts.

For example, according to emails cited by the inspector general, we learned that Secretary Clinton's nongovernment server was attacked by hackers. One email the Department failed to turn over said that ''we were attacked again so I shut the server down for a few minutes.''

It is disturbing that the State Department knew it had emails like this and turned them over to the inspector general but not to Congress.

In another email the Department failed to turn over, the director of Secretary Clinton's IT unit warned her that ''you should be aware that any email would go through the Department's infrastructure and subject to FOIA searches.'' Clearly, Secretary Clinton wanted to avoid the Freedom of Information Act at all costs.

That IT director who warned her about the transparency laws for State Department emails is named John Bentel. He has since retired from the State Department, and thus, the inspector general could not require him to testify.

He refused to speak with the inspector general. In fact, Former Secretary Clinton and several of her aides also refused to speak to the inspector general.

Mr. Bentel also refused to speak with the Judiciary Committee. According to his attorney, Randall Turk, Mr. Bentel knew nothing about the server at the time. In refusing to participate in a voluntary witness interview with the committee, Mr. Bentel's attorney claimed that his client only learned of the controversial email arrangement after it was reported in the press.

He said another congressional committee ''spent its entire interview . . . focusing on what the Committees' letter says you want to ask him about.''

In a January 14, 2016, email to my staff, Mr. Turk noted that Mr. Bentel had ''no memory or knowledge of the matters he was questioned about.''

The inspector general report says otherwise. According to the report, two of Mr. Bentel's subordinates separately raised concerns back in 2010 about Secretary Clinton's private email usage, including concerns that it was interfering with Federal recordkeeping laws. That is 5 years before the news broke publicly.

Both of these State Department staff independently told the inspector general about similar conversations they had with Mr. Bentel about their concerns. According to these new witnesses, Mr. Bentel told them never to speak of Secretary Clinton's personal email system again.

It seems unlikely that two witnesses who told such similar stories independent of one another would be making it up. Plus, they knew they were under a legal obligation to tell the truth to the inspector general.

Without having spoken to these witnesses directly, the circumstances make their statement seem credible. And although Mr. Bentel has been given the opportunity to provide his side of the story, he has refused to cooperate.

But if what these two witnesses said is true, it is an outrage, and it raises lots of serious questions. Good and honest employees just trying to do their job were told to shut up and sit down. Concerns about the Secretary's email system being out of compliance with Federal recordkeeping laws were swept under the rug.

If those State Department employees had not been muzzled 5 years earlier, perhaps Secretary Clinton could have avoided this entire controversy.

Are these statements evidence of an intent to cover up Federal Records Act violations? Were the representations to the committee by Mr. Bentel's attorney that he didn't know about the private server false?

It seems from the inspector general report that Mr. Bentel in fact did have knowledge of Secretary Clinton's email arrangement, contrary to his attorney's assertions.

Not only that, he also was reportedly warned that it raised legal concerns about compliance with Federal records laws.

Secretary Clinton and her associates have refused to cooperate with the inquiries into this controversy. But it is becoming more apparent why she is not. The inspector general report makes clear that Secretary Clinton and a number of other former Department officials have not been truthful with the American people.

And in pursuit of constitutional oversight on these very important issues, the Department of State is continuing to fail to provide relevant documents to Congress.

I will follow up to get to the bottom of these discrepancies because misrepresenting the facts to Congress is unacceptable. Simply said, the American people deserve better.

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. PETERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. PETERS. Mr. President, I rise today to speak in support of the Peters amendment No. 4138 to the National Defense Authorization Act. I would like to thank my colleagues, Senators DAINES, TILLIS, and GILLIBRAND, for joining me in filing this important bipartisan amendment.

We are a nation that takes care of our own, and we owe our veterans the highest possible level of care and support. The United States is home to over 2.6 million post-9/11 veterans—a number that is expected to increase by 46 percent by 2019. The improvements in medical technology have saved the lives of wounded warriors, who will receive the benefits and care these heroes deserve.

While scars, lost limbs, and other injuries are readily apparent to the eye, there are thousands of veterans coping with the invisible wounds of war. We have far too many servicemembers who are suffering from trauma-related to conditions such as post-traumatic stress disorder or traumatic brain injury. Unfortunately, many of these

have received a less-than-honorable discharge, also known as a bad paper discharge. These former servicemembers often receive bad paper discharges for minor misconduct—the same type of misconduct that is often linked to behavior seen in those suffering from PTSD, TBI, and other trauma-related conditions.

The effects of traumatic brain injury can include cognitive problems, including headaches, memory issues, difficulty thinking, and attention deficits. It is not difficult to see how these effects could lead to behaviors like being late to a formation or missing scheduled appointments—behaviors that can be the basis for a bad papers discharge.

In addition to combat-sustained injuries, PTSD and TBI can also be the result of military sexual trauma. Bad paper discharges make former servicemembers who are suffering from service-connected conditions ineligible for a number of benefits that they need the most. This includes GI benefits and VA home loans which they otherwise would have earned and which can significantly help them transition to civilian life. These discharges also put these servicemembers at risk of losing access to VA health care and veteran homelessness prevention programs.

This is completely unacceptable. We have a responsibility to treat those who serve their country with dignity, respect, and compassion.

Last year I introduced the Fairness for Veterans Act, which will help provide these servicemembers with a path toward obtaining these critical benefits. The Peters-Daines-Tillis-Gillibrand amendment is a modified version of this bill.

This amendment builds upon the policy guidance issued by former Defense Secretary and Vietnam veteran Chuck Hagel. The 2004 Hagel memo instructed liberal consideration to be given when reviewing discharge status upgrade petitions for PTSD-related cases at the military department boards for correction of military and naval records. The Peters amendment would codify the commonsense principles of the Hagel memo, ensuring that liberal consideration will be given to petitions for changes in characterization of service related to PTSD or TBI before discharge review boards.

In addition to codifying the Hagel memo at the discharge review boards, the Peters amendment clarifies that PTSD or TBI claims that are related to military sexual trauma are also included.

Our bipartisan amendment is supported by a number of veteran service organizations, including Iraq and Afghanistan Veterans of America, Disabled Veterans of America, Military Officers Association of America, the American Legion, Paralyzed Veterans of America, and Vietnam Veterans of America.

We also have bipartisan support in the House of Representatives, and I appreciate the work being done by Representatives MIKE COFFMAN of Colorado and TIM WALZ of Minnesota, who have introduced a companion stand-alone bill in the House and are supportive of this amendment.

Servicemembers who were subject to a bad paper discharge and are coping with wounds inflicted during their service should not lose access to benefits they have rightfully earned. That is why we must ensure that they get the fair process they deserve when petitioning for a change in characterization of their discharge. Peters amendment No. 4138 will do just that. This is not a Democratic issue or a Republican issue; this is about doing what is right and about taking care of our own.

I appreciate Chairman MCCAIN's and Ranking Member REED's leadership on the National Defense Authorization Act, and I look forward to continuing to work with them on this critical issue. I hope to see a vote on the Peters amendment No. 4138 as we continue the work on the NDAA, and I urge my colleagues to join us in fighting on behalf of our Nation's servicemembers.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOCIAL SECURITY AND MEDICARE BOARDS OF TRUSTEES

Mr. HATCH. Mr. President, I rise today to speak about pending nominees for the Social Security and Medicare Boards of Trustees.

As most of us know, under the law these two Boards consist of the Secretaries of Treasury, Labor, HHS, Commissioner of Social Security, and two public trustees, one from each party.

One purpose of the Boards is to provide yearly reports on the operation of the trust funds and their current and projected status. Since 1983, when the two public trustee positions were established in the statute, the trustee reports for both trust funds have largely been devoid of partisanship or political influence. That, to me, has been a good thing. It means that the process generating the reports is free of political influence. It also means that the public can have confidence that the statements and assessments made in the reports—including those dealing with current and future financial conditions of the trust funds—are objective and not made to serve a particular agenda.

The inclusion of public trustees on the Boards is an important part of the structure that provides this type of certainty. Yet, by the time President Obama is out of office, the two Boards will have issued more reports with vacant public trustee positions than have been issued under any President since these two positions were created.

In a recent hearing, the Senate Finance Committee, which I chair, heard testimony from President Obama's nominees for the currently vacant public trustee positions, Dr. Charles Blahous and Dr. Robert Reischauer, both of whom have been renominated after serving one full term on the Boards.

Some members of the Finance Committee, as well as a few others in this Chamber, have questioned whether having public trustees serve more than one term is beneficial. Their argument seems to be that the process of producing the trustees' reports should have ''fresh eyes'' every 4 years. However, to me, this argument is not all that persuasive. As the trustees go through the process of producing reports, there are many inputs and many participants, including a number of ''fresh eyes.'' For example, there are numerous technical panels, composed of actuaries, economists, demographers, and others, who review the assumptions and methods used in the trustees' reports. Since 1999, 50 different people have served on these technical panels, weighing in on the reports and providing both fresh perspectives on the trustees' reports as well as a much needed check from what could otherwise be outsized roles played by various others, including the Chief Actuary of the Social Security Administration in guiding the contents of the reports.

In my view, there is value to having continuity in the public trustee oversight of the trust funds, particularly since the process that gives rise to trustee reports takes time to learn. For the most part, public trustees are unlikely to have fully learned the ropes until well into their 4-year terms, and their terms very likely expire very shortly after they have a complete understanding of this whole process. Ultimately, while there are probably some tradeoffs associated with term limits for public trustees, there is no real evidence to demonstrate that a single term is inherently superior or that the benefit of having public trustees with ''fresh eyes,'' outweighs the cost of inexperience.

Whatever the case, Members are entitled to their individual preferences regarding term limits for public trustees, and if the issue is as important as some of my colleagues on the other side claim, a bill to impose those kinds of term limits would seem logical. However, such a bill has not recently been offered, and if the recent Finance Committee hearing on the current nominees is any indication, my friends have a different agenda altogether. If term limits were the real issue with these nominations, the committee could have had a reasoned debate and each Member could have weighed in on the matter and Members would obviously be free to base their vote on the substance and outcome of that recent debate.

Sadly, a reasoned debate is not what occurred in our committee. What we got instead was a coordinated attack—pretty much from the ranking member all the way down the Democrats' side of the dais—focused squarely on the Republican nominee, Dr. Blahous. Throughout the course of the hearing, the Democrats never claimed that Dr. Blahous lacked the appropriate credentials to be a suitable trustee. They never provided any evidence that he had acted inappropriately or exercised some kind of nefarious influence in the process of compiling reports. Instead, my colleagues attacked the nominee for expressing policy views they happen to disagree with. He has never worked to change any Social Security or Medicare policies in his capacity as a public trustee because, given the very specific mission of the boards of trustees, he doesn't have any real opportunity to influence or enact any policy changes in any official capacity.

The Democrats' current position seems to be that if a nominee has ever said anything they happen to disagree with—even if the statements represent reasoned policy views and are supported by objective analysis—they are unfit to serve as public trustees. During the course of our hearing, not only did the Democrats publicly subject its nominee to this preposterous standard, they did so with comments and arguments that were misleading, inconsistent, and in some cases blatantly false. In the end, their onslaught amounted to little more than partisan character attacks.

The Republican nominee was referred to as ''hyperpartisan,'' even though you would be hard-pressed to find any credible and reasonable Social Security and Medicare analyst from either party who would agree with that label. He was accused of being the ''architect of privatization'' of Social Security because he happened to work in the Bush administration. He has been attacked for his involvement in President Bush's Commission to Strengthen Social Security as though that were something nefarious, even though Senator Daniel Patrick Moynihan, a figure long revered by Democrats everywhere and me, was also a cochair of that Commission.

There have been other attacks made—in the hearing and elsewhere—and all of them add up to one single and obvious conclusion, which is that anyone who expresses a view about the future of Social Security that is not a recommendation for more taxes and higher benefits will be subject to partisan attacks and deemed unfit to serve in any capacity relating to Social Security. This is, of course, the demand of leftwing interest groups that have virtually declared ownership of all things Social Security and who are unwilling to do anything about solving the problems of Social Security. All they want to do is throw more money at it when there is no more money to throw.

For this crowd, even arguments in favor of slowing the benefits for upper earners seem to be off limits, even when they are made by the Democratic nominee for public trustee. In other words, even proposals that would make Social Security more progressive—something a reasonable person would assume Democrats would not fight—is seemingly unacceptable because slower benefit growth, even for the very rich, is considered a ''cut'' to the leftwing activists who try to take ownership of this debate. I am talking, of course, about organizations like Social Security Works, the Strengthen Social Security Coalition, various unions, and ''democratic socialist'' groups that have made intransigence and unreasonableness on Social Security a hallmark of their efforts over all of these years. For these people, the only allowable discussion on Social Security is one limited to talk of higher benefits and higher taxes on the American people. Anyone who disagrees will not only be refuted or opposed, they will be publicly maligned and their character will be called into question.

Indeed, for many of these groups—and sadly for some of my colleagues on the other side of the aisle—these efforts are not about winning public policy debate, they are about silencing and trying to censor anyone who dares express a contrary opinion.

In even-numbered years, Republicans have more or less gotten used to hearing that we want to see Social Security ''slashed'' and ''privatized'' or ''turned over to Wall Street.'' Leftwing activists—and, yes, even a number of our colleagues—base a huge portion of their fundraising efforts on scaring Social Security and Medicare beneficiaries with those kinds of over-the-top attacks. For once, when it comes to Social Security, I wish we could look at all the facts. For example, everyone knows we made some changes to Social Security last year in order to prevent imminent and legally required cuts to disability benefits. We did so based on the projections of the Social Security trustees—these very people who are being treated in this improper way.

Did we ''slash'' benefits? Did we privatize anything? Did we turn anything over to Wall Street? Of course not. What we did was make reasonable and needed changes to the program, but that didn't stop many on the other side from sounding the privatization alarm and raising money by scaring beneficiaries, even if they were as aware as we were that the cuts to disability benefits were, absent changes, an absolute certainty. We got precious little help from the Democrats in our efforts to avoid benefit cuts because, as is too often the case around here, complaining about a problem and blaming the other side for it makes for better politics than finding a solution. That same strategy and those same attacks have now permeated the effort to confirm two of President Obama's nominees. By the way, I am arguing for President Obama's nominees.

As I said, the Republican nominee for public trustee has been accused of being many things. More than anything, some of my colleagues have tried to link him to some kind of effort to try to privatize all of Social Security and hand everything over to Wall Street—never mind the fact that he has already served in the very same position for 4 years and Social Security is no closer to being in the hands of Wall Street than it was before, never mind the fact that he was already confirmed to the very same position once before without any opposition on the Senate floor, never mind anything that has happened in the past. Here and now, according to my colleagues, he is controversial. Here and now, letting him serve as a public trustee would be like having a fox guarding the henhouse or some such nonsense. By the way, that phrase, ''fox guarding the henhouse,'' is an actual quote from one of our colleagues describing Dr. Blahous. Apparently, he became a ''fox'' sometime in the last 6 years because in 2010 no one in the Senate objected to his confirmation, but here in 2016, there are apparently some Democrats who feel they need to use this nomination and their partisan rants against it to raise money for their campaigns and perhaps in a case or two boost their prospects for higher office. Of course, none of this is entirely surprising because years ago, probably in some Democratic war room, my friends on the other side discovered that terms like ''privatization'' and ''Wall Street'' and ''cuts'' poll well with their political base, even though no such thing is taking place.

As an aside, this favorable polling data explains why we heard their party's Presidential frontrunner back in February make this claim:

> After Bush got reelected in 2004, the first thing he said was, let's go privatize Social Security. . . . And you know what, their whole plan was to give the Social Security trust fund to Wall Street.

My gosh. There are at least three or four poll-tested buzzwords in that quote. If nothing else, Secretary Clinton deserves at least some praise for focus group efficiency with that statement no matter how false the statement is or was at the time. Of course, in dissecting that claim, the Washington Post assigned it three Pinocchios, concluding that it was false, as only they could conclude. In fact, the Washington Post reminded us that the Clinton administration was the first to consider investing Social Security trust fund resources into something other than low-yielding government bonds. So, in a sense, the real ''architect of privatization'' was President Bill Clinton, not President George W. Bush, and certainly not the current Republican nominee for public trustee. Furthermore, if simply considering alternative investment strategies for trust fund dollars means ''privatization,'' then the growing list of guilty

privatizers has recently included a Democrat in the House, the AARP, a Nobel prize-winning economist, and many others, and not all of them are Republicans.

Let me return to the debate on the public trustee nomination because, quite frankly, the Democrats made so many misleading claims with regard to Social Security that I could not begin to address them all in a single floor speech.

A recent article in POLITICO outlined the plan devised by top Senate Democrats to engage in ''an election-year battle'' over Social Security and the general public trustees in particular. In relation to Dr. Blahous, the article says: ''Democrats point to several instances in the trustees' reports released after Blahous joined the board that they say suggest the Social Security trust fund is less solvent than it really is.''

That almost sounds like a legitimate policy argument, provided you don't think about it for longer than 30 seconds. There are, quite simply, countless reasons why that argument is entirely baseless. First of all, no one in the Obama administration has corroborated a single one of these claims in any way, shape, or form. On top of that, this claim seems to suggest that one public trustee, a Republican, has had such a persuasive and misleading influence that he has been able—for more than 4 years—to hoodwink five Democratic trustees, including Dr. Reischaure, the other current nominee, along with Treasury Secretary Lew, Labor Secretary Perez, HHS Secretary Burwell, and Acting Social Security Commissioner Colvin, all of whom also signed on to those trustees reports. Does anyone believe that for a second?

I am going to give my friends some advice: If a political attack relies on an assumption that the sitting Secretaries of Treasury, Labor, HHS, and the Acting Commissioner of Social Security, along with their staffs, are so impotent in the face of the cunning sophistry of a single public trustee from the opposing party, it is best to leave that particular conspiracy theory on the shelf because it doesn't even pass the laugh test. That is, of course, unless you assume at the outset that members of President Obama's Cabinet, along with their staffs, are incompetent or just plain dumb.

Aside from being based on foolish assumptions, the claim that recent trustee reports have been biased is verifiably false, given that the nonpartisan Congressional Budget Office has reached similar conclusions about the solvency of Social Security. In fact, CBO's projections are even bleaker.

Perhaps my Democratic colleagues believe that Dr. Blahous's dastardly influence has extended to CBO as well, although, to be fair, I haven't heard any of them claim that such is the case.

Mr. President, all of this political bluster over the public trustee nominations—every single word of it—is a political sideshow. The public trustees do not have the power or ability to slash or privatize Social Security or to turn a single penny of any public funds over to Wall Street. They serve a limited but important role in monitoring and reporting on the system. That is all.

Any reasonable observer will tell you that both of President Obama's nominees for public trustee have solid reputations as being fair, objective, balanced, and most importantly, highly competent.

I don't personally agree with all the policy positions that the Democratic nominee, Dr. Reischauer, has put forward over the years, but he has always conveyed his ideas in a temperate and respectful manner without partisanship or ad hominem attacks. Quite frankly, I also may not even agree with all the positions that the Republican nominee, Dr. Blahous, has put forward, but he has similarly conducted himself in a respectful and nonpartisan manner.

The fact is, whether certain Democratic Senators like it or not, the law requires that one of the public trustees be from the Republican Party. If someone wants to put forward legislation to change that or to impose term limits on trustees or even start a public debate on these issues, they are free to do so. Similarly, if a Senator disagrees with a prospective trustee's positions on policy or with something they have written outside of their public trustee functions, that Senator is also free to vote against that nominee on that basis.

However, in my opinion, it is shameful for Members of Congress to engage in unreasonable and false character attacks in order to reinforce the Presidential candidate's talking points or to raise money for leftwing activists or to help themselves on their political races. Under any circumstances, it is wrong to impugn someone's character and professionalism by false association.

While this may be par for the course during an election year, there is more than politics at stake here. If Democrats truly have an interest in the integrity of Social Security and Medicare, and their trust funds, then politicizing public trustee nominations is an extraordinarily odd strategy. If we turn these nominations into just another political battleground, the trustee reports will eventually be viewed as political documents, having no unique seriousness or credibility. In the end, that will mean less transparency, objectivity, and integrity for Social Security and Medicare.

This would be terrifically unfortunate.

To conclude, I would just say that, despite some insinuations to the contrary, my plan all along has been to hold votes on the Finance Committee on the President's nominees for the public trustee positions as soon as possible. I look forward to filling the existing vacancies.

The trustee reports for Social Security and Medicare have historically been void of politics, to the credit of the current and past administrations as well as the public trustees from both sides of the aisle. This has been the case until now, when politics has entered in. My sincere hope is that we can keep it that way.

I am getting a little tired of the Social Security arguments that Democrats wage every election, such as Republicans are going to destroy Social Security. My gosh, we believe in it as much as they do—in fact, I think, a little bit more. We believe we should strengthen that fund. We should keep it alive. We should make sure it is going to be there for your children, my children, grandchildren and, in my case, even great-grandchildren and beyond. But it is not going to be there if we have these kinds of idiotic policy disagreements based surely on politics and how one party might benefit in a political campaign or how any individual might benefit. It is time for us to get rid of all the partisanship and work together to resolve some of these problems. The next time I hear another Democrat say that Republicans are against Social Security, I am going to take that creature on. I call them a creature because they certainly do not deserve to be in the U.S. Senate.

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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. DURBIN. Mr. President, I rise to highlight a number of important provisions in the fiscal year 2017 National Defense Authorization Act. This is the measure in its entirety. It comes with this report. It is about 1,664 pages for the actual bill and another 642 pages for the report. It is no wonder, as it deals with national security issues as well as the Department of Defense and many other agencies. It is clearly the product of many hours and months of work by the members of the committee, as well as the staff.

We consider it on the floor of the Senate and have a special responsibility to look at it very carefully. This bill, of course, will take some time to be digested and analyzed. We have been in that process this week. Many of us count on our professional staff whom we have work for the defense appropriations committee. They also look at this measure to see how it squares up with the actual spending bill. I don't serve on the defense authorization committee; I am on the spending part of it, the defense appropriations subcommittee. We approved our measure

today and reported it from the full Appropriations Committee. It will be coming to the floor in a few weeks.

What is the most pressing concern when it comes to our national defense? Most Americans would rightly say it is terrorism. Terrorism is a real threat to America and to our families. We have to do everything in our power to prevent terrorism from reaching our shores and to dismantle it and destroy it overseas. It is a large undertaking.

The United States leads the world in dealing with global terrorism. This bill we are considering has elements in it that address that challenge. I take the threat seriously, and as vice chairman of the Defense Appropriations Subcommittee, I have worked with the senior Senator from Mississippi, Republican Senator THAD COCHRAN, to try to make sure our troops have the funds they need to wage the fight overseas.

To defeat ISIS, we should defeat them on the ground in Iraq and Syria and dismantle their international terror network. We also must continue to prevent the spread of terrorism here at home through stronger homeland defenses and work with our allies to strengthen their intelligence-gathering. To win, we have to mobilize the full force of the U.S. Government against ISIS and ensure that every national security agency has what it needs to keep us safe—at not just the Department of Defense but at all of the intelligence agencies: the Department of Homeland Security, the Federal Bureau of Investigation, the State Department, and the Treasury Department. It is not DOD's fight alone.

This Defense authorization bill contributes to that strategy to stop the spread of terrorism. It authorizes funds for the fight against Al Qaeda, the Taliban, and ISIS, and also includes $1.7 billion to build the capacity of our allies in Iraq, Syria, and the broader region.

Finally, like this year's Defense appropriations bill, this bill also consolidates a lot of duplicative programs in order to make the fight more effective. It streamlines the authorization for funding for DOD efforts to train and equip our top partners. It will mean better oversight. It will mean more fighting time against ISIS and Al Qaeda instead of more time fighting among the bureaucracy in the Pentagon.

There are several other good provisions in the committee bill which represent a bipartisan consensus between the chairman and the ranking member. I commend the chairman and the ranking member for refraining from budget gimmickry, as we have seen in the other body across the Rotunda.

Our House colleagues recommend authorizing and appropriating only half of what our men and women in uniform need to keep us safe—half an appropriation—through April of 2017. Testifying in front of my Defense Appropriations Subcommittee, Secretary of Defense Ash Carter called this House ''gambling with warfighting money at a time of war, proposing to cut off troops' funding in places like Afghanistan, Iraq, and Syria in the middle of the year.'' I am glad we have refrained from those tactics in the Senate.

The bill also authorizes a well-deserved pay increase for our uniformed and defense civilian workforce. It rejects a request by the Department of Defense to authorize a future Base Realignment and Closure, or BRAC, Commission. Many of us have lived through a lot of these BRAC Commissions. I am not optimistic that if we embark on another one, it will have positive results.

Like many of my colleagues, I strongly oppose Russian President Vladimir Putin's reckless invasion of Ukraine, so I also appreciate this bill's authorization for additional military assistance for Ukraine.

There are several issues which are not addressed in this bill which I hope we can address on a bipartisan basis. Unlike previous years, the bill contains no extension for the Afghan special immigrant visa program so that we may continue to keep faith with those foreign translators who risk their lives to help American troops. Senator SHAHEEN and others have championed this effort, and I hope we can deal with it appropriately.

There are several provisions in this bill that are controversial. I would like to address a few.

The closure of Guantanamo Bay in Cuba is an issue that I think is timely and extremely important. This bill once again blocks the transfer of detainees from Guantanamo Bay to the United States. Some of my colleagues are threatening amendments to tighten these restrictions further.

The reality is, every day Guantanamo stays open, it weakens our alliances, inspires our enemies, and calls into question our commitment to human rights. Time and again, our most senior national security and military leaders have called for the closure of Guantanamo.

The troops—the service men and women who are responsible for maintaining Guantanamo—have an almost impossible assignment. I have been down to Southern Command in Florida. I have talked to them. They are doing their level best to make sure Guantanamo Bay meets standards. I don't hold against them the reputation Guantanamo has in many places in the world, but the fact is, we should look at Guantanamo in honest terms.

In addition to our national security costs, every day that Guantanamo remains open, we are wasting taxpayer dollars. Many colleagues come to the floor and make speech after speech against wasteful Federal spending. So let me give a classic example at Guantanamo Bay. According to this authorization bill, we are now spending $5.5 million a year for each of the prisoners at Guantanamo Bay.

What if those prisoners were put in the most secure Federal prisons in America, supermax facilities where no one has ever escaped? How much would it cost us? Would it cost $5½ million like Guantanamo? No. It would cost $86,000 a year. Why, then, would we waste millions of dollars on Guantanamo when we know these detainees can be held safely, securely, and without any fear of escape for a fraction of the cost? Because this has become a political symbol, a symbol which the other party is willing to fight for even if it means wasting almost $500 million every single year to keep Guantanamo open.

All of us are committed to preventing terrorist attacks. Terrorists deserve swift and sure justice and severe prison sentences. But holding detainees at Guantanamo Bay does not administer justice effectively. It does not serve our national security interests. It is inconsistent with our country's history as a champion of human rights.

There are convicted terrorists being held safely in Federal prisons in more than 20 States, including my own. At the Marion Federal penitentiary in Southern Illinois, we are holding convicted terrorists. How many people from Southern Illinois have come to me and objected to the fact that terrorists are incarcerated at the Federal prison in Marion? Exactly none. Not a one. They trust the men and women in the Bureau of Prisons to hold these prisoners safely, even if they are convicted of terrorism. Why, then, do we continue the charade of maintaining Guantanamo for some bragging rights in some places in this world? I don't understand it. If you want to save $500 million for the taxpayers of America, here is a place to start.

There are also some troubling provisions on guns, including on the reimportation of military firearms for sale. Now, listen to this one. One section of the bill would circumvent State Department restrictions on reimporting surplus military weaponry back into the United States for sale to the public—military weapons for sale to the public in the United States. This is an item that has long been on the gun lobby's list—a wish list that hopes that hundreds of thousands of M–1 military-grade rifles that the United States supplied to South Korea decades ago will come back into the United States, be put in the hands of gun companies, and be sold back in our country. How many people think that bringing in these items—hundreds of thousands of military-grade weapons—and selling them will make us a safer nation? I don't.

Section 1056 of the bill would have the U.S. Army basically serve—listen to this—as a free shipping service to bring these weapons back into the United States, thus bypassing State Department restrictions on the reimportation of these guns by private companies. The bill would then direct the Army to make these guns available to the companies so they could sell

them to the public at large—military-grade weapons.

There is also a provision giving military-grade firearms to museums. Another section of this bill would authorize the Secretary of the Army to transfer up to 4,000—4,000 military-grade firearms to public or private military museums, but there is nothing in the bill requiring that the guns be rendered inoperable. There is nothing to prohibit these museums from reselling them to the public as well.

We should be very careful in importing and selling military-grade firearms in the United States of America.

I will defend Second Amendment rights. I will defend the right of individuals to own, use, and store guns safely for sporting purposes and for self-defense. But the notion that we need to bring hundreds and thousands of military weapons back into the United States and put them in circulation—do you really believe that will make us a safer nation? I don't.

The bill also includes a provision affecting Department of Defense-operated schools and school districts that regularly receive impact aid. We need to ensure that our kids are safe as they step onto the bus, walk through school hallways, and enter the classroom each day. When we entrust teachers, administrators, bus drivers, librarians, and others to watch over and care for students, we should have confidence that they are individuals who will actually protect our kids. Indeed, the vast majority of school employees are hard-working, caring individuals dedicated to ensuring that students learn in a safe, nurturing environment. However, we unfortunately have read too many recent headlines about predators who, instead of teaching and protecting kids, ultimately harm and abuse them.

I agree with my colleagues that we need to put in place a comprehensive background check system that will close loopholes and establish zero-tolerance policies for sexual misconduct by school employees. That said, I have serious concerns with section 578 in this bill. This provision fails to provide adequate due process and civil rights protections for innocent individuals. I am also concerned that this provision is overly broad and could potentially allow schools to dismiss highly qualified individuals who pose no risk to any children. We need to strike the appropriate balance to make sure there is a just process before we make the final determination.

Another troubling provision is Section 829H, which states that the Executive order on fair pay and safe work places would not apply to all defense contractors; rather, just to those who have previously been debarred or suspended as a result of labor law violations. The Executive order simply requires transparency about a contractor's ability to follow long-established labor law. The American people deserve to know why DOD decides to task billions of dollars' worth of work to these people. We should ensure that the President's Executive order is implemented fairly and consistently across the Federal Government.

The bill also contains three related troubling provisions relating to the issue of how to best protect Americans' national security as it relates to the launching of national security payloads into space. I will have more to say about that as this debate progresses, but I would note at the outset that the provision in the bill which I am pointing to has been addressed at the highest levels by our Department of Defense.

The Secretary of Defense, Ash Carter; the Director of National Intelligence, James Clapper; and the Secretary of the Air Force, Deborah James, all disagree with the chairman of this authorization committee on this issue—every one of them. They all agree that this Senator's proposal would cost taxpayers across America billions of dollars more than the current strategy.

In times of tight budgets, when America, its taxpayers, and certainly the men and women in uniform need every dollar we can save them, you can't explain or defend the position taken by the committee.

The disagreement is over how to best get the United States off the dependence of Russian-made rocket engines for the launching of national security payloads into space. The proposal coming out of the committee from the chairman last year and again this year continues to suggest a rash and abrupt halt to the purchase of these Russian-made engines. Let me make it clear. I want to move away from these Russian engines quickly. I want American engines, built by Americans, to propel those payloads into space. But it takes time. For 2 years we have been appropriating money to achieve this goal. It will take at least 2 or 3 years more for us to reach that goal and have an American-made engine.

This chairman of this committee ignores that reality and says we will just stop when it comes to these Russian engines and take the consequences. Well, the consequences, sadly, are going to be an extraordinary expense for American taxpayers.

As chairman and now vice-chairman of the Defense Appropriations Subcommittee, I am committing to an American-made engine. We have appropriated even more funds for this effort than this authorizing committee has authorized over the last several years. The Air Force is using these funds to liberate us from Russian-made rockets as quickly as possible. But Secretary Carter, Director Clapper, and Secretary James have all testified publically that the proposal from the senior Senator of Arizona is dangerous to national security and costly.

Secretary Carter, testifying in front of the Defense Appropriations Subcommittee on May 6, 2015, said:

> We want to get off of that dependency on Russia, but it takes some time to do so. And in the meantime, we don't want to have a gap. . . . We can't afford to have a gap because we need to be able to launch national security satellites.

Earlier this year, Air Force Secretary James testified in front of the senior Senator's own committee—from which we are now considering the bill—making the same case, noting that the chairman's proposal ''would add anywhere from $1.5 billion to $5 billion in additional costs.''

That is a lot of money. I have heard the chairman of this committee come to this floor over and over and over again, suggesting wasteful spending. According to the Secretary of the Air Force, his proposal will end up costing us $1.5 billion more than we should have to pay for this important part of our national defense. That is a waste of taxpayers' dollars.

I hope my colleagues will pay attention to this issue, and I hope we have time to debate it in detail. There is simply too much at stake for our national security, for our troops, and for the taxpayers to accept the senior Senator's proposal on this matter.

This is a lengthy bill, as I mentioned at the outset. I am sure there are going to be additional measures that we uncover as we go through it page by page, and we will take the time to actually do so.

In the meantime, I thank the chairman and ranking member of this committee for their work to present this body with their committee's product. I look forward to a meaningful debate on the many issues this authorization bill presents.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, tomorrow President Obama will make a historic visit to Hiroshima, the site of the first atomic bombing. He will become the first sitting President of the United States to do so, and I commend him for this long overdue Presidential recognition.

Having traveled to Hiroshima in 1985 to witness the commemoration of the 40th anniversary of that atomic bombing, I know from personal experience that any visit there serves as a powerful reminder of America's responsibility to reduce the risk of nuclear war. That risk remains as real today as it was nearly 71 years ago when we dropped that bomb that killed 140,000 people in 1 day.

In the last few decades, important progress has been made to reduce the threat of nuclear war. The United States and Russia have reduced the size of their nuclear arsenals. The beginning of an additional change is going to happen in 2018 when both the United States and Russia will have no more than 1,550 deployed strategic warheads after implementation of the New START treaty.

But that progress has come at a cost. In exchange for the support of Senate Republicans for passage of the New

START treaty in 2010, President Obama promised to fund major upgrades to America's nuclear arsenal.

Since then, the extent of these upgrades and their costs have swelled. Today it is estimated that President Obama's nuclear ''modernization'' plan will end up costing U.S. taxpayers nearly $1 trillion over the next 30 years.

However this modernization plan is little more than a plan to expand America's capabilities, its nuclear capabilities. It would create new nuclear weapons, including a dangerous nuclear air launch cruise missile that will cost tens of billions of dollars over the next two decades.

Nuclear cruise missiles are a particular concern because they are difficult to distinguish from nonnuclear cruise missiles. As a consequence, if the United States used a conventional cruise missile in a conflict with Russia or China, it could lead to devastating miscalculation on the other side and, as a result, to accidental nuclear war.

Worse still, the Defense Department has justified this new nuclear cruise missile by asserting that it is needed for purposes beyond deterrence. The Pentagon explains that the new nuclear cruise missile could be used to respond ''proportionately to a limited nuclear attack,'' meaning that this nuclear weapon becomes more usable in a standoff with Russia, China, or some other country.

When President Obama visited Prague in 2009, he pledged to reduce the role of nuclear weapons in our national security. If the President truly wants to make good on this promise, I think it is important for him to stop these nuclear expansion efforts. He should cancel the funding for the new nuclear cruise missile, which would make the prospect of fighting a nuclear war more imaginable.

In the meantime, Congress can and must act. Rather than plunging blindly ahead by spending money on this dangerous new weapon, we can call for a timeout while we evaluate its costs and its risks. That is why I have submitted an amendment to the National Defense Authorization Act that would delay any spending on the nuclear cruise missile for 1 year so that we can have the full debate on this weapon; so that we can ensure that we understand the consequences of building this new weapon; so that we can understand how the Russians and the Chinese might respond to it; so that each Member of the Senate can understand that it, in fact, has nuclear war-fighting capabilities.

It is not just a defensive weapon; it has the ability to be used in a nuclear war-fighting scenario. How do I know this? It is because this Pentagon, this Department of Defense, says that it is usable and says that it could be used in a limited nuclear war. Do we really want to be authorizing in this Senate that kind of new weapon that makes fighting a nuclear war more imaginable?

I think Americans deserve an opportunity to consider whether tens of billions of dollars of their tax dollars should be spent on a redundant, destabilizing, new nuclear missile. They expect that we will ask the tough questions about the need for $1 trillion in new nuclear weapons spending, but they especially want us to ask questions about new weapons that the Pentagon is saying make it possible to contemplate a limited nuclear war. That is a debate which this body needs to have. That is a weapons system we should be discussing.

This new cruise missile with nuclear warheads is the tip of the new $1 trillion nuclear modernization program. We should debate that first. We can examine the rest of the modernization program, the new nuclear programs, but we should at least have that debate and that vote out here. We should give ourselves at least 1 year before we allow it to commence so that we can study it. Then next year we can have the vote on whether or not we want to commence. As yet, I don't think we have had the debate or have a full understanding of what the implications of this weapon are.

Plans to build more nuclear weapons would not only be expensive, but they could trigger a 21st century arms race with Russia and China, which are unlikely—very unlikely—to stand idly by as we expand our nuclear arsenal. The result would be a tragic return to the days of the Cold War, when both sides built up ever greater stockpiles of nuclear weapons. As we get closer and closer to the contemplation that both sides could actually consider fighting a nuclear war, our goal should be to push us further and further and further away from the concept that it is possible to fight a nuclear, limited war on this planet.

The National Defense Authorization Act also contains another misguided provision that would lay the groundwork for a spiraling nuclear weapons buildup. Currently, our policy, the U.S. policy, states that we will pursue a ''limited'' missile defense—limited. This approach is meant to protect our territory against missile attacks by countries such as Iran and North Korea without threatening Russia or China's nuclear deterrent.

As recognized by generations of responsible policymakers, constructing missile defenses aimed at Russia or China would be self-defeating and destabilizing. Dramatically expanding our missile defenses could cause Russia and China to fear that the United States seeks to protect itself from retaliation from Russia or China so that we can carry out a preventive nuclear attack on China or on Russia. That plays into the most militaristic people inside of those countries, who will then say that they too need to make additional investments and that cycle of offense and defense continues to escalate until you reach a point where we are back to where we all started—with those generals, with those arms contractors then dictating what our foreign policy is, what our defense policy is.

They were wrong in the 1950s, 1960s, 1970s, and 1980s, and they are wrong today. That is just the wrong way to go. We have to ensure that we are backing away, not increasing the likelihood that these weapons can be used. We don't want to be empowering those in our own country—either at the Pentagon or the arms contractors—because they will have the same people in the Kremlin and their arms contractors who will be rubbing their hands and saying: Great. Let's build all of these new weapons, both offensive and defensive. They would love this. That is why we have to have the debate on the Senate floor.

This generation of Americans deserves to know what its government is planning in terms of nuclear war-fighting strategy. That is what a limited war is all about. That is what this new cruise missile with a nuclear bomb on it that is more accurate, more powerful, more likely to be used in a nuclear war is all about. That is why the Pentagon wants it; that is why the arms contractors want to make it. But it is just a return to the earlier era where every one of these new nuclear weapons systems that had blueprints and were on the table over at the Pentagon are over and the defense contractor has the green light to build it.

What happened every single time is the Soviet Union said: We are building the exact same counterpart system. Was that making the world more or less safe? Was that bringing us closer or further away from a nuclear war? Which was the correct direction for our country to be headed?

Well, thank God, we began to talk at Reykjavik—President Reagan and President Gorbachev. Thank God, we now have a New START Treaty. But as part of the New START Treaty, there was a Faustian deal, and that Faustian deal was that we are going to build a new generation of usable, war-fighting nuclear weapons in our own country. And that Faustian deal is one that would then be lived with by this next generation of Americans and citizens of this planet.

So we need to ensure we can have this debate. The fears that I think are going to be engendered into the minds of those in China and Russia would result in a new dangerous nuclear competition that would have our new defenses be responded to by their building new additional nuclear weapons and by putting them on high alert. You would have to be on high alert, if you were in Russia or China, if you thought we had a defensive system that could knock them down, and if our planning included attacking them.

We don't want either country to be on high alert for a nuclear war. We don't want that. That is where we were in the 1980s. That is where we were in the 1970s—both sides with their finger

on the button. It is unnecessary, it is dangerous, it is a repetition of history, and it is something we should be debating out here. It just can't be something that is casually added without a full appreciation in our country for what the consequences are going to be long term.

So we have an incredible opportunity. It is timely. The President is visiting Hiroshima. It should weigh on the consciences of every one of us that we have a responsibility to make sure we are reducing and not increasing the likelihood of nuclear war occurring.

I have filed an amendment to strike the provision from the NDAA. I urge all of my colleagues to support it. I think that second amendment is also one that deserves a full debate on the Senate Floor. If we want other countries to reduce their nuclear arsenals and restrain their nuclear war plans, the United States must take the lead instead of wasting billions of dollars on dangerous new nuclear weapons that do nothing to keep our Nation safe.

President Obama should scale back his nuclear weapons buildup. Instead of provoking Russia and China with expanding missile defenses that will ultimately fail, we should work toward a new arms control agreement.

As President Obama said in Prague in 2009, let us honor our past by reaching for a better future. The lesson of the past and the lesson of Hiroshima is clear. Nuclear weapons must never be used again on this planet.

President Obama did an excellent job in reaching a nuclear arms control agreement with Iran. That was important, because if Iran was right now on its way to the development of a nuclear weapon, there is no question that Saudi Arabia and other countries in that region would also be pursuing a nuclear weapon. We would then have a world where people were not listening to each other, where people would be threatening each other with annihilation, with total destruction.

Here is where we are. We are either going to live together or we are going to die together. We are either going to know each other or we are going to exterminate each other. The final choice that we all have and the least we should be able to say—if that point in the future is reached and those missiles are starting to be launched that have nuclear warheads on board—is that we tried, that we really tried to avoid that day.

That is our challenge here on the Senate floor—to have this debate, to give ourselves the next year to have this question raised as to whether we want to engage in a Cold War-like escalation of new offensive and new defensive nuclear weapons to be constructed in our country, which for sure then would trigger the same response in Russia and China. By the way, for sure it is saying to Pakistan, India, Iran, Saudi Arabia, and to any other country that harbors its own secret military desire to have these weapons that they should not listen to the United States because we are preaching nuclear temperance from a bar stool. We are not, in fact, abiding by what we say that the rest of the world should do.

So we should be debating that right now. We should have this challenge presented to us and to have the words be spoken as to what the goals are for these weapons. If the Defense Department says to us this year that this leads to a capacity to use nuclear weapons in a limited nuclear war—and they were saying that to us in the last 6 months—do we really want to have these weapons then constructed in our country? Is that really what we want to have as our legacy?

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY BILL

Mr. MARKEY. Mr. President, I also wish to spend a couple of minutes talking about another issue that is a relic of the Cold War era, and that is TSCA, the legislation that deals with toxic chemicals within our country.

There was a law passed 40 years ago to deal with toxic chemicals in our country, but ultimately that law never worked. When we look back, it is like a political, environmental Edsel, still sitting in the garage 40 years later but not useful in protecting American families from the chemicals in our society—asbestos and hundreds and thousands of others. It is just not usable.

Congress stands ready right now, thank God, to reform the last of the ''core four'' environmental statutes that have yet to be modernized. I hope we will do so with a stronger bipartisan vote than on any major environmental statute in recent American history, and that we do so soon.

This historic vote to comprehensively reform the Toxic Substances Control Act comes after years of hard work by many Senators on both sides of the aisle. We worked for some months to reconcile the two bills, and all of us were driven by the same reason. Since it was written four decades ago, TSCA has sat there untouched. It is a statute that simply does not work to protect anyone. Ever since industries successfully challenged EPA's proposed asbestos ban, EPA has not been able to effectively use the authority Congress intended it to have.

In conference, we truly did take the best of both bills. We made sure EPA will have industry fees to do its chemical safety work. We made sure there will be enforceable deadlines for EPA to write chemical safety rules and for industry to comply with them. We fixed the legal problems in the law that caused the asbestos ban to be overturned and that paralyzed EPA and prevented them from regulating some extremely toxic chemicals. We ensured that when EPA studies a chemical, it considers only the environmental or health effects of that chemical, and that it only considers the potential cost of regulation when it is writing a rule to regulate it. We made sure that EPA would act more quickly to regulate the most dangerous chemicals, and that vulnerable subpopulations, such as children, pregnant women, and workers would be protected. We made sure the industry could not continue to improperly keep information about dangerous chemicals secret any longer.

In some of the last negotiations that I helped to lead, we made sure that States could continue with the work they are already doing to protect their residents. I am particularly proud that I was able to protect Massachusetts's pending flame-retardant law in these last few key changes to the bill that were agreed to in the last few days.

The fact that we have a bill that has the Humane Society and the U.S. Chamber of Commerce both urging a ''yes'' vote tells you something. The fact that the bill is supported by the EPA, the chemical industry, many environmental stakeholders, and the trial lawyers tells you something about this bill.

This is like a political Halley's Comet. When you have JIM INHOFE and DAVID VITTER agreeing with ED MARKEY on a piece of legislation, you should take note of that moment in the history of passing legislation. That is where we are. We have something that is historic. The environmental bill of a generation is about to pass.

The fact that 403 Members of the House of Representatives voted yes—403 voted in support of this bill—tells you something. It tells you we rolled up our sleeves and we worked together on a bipartisan, bicameral basis to compromise in the way that Americans expect us to.

I thank all of my colleagues on both sides of the aisle and both sides of the Capitol, and I look forward to watching the President sign this important legislation to protect the health and well-being of all Americans. This is a bill that does protect us from the dangers that Americans are exposed to—whether they are Democrats or Republicans, liberals or conservatives.

This is the way the Chamber should operate. This is the way we should also consider nuclear warfighting policy. We should have the same kind of attention, the same kind of respect for the consequences for generations to come in our country. We should give it the same kind of respectful, bipartisan, bicameral attention that the public can understand.

I thank the Chair for this opportunity.

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.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING NEBRASKA'S SOLDIERS WHO LOST THEIR LIVES IN COMBAT

Mrs. FISCHER. Mr. President, I rise to continue my tribute to Nebraska's heroes and the current generation of men and women who lost their lives defending our freedom in Iraq and Afghanistan. Each of these Nebraskans has a special story to tell.

CORPORAL ADRIAN ROBLES

Today I will share the story of the life of Marine Cpl Adrian Robles of Scottsbluff, NB. Adrian was known throughout Scottsbluff for his big smile. His older sister Beatriz remembers it this way: ''As soon as he smiled, even if you were mad at him, you would stop and have to smile.''

Behind that big smile, though, was a tough young man. More than anything, Adrian wanted to be a marine. This longing to serve his country was a point of pride and tradition in Adrian's family. His grandfather, Pedro Torres, served as a fighter pilot in World War II. Pedro's stories of service and adventure inspired Adrian's quest to become a marine, and their bond was a source of joy throughout the family.

As Adrian's father Cesar recalls, ''He loved his grandpa so much. He was a hero to him.''

When he was 16, Adrian approached his parents and told them he wanted to be a marine. He didn't want to wait. He even prepared a waiver for them to sign, which would have allowed Adrian to join the Corps when he turned 17. While they admired the passion in their young son, Adrian's parents stood firm. They wanted Adrian to focus on completing his high school education.

Deterred but not discouraged, Adrian decided to join the high school soccer team. Soccer became an outlet for him, not only as an athlete but as a way to train and get in shape for the Marines. Adrian graduated from Scottsbluff High School in May of 2005. As expected, he immediately enlisted in the Marine Corps.

In the year that followed, Adrian completed basic training and served a full tour in Iraq by the end of 2007. His determination impressed his fellow marines. GySgt Trent Kuhlhoof served with Adrian during a tour in Iraq. Adrian was the kind of person who naturally bonded with everyone. As Sergeant Kuhlhoof remembers, ''It was hard for me to get mad at him—for anything.''

Adrian had discovered his calling. He worked toward excellence, and he loved being a marine. A marksman is the centerpiece of every Marine combat team, and Adrian was a good one. By the age of 21, he had earned three Good Conduct Medals, a rare feat in the military.

In the spring of 2008, Cpl Adrian Robles deployed to Afghanistan as part of the 2nd Battalion, 1st Marine Division. Their mission was to train local Afghan military forces, but by the fall this changed to a security mission as tensions rose in the dangerous territory of Helmand Province.

A few months later, on October 22, 2008, Adrian was on patrol when suddenly his vehicle was hit by an improvised explosive device. Corporal Robles was killed instantly. His unit was scheduled to leave Afghanistan 2 months later.

On November 2, 2008, hundreds of friends and neighbors from Scottsbluff lined the streets from the church to the cemetery. An honor guard and horse and carriage team transported the casket to its final resting place.

In a career of 3 short years, Corporal Robles earned three Good Conduct Medals, two Sea Service Deployment Ribbons, the Afghanistan Campaign Medal, the Iraq Campaign Medal, the Global War on Terrorism Service Medal, the National Defense Service Medal, and the Purple Heart.

Adrian's mother Yolanda recalls that his life's passion was to serve his country. She notes that he hated war and knew the dangers, but he loved being a marine. A brave, disciplined, and joyful young man, Adrian lived a short life, but his imprint is felt by the countless people who knew and loved him. Perhaps his devotion is summed up best by the tattoo on his left arm, which read: ''Your Freedom. My Life. Without Complaint.''

Adrian embodied the strength and determination that Nebraskans are known for all over the world. He lived passionately, and he earned his dream of being a U.S. marine. Cpl Adrian Robles is a hero and I am honored to tell his story.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Alaska.

REMEMBERING JOHN AND ERMA SCHNABEL

Ms. MURKOWSKI. Madam President, we are about to begin the Memorial Day state work period and many of us will be traveling in our home states next week. I am blessed because I am going home to Alaska. Tomorrow I will be in Haines. This is a magnificent community in truly a magnificent State. But when I arrive in Haines, something will be missing, and that is the absence of two of Haines' most prominent citizens—John and Erma Schnabel.

John Schnabel passed in March at the age of 96 years old, and Erma, his wife of 65 years, passed shortly thereafter at the age of 87. John was regarded by his family and the people of Haines as a living legend. If you don't believe that is true, or if you say all of us have living legends in our community, no less of an authority than People Magazine referred to John as a ''living legend'' in an article which noted his passing. He was not just a local legend. He was known the world over as ''Grandpa.'' He was the patriarch of the Discovery Channel series ''Gold Rush: Alaska.'' But to us Alaskans, he was simply one of the many exceptional people who populate our exceptional State. John was born in Kansas in 1920. He was the son of a wheat farmer. His father first moved to Alaska to seek a better life away from the Depression. He served in the military during World War II. He was a proud member of the American Legion. He married Erma in 1950 and they raised five kids.

Returning to Haines, John entered the timber business. He owned a lumber mill in town. He was one of the region's first industrialists. He was involved in everything. He operated a hotel, a lumberyard, a hardware store. He built four downtown commercial buildings. He was one of Haines' largest landowners. But changing political attitudes toward timber harvest in Southeast Alaska and the regulations that followed put John out of the timber business. Those powerful forces, however, did not put John down. He placer mined for fun and invested in small businesses. He was the mayor of Haines. He was an outstanding bridge player. He was an avid reader. I understand that David McCullough's biography of Harry Truman was one of his favorites, even though he was a loyal Republican.

It was only after John was recuperating from heart surgery that he entered the mining business in a big way. Think about it, most people rehabilitate from a heart surgery by doing more walking or going to the gym. John Schnabel decided he was going to work a mine. He worked the mine to remain active. He said it was doctor's orders. He did this until 2 years ago. Effectively, until the time he was 94, he was working the mine.

The Discovery Channel folks wandered by and found John Schnabel an interesting man. By 2010, Grandpa was a global celebrity—a reluctant celebrity but a celebrity nonetheless; the star of a reality TV show that ran for six seasons before he passed away.

John and Erma were friends of mine. I respected John's business acumen and his political leadership, but I really respected the relationship he had with Erma. The last time I visited with John and Erma was 2 years ago in August. I was there at the Haines Assisted Living Center. I came in and visited with John. John was talking politics with me and with anybody else who was listening, chatting around the room. Then, he left to go sit in the corner of the dining area, sat next to Erma. He didn't say anything for probably half an hour, 45 minutes. He just sat quietly with her, holding her hand. That really moved me when I saw them. Sixty plus years of marriage and still holding hands. John had always been the builder. Erma was known as the carer. She took care of the family. She took care of the community. Legend has it that there wasn't a person in Haines who had not dined at her table at one time or another.

They are both gone from Haines, but they are certainly together in Heaven.

Alaska is clearly better for their contributions, and I know I will certainly be thinking of them when I visit Haines tomorrow.

VETERANS HEALTH CARE

Ms. MURKOWSKI. Madam President, there are 2 days every year when this Nation focuses special attention on those who served—Memorial Day and Veterans Day. I plan to approach this Memorial Day by expressing gratitude to those who have served and honoring the memory of those who sacrificed their lives for our freedom.

When you serve in the military, supporting your buddy is everything. So as we honor the memory of those lost in action, we know they would want us also to care for their buddies who came home. Advances in military medicine since the Vietnam war have made it possible for many to survive the wounds of war that they would not have otherwise been able to do in earlier conflicts. But these veterans still do not return as they left, and many more return to the scourge of post-traumatic stress disorders.

I will see a lot of veterans this Memorial Day weekend. I would like to be able to tell the veterans of Alaska that their Federal Government is doing right by them, but when it comes to the matter of health care, and particularly the failings we see with the Choice Program, I can't in good conscience tell them things are better in Alaska.

It has been a while since I have been to the floor to speak in relatively bleak terms about the care our veterans receive in Alaska because for some while things had been improving. They had been improving for much of the last 8 years, but now it seems as if this pendulum is swinging the other way.

When I came to the Senate 13 years ago, Alaska veterans who lived someplace other than the metropolitan area of Anchorage or Fairbanks or the Kenai Peninsula really didn't think about the VA health care. Those who lived in those three communities were able to gain their care at the local VA clinic, and it worked for them. But if they didn't live in a community where the VA was located and if they weren't eligible for beneficiary travel, the VA just didn't mean much to them. That was the status quo, and it really didn't show much sign of changing.

Alaskans really began to challenge the status quo during the second gulf war. Operation Iraqi Freedom resulted in a large-scale deployment of Alaska National Guard members from throughout the State. At one point, 89 different Alaska communities were represented in the Middle East, and it was fully apparent that when these heroes returned home and were released from Active Duty, the VA was not prepared to meet their needs.

When then-VA Secretary Nicholson visited Anchorage in 2006, he heard the message loud and clear from Alaska's veterans service organization, and that created a groundswell to turn the Alaska VA in a more veteran-centric direction. It wasn't easy.

The familiar slogan that ''it doesn't matter who wins an election; the bureaucracy always wins'' was a way of life in the Alaska VA health care system, but we developed a pretty strong ally when Secretary Shinseki came on board. During his tenure as Secretary, we saw three significant changes from the status quo.

The first thing that happened was that the VA began contracting with Alaska's tribal health care providers to care for both our Native and non-Native veterans who lived outside the reach of any VA facilities. If you are a veteran living in Bethel, it didn't make any difference if you were Native or non-Native—you could receive care through the tribal health care provider, and they were compensated by the VA at the same encounter rate the Indian Health Service paid them.

The second thing we saw with Secretary Shinseki—I had commissioned an inspector general's inquiry into allegations that the VA was sending our Alaska vets to Seattle and other points even farther than Seattle for care that could be purchased from community providers in Alaska. There were situations where a veteran dealing with cancer and needing radiation or chemotherapy treatment would be sent to Seattle for a series of treatments when that same treatment could be provided in Anchorage or Fairbanks. Secretary Shinseki brought an end to that practice.

Third, the VA hired a creative executive with deep experience in the Alaska health care market to lead the Alaska VA health care system. Even better, the VA senior leadership actually empowered her to do the right things for Alaskan veterans. So when that director began to see waiting lists forming for primary care and behavioral health services in Anchorage, she took the initiative and she enlisted non-VA providers to come in and work with them to solve the problems. We were in a pretty unique situation. We didn't suffer the wait list that veterans in the lower 48 saw because we had somebody who was at the helm, saw the problem, and said: We can be creative; we just need a little bit of flexibility so we can address our veterans' needs.

The model was pretty simple. If a veteran needed to see someone outside the VA, they were placed with that outside provider by VA staff. And those VA staffers who matched the veteran with a local provider actually lived in Alaska. They knew Alaska's geography. They knew it wasn't possible to drive from Bethel to Anchorage. They knew the breadth and limitations on services available within our State.

Also, the bills for services were sent to the VA; they were not sent to the veteran. If for some reason a provider wasn't paid on time, the veterans were insulated. They were protected from collection agency calls.

It wasn't a perfect system and it wasn't without complaints, but on balance this was the best Alaskan veterans were ever treated.

Then came the Phoenix scandal. We hoped that what had happened there—the spotlight that was shown on the VA as a result of a horrible scandal—would not affect the good things we were doing in Alaska.

Two years later, I can tell you that things have changed profoundly and unfortunately, not for the better. The Choice Act seems to have been the catalyst for unraveling the VA reforms in our little corner of the world. Let me explain why.

When we were presented with the Choice Act, I looked at it as having another tool that the VA could use to help expedite care to veterans who couldn't get their care in a timely fashion. If this is another tool in the toolbox, this is going to be good for our vets. But the VA didn't view the Choice Act simply as another tool; they viewed the Choice Act as the single right answer to care outside the VA. To this day, the VA seems to almost resent the fact that a variety of other purchase care programs coexist with the Choice Act, and they worked to undermine them through a hierarchy of care policies that make it impossible for our local VA officials to use community providers with whom they have built these relationships.

That whole unraveling was enough to send our creative, innovative Alaska VA director into retirement, and unfortunately that position has been vacant ever since.

By the way, when veterans asked ''What happened here? We had a good system. It was working. What has happened?'' the VA talking points said ''Blame the Congress. They gave us the Choice Act, and there is nothing we can do about it.'' That is an entirely disingenuous response given that all of the purchased care authorities that were on the books before the Choice Act remained on the books after the Choice Act became law. The VA had the flexibility before the Choice Act to craft local solutions, and they had the same flexibility to do so after the Choice Act. The decision not to support local flexibility was a deliberate choice, and it was a choice of the bureaucracy, not a choice that was mandated by the Congress.

How has the Choice Act been working out in the State of Alaska? I spend a lot of time back home. I spend a lot of time visiting with our veterans, and I am listening hard. Every now and again, I do hear a veteran say: Yeah, I think things are OK. I think I am getting the care I want. But more often than not, what I am hearing from our vets is that instead of calling it the Choice Act, it is called the ''bad Choice Act'' or ''no choice at all.''

For a while, it seemed that the Native partnerships would be subsumed in Choice, and we pushed back on that and we won. But for the veterans who

needed specialty care, the Choice Act has been a tough road to hoe, and I have a couple of examples.

There was an elderly Tlingit Indian gentleman from southeast Alaska. He was sent to Seattle for a form of cancer therapy that was not available in Alaska. In the middle of his episode of care, he was told: You will have to return to Alaska. It was only after days on the phone with the VA and the Choice contractor—each whom was pointing the finger at the other—and then my office that the problem was resolved. Meanwhile, this veteran was telling his family to prepare for a funeral. It was that dire.

Then there was the veteran who was scheduled for neurosurgery. This veteran was told that her referral from the Anchorage VA was rescinded and she would need to go to the Choice Program for another one. She called the Choice contractor's hotline and was referred not to neurosurgeons but to behavioral health providers. Evidently, the individual on the other end of the line didn't know what neurosurgery was. When the particular problem was resolved, the neurosurgeon was no longer available and the veteran was stuck on painkillers until her surgery could be rescheduled. That is not a good outcome.

Another example is when a veteran living in Juneau, our capital city, was under the ongoing care of an ophthalmologist, but that doctor didn't take Choice. The veteran called the 800 number for Choice to get another referral. He was told that he could drive to Sitka and see someone there. If you lived in Alaska, you would be laughing because you would know there is no road from Juneau to Sitka. They are both islands. Another reason you might raise an eyebrow is because not only can you not drive there, but the Choice participant was an optometrist. Think about how this veteran feels after calling the 800 number and then being told to just drive down to the next town. You can't drive there, and oh, by the way, that specialist doesn't exist there.

The VA and the Choice contractor claim to have fixed these problems, but for every problem that is fixed, there is still a veteran with a new one, a veteran who has lost faith with the Choice Program or a provider who no longer wants the hassle of taking Choice.

One provider told me that the amount of time his staff has to spend on the phone with the Choice Program is disruptive to his practice. He said it is unfair to the other patients who aren't getting the attention they need from the office staff.

I don't want to stand here and complain without offering solutions. There is a solution to Choice's problems in the State of Alaska, and that solution is to go back to the way we had it, with the local VA partnering local providers with local patients.

The Senate Appropriations Committee has urged the VA to reinstate this model in Alaska through language that is included in the fiscal year 2017 report, but I am really not sure where it is going, given the current VA leadership. The rapport, unfortunately, is just not there.

Toward the end of Secretary Shinseki's tenure, members of the Veterans' Affairs Committee in the other body berated the VA for its poor congressional relations.

I will say that when I needed to talk to the Assistant Secretary for Congressional and Legislative Affairs or, for that matter, Secretary Shinseki, they were right there. And even if the results didn't come as quickly as I would have liked them to, that team was clearly delivering for our folks in Alaska, but I cannot say the same for the current team.

Through the fiscal year 2016 VA appropriations bill, I demanded a report on how the VA would serve Alaskan vets under the consolidated Choice Program that told the VA to formulate last summer, and we still haven't seen that report.

During the recent appropriations hearings, I raised concerns about how personnel vacancies and management issues in the Alaska VA were affecting performance, and Dr. Shulkin took issue with that characterization. He offered to show me some metrics. We are still waiting.

Last week he sent a young doctor from Philadelphia, whom he has charged with running purchased care, up to Alaska. The report back is that he was tone-deaf to criticisms of Choice lodged by our veterans and providers, and he suggested that the rate being paid to the Native health system to do work that the VA should be doing themselves was unjustifiably high. This is very troubling.

So we learn that VA is hiring a bunch of new executives to help this individual manage a nationwide community care program out of the VA central office. I remain very concerned. Long before the Phoenix scandal, the VA was purchasing community care using a decentralized model. Now it seems to be moving abruptly to a centralized model. I don't know how well centralized models work in other parts of the West or rural communities in other regions, but I can state that they just do not work in a place such as Alaska. One-size-fits-all is not the model that best serves our veterans, but this seems to be the direction we are moving toward.

To make matters worse, we are not even debating what we want community care in the VA to look like. We have 100 Members who have a stake in the outcome, but only a few seem to be involved in that discussion. The votes always seem to be pretty much straight up or down, with no opportunity for amendments. We have done that now twice—in the first instance with the Choice Act itself and then again last year when we had to bail the VA out because its health care programs would have gone insolvent during the August break if we hadn't done so.

We need to address this. We can't keep writing a blank check to the VA. We have to have reform, and that reform needs to work.

Last week the Senator from Arizona proposed a 3-year extension of the Choice Program, but the amendment included some changes in the way the VA pays providers in the purchased care arena. There was some problematic language, so I wasn't able to support his amendment at that time. Since then, he has worked with us, which I greatly appreciate, and the leaders of the Senate Veterans Affairs Committee worked with us to resolve those problems. So I can now support the 3-year extension in the Choice Program that he proposes which I expect will include the language changes we discussed.

But even if we approve that 3 year extension that's not the end of our interest in the Choice program or VA purchased care. I think it is important to take the time; let's get this right. I think we need to come to terms with what we want care outside of the VA to look like. I think there are still some huge problems in the implementation of the Choice Program that we need to address, and, unfortunately, these problems are profound in the smaller and harder to get places like Alaska.

I think it is high time that we give the VA clear direction about the value we place on access to veterans' health care in those smaller and hard to get places. In many cases we know the dynamics of the local health care markets better than the folks in a central VA office. Fixing purchased care begins with directing the VA to collaborate with Members of this body to get it right—not allowing the VA to play members off one another so that, once again, the bureaucracy wins. We can't sit quietly by while the VA blames us for failings that they need to own—failures that might have been avoided through collaboration with those who know their localities best.

I appreciate the opportunity to spend a few minutes on the floor this evening talking about how we make things right for who have served us. Memorial Day is but once a year. Veterans Day is but once a year. But every day—every day we need to be honoring and thanking those who serve us, and when we say thank you for their service, let's show them that we mean it. Holding the VA's feet to the fire on results is one way to do that.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO FEDERAL EMPLOYEES

OSCAR PERU

Mr. CARPER. Mr. President, as the Presiding Officer knows, he is stuck with this Senator on the floor on many late afternoons. It seems that when everybody is packing up and heading for home, the Presiding Officer has to listen to this Senator, hopefully waxing eloquently, talking about some of the very good people who work for the Department of Homeland Security.

When looking at people who do important work for our country, there are a lot of valuable agencies, a lot of very valuable and hardworking people. But some of the best and brightest folks work for the Department of Homeland Security, trying to protect us and our families and our businesses and our country.

I have come regularly to the floor now for a couple of years to highlight some of the great work being done by the men and woman who serve us at the Department of Homeland Security. As you may recall, the Department of Homeland Security was sort of cobbled together roughly a dozen years ago. We took 20 different component agencies with over 220,000 employees stationed all over the world and said: We are going to make you the Department of Homeland Security.

It has not been easy, but I think it is a work in progress. But when you consider that the Department of Defense was created right after World War II and they still struggle at times to function as effectively as we would like, we should not be surprised that the Department of Homeland Security has gone through some growing pains, if you will, in learning how to work together.

We are proud of the work they do and grateful for the work they do. But they have some of the toughest jobs of the folks who work in Federal workforce. From stopping drugs from crossing into our borders to protecting our cyber networks from hackers to securing nuclear and radiological materials, the Department of Homeland Security has a diverse, complex, and a difficult mission—really, a combination of missions.

Each and every day, tens of thousands of Department of Homeland Security employees quietly and diligently work behind the scenes. They work to achieve the mission, the core of which is keeping over 300 million Americans safe as we go about our daily lives.

It is easy to forget that despite all it achieves each day keeping Americans safe around the world, the Department of Homeland Security is still a teenager. I said earlier that it came together in 2002, almost 14 years ago, following the attacks on 9/11, when it became clear that we needed a centralized agency to pool and share information—about what?—about the threats to our country and to coordinate the efforts to keep these threats at bay.

In 14 years, the Department of Homeland Security has done an exceptional job, integrating nearly 20 agencies from across from the government, with different histories, different cultures, and different capabilities and expertise. Senior leaders in the Department—chief among them now are Secretary Jeh Johnson and Deputy Secretary Ali Mayorkas—work each day and every day to make the Department of Homeland Security more than the sum of its part. They stand on the shoulders of those who came before them as Secretaries and Deputy Secretaries of this Department.

I am proud that just yesterday the Homeland Security and Governmental Affairs Committee, on which I serve as the senior Democrat, approved bipartisan legislation to support the Department's efforts by authorizing its Unity of Effort Initiative. That initiative successfully brought agencies within the Department together to pool resources, to deepen coordination, and more effectively to tackle their joint missions together. I like to say that if you want to go good fast, go alone. If you want to go far, travel together. What we see happening at the Department of Homeland Security is the creation of a cohesive unit of what were very many different disparate agencies.

One component agency within the Department of Homeland Security that not only serves a critical mission today but has a long and storied history is called U.S. Customs and Border Protection. In 1789—1789—before some of our pages were born, the U.S. Customs Service was established, and a fleet of vessels set out patrolling our shores to prevent the shipment of illegal goods—1789.

Then in 1924, nearly 92 years ago to the day, the U.S. Border Patrol was established. Later in 2003, the Customs Service and the Border Patrol merged to create the modern Customs and Border Protection agency that operates within the Department of Homeland Security today. Today, Customs and Border Protection performs a number of duties on the frontlines of the battle against threats such as terrorism, drugs, and human trafficking. They work to secure thousands of miles of border and coastline around the country.

They work to facilitate travel, to inspect ships and cargo at our ports of entry. They work to stop illegal drugs and other contraband and violent criminals from entering into our country. Today alone, its 60,000 employees are hard at work welcoming nearly 1 million visitors to our country—just in 1 day—screening more than 67,000 cargo containers for hazards and customs violations, and stopping more than 12,000 pounds of illicit drugs from entering our country.

I am not talking about what they do in a year, or a month, or even a week. That is what they do in a day. Think about that—in one day. The key resource that our Customs officials on the frontlines count on is the support of CBP's Air and Marine Operations. Air and Marine Operations uses a fleet of 256 aircraft and 286 marine vessels to detect, to track, and to apprehend criminals in places that agents can't reach on foot or in cars.

From fast interceptor boats to Huey helicopters to P–3 aircraft, like the one I flew in during most of my 23 years in the Navy, Air and Marine Operations provides critical support to CBP agents. They often do important and dangerous work. Air and Marine agents are also key in helping to find and rescue people on our borders who may be in danger, saving countless people who are found lost or injured in some of the most remote parts of the country.

One CBP Air and Marine Operations agent who goes above and beyond to help secure our borders and keep people safe looks a lot like this fellow. His name is Oscar Peru, like the country. He is pictured here to my left. Oscar Peru is a CBP aviation enforcement agent based out of Tucson, AZ. He was raised in Tucson.

Oscar joined the Arizona Army National Guard after college. He served his State and his country as a guardsman for 10 years, including by fighting in Operation Iraqi Freedom. After working for the State of Arizona on their Joint Counter Narcotics Task Force, he joined the Border Patrol as a senior patrol agent in 2003.

After 5 years as a Border Patrol agent, Oscar joined the Border Patrol Search, Trauma, and Rescue Unit. As a trained emergency medical technician, Oscar was able to provide lifesaving care to countless men, women, and children who were lost or injured in some of the harshest environments along the southwestern border of our country.

At all hours of the night, Oscar has conducted searches to find and save those in need. Oscar also performed the difficult and—I am sure—heartbreaking task of retrieving the bodies of those who have perished so they can be returned to their families and given a proper burial.

Since 2008, Oscar Peru has served as an aviation enforcement agent, coordinating efforts across Federal agencies. Working with State and local law enforcement, Oscar conducts operations to identify and stop criminal activity along the border, from drug smuggling to human trafficking to rescue operations.

Oscar's work has saved countless lives, arrested countless criminals, and kept countless pounds of drugs from ever reaching our communities.

Oscar, I would say that is one impressive day's work. We are grateful to you for doing it.

Those who know Oscar routinely describe him as a man who shows incredible compassion for everyone that he encounters, both in his personal life and in his work.

Through his years of dedicated service, Oscar has earned the trust of his

peers, who rely on him as a leader during risky operations and dangerous missions. As a certified master and instructor in helicopter ropes and suspension techniques, Oscar uses his experience to train others in skills necessary to operate safely in a dangerous environment, often leaning out of the door of a helicopter hundreds of feet up in the air. It is no wonder his colleagues describe Oscar as courageous and as an inspiration to those around him.

So, Oscar, my friend, we say thank you. Thank you for your remarkable and continued service to our country and to your community in Tucson. A special thanks for all of the lives you have saved and will continue to save through your heroic work.

To Oscar's wife and four children, we say thank you for sharing with us a good man, your husband and your dad, for letting him do the important work that he does every day to keep Americans safe along the southern border and really around our country.

To the 1,200 men and women of the Air and Marine Operations and the 60,000 employees at Customs and Border Protection, thank you for your continued service to our country and for your dedication to the safety and security of so many others. As I said earlier, more than 200,000 employees at the Department of Homeland Security have some of the toughest jobs of any of our public servants, working outside the spotlight to tackle difficult challenges and to protect our community and our families.

To each of you, I just want to say again, as I say here every month: Thank you. Keep up the good work. May God bless each and every one of you.

COMMENDING JOHN KOSKINEN

Mr. CARPER. Mr. President I want to take another few minutes—I think I have the time. I don't see anybody waiting to speak. I want to take a minute and say something about a fellow named John Koskinen. John Koskinen is the Commissioner of the IRS. In 2013, at a time of great tumult at the IRS, President Obama turned to John Koskinen to lead the IRS because of his reputation in the public and private sectors as a go-to manager of troubled enterprises.

He was 74 at the time. He agreed to take this on. He did not need to do this. He needed to do this job like he needed another head, but he said that he would do it. He agreed to do it because the President asked him to serve our country, and they needed a strong leader at the IRS.

Prior to his service at the IRS, he held the position of Non-Executive Chairman at Freddie Mac from September 2008 to December 2011. During that time he served as the interim CEO at Freddie Mac—that was a tumultuous time, a very difficult time for our country—and as the principal financial officer after the death of Freddie Mac's acting CFO in April of 2009.

He retired from the Freddie Mac board in 2012. I want to mention another thing or two about John Koskinen's service prior to coming on board in the last decade to help us in the public sector. Prior to serving on the Freddie Mac board, Koskinen served as the president of the U.S. Soccer Foundation from 2004 to 2008. He also previously served as deputy mayor of the District of Columbia, the Deputy Director for Management at the Office of Management and Budget, and the Chairman of the President's Council on Year 2000 Conversion.

Prior to entering government service, John Koskinen worked for 21 years for the Palmieri Company, as vice president, president, CEO and chairman, working in the realm of turnarounds—a person helping to turn around large failed enterprises. Earlier in his career, he served as the administrative assistant to then Senator Abraham Ribicoff, legislative assistant to Mayor John Lindsay, and Assistant to the Deputy Executive Director of the National Advisory Commission on Civil Disorders.

He practiced law with the firm of Gibson, Dunn & Crutcher and clerked for Judge David Bazelon, chief judge of the U.S. Court of Appeals for the District of Columbia.

He got his bachelor's degree from Duke University and his law degree from Yale. I mean, what a resume.

At the age of 74, as somebody who helped turn around a lot of failed enterprises, our President reached out to him and probably said: I know you are 74, an age where a lot of people are more interested in slowing down and taking life easy. He took on one of the toughest challenges of all.

He is one of the finest people I know in public service. There are some folks in the Congress who have been asserting that he is unfit for service. I just want to say: They could not be more mistaken. This a good and decent man. I was raised to treat other people the way I want to be treated, to figure out the right thing to do, and to treat others the way I want to be treated.

Given the sacrifices that he has made with his life at this stage of his life, rather than taking brickbats, he should be taking bouquets. So I would say to you, John Koskinen, if you are out there listening: I know you have other things to do rather than listen to wrapups here in the Senate before we begin the Memorial Day break, but I want to say thank you for a lifetime of service, and thank you especially for your service as our leader in the IRS. God bless you and your family. Thanks to them for sharing with us a very good human being.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated May 23, 2016, from John Koskinen, Commissioner of the IRS, whom I was just discussing, to the Honorable BOB GOODLATTE, chairman of the Committee on the Judiciary in the U.S. House of Representatives.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE,
Washington, DC, May 23, 2016.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of May 18 inviting me to testify at the Judiciary Committee hearing on May 24 regarding the Committee's inquiry into allegations made against me in my role as IRS Commissioner. I thank you for extending me that courtesy, and for affording me the opportunity to provide the Committee with information in response to the issues raised by some Members of the House. I have the deepest respect for you and for this Committee, and recognize your Committee's responsibility to carefully evaluate these allegations.

When the Committee announced this hearing, I was returning from a week in China where I met with the tax administrators of 43 nations to discuss international tax avoidance issues. As a result, since I returned, my schedule has been more crowded than usual, including preparations for a previously scheduled hearing before the House Ways and Means Committee on Wednesday, May 25. Therefore, the short notice provided has left me without sufficient time to prepare to appear in person on Tuesday for what could be a wide-ranging and complex discussion regarding claims that may only become clear after the hearing's first panel. Thus, while I must regrettably decline your invitation, I remain willing to appear before the Committee in the future.

In the meantime, if you think it is appropriate and helpful to include in the record at this time, I enclose an initial statement summarizing why the allegations against me lack merit. I think this information may also be useful to witnesses at the second hearing you have announced for June with outside experts.

Should the Committee choose to undertake further steps, I hope that it will do so in a manner consistent with the House's longstanding concern for, and provision of, the due process that must attend such a serious course of action. I would be pleased to talk with you further at your convenience.

Sincerely,

JOHN A. KOSKINEN.

WRITTEN STATEMENT OF JOHN A. KOSKINEN, COMMISSIONER, INTERNAL REVENUE SERVICE BEFORE THE HOUSE JUDICIARY COMMITTEE—FOR ITS HEARING: EXAMINING THE ALLEGATIONS OF MISCONDUCT AGAINST IRS COMMISSIONER JOHN KOSKINEN, PART I MAY 24, 2016

INTRODUCTION

Chairman Goodlatte, Ranking Member Conyers and Members of the Committee, thank you for the opportunity to provide a summary statement for the record in connection with your review of the allegations by some Members of the House Oversight and Government Reform Committee. I hope this summary statement is helpful as you consider whether to initiate a more formal inquiry. I stand ready to cooperate with your Committee with regard to any actions it deems appropriate.

I have great respect for our institutions of government, including the United States Congress and each of its Members. When I began my service as Commissioner of the Internal Revenue Service, I took over an agency under investigation by six different bodies

and buffeted by ongoing, serious controversy. I regret that, in the period since then, we have not been able to bring these matters to a conclusion satisfactory to all Members of this distinguished Body, including those who are testifying today before you.

I believe the allegations you will hear described today, and the related House Resolution are without merit, for reasons summarized below. But I also acknowledge the strong feelings that are held by some Members regarding this matter, as well as their understandable frustration with the document production and retention challenges of our agency during the past several years. I also understand their deep concern regarding the actions that gave rise to these controversies —conduct that ended long before I arrived at the IRS. I am committed to continuing to make improvements and working with all committees and Members of Congress during my tenure as Commissioner, and I sincerely hope that, over time, trust and goodwill on all sides will be restored.

BACKGROUND

Let me begin by noting that I never sought the position of IRS Commissioner, which I have held since December 2013. After concluding my work as Non-Executive Chairman of Freddie Mac, having been asked to undertake that role in the wake of the financial crisis by President George W. Bush's Administration, I was happily retired. I served on the boards of two large, publicly-traded companies and tried to keep up with my grandchildren. But I agreed to serve when approached by the current Administration in May 2013, because I have a longstanding commitment to public service, and because I understand the importance of the IRS to the government and the nation. The IRS collects more than 90 percent of the revenue that funds the operations of the Federal government, and the agency's activities touch virtually every American.

When I came to the IRS, I knew no one who worked at the agency, and to this day I have never met or spoken to former IRS Director of Exempt Organizations Lois Lerner. By the time I was confirmed as Commissioner in December 2013, six investigations were already well underway in response to the May 2013 report by the Treasury Inspector General for Tax Administration (TIGTA) regarding the use of improper criteria to process applications for tax-exempt status under section 501(c)(4) of the Internal Revenue Code.

It should be noted that organizations applying for 501(c)(4) status at that time did not need a determination from the IRS to undertake their activities. Until last December, when Congress passed the Protecting Americans from Tax Hikes (PATH) Act—which requires 501(c)(4) organizations to advise the IRS when they begin activities—any entity could operate as a 501(c)(4) simply by filing the annual information returns required by the IRS. Nonetheless, those organizations had a right to a determination if they sought it, and the IRS had an obligation to provide that determination promptly and efficiently. Early in my tenure, I apologized to all groups who experienced inordinate delays and complications in the review of their applications.

My goal from the start has been to respond as quickly and completely as possible to inquiries from any of the six investigating entities, to help them develop recommendations that would in turn assist us in ensuring that the management failures described in TIGTA's May 2013 report would never happen again.

My previous experience in government helped me to understand the importance of complying with such investigations. Earlier in my career, I spent four years as Chief of Staff to former Sen. Abraham Ribicoff, who served as Chairman of a subcommittee of the Senate Governmental Affairs Committee and, ultimately, as Chairman of the Committee. The Committee held hearings on a variety of important issues, and my involvement in those hearings impressed upon me the importance of Congressional oversight of the Executive Branch, and the responsibility of agencies to respond as quickly and completely as possible to requests for information from Congress.

In response to the May 2013 TIGTA report, the IRS accepted and implemented all of the Inspector General's recommendations, with one exception. The only recommendation we have not completed involves clarifying how to measure the social welfare and political activities of section 501(c)(4) organizations. Before I became Commissioner, the Treasury and the IRS drafted proposed regulations on this issue for public comment. The regulations proved to be very controversial and provoked over 160,000 comments. I suggested that we start over, taking into consideration the range of comments provided and emphasizing that our goal was not to change the basic, existing rules but, instead, to clarify them as recommended by the TIGTA report. We were instructed by Congress in December to halt our work in this area, which we have done.

TIGTA reviewed our actions in response to the May 2013 report, and issued a follow-up report in March 2015 that noted the IRS had taken ''significant actions'' to address their recommendations. We also accepted and implemented their additional suggestions.

In August 2015, another of the six investigating entities, the Senate Finance Committee, concluded its two-and-a-half year investigation with an exhaustive report. As I testified to the Finance Committee in October last year, the IRS accepted all the recommendations in the Committee's report that were within our control—those that did not involve tax policy matters or legislative action. They included 15 of the report's 18 bipartisan recommendations. We also accepted and have implemented all of the recommendations within our control in the separate reports prepared by the Majority and Minority of the Committee.

In addition to the Senate Finance Committee, the Senate Permanent Subcommittee on Investigations, the Department of Justice (DOJ), and TIGTA have concluded their investigations and their work, with the exception of one historical review being done by TIGTA. None of these entities have indicated any further action or activity is necessary or required.

Despite that, some Members have urged the House to impeach me. Impeachment is, of course, an extraordinary tool, used very rarely by the House after a careful and deliberative process, including, in previous cases, providing substantial due process and other safeguards to the accused individual. These safeguards, which include adequate time to prepare and the right to call and examine witnesses, are not part of this preliminary inquiry. And as described below, I believe impeachment is a wholly improper tool in this instance.

RESPONSES TO THE ALLEGATIONS IN THE PROPOSED ARTICLES OF IMPEACHMENT

As indicated earlier, I believe there is no substance to any of the four charges put forward by some Members of the House Oversight and Government Reform Committee. My responses to these allegations can be summarized as follows:

Proposed Article I

The IRS, under my direction, responded to Congressional requests for information with a massive production of documents.

Both TIGTA and DOJ have determined that the erasure of disaster recovery tapes was an accident.

No one has even suggested, nor could they suggest, that I was somehow personally involved in the erasure of the tapes.

The IRS has taken steps to prevent a repeat of the failure to preserve information.

Under my direction, the IRS has responded comprehensively and in good faith to the various subpoenas and document requests from the investigating entities.

Despite historically low levels of funding, the IRS incurred more than $20 million in expenses (and devoted more than 160,000 manhours) to collect, review, and produce approximately 1.3 million pages of documents. As part of this massive document production, the IRS recovered and produced over 78,000 emails that were sent or received by former IRS Director of Exempt Organizations Lois Lerner, including over 24,000 emails from the period affected by Ms. Lerner's hard drive crash.

The IRS was able to recover such a large number of emails by looking in the places where it believed the emails were most likely to be found: in the email accounts of IRS employees that Ms. Lerner worked with or supervised. The IRS's strategy was to make up for any technical or recordkeeping shortcomings that may have existed by pursuing a broad, even redundant, document collection and review effort.

The erasure of 422 disaster recovery tapes at Martinsburg, West Virginia was clearly a failure of the IRS's document preservation protocols. The IRS accepts responsibility for it, and as detailed in its submissions to Congress, has improved employee training and taken other measures to minimize the risk that anything like this could ever happen again. However, both TIGTA and DOJ agreed that the erasure was an accident. As TIGTA stated in its investigative report, its extensive interviews ''provided no evidence that the IRS employees involved intended to destroy data on the tapes or hard drives in order to keep this information from Congress, the DOJ or TIGTA.''

Proposed Article II

I acted in good faith in my efforts to comply with all Congressional requests related to the investigations.

I testified truthfully and to the best of my knowledge in answering questions concerning the search for, and production of, emails related to the investigations.

The IRS only became aware of the accidental erasure of disaster recovery tapes in 2015, after being notified by TIGTA during its investigation of the Lerner hard drive crash.

The allegations that I somehow attempted to deceive Congress are unfounded. On June 20, 2014, I testified to the House Ways and Means Committee that ''since the start of this investigation, every email has been preserved. . . .'' That was my honest belief at the time, as I was not yet aware of the Martinsburg erasure.

I only became aware of the erasure in 2015, after TIGTA briefed the IRS on the matter. On June 23, 2014, I testified to the House Oversight and Government Reform Committee that ''backup tapes from 2011 no longer existed because they had been recycled,'' and that IRS personnel ''went back and looked and made sure'' of this. This was my honest belief, based on briefings with IRS Information Technology (IT) personnel.

On March 26, 2014, in testimony to the House Oversight and Government Reform Committee, I promised to produce ''all of Lois Lerner's emails.'' As detailed in the discussion above, the IRS made great efforts to

produce all available Lerner emails, conducting a broad search at substantial expense. The breadth of the IRS's efforts illustrates the good faith underlying the promise to comply with the Committee's request.

Proposed Article III

The IRS went to great lengths to cooperate with and facilitate the various investigations into the determination process for tax-exempt status.

The main allegation seems to be that I somehow impeded Congressional investigations by delaying for four months in notifying Congress regarding the Lois Lerner hard drive crash. This is inaccurate. It was never my intent to impede the investigations in any way; to the contrary, the IRS went to great lengths to cooperate with and facilitate the various investigations.

It is important to note that the Lerner hard drive crash was by no means purposely hidden from Congress. Emails discussing the hard drive crash were included in the substantial production of emails to the Congress months earlier, in 2013. Documents provided included a series of emails to Ms. Lerner in 2011 from the IRS IT division discussing the computer problems she experienced with her hard drive crash and IT's efforts to resolve them.

It was not until February 2014 that agency attorneys discovered a problem with Ms. Lerner's emails. The IRS attorneys also did not discover this from the e-mail exchanges that had been earlier provided to the Congress. Instead, the discovery was made when IRS attorneys, who were producing emails for the Congressional committees, noticed an apparent chronological ''gap'' in the Lerner emails that had already been provided to Congress in 2013. After making this discovery, IRS officials worked to assess what happened, determine whether and how data was lost, and study how the data might be recovered from other sources.

I first learned the details of the Lerner hard drive crash in April 2014, and directed IRS personnel to continue the work of determining the extent of the data loss so that a complete description of the problem could be provided outside of the IRS. That work identified 24,000 of Ms. Lerner's emails from the crash period that could be provided to the various investigators. When the IRS completed its assessment of the Lerner email situation in June 2014, we made a full and timely report to the Congressional committees, DOJ and TIGTA.

Proposed Article IV

I oversaw a broad document collection and review to comply with the investigations.

The gist of this allegation is that I failed to competently oversee the IRS's response to Congressional investigations. There has been no suggestion that I denied IRS personnel the needed resources nor in any other way impeded their efforts to respond to the varied Congressional inquiries. To the contrary, as detailed above, the IRS conducted a broad document collection and review, producing a comprehensive record of the matters under investigation, notwithstanding substantial technical and resource challenges. I received regular reports on the work to complete this effort by IRS lawyers and other personnel. Much of this work was done during my first months on the job. Our goal was to provide TIGTA, DOJ, and the Congressional committees all of the information that they needed to advance and ultimately complete their investigations.

CONCLUSION

While the allegations raised by some Members of the House Oversight and Government Reform Committee are serious and relate to acknowledged errors made by the IRS, the Constitution reserves the use of impeachment for ''treason, bribery, or high crimes and misdemeanors.'' None of my actions relating to the issues above, viewed in light of all the facts, come close to that level.

I would also note that impeachment has been used only on very rare occasions in the 228-year history of our Constitution. Aside from two Presidents, the only impeachment of a member of the Executive Branch occurred in 1876. If the Committee were to go forward and pursue impeachment in this instance, especially in light of the utter lack of support for the allegations, it would set an unfortunate precedent, diminishing the ability of the Federal government to attract experienced, dedicated people to positions of leadership. Some have suggested that my impeachment would be an appropriate means of holding the IRS accountable for acts of others that occurred before I came to the agency. This approach would make it particularly hard to attract new leaders when they are needed most—when a critical agency is in crisis following serious mistakes, needing both to reform its practices and respond to investigations. That would be a great loss for the government and for the country.

I want to be clear that, despite being faced with these unwarranted allegations, I remain honored to serve as the IRS Commissioner, and to lead a group of employees who are as dedicated, skillful, energetic and enthusiastic as any group I have had the privilege to work with.

Chairman Goodlatte, Ranking Member Conyers and Members of the Committee, this concludes my statement.

Mr. CARPER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE NATIONAL PARK SERVICE AND UTAH'S MIGHTY FIVE NATIONAL PARKS

Mr. HATCH. Mr. President, our national parks play host to abundant animal life, untouched wilderness, and some of the most breathtaking vistas I have ever seen. Anyone who has beheld the pristine perfection of a mountain lake or the verdant green of our valleys in springtime can bear witness to the magnificent grandeur of America's natural landscapes. Today I wish to recognize the National Park Service for its indispensable role in preserving both the richness and beauty of these lands. This year marks the 100th anniversary of the National Park Service. On the agency's centennial, I would like to thank the thousands of men and women who, over many decades, have served selflessly to safeguard the majesty of our national parks.

In commemoration of the Service's 100th anniversary, I will be visiting the Mighty Five National Parks in my home State of Utah next week. The Mighty Five play a critical role in Utah's economy, driving the tourism industry by attracting millions of visitors to our State each year. Today, I would like to pay tribute to the Mighty Five National Parks by recognizing the beauty and unique history of each.

Canyonlands National Park—imagine wave after wave of deep canyons, towering mesas, pinnacles, cliffs, and spires stretching across 527 square miles. This is Canyonlands National Park, formed by the currents and tributaries of Utah's Green and Colorado rivers. Canyonlands is home to many different types of travel experiences, from sublime solitude in the more remote stretches of the park to moderate hikes through the Needles district.

Located just west of Moab and a short distance from Arches National Park, Canyonlands is wild, wonderful, and diverse in its landscapes. Due to the park's massive size, Canyonlands has four separate districts, including three land districts and the rivers themselves, each with their own characteristic landscapes and experiences.

The area's earliest known inhabitants were Puebloans. After the Puebloans, other groups from the Ute, Navajo, and Paiutes appeared in the area. Ranchers and miners started settling the area in the 1880s, and places throughout the park still bear the names of some of these early settlers.

In the late 1950s and early 1960s, Bates Wilson, the superintendent of Arches National Park, lobbied for a national park to be created in the Canyonlands area. In 1962, Utah Senator Frank Moss introduced the Canyonlands Park bill, and 2 years later, President Lyndon B. Johnson signed legislation designating Canyonlands a National Park.

Arches National Park—located northwest of Moab, Arches is a 73,234-acre wonderland of eroded sandstone fins, towers, ribs, gargoyles, hoodoos, balanced rocks, and, of course, arches. The park protects an amazing landscape that includes the largest proliferation of arches in the world. Over 2,000 arches have been catalogued in Arches National Park. Landscape Arch, measuring 306 fragile feet, is the second-longest span in the world.

The sandstone formations in Arches National Park define not only the landscape but also its plants and animals. The scarce precipitation—8.5 inches annually—extreme temperature ranges, and relatively high elevation all conspire to limit life among the rocks to only species that can adapt to such a harsh environment. Elevations at Arches range from 3,960 feet along the Colorado River to the 5,653-foot Elephant Butte, the park's high point. A pygmy forest of pinon pine and juniper covers about half the park; scrubby steppe and bare slickrock blanket the rest.

The Arches area was first brought to the National Park Service's attention by an employee of a railroad company named Frank Wadleigh. Wadleigh visited Arches at the request of a prospector, who claimed the area had high tourist potential because of its scenic views. With the support of the National

Park Service, the area was designated a national monument in April 1929. The park grew in popularity, and on November 12, 1971, President Richard Nixon signed legislation designating it a national park.

Bryce Canyon National Park—the alpine environment of Bryce National Park is home to dozens of species of mammals and birds. Water and wind over millions of years of freezes and thaws have carved into the plateau endless fields of the park's distinctive red rock pillars, called hoodoos. By its very nature, Bryce Canyon National Park invites discovery.

Every year, Bryce Canyon awes visitors with spectacular geological formations and brilliant colors. The towering hoodoos, narrow fins, and natural bridges seem to deny all reason or explanation, leaving hikers gazing around with jaws agape in wondrous incredulity. This surreal landscape is what brings people from around the world to visit the park.

The Park's hoodoos and fins are formed when rainwater seeps into cracks in the rock. The water freezes during Bryce's cold nights, expanding just enough to break apart the rock. The deep, narrow walls called ''fins'' result from rain and snowmelt running down the slopes from Bryce's rim. Eventually the fins form holes, called windows. When the windows grow larger, they collapse and create the bizarre hoodoos we see today.

The scenic areas of Bryce Canyon were first described to the Nation in 1916 in magazine articles published by Union Pacific and Santa Fe railroad companies. As visitations to the area increased, those concerned about the damage being done to the delicate features lobbied for its protection. On June 8, 1923, Bryce Canyon was declared a national monument, and on February 25, 1928, it was established as a national park.

Zion National Park—carved by water and time, Zion National Park is a canyon that invites you to participate in the very forces that created it. The park's canyons and mesas boast an especially exquisite beauty, even in a State known for dramatic landscapes. Breathtaking Zion Canyon is the centerpiece of this 147,000-acre parkland that protects a spectacular landscape of high plateaus, sheer canyons, and monolithic cliffs.

Opportunities to see and explore Zion National Park abound for people of all ages and abilities, from the scenic byways that slice through the park to the trails that wind through the backcountry. Wildlife watchers can stop at numerous lookouts and search the sky for Zion's more than 200 bird species.

The paintings of Zion Canyon done by Frederick Dellenbaugh in the early 1900s, along with previous photographs of the area, led President William Howard Taft to proclaim Zion Canyon a national monument on July 31, 1909. In November 1919, Congress established Zion Canyon as a national park, making it the oldest national park in Utah.

Capitol Reef National Park—even considering Utah's many impressive national parks and monuments, it is difficult to rival Capitol Reef National Park's sense of expansiveness; of broad, sweeping vistas; of a tortured, twisted, seemingly endless landscape; of limitless sky and desert rock.

While Bryce and Zion are like encapsulated little fantasy lands of colored stone and soaring cliffs, the less-visited Capitol Reef is almost like a planet unto itself. In Capitol Reef, you get a real feel for what the earth might have been like millions of years before life appeared, when nothing existed but earth and sky.

Capitol Reef National Park is an evocative world of spectacular colored cliffs, hidden arches, massive domes, and deep canyons. It is a place that includes the finest elements of Bryce and Zion Canyons in a less-crowded park.

Ephraim Portman Pectol, a member of the Utah State Legislature, and his brother-in-law, Joseph Hickman, started a promotional campaign for the Capitol Reef area in the early 1930s. In 1937, President Franklin D. Roosevelt named the area a national monument. Roads built to the area promoted access. In December 1971, President Richard Nixon signed an act establishing Capitol Reef as a national park.

TRIBUTE TO PATRICK P. O'CARROLL, JR.

Mr. HATCH. Mr. President, I rise to offer thanks and appreciation to a dedicated public servant, Mr. Patrick P. O'Carroll, Jr., who has worked to protect taxpayers and beneficiaries at the Social Security Administration and will soon pursue other activities.

Pat O'Carroll has served the American people as the third inspector general for the Social Security Administration since November 24, 2004. Managing over 600 auditors, attorneys, evaluators, and investigators nationwide, Mr. O'Carroll has overseen efforts to identify and prevent fraud, waste, and abuse of SSA funds and programs. In the past year alone, SSA's OIG has reported over $700 million in investigative accomplishments through SSA recoveries, restitution, fines, settlements, judgments, and projected savings. Pat's efforts have led to around $50 of taxpayer savings for every $1 spent on his office.

Prior to his tenure as inspector general, Mr. O'Carroll held several senior positions in the inspector general's office, including assistant inspector general for investigations and assistant inspector general for external affairs. Twenty-six years of prior employment by the U.S. Secret Service helped prepare Mr. O'Carroll for the rigors of investigative work at SSA. To show Pat's dedication to the field, I would point out that he attended the National Cryptologic School at the Kennedy School of Government after completing a master of forensic sciences at the George Washington University. Most assuredly, you don't want to try to slip anything by Pat.

Pat in many ways personifies the SSA inspector general role. He has served in this position—with distinction—longer than anybody else. Pat has been very responsive with Congress; he has excelled at providing the information we need to protect SSA programs from fraud, waste, and abuse. It would be hard to find anyone who has worked harder to protect the integrity of Social Security's programs than Pat.

I appreciate Pat's important work with this legislative body. We wish him all the very best as he moves on to pursue what lies ahead for him and genuinely appreciate the work he has done with Congress, for the Social Security Administration, and, of most importance, for the American taxpayer. I wish Pat all the very best.

TRIBUTE TO JANE WINKLER DYCHE

Mr. MCCONNELL. Mr. President, I wish to pay tribute to a distinguished Kentuckian who is a leader in her community as well as a good friend. Jane Winkler Dyche is an accomplished attorney in her hometown of London, KY, as well as the master commissioner for the Laurel County Circuit Court and an active volunteer for many local causes.

Dyche, the daughter of educators, originally trained as a teacher, earning a degree in home economics education from the University of Kentucky. She worked for 13 years in food and nutrition across Kentucky before earning her law degree at UK. She is now in her 21st year of practicing law.

Dyche is well known in the region for her service on the board of the Kentucky Bar Association, including a stint as president. She served on the board of the Kentucky Lawyers Mutual Insurance Company and is a dedicated volunteer for Kentucky Educational Television. Dyche also works on behalf of the Laurel County Public Library and the God's Pantry Food Bank.

Jane and her husband, Robert, have two children, Robert and John. They currently practice law together in the house that her husband grew up in, accompanied by their office dog, Stella.

I want to commend my good friend Jane Winkler Dyche for her commitment to her community and to Kentucky. For many years, she has been a devoted supporter of worthy causes and a fixture in the Commonwealth's legal circles. Still an educator at heart, she continues to share her wisdom with others every day.

An area publication, the Times-Tribune, recently published a profile of Jane Winkler Dyche. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Times-Tribune, May 15, 2016]

TRI-COUNTY PROFILES: LONDON ATTORNEY CONSIDERS HERSELF AN EDUCATOR IN ALL THINGS

(By Christina M. Bentley)

''As a lawyer, I still teach people,'' said Jane Winkler Dyche, Laurel County attorney and master commissioner, a position in which she assists the Laurel Circuit Court in the enforcement of judgments.

''I'm just teaching the jury, or I'm educating the judge in my version of the case,'' she said.

Dyche was raised by educators. Her father, Thomas Winkler, was a teacher and school administrator in the Bell County School System and her mother, Mildred, was a career nurse who, at the request of the Pineville Community Hospital, started the Pineville School for Practical Nursing, which was later absorbed into the Kentucky Community College System. Both the Winklers were WWII veterans—Mildred served as a nurse in the Women's Army Corps—and met when Thomas Winkler was being repatriated from his service in the Army Air Corps.

''They were incredible people,'' Dyche said. ''I was very blessed to have parents who saw the importance of education . . . I think being the child of a forward-thinking woman, someone who actually started this hospital nursing program . . . very little I do could begin to be close to touching or hitting milestones like she did. I mean she was really very forward-thinking, and there was really the expectation of 'you need to do the best you can do.' They encouraged free thought and travel. They dragged us about a lot. That's something I think—that wanderlust, the opportunity to see things, new things, it's a huge world. I think sometimes I see that folks' vision is not as wide as it needs to be. It's a big world. It's a BIG world, and if we're too quick to close our eyes or our ears, we're going to miss out on so much.''

Dyche herself has been very open to new opportunities in her life. Like her father, she trained as a teacher, getting a degree in home economics education from the University of Kentucky and going on to work for 13 years with the Cooperative Extension Service as an area extension agent for foods and nutrition, a job in which her primary role was to train others.

''I was an area extension agent, which is really different (from being a county extension agent),'' Dyche said. ''I eventually actually worked from Harlan to Harrison (counties). I had no supervisory capacity, but I trained. I taught people how to teach. I taught the paraprofessionals how to teach the material to the low-income families, and to do that I made home visits with every single one of the assistants I taught twice a year, so I went in the homes with them . . . I think that's where we're losing things now. I think that there aren't enough people willing to say, 'Okay, if you want to change, how do we help you do that? Tell us what we need.' How do we make that happen? You can't do it by just giving people stuff. We've got to help people do with what they have.''

She met her husband, London native and fellow attorney Robert Dyche, during her work with the Extension Service, and said that that's how she made her way to London. The couple have two children, Robert, who has an undergraduate degree from Centre College and an MBA from the University of Cincinnati and now works in Atlanta, and John, who is a 2016 graduate of Georgetown College. The elder Robert Dyche is a former district court judge and also served on the Court of Appeals. She said the law was something she, too, had always been interested in, so she took advantage of the opportunity granted her by the Extension Service to take study leave in 1992.

''I grew up in a little town where there were some good lawyers that I admired. It was something I wanted to do. Once Robbie got an 8-year term on the Supreme Court, our family had at least one steady job, and that gave me the freedom to try something new, and he was supportive in that. So I went back to UK and came home on weekends. It was an adventure,'' Dyche said.

She is now in her 21st year of practicing law.

''I love to practice law,'' she said, ''It's very interesting. I think sometimes it's sort of like a muscle, you know—the more you use it the stronger it gets. And I think to some degree our energy is the same way. If you don't exercise, you don't feel like exercising. That's how I start my day: do my Bible reading and do my exercises. It's pretty simple.''

Dyche's legal career has been very varied and has offered her opportunities to serve her profession outside the courtroom as well.

''I've had a chance to do a lot of different things. I practiced with a firm'' when I first got out of law school ''and I office-shared with a lot of more experienced lawyers because I didn't feel like, especially with a family, that I needed to be by myself, so there were other lawyers who were very instrumental in providing nurture to me during that time'' and I had an opportunity to begin serving on the Kentucky Bar Association board of governors,'' she said.

Dyche was asked to take on the unexpired term of a departing board member and went on to serve as the president of the Kentucky Bar Association, shortly after her husband retired from the Court of Appeals and the two went into practice together, occupying as office space the house that Robert Dyche grew up in, which he and his siblings didn't want to part with after his parents' death.

''Robbie came here to practice law as I was beginning my president-elect and president duties with the KBA and he really made it possible for me to take the time that those volunteer positions take because you travel statewide,'' Dyche said. ''And I had the opportunity to meet a lot of people and to preach the gospel of ethical lawyering. Also during that time, I served on the board of directors of the Kentucky Lawyers Mutual Insurance Company, a mutual insurance company formed by Kentucky lawyers to serve Kentucky lawyers for our professional responsibility, or professional malpractice, insurance, and that was very interesting. The things you learn!''

In addition to her service to the profession, Dyche has also spent most of her life as a dedicated volunteer to a number of causes, beginning with Kentucky Educational Television.

''(KET) was really my first big volunteer activity as a young bride coming to London, Kentucky,'' she said. ''Leonard Press, who actually started KET, knew my father through Daddy's work with the school system. He could see how public television, especially educational television, could reach into the hills and hollows of southeastern Kentucky because it was such a challenge to bring educational material to people who really needed it, and it was during the time in the '60s of (the Work Experience and Training Program). KET could bring educational programs in where others could not, and my fascination with that program and with the television programs that were offered ''caught my eye as a young adult when they were looking for volunteers here in southeastern Kentucky. I had an opportunity to work for many years as a very active volunteer with them'' I did a lot of Friends of KET activities and was president of that board and then served on their foundation board for a number of years as well, so I guess that kind of got me hooked on how exciting volunteering can be.''

Dyche also continues to support the Extension Service and Laurel County Public Library. She served on the Site-Based Councils of both North Laurel High School and London Elementary School when her children were students there.

''There's just all this stuff you get a chance to do if you keep your eyes open to opportunities to serve, and I think that's incredibly important that we keep our eyes open for those opportunities ''If people want to serve, if they want to volunteer, they will find something. There's something out there for you to do,'' she said.

Most recently, Dyche's spirit of community service has found its outlet in God's Pantry Food Bank.

''(God's Pantry) picks back up on my interest in people who are at risk nutritionally,'' Dyche said. ''There are hungry people here, especially during the downturn in the economy. A number of years ago, I was contacted by representatives of God's Pantry Food Bank in Lexington, and just the other day, we had a 'Business After Hours' at our warehouse here in London that opened in December of 2013. Since July 1 of 2015, over 3 million pounds of food has been distributed from there. Last month, this warehouse distributed more than the Lexington one did. I'm all for God's Pantry. This is an agency that is five-star on Charity Navigator for the fifth or sixth year in a row. I think that's really important that people check to see what they're working on. You give them a dollar, they'll turn it into $10 worth of food ''We're really excited that we continue to grow our agencies in this area.''

Dyche sees the common thread between all of her activities, however, to be teaching people, and she said that is both the hardest and the most satisfying part of her work, whether it's in the classroom or the field, the courtroom or the boardroom.

''Teaching people things that they're unfamiliar with and explaining that something may not work out well. That's tough. That's really difficult,'' she said. ''But I like the teaching bit, whether it's teaching about volunteer causes that benefit lots of people or explaining to a client a concept that is new to them. I like smart clients. I like to work with people who are interested in learning how this happened, why this happened, and how we go forward. We've been incredibly blessed to get to work with a lot of interesting folks over time. So I'm still a teacher.''

For all her work and community service, however, Dyche still finds time to garden and cook, and she's a voracious reader. She also teaches mahjong to a group every week at the Laurel County Public Library.

Hers is a busy life, but she said she feels a responsibility to keep it that way.

''I think if God has blessed us—and I think God has blessed almost everyone—I think we in turn have the opportunity to give back,'' Dyche said. ''God gives us all the same number of hours in a day. It's how we choose to use them.''

REMEMBERING CLARISSA ''T.C.'' FREEMAN

Mr. MCCONNELL. Mr. President, I wish to pay tribute to a distinguished Kentuckian who was a passionate advocate for and supporter of our Nation's military, especially the troops stationed at Kentucky's Fort Campbell and in the neighboring community of Hopkinsville, KY. Clarissa ''T.C.'' Freeman, a woman so devoted to our men

and women in uniform that one chapter of the Association of the United States Army, AUSA, named an award after her, sadly passed away on May 19. She was 83 years old.

Freeman understood the importance of the men and women stationed at Fort Campbell and worked diligently to ensure that these servicemembers and her community got the recognition they deserved. Freeman was one of Kentucky's civilian aides to the Secretary of the Army since 2008, holding a ceremonial rank equal to a lieutenant general. However, her contributions to our servicemembers began long before that.

She first became involved as an AUSA volunteer as a young Army wife in Fort Hood, TX, welcoming her husband back home from his first tour of duty in Vietnam. Freeman felt her husband and others returning from Vietnam did not get the recognition and appreciation they deserved. T.C. was right about this, as she was about so many other important issues concerning our Nation's servicemembers.

She decided to do something about it personally. She took care of wounded soldiers. She coordinated welcome-home events. She advocated on behalf of Army families on housing and quality-of-life issues that affected them. The Freemans moved to Hopkinsville and took up the cause of soldiers at Fort Campbell after T.C.'s husband, Army COL Bobby Freeman, was named garrison commander at Fort Campbell.

T.C. Freeman's support for the 101st Airborne Division, headquartered at Fort Campbell, was crucial throughout the years, especially in 1985 when 248 soldiers died in an air crash in Newfoundland while returning from a peacekeeping mission.

In 2009, Freeman was among the first nine honored as a ''champion'' of Fort Campbell and saw her portrait installed in the division's headquarters building. She served as chapter president and board member of the Tennessee-Kentucky chapter of AUSA. She was also an honorary member of the 327th Infantry Regiment and the 160th Special Operations Aviation regiments and a distinguished member of the 502nd and 187th Infantry regiments.

T.C. and her husband, Bobby, raised two sons who served in the Persian Gulf and a daughter who was an Army wife. Elaine and I want to send our condolences to the Freeman family and to the many who knew and loved T.C. I am grateful for the long friendship I had with her, and I know she will be deeply missed—especially by the brave servicemembers she worked so hard to support and their families.

An area publication, the Kentucky New Era, recently published an article detailing T.C. Freeman's legacy. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Kentucky New Era, May 20, 2016]

T.C. FREEMAN, TIRELESS FORT CAMPBELL ADVOCATE, DIES

(By Andrew Oppmann)

Clarissa ''T.C.'' Freeman, known and honored by generals and privates alike as Fort Campbell's Mom for her devoted service and advocacy of the U.S. Army, died at 7 a.m. Thursday at Jennie Stuart Medical Center after a long illness. She was 83.

One of Kentucky's civilian aides to the secretary of the Army since 2008, Freeman battled pulmonary fibrosis for more than five years. However, despite the debilitating effects of the disease, her service to Fort Campbell rarely slowed.

Her husband, retired Army Col. Bobby Freeman, was a former garrison commander at Fort Campbell.

Funeral services will be at 3 p.m. Sunday at First United Methodist Church, Hopkinsville, and burial will be at 1 p.m. Monday at Kentucky Veterans Cemetery-West. Visitation will be from 4 until 8 p.m. Saturday at Hughart, Beard and Giles Funeral Home, Hopkinsville, and from 2 p.m. until the funeral hour at the church.

As a civilian aide to the Army secretary, Freeman held the ceremonial rank equal to a lieutenant general. She used her status as a platform to call attention to the service and sacrifice of the soldiers of the 101st Airborne Division (Air Assault).

Hopkinsville Mayor Carter Hendricks knew Freeman as a ''tireless, tenacious and caring advocate'' for Fort Campbell.

At welcome-home ceremonies, Freeman often was seen handing off her cell phone to a young soldier who didn't have family present but wanted to call home.

Freeman was on a Chamber of Commerce committee that hired Hendricks to be the military affairs director in 2004. She became a dear friend and supporter, he said.

No task was too small for Freeman, and she always followed through on her promises, the mayor said.

U.S. Sen. Mitch McConnell, R-Ky., said, ''T.C. understood the importance of the men and women stationed at the Kentucky (post) and worked diligently to ensure that these service members and her community got the recognition they deserved.''

At a 2013 ceremony honoring Freeman, retired Gen. Richard A. Cody, former post and division commander, said, ''T.C. was an Army wife and Army mom and a model for everyone here. She made a difference in the life of me and my family.''

In 2009, Freeman and her husband were among the first nine honored as Champions of Fort Campbell, and their portraits were installed on a wall inside the division's headquarters building.

She was a life member of the Association of the United States Army, serving as a regional president, as well as chapter president and board member of the Tennessee-Kentucky chapter. The chapter in 2013 named a brigade-level award for membership participation in her honor.

Freeman worked as an aide to former U.S. Sen. Jim Bunning and current U.S. Rep. Ed Whitfield and was a member of the Kentucky Military Affairs Commission.

She was an honorary member of the 327th Infantry Regiment and the 160th Special Operations Aviation regiments a distinguished member of the 502nd and 187th Infantry regiments.

As the wife of a decorated Vietnam aviator, and mother to two sons who served in the Persian Gulf and a daughter who was an Army wife, Freeman told an Army interviewer in 2009 that she knew what other spouses were going through when their husbands and wives were deployed.

''The first Army family I took care of was mine,'' she said.

Freeman first became involved as an AUSA volunteer at Fort Hood, Texas, as a young Army wife.

She told an Army journalist that when her husband returned from his first tour of duty in Vietnam, she was disappointed and saddened by the reception he received. She vowed to do something about it.

''They didn't understand how important our Army was,'' she said in a 2009 article. ''I always feel the need to give something back to our soldiers and to their families.''

And give back she did. She was involved in taking care of wounded soldiers. She planned welcome-home events. She tackled granular issues that troubled Army families, such as ID card and housing problems.

She hosted luncheons, consoled families in their grief and, as a champion of Fort Campbell, was a fierce advocate for funding of the post that straddles the Kentucky and Tennessee borders.

Cody, quoted by The Eagle Post in a 2013 article on the AUSA award named in her honor, said Freeman was diligent to greet soldiers as they returned or departed for duty overseas.

She would look around for a soldier who had no one waiting for him or her and would give him or her a hug and a thank you.

''When they (the soldier's family) can't, I stand in for them,'' she said.

Maj. Gen. Jim Myles, at a 2009 ceremony covered by Army journalists, called Freeman ''a national treasure and a hero.''

When she was a VIP or special guest at an event, Myles said she would always divert the spotlight to the soldiers.

''I've watched CASAs like T.C. make a difference in soldiers' lives in ways greensuiters couldn't do,'' he said.

Cody, in the 2013 article, recalled how Freeman ''wrapped her arms around this great division'' after 248 soldiers from the 101st died in air crash at Gander, Newfoundland, while returning from a peacekeeping mission shortly before Christmas in 1985.

The Freemans moved to Hopkinsville when Col. Freeman was named garrison commander at Fort Campbell. They remained there after he retired from the Army.

Freeman's passion for the soldiers of Fort Campbell never ceased, even as her illness limited her mobility in recent months. She was active on social media and often sent out messages of support to the division while on bed rest.

''There is a lot that can be done to help our soldiers,'' she told the Army journalist in 2009. ''There are no boundaries to what goodness one can contribute for the benefit of the soldiers.''

TRIBUTE TO DR. HOUSHANG KHORRAM

Mr. MCCONNELL. Mr. President, I wish to congratulate a distinguished Kentuckian who is an accomplished doctor and who works to save lives and heal the sick in eastern Kentucky. Dr. Houshang Khorram practiced as a pediatrician for 50 years at Appalachian Regional Healthcare in Middlesboro, KY, and he retired this past January after his five decades of service.

Dr. Khorram originally studied medicine in Iran, attending the Shiraz Medical Science University. He knew from the beginning of his medical career that he wanted to specialize in pediatrics. After taking pediatrics specialty classes in Iran, he came to America;

first to Baltimore, MD, and then, in 1965, to Kentucky. He has been a proud resident of the Bluegrass State ever since.

In his time at Appalachian Regional Healthcare, Dr. Khorram served as chief of the pediatric department, chief of medical staff, and president of the board of directors at the Daniel Boone Clinic. In his time as a physician, he has seen many advances in medical technology and implemented them in his practice.

I want to congratulate Dr. Khorram for his five decades of service at the top of the medical field and wish him well upon the occasion of his retirement. I know he will have as much success in whatever endeavor he chooses next as he has had in his chosen field. I am sure his wife, Toby, and their two children are very proud of him, and Kentucky is glad to have benefitted from his work and service.

An area publication, the Middlesboro Daily News, recently published an article highlighting Dr. Khorram's life and career. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Middlesboro Daily News, Feb. 12, 2016]

DECADES OF DEDICATION

(By Kelsey Gerhardt)

Appalachian Regional Healthcare in Middlesboro is a place where lives are saved, babies are born and broken bones are set. Dr. Houshang Khorram has seen it all in his 50 years as a pediatrician.

Khorram's story starts during his time as a student at Shiraz Medical Science University in Iran.

''I loved kids. I've always loved kids and that's how I knew what I wanted to do,'' said Khorram.

He completed his pediatrics specialty classes in Iran and came to America to work at Johns Hopkins Hospital in Baltimore, Maryland for a couple of years.

In 1965, Khorram started working for the ARH in Floyd County, Kentucky and moved to the Middlesboro ARH five years later. He has lived and worked in Middlesboro ever since.

''Actually, I came here to live for just six months, but I'm still here. I love the people and I love the area and I love nature so there are a lot of things that have kept me here,'' said Khorram.

He has seen many advances in the medical field, including technology and equipment which he believes have not only benefited pediatrics, but the way in which doctors are able to care for patients.

''So much that we have now, we didn't have it 10 or even 20 years ago. CT scans, MRI's, sonograms have helped a lot and now it's easier to make a diagnosis and it's more reliable,'' said Khorram.

Khorram retired from ARH on January 1 and received a special award for his time. Throughout his decades at ARH, Khorram served as the chief of the Pediatric Department, chief of Medical Staff and the president of the board of directors at the Daniel Boone Clinic.

If given the opportunity to start all over again, he undoubtedly would.

''I encourage my kids to go into the medical field. It's a great place to be and I would go back, go again to medical school if I could,'' laughed Khorram.

He enjoys hiking and reading pediatrics books in his free time. Since retirement, he is looking forward to having time to spend with his grandchildren.

Khorram has been married to his wife Toby for 54 years. He acknowledges her sacrifices and support that have allowed him to be a doctor. Together they have two children.

REMEMBERING SUMNER SLICHTER

Mr. REID. Mr. President, I was saddened to learn that Sumner Slichter, who for three decades was the chief policy adviser to former Wisconsin and U.S. Senator Russ Feingold, died May 16 in his home in Alexandria, VA, after a battle with brain cancer. He was 62 years old.

Sumner Pence Slichter was born August 31, 1953, in Urbana, IL, to Nini Almy and Charles Slichter. He was the oldest of four children and is remembered as being a kind and loving older brother to his younger siblings.

As a student attending Dr. Howard Elementary, Edison Junior High School, and Champaign Central High School, Sumner played viola in the school orchestra. He left for the University of Wisconsin-Madison in 1970, where he majored in mathematics. Sumner continued to play viola in student ensembles and the UW orchestra, where he sat first chair.

At the age of 19, Sumner began what would ultimately be a long and rich career in politics. His first job was on Ed Muskie's 1972 Presidential campaign. Later that year, he worked as an assistant at the Democratic National Committee convention in Miami Beach. From there, Sumner worked for campaigns and offices of State representatives in Illinois, Pennsylvania, and Wisconsin.

In 1981, an encounter would forever change Sumner's life. That year he met a Milwaukee lawyer named Russ Feingold. At that time, Russ Feingold was working as a Democratic Party counsel on a close recall election. Sumner helped convince his new friend to challenge an incumbent for the 27th district State Senate seat. Feingold won the election in 1982, and Sumner followed him to the State capital. Sumner and Russ would spend the next three decades working side-by-side in Madison and Washington, DC.

Working in the Wisconsin State Senate, Sumner helped design Feingold's trademark progressive initiatives that focused on the aging, consumer-focused banking policies, budget discipline, and tax policy.

It was during his time in the State capitol that Sumner met Pam Russell, who was working as a legislative attorney. They were married in 1990.

While they lived in Madison, Sumner had a thriving social life. He was a member of a city intramural league softball team, the Soft Balls, and he and his friends and teammates often took advantage of Wisconsin's beautiful State parks, going on annual camping trips to Governor Dodge and Rock Island, among others. Sumner enjoyed hosting friends at the summer cottage on Lake Mendota built by his grandfather, and in fact, it was there that Sumner held Russ Feingold's first fundraiser for the 1982 State senate campaign.

In 1992, after 10 years in the Wisconsin Legislature, Russ ran for the U.S. Senate. Sumner was there with his boss, playing an important strategic role on the campaign. Many Wisconsinites still remember the funny, light-hearted campaign ads that Feingold ran in that campaign. Sumner was one of the campaign staffers who crafted those unforgettable ads.

When Russ was elected to the U.S. Senate, Sumner and Pam relocated to northern Virginia where, on the day after they arrived, their daughter Sarah was born.

Sumner worked for Russ in the U.S. Capitol for 18 years. He was Russ's policy director and helped shaped Senator Feingold's progressive legacy. Think about some of the courageous acts that defined Senator Feingold's work in the Senate: the McCain-Feingold Bipartisan Campaign Reform Act, his votes against the Defense of Marriage Act, the Iraq war, and the sole nay vote against U.S.A. Patriot Act. For each of those votes and bills, Sumner was right there alongside Russ, counseling and helping in any way he could. He also helped Feingold author a resolution to censure President George W. Bush. It is no wonder that Russ said of his friend, ''Sumner was at my side for every vote I took in 28 years as a legislator, and I didn't vote until I sought his wise counsel.''

It is one thing to do good work for your boss, but it is another thing to treat your peers and colleagues with dignity, respect, and affection. Sumner was a great mentor and friend to his fellow staffers. Former Feingold chief of staff Mary Irvine remembers, ''It was quite a thing really how many issues Sumner worked on . . . A great solo player and an awesome team player. He must have spent hours and hours on the Senate floor on any number of issues but was always on duty for the entire lengthy budget resolution votes. Sumner was an amazing expert on the Senate budget process and on parliamentary procedure. He was a great political mind—there was no issue that Sumner couldn't figure out and explain to the rest of us.''

Outside of the Capitol, Sumner loved to cook for his friends and family. He was a movie buff who had a penchant for remembering lines, music, actors, and directors. He never lost his love of music and was always quick to respond to a danceable song.

From his Madison days, Sumner brought annual Nixon Resignation and Derby Day parties and camping traditions to his family and friends in the D.C. Area. He had a deep love of dogs and was very attached to his pets.

Sumner Slichter's passing is a loss for all of us here in the Senate. We grew accustomed to seeing his smiling face right at this boss's side.

I, along with the entire U.S. Senate, send our condolences to his family. Sumner is survived by his wife, Pam Russell, of Alexandria, VA; daughter Sarah of Poughkeepsie, NY; mother Nini Almy of Mitchellville, MD; father Charles Slichter and stepmother Anne Slichter of Champaign, IL; brother Bill of Minneapolis and his wife Helen; brother Jacob of Brooklyn, NY, and his wife Suzanne; sister Ann of Los Angeles; half-brother Daniel of Boulder, CO, and his wife Yolanda; and half-brother David of Binghamton, NY.

I say to his family: Thank you for sharing Sumner with us over the years. Thank you for allowing his bright and radiant personality to shine on us. He will be greatly missed.

ZIKA SUPPLEMENTAL FUNDING

Mr. DURBIN. Mr. President, last week, the Senate approved a compromise deal negotiated by Senators Blunt, Murray, and others to provide $1.1 billion in emergency supplemental Zika funding.

The White House, Dr. Frieden of the Centers for Disease Control, CDC, and Dr. Collins of the National Institute of Health, NIH, told us they needed $1.9 billion to fight this public health crisis, but the Republican caucus disagreed with these infectious disease experts.

I am not sure why Republicans do not believe the world's best scientists and health officials when they articulate a clear, comprehensive plan to stop Zika. Perhaps they do not appreciate the severity of this public health threat?

When we were faced with cases of Ebola within the United States, we reacted swiftly and decisively. We funded 87 percent, $5.4 billion, of the administration's request in a total of just 38 days.

Well, now the same number of people in the U.S. and U.S. territories have died from Ebola, as have from Zika—one.

Yet more than 91 days past the date of the formal Zika request, we are debating between just 33 percent, as the House approved, and 58 percent of this request? I fear my Republican colleagues are underestimating the threat from the Zika virus on our Nation's pregnant women.

We know that Zika causes microcephaly, a devastating and tragic birth defect that causes babies to be born with serious neurological complications.

And it seems that every day we are learning something worse. Just yesterday, a CDC and Harvard University study found that pregnant women who are infected with Zika in their first trimester face up to a 13 percent chance of their baby being born with microcephaly.

We also know that the CDC is currently monitoring nearly 300 pregnant women in the United States who have the Zika virus.

The CDC estimates that the lifetime costs for a baby born with this tragic disease is between $1 million to $10 million, not to mention the considerable emotional toll of this disease on families.

Sadly, it doesn't take many cases of microcephaly to begin costing us more financially than the paltry amount House Republicans are committing to fight Zika.

But Zika doesn't just cause microcephaly. It is also linked to other neurological diseases that aggressively destroy brain tissue. It is also linked to Guillain-Bare syndrome, an autoimmune disorder than can cause paralysis and death.

What about the impact of maternal stress on a baby? I cannot imagine the anxiety that pregnant women, especially those in the southern part of this country and in Puerto Rico, must feel right now. Well, through genetics and neuroscience, we know for a fact that a mother's stress during pregnancy can shape her child's gene expression, leading to poor birth outcomes and psychological and physical disorders.

If you call yourself pro-life, why would you not want to do everything you can to protect these babies from being subjected to elevated risk for serious birth defects?

This is a train we have seen coming for miles and miles, and Republicans are refusing to step out of the way.

It is bad enough that House and Senate Republicans are refusing to provide the funding our health experts say is necessary to fight this disease, but now House Republicans are insisting on cutting Ebola funding to do it.

Last week, the House passed a partisan bill that would have provided a mere $622 million to fight Zika. That is a third of what the experts say they need, and they offset the costs by raiding Ebola money.

House Appropriations Chairman HAL ROGERS called it ''excess funding left over from the Ebola outbreak.'' That couldn't be further from the truth.

I recently spoke with the CDC Director Tom Frieden who told me some troubling news. Last month, there was another cluster of Ebola cases in West Africa, about a dozen new cases. What they have now found is that the Ebola virus can stay in a man's system for up to 1 year, allowing it to be spread to others.

Ebola may not be front page news in the United States right now, but that is largely because our CDC disease detectives are on the ground in West Africa, nearly 100 of them, fighting to contain its spread.

If we keep stealing the funding that enables them to do their job, Ebola could soon again be front page news.

Since Republicans have been dragging their feet on Zika funding, the White House was forced, as a last ditch, stop-gap requirement, to transfer $510 million away from the Ebola response to fund the immediate response needs for Zika.

As the White House's Ebola czar, Ron Klain, said last week, ''we are taking a fire hydrant out of the ground in one place and moving it someplace else to fight a different fire.''

This Ebola money that was moved was the CDC's funds for the next 2 fiscal years, funds that are to be used to build a frontline defense for our own country. It invests in the public health capacity of partner nations, so we aren't waiting for local outbreaks to hit our shores as global epidemics.

These ''leftover'' funds are being used to develop and test vaccine candidates for Ebola, and late-stage clinical trials are moving forward, but they need those funds to continue validating these vaccines.

Now House Republicans want to drain these Ebola funds again.

We already know what happens when we have to take money from one place in the public health budget and move it elsewhere. State and local health departments lost $44 million in CDC preparedness grants earlier this year because of a reprogramming of funds that were moved to high-risk Zika States. Illinois lost $2 million in total. A recent survey of State health departments said that this $44 million cut will result in staffing reductions and could hamper Zika preparations by forcing a reduction in laboratory services and epidemiological activities. So to be clear, States at lower risk for Zika, like Illinois, lost money to States at higher risk like Mississippi, Texas, and Florida. And this cut will mean that Illinois and other States that lost money are now less prepared for Zika.

Public health preparedness is not done with a wave of a magic wand. It requires steady investments in people, lab testing, and epidemiology and dedicated research and clinical trials.

We did not require our Ebola, H1N1, or avian influenza supplementals to be offset, and we certainly should not begin down that dangerous path now.

As with our response to Ebola here in the U.S., proven public health protocols will work against Zika, but we need to listen to the experts and fund the needed response.

That means we cannot wait any longer to pass an emergency Zika funding supplemental.

Some Republicans have said this money can wait until October 1 when our new fiscal year starts. Do you think mosquitos know when the new fiscal year begins and will wait to buzz and bite until then?

This weekend is Memorial Day weekend. I don't know about you, but in my hometown and across Illinois that means people will be outside and having barbecues. Then comes the Fourth of July and, soon after, Labor Day weekend.

We do not have time to wait around. We need to approve the Senate's Zika supplemental as a down payment, and we need to send it to the President's desk this week.

Over 1,380 people across 44 States, Washington DC, and 3 U.S. territories,

including over 279 pregnant women, have contracted Zika.

To my Republican colleagues, I would say: stop playing games, support our States and Federal health officials, approve the money, and send it to the President's desk. We cannot wait any longer. Pregnant women cannot wait any longer.

MANDATORY ARBITRATION CLAUSES IN FOR-PROFIT COLLEGE ENROLLMENT AGREEMENTS

Mr. DURBIN. Mr. President, I have not been shy about coming to the Senate floor to voice my concerns about the for-profit college industry. This is an industry that enrolls 10 percent of college students, collects 20 percent of Federal student aid, and accounts for over 40 percent of student loan defaults. This industry has a terrible track record; yet it continues to collect billions each year in Federal funding. If there ever was an industry that needed to face accountability, it is the for-profit college industry. But for-profit colleges have long avoided accountability to their students and to regulators through the use of mandatory arbitration clauses.

For years, mandatory arbitration clauses have been buried in the fine print of student enrollment agreements at for-profit schools. Students usually didn't even know that, by signing these agreements, they were giving up their right to a day in court if the school's misbehavior caused the students harm. Mandatory arbitration clauses mean, for example, that, if a student is misled or deceived by a school's advertising and goes into debt as a result, the student can't take the school to court. Instead, the student is forced into a secret arbitration proceeding where the playing field is tilted against the student's interests.

Mandatory arbitration clauses allow schools to avoid accountability to their students—and the secrecy of arbitration proceedings means that misconduct stays hidden from the attention of regulators. Mandatory arbitration clauses are not used by legitimate nonprofit colleges, either public or private. But these clauses were widely used among for-profit colleges—including Corinthian, the now bankrupt for-profit college which for years lied to its students and to regulators about its job placement rates and other data.

There is a growing recognition that mandatory arbitration has helped hide misconduct in the for-profit college industry. Also, because these clauses prevent students from seeking meaningful relief in court from the schools that wronged them, students have had to seek relief from the Federal Government for their student loan debt. This means that taxpayers are on the hook for helping these victimized students, instead of the for-profit colleges that harmed them.

I have joined my colleagues in urging the Department of Education to issue strong regulations to prevent for-profit colleges that receive Federal funds from using mandatory arbitration clauses, and I have called out for-profit colleges that use these clauses.

On April 13, I came to the Senate floor and mentioned three names of schools that use these clauses: DeVry, the University of Phoenix, and ITT Tech. Lo and behold, two of these three for-profit schools—DeVry and the Apollo Education Group, which owns the University of Phoenix—have now made commitments to stop requiring their students to submit to mandatory arbitration. Apollo made their announcement last week, and DeVry officials told my staff that they discontinued the use of these clauses a few weeks ago, on May 13.

This is good news. These actions reflect the growing consensus outside and inside the for-profit industry that mandatory arbitration has no place in higher education enrollment. Also, the decisions by Apollo and DeVry reaffirm that the Department of Education is on the right track in reining in mandatory arbitration. The Department should finish the job by issuing rules that end this practice among all schools that receive Federal dollars.

Now, one note of caution—the devil is in the details when it comes to arbitration clauses. I have heard promises before from education companies to end mandatory arbitration, only to see those companies add new fine print that finds other ways to block students' access to court. I will be carefully checking the fine print of the new enrollment agreements to make sure these schools are not imposing new, more subtle restrictions on their students' access to court. If the fine print does reflect their commitment, I believe Apollo and DeVry deserve credit, but they still have a long way to go to improve student outcomes and prove they are going to dump the old for-profit college playbook.

ITT Tech, the spotlight is now on you. ITT Tech's executives have demanded their own day in court to respond to investigations and allegations of misconduct that were brought by regulatory agencies. At the same time, ITT Tech has continued to force its own students into mandatory arbitration. ITT Tech and all for-profit colleges should put an end to this practice of mandatory arbitration. They should join the growing consensus against these clauses that is reflected in the views of the Department of Education, student groups, veterans groups, civil rights groups, consumer groups, and now even some of the largest for-profit colleges.

It is time to stand up for accountability and for putting students first. It is time to end mandatory arbitration clauses in the for-profit college industry once and for all.

100TH ANNIVERSARY OF THE EASTER RISING

Mr. LEAHY. Mr. President, last week, the Senate unanimously adopted a resolution to commemorate the 100th anniversary of a crucial milestone in the history of Ireland, the 1916 Easter Rising rebellion. As a son of Ireland through my father's ancestors, I am proud to reflect on this important moment in Ireland's long march to independence.

The relationship between the United States and Ireland is long, it is strong, it is enduring, and it cannot be understated. As President Kennedy once said in a speech before Ireland's Parliament, ''No people ever believed more deeply in the cause of Irish freedom than the people of the United States.'' Both the United States and Ireland have histories rooted in a common set of ideals and goals, and we share similar principles and beliefs in freedom. A marker of the influence of the United States is the fact that our Nation is the only foreign country named in the 1916 Proclamation of the Republic, which proclaimed Ireland's independence.

My relatives on my father's side believed strongly in the promises of opportunity in the United States when they emigrated here in the mid-1800s. Marcelle and I have visited Ireland and met distant relatives who live there still. It is easy to see and feel the strong connections between our two countries.

Last week's centennial anniversary of the Easter Rising, commemorated on both sides of the Atlantic, recalls a turning point in Ireland's history. The influences of freedom, dignity, and prosperity in America that motivated many of the leaders of that rebellion 100 years ago are worth fighting to preserve and nurture here in the United States today. Like so many lessons of the past, the Easter Rising is a moment to reflect on our own freedoms and our own march toward perfecting our own Union.

TRIBUTE TO RUBY PAONE

Mr. LEAHY. Mr. President, I may be dating myself when I say this, but I remember when Ruby Paone started work here as a fresh graduate from St. Andrews University. That was April of 1975, just a few months after I began my own tenure here in the Senate, and for more than 41 years, she has served in the U.S. Senate as a public servant of the highest caliber. Ruby is a remarkable woman. Throughout her Senate experience, she has befriended future Presidents and legendary legislators. The Senate permeates her family. She and her husband, longtime Senate aide and now adviser to President Obama, Marty Paone, have raised three wonderful children.

Ruby is from the small town of Bladenboro, NC, and she brings the very best of small towns to this often

chaotic city. In true smalltown fashion, she knows everyone, never forgets a name or a face, and has a smile and a kind remark for everyone she sees. I have often said that Senators are merely constitutional impediments to their staff, and the same can surely be said for Ruby. Her steadfast service and collegiality are part of what makes the Senate work. Ruby, thank you for all that you have done for the Senate, and we wish you the best in retirement.

Mr. CARDIN. Mr. President, as I have said previously, there are many people who work behind the scenes to help the Senate function. We tend to take them for granted, but we shouldn't. I would like to take this opportunity to acknowledge one such Senate staffer, Deputy Director of Doorkeepers Ruby Paone, who is retiring after more than 41 of steadfast service to the U.S. Senate and to our Nation. Everyone knows and loves Ruby, who has been here longer than any U.S. Senator currently serving, except for our esteemed colleague, the senior Senator from Vermont.

Ruby Paone, one of Lena and Wilbur Smith's five children, grew up on a farm in Bladenboro, NC, where she spent her summers pulling peanuts and harvesting tobacco. She graduated from St. Andrew's University and then came to Washington, DC. On March 17, 1975, she started working in the Senate as a card desk attendant. Then she became a reception room attendant and steadily worked her way up to her present position. Along the way, she met another Senate staffer, Marty Paone. The two of them starting dating, and then they were married in 1983. The Washington Post reported at the time:

Senator Robert Byrd paused in the debate to inform his colleagues that Ruby Grey Smith, who has worked in the Senate Reception Room for the last eight years, had married Marty Patrick Paone, a member of the floor staff of the Democratic Policy Committee. Byrd observed that with all the burdens of the Senate, the marriage shows that 'every cloud does have a silver lining.' Quick to agree with the minority leader, Majority Leader Howard Baker rose to add his congratulations, remembering that on the wedding day the press of Senate business almost interfered with the wedding hour. Sen. Howard Metzenbaum rushed out to get Mrs. Paone to hear the words of congratulation and she was there to see the chamber burst into applause. It may have been the best thing done in that Chamber all year.

As Senator REID noted yesterday, Ruby has been here for seven different Presidential administrations, 10 consecutive inaugurations, 16 different Sergeants-at-Arms, and 383 different Senators. Ruby's husband, Marty, who currently serves as deputy assistant to the President for legislative affairs, served as the Democratic secretary longer than anyone else in the history of the Senate. He worked in the Senate for 32 years overall, so he and Ruby have devoted nearly three-quarters of a century to this institution. Is there any other family so committed to service in the U.S. Senate? I doubt it. But the family's service is not ending with Ruby's retirement, fortunately. Ruby and Marty's daughter, Stephanie, works in the Democratic cloakroom and their son, Tommy, works at the Senate appointments desk. They proudly and ably carry on the Paone family tradition of outstanding Senate service.

I believe the U.S. Senate—Senators and staff—is a big family. Like any family, we certainly have our disagreements. But I am sure we can all agree that Ruby Paone has been a cherished member of the Senate family for over four decades, and we will miss her here. But we take solace in knowing that she is leaving so she can spend more time with her most important family—her husband, Marty, and their children Alexander, Stephanie, and Tommie. We have been so fortunate to have Ruby in the Senate family for the past 41-plus years. The American people are so fortunate to have talented and dedicated public servants like Ruby and Marty and Stephanie and Tommy Paone. I know the entire Senate joins me in thanking Ruby for her service and wishing her and her family the very best.

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 establishes statutory limits on discretionary spending and allows for various adjustments to those limits, while sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments.

On May 19, 2016, the Senate agreed to Senate amendment No. 3900, filed by Senator BLUNT. This amendment provides funding to combat the Zika virus. The amendment would increase budget authority by $1,098 million in fiscal year 2016 and increase outlays by $147 million and $508 million in fiscal year 2016 and fiscal year 2017, respectively. The amendment includes language that would designate its spending as emergency pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Deficit Control Act of 1985. The inclusion of these designations makes this spending eligible for an adjustment under the Congressional Budget Act.

As a result, I am increasing the budgetary aggregate for fiscal year 2016 by $1,098 million in budget authority and $147 million in outlays. I am increasing the budgetary aggregate for fiscal year 2017 by $508 million in outlays. Further, I am revising the budget authority and outlay allocations to the Appropriations Committee by $1,098 million in revised nonsecurity budget authority and $147 million in outlays for fiscal year 2016 and by $508 million in outlays in fiscal year 2017.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REVISION TO BUDGETARY AGGREGATES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$s in millions	2016
Current Spending Aggregates:	
Budget Authority	3,069,829
Outlays	3,091,246
Adjustments:	
Budget Authority	1,098
Outlays	147
Revised Spending Aggregates:	
Budget Authority	3,070,927
Outlays	3,091,393

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2016

(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

$s in millions	2016
Current Allocation *:	
Revised Security Discretionary Budget Authority	548,091
Revised Nonsecurity Category Discretionary Budget Authority	527,857
General Purpose Outlays	1,173,067
Adjustments:	
Revised Security Discretionary Budget Authority	0
Revised Nonsecurity Category Discretionary Budget Authority	1,098
General Purpose Outlays	147
Revised Allocation *:	
Revised Security Discretionary Budget Authority	548,091
Revised Nonsecurity Category Discretionary Budget Authority	528,955
General Purpose Outlays	1,173,214

* Excludes amounts designated for Overseas Contingency Operations/Global War on Terrorism pursuant to Section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Memorandum: Above Adjustments by Designation	Program Integrity	Disaster Relief	Emergency	Total
Revised Security Discretionary Budget Authority	0	0	0	0
Revised Nonsecurity Category Discretionary Budget Authority	0	0	1,098	1,098
General Purpose Outlays	0	0	147	147

REVISION TO BUDGETARY AGGREGATES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 102 of the Bipartisan Budget Act of 2015)

$s in millions	2017
Current Spending Aggregates:	
Budget Authority	3,212,350
Outlays	3,219,192

REVISION TO BUDGETARY AGGREGATES—Continued

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 102 of the Bipartisan Budget Act of 2015)

$s in millions	2017
Adjustments:	
Budget Authority	0
Outlays	508

REVISION TO BUDGETARY AGGREGATES—Continued

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 102 of the Bipartisan Budget Act of 2015)

$s in millions	2017
Revised Spending Aggregates:	
Budget Authority	3,212,350
Outlays	3,219,700

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2017

(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

$s in millions	2017
Current Allocation:	
Revised Security Discretionary Budget Authority	551,068
Revised Nonsecurity Category Discretionary Budget Authority	518,531
General Purpose Outlays	1,181,801
Adjustments:	
Revised Security Discretionary Budget Authority	0
Revised Nonsecurity Category Discretionary Budget Authority	0
General Purpose Outlays	508
Revised Allocation:	
Revised Security Discretionary Budget Authority	551,068
Revised Nonsecurity Category Discretionary Budget Authority	518,531
General Purpose Outlays	1,182,309

Memorandum: Detail of Adjustments Made Above	OCO	Program Integrity	Disaster Relief	Emergency	Total
Revised Security Discretionary Budget Authority	0	0	0	0	0
Revised Nonsecurity Category Discretionary Budget Authority	0	0	0	0	0
General Purpose Outlays	0	0	0	508	508

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY BILL

Mr. UDALL. Mr. President, the following information is in response to an article entered into the record by Senator BOXER of California earlier today.

The Hearst News article in question was published in the San Francisco Chronicle and implies that the chemical industry drafted S. 697, the Frank R. Lautenberg Chemical Safety for the 21st Century Act. This implication is false.

The bill authors, including myself, wrote this bill. Drafts of the bill were circulated to many interested stakeholders throughout the drafting process and returned with comments. This process took over 3 years, and drafts were circulated each step of the way. Reforming the Toxic Substances Control Act was a very involved and transparent process.

Environmental groups, trial lawyers, industry, State officials, and the U.S. Environmental Protection Agency were consulted at many stages throughout the process.

All of their input is reflected in the bill in various provisions, often the same ones. This is major comprehensive legislation that has received wide bipartisan support.

The New York Times looked into the allegation that the chemical industry wrote the bill. Their lead reporter, Eric Lipton, wrote on March 17: ''Lots of players, including enviros, submitted drafts with proposed changes.''

Again, many drafts of this bill were shared by a variety of Senate offices with many stakeholders in a very engaged process over 3 years.

It is disappointing that I must refute this allegation in the CONGRESSIONAL RECORD, but it is important to get the facts straight when explaining the legislative history of TSCA reform.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

TRUCK DRIVERS' WORKING HOURS RULE

● Mr. BLUMENTHAL. Mr. President, I rise to speak on an amendment I filed last week to the Transportation appropriations bill. The bill passed the Senate last week. I did not offer my amendment for a vote, but it has been willfully mischaracterized by an industry campaign, so I wanted to take a few minutes to explain it.

My amendment, Blumenthal amendment No. 4002, would improve the safety of our roads. America depends on truck drivers to move our goods around; truckers and the trucking industry perform a vital service. But truckers who work too many hours in a week, like any other drivers who spend too much time behind the wheel, get tired and can't drive safely. So since the Franklin D. Roosevelt administration, there have been limits placed on the number of hours they can work in a week.

In 2003, President Bush raised the limit from 60 hours on duty in a 7-day week, where it had been for decades, to 82 hours in a 7-day week. This increased truck drivers' fatigue. So in 2013, President Obama sought to make some changes, bringing the limit back down to 70 hours and ensuring that drivers could rest when the body needs it most: at night.

The Obama administration's rule was based on sound science, thousands of comments, and, most importantly, a prioritization of safety over profits, but it was opposed by many trucking companies, who were accustomed to working their drivers to the max, regardless of the consequences for other drivers on the road.

Over the past few years, in a process I will not describe in detail here, the trucking industry succeeded in gutting the new rule, not through legislation in the Commerce Committee, which has both the jurisdiction and the expertise, but through the appropriations process. Language on appropriations bills suspended the rule and required cumbersome studies before it could return.

The bill before us continues this trend, including language to make it clear that the Bush administration rules will return after the study, and it enshrines a statutory cap on truck drivers' working hours, one that will be extremely difficult to change even in the face of new data or scientific evidence.

This is terrible precedent. It encourages truck drivers to put in nearly double an average work week behind the wheel of an 80,000-pound big rig, the last place in the world we want someone who is falling asleep.

My amendment would let us go back to the rules that existed in 2013, rather than this mess, masquerading as a solution. It would give us the opportunity to debate this issue fully and to put aside the counterproductive language in this appropriations bill.

However, while I am not pushing for a vote on this amendment, it is supported by the ranking member of the Commerce committee, Senator NELSON, and my Commerce colleagues, Senators MARKEY and BOOKER. Unfortunately, due to a campaign of misinformation, it has become controversial. And I believe the underlying measure, including critical funding to fight the Zika virus, must not be delayed.

But I am pushing for a commitment from my colleagues to work with me in conference and, in the long-term, to find a solution. Four thousand people die a year in truck crashes, and countless truck drivers report nodding off behind the wheel. This is something we have a duty to address.●

MEMORIAL DAY

Mr. ISAKSON. Mr. President, as chairman of the Senate Veterans' Affairs Committee, I proudly wish to recognize the 1 percent of Americans who

serve today in the Armed Forces of the United States. This past weekend, on Armed Forces Day, I had the honor of participating in the grand opening of the Military Family Support Center presented by the Cobb Chamber of Commerce. It remains humbling to me every time I see Georgia communities come together to support our servicemen and servicewomen and their families.

Anyone who opens a newspaper today or turns on the TV knows that we live in a world of unknown and dangerous threats. Despite this, nearly 2.1 million Americans have voluntarily raised their right hands and sworn to defend our Nation against all enemies, foreign and domestic. What makes these men and women unique is that, despite these global threats, they choose to rise to the challenge. They come from all walks of life. From coast to coast, every Main Street, farm, or even next door, our selfless warriors voluntarily walk away from the comforts of home to join the most elite force on this planet. They endure long hours in the field, countless months away from their families while downrange, and some even come face to face with those who wish to do us harm. These courageous Americans are deployed in more than 150 countries around the world. From humanitarian missions to coalition force partnerships to counterterrorism operations, there is no mission, no challenge they cannot rise to meet.

Our world is becoming increasingly unstable. With threats rising from old foes to new ones in familiar places, there is simply no shortage of challenges our country faces in terms of national security. While the unknown threatens global peace, one constant known is the courage and dedication of America's Armed Forces. I am constantly reminded that we are the land of the free because of the brave.

Now, this coming Monday gives us all a moment to stop and pay respect to the approximately 1.3 million Americans who have given their lives in the defense of our great Nation. From the Revolutionary War to the Civil War, from World War I to World War II, from Korea to Vietnam, and from Iraq to Afghanistan, brave men and women have answered the call to defend our homeland and protect the helpless around the world in the name of peace. Those of us who are fortunate to work in this grand Capitol Building need not look any farther than across the river, on the other side of the National Mall, where the ''gardens of stone'' at Arlington National Cemetery offer a sobering reminder of the price of freedom.

While Americans enjoy the long weekend with family and barbecues, I would encourage everyone to take a moment to remember the true meaning of the holiday: to honor the servicemembers who have paid the ultimate price.

I also want to take a moment to honor and thank those families who President Lincoln once said ''have laid such a costly sacrifice upon the altar of freedom.'' The strength of these families to persevere is like no other, and their support to our goals of peace and freedom is simply humbling.

Memorial Day—and every day—I am again honored and reminded that we are the land of the free because of the brave.

Mr. CARDIN. Mr. President, Americans live free, secure, and stable lives thanks to generations of men and women in uniform who were willing to sacrifice their own lives. We must never forget the tremendous debt we owe those brave Americans. It is in large part because of them that America serves as a beacon of hope, freedom, and equality to all the world.

This Monday, we will celebrate Memorial Day, a national day of solemn remembrance and gratitude as we honor the men and women who have died defending our Nation. We honor each and every American who has made the ultimate sacrifice on battlefields from Lexington, Concord, and Bunker Hill to Fort McHenry; from Shiloh, Antietam, and Gettysburg to Belleau Wood and the Somme; from Pearl Harbor, Bastogne, and Iwo Jima to Inchon, Bloody Ridge, and the Chosin Reservoir; from Ia Drang, Khe Sanh, and Hamburger Hill to Umm Qasr, Nasiriyah, Fallujah, and Kabul. We salute the centuries-old legacy of selflessness and sacrifice that defines our Nation. We are forever indebted to our warfighters and their families. On Memorial Day, we pause to reflect, to remember, to pay respect, to give thanks. And we say a prayer for all the men and women currently serving in harm's way and look forward to the day when they may return home safely to be with their families and friends.

Memorial Day is not only a day for looking backward. It is also a day for looking forward. Those men and women who lie buried gave their lives so that we could live in peace. Their dream and the dream of every American serving in the field of battle is that someday no more Americans will be called upon to give their lives for their country, that someday war will end and the world will be truly free. What better way, then, to honor their memory than to do everything we can to seek peace?

On this day of remembrance, I hope that all Americans remember the dream of those who committed the greatest sacrifice and pursue peace in all our endeavors. As President Lincoln put it so eloquently nearly 153 years ago, let us dedicate ourselves ''to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.''

40TH ANNIVERSARY OF THE U.S. HELSINKI COMMISSION

Mr. CARDIN. Mr. President, on June 3, 1976, U.S. President Gerald Ford signed into law a bill establishing the Commission on Security and Cooperation in Europe, more commonly known as the U.S. Helsinki Commission.

I bring this 40th anniversary next week to my colleagues' attention today because the commission has played a particularly significant role in U.S. foreign policy.

First, the commission provided the U.S. Congress with a direct role in the policymaking process. Members and staff of the commission have been integrated into official U.S. delegations to meetings and conferences of what is historically known as the Helsinki Process. The Helsinki Process started as an ongoing multilateral conference on security and cooperation in Europe that is manifested today in the 57-country, Vienna-based Organization for Security and Cooperation in Europe, or OSCE.

As elected officials, our ideas reflecting the interests of concerned American citizens are better represented in U.S. diplomacy as a result of the commission. There is no other country that has a comparable body, reflecting the singular role of our legislature as a separate branch of government in the conduct of foreign policy. The commission's long-term commitment to this effort has resulted in a valuable institutional memory and expertise in European policy possessed by few others in the U.S. foreign affairs community.

Second, the commission was part of a larger effort since the late 1970s to enhance consideration of human rights as an element in U.S. foreign policy decisionmaking. Representatives Millicent Fenwick of New Jersey and Dante Fascell of Florida created the commission as a vehicle to ensure that human rights violations raised by dissident groups in the Soviet Union and the Communist countries of Eastern Europe were no longer ignored in U.S. policy.

In keeping with the Helsinki Final Act's comprehensive definition of security—which includes respect for human rights and fundamental freedoms as a principle guiding relations between states—we have reviewed the records of all participating countries, including our own and those of our friends and allies.

From its Cold War origins, the Helsinki Commission adapted well to changing circumstances, new challenges, and new opportunities. It has done much to ensure U.S. support for democratic development in East-Central Europe and continues to push for greater respect for human rights in Russia and the countries of the Caucasus and Central Asia.

The Commission has participated in the debates of the 1990s on how the United States should respond to conflicts in the Balkans, particularly Bosnia and Kosovo and elsewhere, and it

does the same today in regard to Russia's aggression towards Ukraine. It has pushed U.S. policy to take action to combat trafficking in persons, anti-Semitism and racism, and intolerance and corruption, as well as other problems which are not confined to one country's borders.

The Helsinki Commission has succeeded in large part due to its leadership. From the House, the commission has been chaired by Representatives Dante Fascell of Florida, my good friend STENY HOYER of Maryland, the current chairman, CHRISTOPHER SMITH of New Jersey, and ALCEE HASTINGS of Florida. From this Chamber, we have had Senators Alfonse D'Amato of New York, Dennis DeConcini of Arizona, Ben Nighthorse Campbell of Colorado, Sam Brownback of Kansas and today's cochairman, ROGER WICKER of Mississippi.

I had the honor, myself, to chair the Helsinki Commission from 2007 to 2015. That time, and all my service on the commission, from 1993 to the present, has been enormously rewarding.

I think it is important to mention that the hard work we do on the Helsinki Commission is not a job requirement for a Member of Congress.

Rather than being a responsibility, it is something many of us choose to do because it is rewarding to secure the release of a longtime political prisoner, to reunify a family, to observe elections in a country eager to learn the meaning of democracy for the first time, to enable individuals to worship in accordance with their faiths, to know that policies we advocated have meant increased freedom for millions of individuals in numerous countries, and to present the United States as a force for positive change in this world.

Several of us have gone beyond our responsibilities on the commission to participate in the leadership of the OSCE Parliamentary Assembly. Representative HASTINGS served for 2 years as assembly president, while Representative HOYER, Representative ROBERT ADERHOLT of Alabama, and I have served as vice presidents. Senator WICKER currently serves as chairman of the assembly's security committee.

Representative Hilda Solis of California had served as a committee chair and special representative on the critical issue of migration. Today, Representative SMITH serves as a special representative on similarly critical issue of human trafficking, while I serve as special representative on anti-Semitism, racism, and intolerance.

Our engagement in this activity as elected Members of Congress reflects the deep, genuine commitment of our country to security and cooperation in Europe, and this rebounds to the enormous benefit of our country. Our friends and allies appreciate our engagement, and those with whom we have a more adversarial relationship are kept in check by our engagement. I hope my colleagues would consider this point today, especially during a time when foreign travel is not strongly encouraged and sometimes actively discouraged.

Finally, let me say a few words about the Helsinki Commission staff, both past and present. The staff represents an enormous pool of talent. They have a combination of diplomatic skills, regional expertise, and foreign language capacity that has allowed the Members of Congress serving on the commission to be so successful. Many of them deserve mention here, but I must mention Spencer Oliver, the first chief of staff, who set the commission's precedents from the very start. Spencer went on to create almost an equivalent of the commission at the international level with the OSCE Parliamentary Assembly.

One of his early hires and an eventual successor was Sam Wise, whom I would consider to be one of the diplomatic heroes of the Cold War period for his contributions and leadership in the Helsinki Process.

In closing, I again want to express my hope that my colleagues will consider the value of the Helsinki Commission's work over the years, enhancing the congressional role in U.S. foreign policy and advocating for human rights as part of that policy.

Indeed, the commission, like the Helsinki Process, has been considered a model that could be duplicated to handle challenges in other regions of the world. I also hope to see my colleagues increase their participation on Helsinki Commission delegations to the OSCE Parliamentary Assembly, as well as at Helsinki Commission hearings. For as much as the commission has accomplished in its four decades, there continues to be work to be done in its fifth, and the challenges ahead are no less than those of the past.

JEWISH AMERICAN HERITAGE MONTH

Mr. CARDIN. Mr. President, today I wish to recognize and celebrate the month of May as Jewish American Heritage Month. Since the founding of our Nation, Jewish Americans have indelibly shaped American society. As a proud Jewish American, I am honored to have the opportunity to acknowledge the outstanding contributions of our vibrant community in the past, present, and future.

In the 109th Congress, Representative DEBBIE WASSERMAN SCHULTZ and then-Senator Arlen Spector authored a concurrent resolution calling for a proclamation each year to observe American Jewish History Month. On April 20, 2006, President George W. Bush proclaimed that May 2006 would be Jewish American Heritage Month.

Jewish Americans have fought tirelessly to realize the American Dream and to enrich our society. Jewish Americans have been instrumental in eliminating disease such as the polio epidemic, and they have split the atom. These achievements and others too numerous to count are watershed moments in history, and they make up only a small fraction of the various accomplishments Jewish Americans have made.

Such achievements, however, do not come without concomitant struggles. Jewish Americans have been dedicated to promoting tolerance and understanding because Jewish people have been challenged and persecuted throughout history whenever they have professed their faith. Jewish Americans participated in the abolitionist movement in the 19th century and joined the ranks of the Student Nonviolent Coordinating Committee during the civil rights movement in the 1960s. There is no question that the Jewish tradition of diversity and inclusion has helped to make the United States the force for equal rights, democracy, and opportunity that it is today. Though we face challenges to that ideal every day, we must not forget that this country was and remains a beacon for those suffering under the weight of oppression around the world.

We cannot understate the role that Israel plays in Jewish American society and in the lives of Jewish people around the world. Our homeland is the focal point of our religion and our culture. Further, our two nations are built on a common set of core democratic principles and representative government, but we have more than political philosophies in common; we share a strong belief in the promotion of equality, freedom, and tolerance. The United States will always stand by Israel, and we will always support the safety of the Israeli people. As a U.S. Senator, I have been proud to take part in efforts to strengthen the relationship between our two nations. Without our homeland, Jewish Americans may never have been able to make the myriad contributions they have made to our Nation. These Jewish Americans' accomplishments embody the positive values that form the foundation of our shared culture and history. Our diversity makes the United States of America strong, and Jewish Americans have played an integral role in shaping and nurturing that diversity.

THE MALMEDY MASSACRE

Mr. TOOMEY. Mr. President, today I wish to honor the sacrifice of our soldiers at the Malmedy massacre.

As we prepare for Memorial Day, it is important to remember the 87 Americans who were killed in action during the Malmedy massacre and honor the brave few who survived this terrible ordeal. One of the survivors of this massacre, Harold W. Billow, is a proud resident of Pennsylvania.

On December 17, 1944, Mr. Billow and Battery B, 285th Field Artillery Observation Battalion were riding in a convoy of vehicles towards the Belgian town of St. Vith. The convoy was attacked outside of Malmedy by a Nazi SS unit called Kampfgruppe Peiper.

While a few soldiers were able to escape the initial attack, the other 130 Americans were forced to surrender to the SS troops.

Given orders to take no prisoners and violating the rules of war, German tank gunners lined up the Americans and gunned them down in cold blood. Worse yet, these Nazi troops searched for anyone showing signs of life and shot them repeatedly at point-blank range.

However, 40 men, including Mr. Billow, were able to play dead and escape the massacre. Many of these survivors traveled to Nuremburg after the war to testify in the war crimes trials and demand justice for their fallen brothers in arms. Today Mr. Billow is one of only two men from the 285th Battalion known to be alive.

Mr. Billow dedicates his life to remembering his comrades who did not survive this massacre. Every Fourth of July, Memorial Day, and Veterans' Day, Mr. Billow decorates his front lawn with 87 American flags, one for each man who fell on that terrible day in 1944.

Today I wish to remember the ultimate sacrifice made by those killed in the Malmedy massacre and also to honor and thank the survivors, including Mr. Billow, who keep the memory of their fellow soldiers alive.

TRIBUTE TO ANDY SIMKOVITCH

Mr. TOOMEY. Mr. President, today I wish to honor and recognize a distinguished D-Day veteran from Pennsylvania, Mr. Andy Simkovitch, and to commemorate the 72nd anniversary of the D-Day landings.

A resident of Erie, PA, Mr. Simkovitch was a U.S. Navy sailor that served aboard the tank landing ship USS L.S.T. 501 during World War II. He was involved in Operation Overlord at Utah and Omaha Beaches, where he transported troops during the D-Day landings on June 6, 1944. During the operation and while under heavy German fire, he went to the beach nine times. Following his actions in France, his ship headed to the Pacific and saw combat in numerous battles, including the Battle of Okinawa. Mr. Simkovitch stayed in the Pacific until Japan surrendered, and he was then honorably discharged in March 1946.

The courage and bravery displayed by Mr. Simkovitch earned him the Chevalier Legion of Honor medal, the highest honor bestowed by the nation of France. With only 855,000 of the 16 million American WWII veterans remaining today, it is increasingly important to honor those that served our great Nation and ensure future generations know about the struggles and sacrifices these brave veterans endured.

On behalf of the U.S. Senate, I wish to thank Mr. Simkovitch for his dedicated service to our Nation in advance of the 72nd anniversary of the D-Day landings.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VERMONT FEDERAL EXECUTIVE ASSOCIATION 2016 AWARDS

• Mr. SANDERS. Mr. President, to commemorate Public Recognition Week, the Vermont Federal Executive Association, VTFEA, recognized the more than 4,000 Federal employees working across the State and the good work they do every day. I would like to offer special congratulations to the 2016 Excellence in Government award winners, who have been recognized by VTFEA for their exemplary government service.

Excellence in Management and Program Support Award, Individual Award—Heather Festa, management program analyst, personnel security division, Office of Security and Integrity, U.S. Citizenship and Immigration Services, South Burlington—Heather demonstrated exceptional innovation and professionalism in response to the Office of Personnel Management's security breach of electronic systems containing background investigation records. When OPM instructed Federal agencies to mail all paper documents, many agencies simply halted their personnel security processes. However, Heather skillfully designed and implemented an action plan for the hardcopy paper forms to ensure there would be no interruption in processing security checks within U.S. Citizenship and Immigration Services.

Excellence in Management and Program Support Award, Group Award—northeast regional office position description workgroup, northeast regional office, U.S. Citizenship and Immigration Services, South Burlington, including Jeannine Longchamp, Maegan Cutler, Brian Johansson, and Laurie Juskiewicz—the northeast regional office human resources team led a working group to review supervisory position descriptions for U.S. Citizenship and Immigration Services's entire field operations directorate. Not only did the team ensure that all positions aligned with Office of Personal Management guidelines, it also created supervisory positions at new grade levels that opened up previously unobtainable career paths for some employees.

Professional Award—Peter Banacos and Andrew Loconto, meteorologists, National Weather Service, Burlington International Airport, South Burlington—Peter and Andrew worked together to develop a snow squall identification and forecasting technique that has greatly improved winter weather forecast and warning systems for many National Weather Service offices. Historically, there has been an overall lack of forecaster awareness in identifying the weather conditions in which snow squalls can occur, as well as understanding their impact. Peter and Andrew's innovation, leadership, and persistent efforts over the past 3 years have enhanced the National Weather Service's ability to provide useful winter weather information to the public.

Law Enforcement, Safety and Security Award—Amanda Cahill, special agent, Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, satellite office, Rutland—Amanda exemplifies the highest traditions of government service: tireless dedication and devotion to her agency and the residents of her community. She has singlehandedly reestablished a Bureau of Alcohol, Tobacco, Firearms and Explosives presence in southern Vermont and has begun to fill a void in the law enforcement community's fight against armed drug traffickers. She has acted as an undercover agent, as well as a lead investigator, and recently, she has been recognized for her efforts by the U.S. attorney for Vermont.

Managerial/Supervisory Award—Daniel Whitney, section chief, training, U.S. Immigration and Customs Enforcement, law enforcement support center, Williston—Dan Whitney exemplifies the continued pursuit of excellence and an unparalleled record of achievement. The law enforcement support center, LESC, is U.S. Immigration and Customs Enforcement's primary point of contact for law enforcement agencies throughout the country. Dan is responsible for ensuring that all LESC employees receive continuous training in multiple law enforcement databases, including ICE's new enterprise database that his team tested to ensure that LESC employees had the training and the tools to provide up to the minute information to law enforcement agencies. Dan is someone who leads by example and is always willing to do whatever it takes to ensure that LESC meets its mission.

Tina Gurka Community Service Award—registered nurse Sharon Levenson and police officer Guy Gardner, VA medical center, White River Junction—in January 2016, Nurse Sharon Levenson and Officer Guy Gardner demonstrated their dedication to veterans in their local community. After one of her patients did not show up for an appointment, Sharon contacted the local police department and requested a welfare check. When the police department said the situation did not warrant a check, VA Officer Guy Gardner contacted a neighbor, and they discovered the veteran in serious distress. Thanks to Sharon and Guy's efforts, the patient recovered fully. Their commitment to veterans was recognized by VA Secretary McDonald during testimony before the Senate Veterans' Affairs Committee.

Interagency Collaboration and Partnership Award—Brian Wood, Border Patrol agent, U.S. Border Patrol, Richford—Brian has demonstrated exemplary professionalism and work ethic in forming and maintaining valuable and productive partnerships with various Federal and State agencies in Vermont and across the country. Brian's efforts have resulted in the arrest of numerous alien smugglers, drug

dealers, and human traffickers and the removal of countless illegal firearms, heroin, and cocaine from our communities. Brian uses his expertise in law enforcement and his ability to collaborate successfully to keep our communities and citizens safe.

Heroic Act Award—John Marsh, Border Patrol agent, U.S. Border Patrol, Swanton sector, Beecher Falls Station—in April 2016, while returning from a call for assistance in New Hampshire, Agent Marsh approached two men on the ground, one pounding the chest of the other. Agent Marsh found the person on the ground was choking on food, was not breathing, and would not respond to verbal stimulation. After requesting emergency medical services, Agent Marsh administered the Heimlich maneuver and was able to dislodge the food from the victim. He remained with him until the paramedics arrived and took over care. Thanks to John's training and his ability to stay calm under pressure, the victim is alive and well today.

Vermont Federal Team of the Year Award—the northwest vermont locality pay committee: Brandon Ackel, Transportation Security Administration, Robert Brugman, National Credit Union Administration, Brian Johansson, U.S. Citizenship and Immigration Services, Kelly Larsen, Federal Aviation Administration, Alaska, Bruce McDonald, Transportation Security Administration, Sean McVey, U.S. Customs and Border Protection, Mark Nielsen, U.S. Immigration and Customs Enforcement, Jeff Ostlund, Transportation Security Administration, Corey Price, U.S. Immigration and Customs Enforcement, Texas, Lisa Rees, U.S. Citizenship and Immigration Services, and Krista Scheele, Transportation Security Administration—in November 2012, VTFEA discussed what initiatives would benefit the most Federal employees, and it didn't take long to realize that securing locality pay for Vermont was the No. 1 priority. In early 2013, VTFEA created a locality pay committee, consisting of employees from six Federal agencies. Working tirelessly, the team prepared a locality pay proposal for northwest Vermont and, in December 2013, presented it to the Federal Salary Council in Washington, DC. Unfortunately, the first proposal was denied, so the following year, they tried again. Again, the proposal was denied. Not to be discouraged, the team drafted a third proposal in November 2015, and committee members traveled to Washington at their own expense to support the package and their fellow Vermonters. At the hearing, the Council approved the package, which is waiting for approval by the President's pay agent and the President. The northwest Vermont locality pay committee's tenacity, collaborative spirit, and positivity is why Vermont is being considered for locality pay, and it is because of their efforts that VTFEA chose them as ''Federal Team of the Year.''●

ADDITIONAL STATEMENTS

TRIBUTE TO DAVID MAXWELL

● Mr. BOOZMAN. Mr. President, today I wish to honor David Maxwell, the director of the Arkansas Department of Emergency Management, ADEM, and State Homeland Security adviser, who is retiring next month after more than 36 years of service at ADEM.

David began his career at ADEM in 1978 as a temporary housing employee working with Arkansans displaced by major flooding in Little Rock.

Through the years, he held a number of positions at ADEM, including plans and operations division manager, where he ensured the State emergency operations plan, EOP, and local jurisdictional plans were maintained and in compliance with State and Federal guidelines. Prior to assuming the role of director, David served as the department's deputy director.

As director, David chairs the Arkansas Homeland Security executive committee and serves on a number of the State's emergency response-related councils and committees. In October 2009, David served a 1-year term as 2010 president of the National Emergency Management Association, NEMA, and now serves as an adviser to the current NEMA president. Additionally, he serves on the board of directors of the Central United States Earthquake Consortium, CUSEC, and is a member of the executive committee of the National Governors Association, NGA, Governors Homeland Security Advisors Council for which he chairs the catastrophic disaster and preparedness committee. In 2015, David was awarded the Lacy E. Suiter Distinguished Service Award by the National Emergency Management Association.

David has served as the designated State coordinating officer for 24 federally declared disasters and one federally declared emergency during his career at ADEM.

I worked very closely with David during his tenure as ADEM director. I have always found him to be a very responsive, committed public servant who is dedicated to the people of Arkansas.

I thank David for his service to our State and applaud his efforts to keep Arkansans safe over the last three decades. I wish him all the best in retirement.●

CONGRATULATING THE MONTGOMERY COUNTY YOUTH HOCKEY ASSOCIATION BLUE DEVILS

● Mr. CARDIN. Mr. President, today I wish to congratulate the Montgomery Youth Hockey Association's, MYHA, Squirt AA Blue team for winning the 2016 International Silver Stick championship in Sarnia, Ontario. I am proud that this year—for the 3rd year in a row—the name of the Montgomery Blue Devils from Rockville, MD, will be on a plaque placed alongside the Silver Stick trophy in the Hockey Hall of Fame in Toronto, Canada.

The International Silver Stick tournament has attracted teams from all over the United States and Canada since 1958. The laudable purpose of the tournament is to develop and promote ''Citizenship and International Goodwill through hockey.'' The Montgomery Blue Devils team of 9- and 10-year-olds—a squad of 15 boys and 1 girl—exemplified this philosophy both on and off the ice. Led by tournament ''most valuable player'' Reid Pehrkon, the Squirt AA Blue team outscored its opponents by a margin of 30 goals to 17. The team defeated the North York Knights in Toronto, Canada, in four overtimes, 5–4, to win the championship for a 3rd consecutive year. Compiling 145 victories in the process, the Blue Devils can legitimately lay claim to being the best AA team in North America.

In addition to winning the International Silver Stick tournament, the team won its regular season title, the league playoff championship, and the International Silver Stick regional championship.

Throughout the season, the AA Blue team lived up to its simple rallying cry of ''work,'' and never wavered from the main goals established by Coach Rob Keegan and assistants Dave Cohen, Stu Margel, and Lee Rosebush, which were ''to be the hardest working team around and to always believe that the team is more important than the individual.''

I ask my colleagues to join me today in congratulating the MYHA Blue Devils Squirt AA Blue Team for its dedication to the values of teamwork and perseverance while winning a third consecutive International Silver Stick Championship. Team members include Ethan Birndorf, Caden Blazer, Will Cohen, Andrew Fou, Nick Garner, Cody Keegan, Alexander MacMillan, Dylan Margel, John McNelis, Jack Oliver, Reid Pehrkon, Dakota Rosebush, Brady Silverman, Jack Slater, Lucy Thiessen, and Maddox Tulacro. We should also express our appreciation to the coaches mentioned above and to the parents, other family members, and friends who have tirelessly supported and mentored this superb group of youngsters.●

TRIBUTE TO MONSIGNOR JOSEPH P. KELLY

● Mr. CASEY. Mr. President, today I wish to honor Monsignor Joseph P. Kelly, a dear friend and spiritual advisor, for his decades of extraordinary service in helping others and working to secure the common good. Fifty years ago, Monsignor Kelly was ordained as a priest in the Diocese of Scranton. Since then, he has touched the lives of thousands of people in Northeastern Pennsylvania and Nebraska. He is been a servant leader, one whose profound faith is demonstrated in his works. I would like to take this time to wish him the best on

this milestone and reflect on his selfless commitment to enriching the lives of others.

Over the decades, he has worked in a variety of diocesan assignments and always in a position to teach students or his congregation. As an educator at Holy Rosary School and the Scranton Preparatory School, he spent 25 years teaching religion to eighth graders and high school seniors. He has served as pastor of several parishes, including St. Catherine's Moscow, Holy Rosary, St. Ann's, and Nativity of Our Lord. In addition, Monsignor Kelly served as the Episcopal vicar of Hispanic ministry for the Diocese of Scranton. He has also led Catholic Social Services, St. Michael's School for Boys, and Camp St. Andrew, where he cofounded Project Hope. At one time, Project Hope sent as many as 700 low-income and at-risk youth to Camp St. Andrew, providing summer camp experiences for young people who otherwise would not be able to afford the program.

Service and serving others is not only a deed, it has been a way of life for Monsignor Kelly. Although Monsignor Kelly retired from leading Catholic Social Services at the end of 2015, he currently is the executive director of the St. Francis of Assisi Kitchen in Scranton, PA. He is committed to responding to the needs of those living in poverty in America. I commend his lifelong efforts to foster compassion and promote human dignity for all people, at all stages of life. Monsignor Kelly's reputation for integrity is reflected in his work with the poorest, most vulnerable, and most marginalized members of our communities.

Over the past 50 years, his life has been one of compassion, selfless service, and a steadfast commitment to justice. On behalf of the Commonwealth of Pennsylvania, I commend Monsignor Joseph P. Kelly for this milestone and wish him only the best in the days and years ahead.●

TRIBUTE TO MACKENZIE WOOTEN, BROOK HIGBEE, AND HAYDN BRADSTREET

● Mr. HELLER. Mr. President, today I wish to congratulate three Nevada students, Mackenzie Wooten, Brook Higbee, and Haydn Bradstreet, who were named U.S. Presidential Scholars. This is an incredible accolade, recognizing the very best students across the Nation who have gone above and beyond in their academic pursuits, and I extend my sincerest congratulations to these three Nevadans.

The U.S. Presidential Scholars Program was established in 1964 by President Lyndon B. Johnson to recognize some of the most academically ambitious students across the Nation. Each year, up to 161 students are named as U.S. Presidential Scholars, which is one of the most prestigious accomplishments that high school students can achieve. All three of these students have excelled in their studies and are certainly deserving of this award.

Mackenzie is a senior at Northwest Career and Technical Academy in the Clark County School District and was recognized for demonstrating excellence in career and technical education. This category was added to the scholars list this year to recognize students pursuing science, technology, engineering, and math fields. Brook is a senior at Pahranagat Valley High School in the Lincoln County School District and serves as student body president. Haydn attends Davidson Academy of Nevada in Reno and has excelled in his scientific pursuits. Both Brook and Haydn were selected for excellence in their academic studies.

These students are shining examples of what hard work and determination can accomplish, and they should be proud of their accomplishments. Today I ask my colleagues to join me and all Nevadans in congratulating Mackenzie, Brook, and Haydn in this achievement and in wishing them well in their future endeavors.●

RECOGNIZING KIMMIE CANDY

● Mr. HELLER. Mr. President, today I wish to congratulate Joe Dutra and all of those contributing at Kimmie Candy for receiving the President's ''E'' Award for Exports. This award is truly prestigious and given to only the most ambitious companies making a significant contribution to the expansion of U.S. exports.

As founder, CEO, and president of Kimmie Candy, Joe first established the company on a farm in his hometown of Sacramento, CA. By 2003, the company had made great strides and won ''product of the year'' at the annual Candy Grammys held in Long Beach, CA. In 2005, Joe relocated to Reno, NV, with the goal of creating more American jobs. Just 2 years later, Joe purchased the building that is now Kimmie Candy's production facility, and by 2008, the candy company was fully operational. Within the next year, Joe took the company international and increased sales in the United States, Canada, Mexico, the Philippines, South America, and the Middle East. Since its opening, the company has grown to 36 employees and continues to expand. I have toured the facility on multiple occasions and am always impressed by this successful business. Joe's work in creating job opportunities in Nevada has not gone unnoticed, and I am thankful to have Kimmie Candy operating in our great State.

In 1961, President John F. Kennedy signed an executive order to revive the World War II ''E'' symbol of excellence. The President's ''E'' Award aims to honor companies across the country that have contributed to America's exports by demonstrating export growth for over 4 years. Kimmie Candy is one of only 123 companies that was honored with this award. Without a doubt, Joe's work at Kimmie Candy warrants this significant accolade.

Today, I ask my colleagues and all Nevadans to join me in congratulating my friend Joe and the entire Kimmie Candy family for receiving this national award. I am thankful for everything Joe has contributed to the city of Reno and our State, and I wish him well as he continues his endeavors at Kimmie Candy.●

50TH ANNIVERSARY OF BON SECOURS ST. MARY'S HOSPITAL

● Mr. KAINE. Mr. President, today I wish to recognize the 50th anniversary of the Bon Secours St. Mary's Hospital, the first hospital in the Bon Secours Richmond Health System. This not-for-profit Catholic health system, which is comprised of four hospitals in the greater Richmond metropolitan area, serves some of the neediest populations throughout central Virginia.

St. Mary's founding was rooted in a strong history of providing care. In 1824, in Paris, 12 women formed the congregation of the Sisters of Bon Secours, French for ''Good Help.'' The Sisters' purpose was to nurse the sick and dying in their homes. The Sisters of Bon Secours came to the United States in 1881, where they continued their work of aiding the poor, the sick, and the dying in their homes. In 1966, Bon Secours expanded its mission with the opening of St. Mary's Hospital. Through its history, Bon Secours Richmond has stayed true to its founding principles through its community outreach and commitment to serving the neediest among us.

For the past 50 years, St. Mary's Hospital has provided critical health services including cardiac, orthopedic, women's pediatric, surgery, oncology, imaging, neurology, and emergency services. St. Mary's Hospital ranks in the top 10 percent of America's hospitals for emergency care. Today St. Mary's employs over 3,000 employees, including more than 1,000 physicians.

Bon Secours' mission is to bring compassion to health care and to be good help to those in need. I commend St. Mary's Hospital on behalf of my constituents for its commitment to health care excellence and service to the patients and families in the greater Richmond area.●

RECOGNIZING THE GAS TECHNOLOGY INSTITUTE

● Mr. KIRK. Mr. President, I would like to honor the Gas Technology Institute, GTI, and its dedicated employees as they celebrate their 75th anniversary. Headquartered in Des Plaines, IL, GTI is a leading nonprofit research development organization in my home State, working diligently to address key global energy and environmental challenges.

A proven leader over the past three-quarters of a century, GTI continues to develop high-impact technologies,

unlocking the economic potential of domestic energy resources, while reducing the environmental footprint of fossil fuels. Founded as the Institute of Gas Technology in 1941, the institute worked closely with the Illinois Institute of Technology to train graduate engineers to lead the development of the gas industry. As national focus shifted to gas research and development in the 1970s, the Gas Research Institute took shape to focus on natural gas supply, transportation, distribution, and utilization. In 2000, these two renowned programs united under the GTI umbrella where they continue to build off of past successes as a premier research, development, and training organization serving the global natural gas and energy markets.

GTI's most profound successes are known across the globe. From catalyzing the U.S. shale gas revolution through innovative research and development in the 1980s and 1990s, to helping to put the first hydrogen fuel cell bus on the road in 2006, to its 65 patents on high-efficiency, low-NO_X burners and systems, GTI has a strong industry reputation for innovation and conducting the work necessary to ensure our domestic supplies are utilized to their full potential while national and global priorities continue to shift. Our Nation continues to benefit from GTI's expertise in developing gas distribution technologies and reducing energy delivery costs, as well as innovations in the detection, quantification, and mitigation of methane emissions from the natural gas sector. Its current efforts with the hydraulic fracturing test site will continue this tradition, improving air and water quality by increasing environmentally sustainable extraction methods.

I congratulate and commend GTI for their continued commitment to providing technology-based solutions that expand U.S. energy production and foster economic growth, while also minimizing impacts to the environment. GTI's efforts in the past, present, and future are key to boosting American competitiveness, and I look forward to celebrating future milestones.●

RECOGNIZING THE HARTFORD STEAM BOILER INSPECTION AND INSURANCE COMPANY

● Mr. MURPHY. Mr. President, 150 years ago, as the United States and the world advanced out of the industrial revolution, several young businessmen formed the Hartford Steam Boiler Inspection and Insurance Company, HSB, in Hartford, CT. I am proud to represent this company and want to congratulate HSB on its 150th anniversary for its vital contribution to the economy of Connecticut, as well as the rest of the Nation.

During the industrial revolution in the mid-to-late 19th century, steam boilers were used to drive industrial machinery, locomotives, and steamboats. Steam-powered engines allowed for the rapid growth and expansion of industry in the United States; these engines enabled the effective transportation of goods across the country. Steam power also permitted factories in Connecticut to produce and market goods more efficiently than ever before.

The tremendous benefits provided by steam engines and boilers, however, came with considerable risks. During the 1850s, boiler explosions occurred at an estimated rate of once every 4 days. Believing that better materials, better design, and regular inspections could reduce the number of dangerous boiler explosions, in 1857, several Hartford entrepreneurs started ''the Polytechnic Club,'' as a means to discuss practical changes to boilers that could mitigate the chances of worker injury and death. These discussions helped lead to the formation of HSB.

The Hartford Steam Boiler Inspection and Insurance Company was officially founded in 1866 on the premise that quality boiler inspections would enhance industrial safety, and that insurance provides a valuable financial incentive to ensure businesses conduct these inspections. From its founding, HSB's primary goals have been to improve safety and prevent losses for industrial businesses.

Today HSB continues to set the standard for equipment breakdown insurance, as well as a variety of other insurance products. I am proud to honor this company's long and distinguished role in America's industrial economy. Congratulations to the Hartford Steam Boiler Inspection and Insurance Company, and best of luck in the years to come.●

RECOGNIZING THE COLUMBUS ASIAN FESTIVAL

● Mr. PORTMAN. Mr. President, today I wish to acknowledge the 22st annual Columbus Asian Festival as we celebrate the month of May as Asian Pacific American Heritage Month. The first Asian Festival was held in 1995 with a mission to promote the importance of cultural diversity in building a vibrant, prosperous, and healthy community. Since then, the Asian Festival continues to fulfill its mission and attracts over 100,000 visitors annually to the central Ohio region.

The Asian Festival offers a variety of activities for the community highlighting the culture of Asia and the Pacific Islands. The values of the Asian Festival include the following: showcasing cultural heritage, advocating the importance of lifelong learning and education, providing a fun and entertaining experience, nurturing community collaboration and strong relationships, fostering a healthy lifestyle and quality of life, and serving with integrity.

Visitors to the Asian Festival will experience hands-on art demonstrations, interactive dance performances, Asian music, Tai chi, martial arts workshops, Asian games, Asian cuisine, and much more.

I am honored to be participating this year in the Asian Festival during its opening ceremony to see firsthand how this important event celebrates the rich tradition of Asian Pacific heritage and promotes cultural diversity in Ohio.

Congratulations to all who were involved in making it a success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:50 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4909. An act 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.

H.R. 5233. An act to repeal the Local Budget Autonomy Amendment Act of 2012, to amend the District of Columbia Home Rule Act to clarify the respective roles of the District government and Congress in the local budget process of the District government, and for other purposes.

At 3:40 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 bills, in which it requests the concurrence of the Senate:

H.R. 4974. An act 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.

H.R. 5243. An act 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.

The message further announced that the House has passed the following bill, with amendment, in which it requests the concurrence of the Senate:

S. 2012. An act to provide for the modernization of the energy policy of the United States, and for other purposes.

The message also announced that the House insists upon its amendment to the bill (S. 2012) to provide for the modernization of the energy policy of the

United States, and for other purposes, 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:

From the Committee on Energy and Commerce, for consideration of the Senate bill, and the House amendment, and modifications committed to conference: Messrs. UPTON, BARTON, WHITFIELD, SHIMKUS, LATTA, Mrs. MCMORRIS RODGERS, Messrs. OLSON, MCKINLEY, POMPEO, GRIFFITH, JOHNSON of Ohio, FLORES, MULLIN, PALLONE, RUSH, Mrs. CAPPS, Ms. MATSUI, Ms. CASTOR of Florida, Messrs. SARBANES, WELCH, BEN RAY Lujan of New Mexico, TONKO and LOEBSACK.

From the Committee on Agriculture, for consideration of sections 3017, 3305, 4501, 4502, 5002, part II of subtitle C of title X, and section 10233 of the Senate bill, and sections 1116 and 5013 of division A, division B, and sections 1031, 1032, 1035–1037, subtitle K of title I, section 2013, subtitles F, M, and Q of title II, and title XXV of division C of the House amendment, and modifications committed to conference: Messrs. CONAWAY, THOMPSON of Pennsylvania, and PETERSON.

From the Committee on Natural Resources, for consideration of sections 2308, 3001, part II of title II, 3017, 3104, 3109, 3201, 3301–3306, 3308–3312, 4006, 4401, 4403, 4405, 4407, 4410, 4412–4414, title V, section 6001, subtitle A of title VI, section 6202, title VII, title IX, subtitles A, B, and C of title X, parts I, II, III, and IV of subtitle D of title X, and sections 10341 and 10345 of the Senate bill, and sections 1115 and 1116 of division A, division B, and division C of the House amendment, and modifications committed to conference: Messrs. BISHOP of Utah, YOUNG of Alaska, Mrs. LUMMIS, Messrs. DENHAM, WESTERMAN, GRIJALVA, HUFFMAN, and Mrs. DINGELL.

From the Committee on Science, Space, and Technology for consideration of sections 1014, 1201, 1203, 1301–1304, 1306–1308, 1310, 1311, 2002, 2301, 2401, part III of subtitle A of title III, sections 3101, 3302, 3307, 3402, 3403, 3501, 3502, 4001, 4002, 4006, 4101, subtitle C of title IV, sections 4402, 4404, 4406, 4720, 4721, 4727, 4728, and 4737 of the Senate bill, and section 1109 and title VII of division A, and division D of the House amendment, and modifications committed to conference: Messrs. SMITH of Texas, WEBER of Texas, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on Transportation and Infrastructure for consideration of sections 1005, 1006, 1010, 1014, 1016–1019, 1022, 3001, 4724, title VII, and section 10331 of the Senate bill, and sections 2007, 3116, 3117, and 3141 of division A, and title IX of division B, subtitle D of title II of division C of the House amendment, and modifications committed to conference: Messrs. HARDY, ZELDIN, and DEFAZIO.

The message further announced that the House agrees to the amendment of the Senate 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, with an amendment, in which it requests the concurrence of the Senate.

The message also announced that the House insists upon its amendment to the Senate amendment 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, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ROGERS of Kentucky, Ms. GRANGER, Messrs. COLE, DENT, FORTENBERRY, ROONEY of Florida, VALADAO, Mrs. ROBY, Mrs. LOWEY, Ms. DELAURO, Messrs. SERRANO, BISHOP of Georgia, and Ms. WASSERMAN SCHULTZ be managers of the conference on the part of the House.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

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; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5233. An act to repeal the Local Budget Autonomy Amendment Act of 2012, to amend the District of Columbia Home Rule Act to clarify the respective roles of the District government and Congress in the local budget process of the District government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 4909. An act 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.

H.R. 4974. An act 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.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3011. A bill to improve the accountability, efficiency, transparency, and overall effectiveness of the Federal Government.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5591. A communication from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Guaranteed Loanmaking and Servicing Regulations'' (RIN0570–AA85) received in the Office of the President of the Senate on May 23, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5592. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the ''National Defense Authorization Act for Fiscal Year 2017''; to the Committee on Armed Services.

EC–5593. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a six-month periodic report relative to the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was originally declared in Executive Order 12938 of November 14, 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC–5594. A communication from the Director of Congressional Affairs, Office of Chief Financial Officer, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Variable Annual Fee Structure for Small Modular Reactors'' ((RIN3150–AI54) (NRC–2008–0664)) received in the Office of the President of the Senate on May 23, 2016; to the Committee on Environment and Public Works.

EC–5595. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''Review of the Allotment of the Clean Water State Revolving Fund (CWSRF)''; to the Committee on Environment and Public Works.

EC–5596. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled ''Trans-Pacific Partnership Agreement: Likely Impact on the U.S. Economy and on Specific Industry Sectors''; to the Committee on Finance.

EC–5597. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Report to Congress on 2015 Trafficking in Persons Report Tier 3 to Tier 2 Watch List Upgrades''; to the Committee on Finance.

EC–5598. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2016–0066—2016–0070); to the Committee on Foreign Relations.

EC–5599. A communication from the Assistant Administrator for Policy, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees'' (RIN1235–AA11) received in the Office of the President of the Senate on May 23, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5600. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2014 Distribution of Funds Under Section 330 of the Public Health Service Act Report to Congress''; to the Committee on Health, Education, Labor, and Pensions.

EC–5601. A communication from the Assistant Secretary for Legislation, Department of

Health and Human Services, transmitting, pursuant to law, a report entitled ''Report in Response to the Sunscreen Innovation Act (P.L. 113–195) Section 586G''; to the Committee on Health, Education, Labor, and Pensions.

EC–5602. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the Newborn Screening Program; to the Committee on Health, Education, Labor, and Pensions.

EC–5603. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs' Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5604. A communication from the Acting Chairman of the National Endowment for the Arts, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Chairman's Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5605. A communication from the Chief Information Security Officer, Department of Homeland Security, transmitting, pursuant to law, the Department's 2015 Federal Information Security Management Act (FISMA) and Agency Privacy Management Report; to the Committee on Homeland Security and Governmental Affairs.

EC–5606. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–392, ''Repeal of Outdated and Unnecessary Audit Mandates Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5607. A communication from the Chair of the Securities and Exchange Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General and a Management Report for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5608. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Office of Community Oriented Policing Services (COPS) Annual Report for fiscal year 2015; to the Committee on the Judiciary.

EC–5609. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral William H. Hilarides, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–5610. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Robert E. Schmidle, Jr., United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–5611. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2016–0002)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5612. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2016–0002)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5613. A communication from the Deputy Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Customer Due Diligence Requirements for Financial Institutions'' (RIN1506–AB25) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5614. A communication from the Deputy Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Imposition of Special Measure against FBME Bank Ltd., formerly known as Federal Bank of the Middle East Ltd., as a Financial Institution of Primary Money Laundering Concern'' (RIN1506–AB27) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5615. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''EPAAR Clause for Level of Effect—Cost-Reimbursement Contract'' (FRL No. 9946–47–OARM) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Environment and Public Works.

EC–5616. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of California; Revised Format of 40 CFR Part 52 for Materials Incorporated by Reference'' (FRL No. 9942–49–Region 9) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Environment and Public Works.

EC–5617. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; ME; Control of Volatile Organic Compound Emissions from Fiberglass Boat Manufacturing and Surface Coating Facilities'' (FRL No. 9946–94–Region 1) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Environment and Public Works.

EC–5618. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5619. A communication from the Attorney-Advisor, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report relative to a vacancy for the position of General Counsel, Department of Transportation, received in the office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5620. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Lake of the Ozarks, Lakeside, MO'' ((RIN1625–AA08) (Docket No. USCG–2016–0276)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5621. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Anchorage Regulations; Delaware River, Philadelphia, PA'' ((RIN1625–AA01) (Docket No. USCG–2015–0825)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5622. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Youngs Bay, Astoria, OR'' ((RIN1625–AA09) (Docket No. USCG–2016–0090)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5623. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Port of New York, moving Security Zone; Canadian Naval Vessels'' ((RIN1625–AA87) (Docket No. USCG–2016–0215)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5624. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, Block Island Wind Farm; Rhode Island Sound, RI'' ((RIN1625–AA00) (Docket No. USCG–2016–0026)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5625. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Upper Mississippi River, Minneapolis, MN'' ((RIN1625–AA00) (Docket No. USCG–2016–0337)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5626. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; National Grid—Beck Lockport 104 and Beck Harper 106 Removal Project; Niagara River, Lewiston, NY'' ((RIN1625–AA00) (Docket No. USCG–2016–0265)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5627. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Navy UNDET, Apra Outer Harbor and Piti, GU'' ((RIN1625–AA00) (Docket No. USCG–2016–0274)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5628. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Pacific Ocean, North Shore Oahu, HI—Recovery Operations'' ((RIN1625–AA00) (Docket No. USCG–2016–0272)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5629. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled

''Safety Zone; Newport Beach Harbor Grand Canal Bridge Construction; Newport Beach, CA'' ((RIN1625–AA00) (Docket No. USCG–2016–0227)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5630. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Hudson River, Jersey City, NJ, Manhattan, NY'' ((RIN1625–AA00) (Docket No. USCG–2016–0109)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5631. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone'' ((RIN1625–AA00) (Docket No. USCG–2015–1081)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5632. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Cape Fear River; Southport, NC'' ((RIN1625–AA00) (Docket No. USCG–2016–0306)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5633. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; San Francisco State Graduation Fireworks Display, San Francisco, CA'' ((RIN1625–AA00) (Docket No. USCG–2016–0177)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5634. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Tall-Ship CUAUHTEMOC; Thames River, New London Harbor, New London, CT'' ((RIN1625–AA87) (Docket No. USCG–2016–0250)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5635. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Upper Mississippi River between mile 179.2 and 180.5, St. Louis, MO and between mile 839.5 and 840, St. Paul, MN'' ((RIN1625–AA00) (Docket No. USCG–2016–0354)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5636. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sabine River, Orange, Texas'' ((RIN1625–AA00) (Docket No. USCG–2016–0321)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–171. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to treat mineral and gas production in the Gulf Coastal states in a manner that is at least equal to onshore oil, gas, and coal production in interior states for revenue purposes; and to rectify the revenue sharing inequities between coastal and interior energy producing states in order to address the nationally significant crisis of wetland loss in the state of Louisiana; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 66

Whereas, since 1920, interior states have been allowed to keep fifty percent of the oil, gas, and coal production revenues generated in their states from mineral production on federal lands within their borders, including royalties, severance taxes, and bonuses; and

Whereas, coastal states with onshore and offshore oil and gas production face inequities under the federal energy policies because those coastal states have not been party to this same level of revenue sharing partnership with the federal government; and

Whereas, coastal energy producing states have a limited partnership with the federal government that provides for them to retain very little revenue generated from their offshore energy production, energy that is produced for use throughout the nation; and

Whereas, in 2006 congress passed the Gulf of Mexico Energy Security Act (GOMESA) that will fully go into effect in 2017; an act that calls for a sharing of thirty-seven and five tenths percent of coastal production revenues with four gulf states with a cap of five hundred million dollars per year; and

Whereas, the Fixing America's Inequities with Revenues (FAIR) Act would have addressed the inequity suffered by coastal oil and gas producing states by accelerating the implementation of GOMESA as well as by gradually lifting all revenue sharing caps but the legislation died with the close of the previous congress; and

Whereas, with the state and its offshore waters taken alone, Louisiana is the ninth largest producer of oil in the United States in 2014 while including offshore oil from federal waters, it was the second largest oil producer in the country; and when taken alone Louisiana was the fourth largest producer of gas in the United States in 2013 while including the Gulf of Mexico waters, it was the second largest producer in the United States; and

Whereas, with nineteen operating refineries in the state, Louisiana was second only to Texas as of January 2014 in both total and operating refinery capacity, accounting for nearly one-fifth of the nation's total refining capacity; and

Whereas, Louisiana's contributions to the United States Strategic Petroleum Reserve with two facilities located in the state consisting of twenty-nine caverns capable of holding nearly three hundred million barrels of crude oil; and

Whereas, with three onshore liquified natural gas facilities, more than any other state in the country, and the Louisiana Offshore Oil Port, the nation's only deepwater oil port, Louisiana plays an essential role in the movement of natural gas from the United States Gulf Coast region to markets throughout the country; and

Whereas, it is apparent that Louisiana plays an essential role in supplying the nation with energy and it is vital to the security of our nation's energy supply, roles that should be recognized and compensated at an appropriate revenue sharing level; and

Whereas, the majority of the oil and gas production from the Gulf of Mexico enters the United States through coastal Louisiana with all of the infrastructure necessary to receive and transport such production, infrastructure that has for many decades damaged the coastal areas of Louisiana, an impact that should be compensated through appropriate revenue sharing with the federal government; and

Whereas, because Louisiana is losing more coastal wetlands than any other state in the country, in 2006 the people of Louisiana overwhelmingly approved a constitutional amendment dedicating revenues received from Outer Continental Shelf oil and gas activity to the Coastal Protection and Restoration Fund for the purposes of coastal protection, including conservation, coastal restoration, hurricane protection, and infrastructure directly impacted by coastal wetland losses; and

Whereas, the state of Louisiana has developed a science-based ''Comprehensive Master Plan for a Sustainable Coast'' which identifies and prioritizes the most efficient and effective projects in order to meet the state's critical coastal protection and restoration needs; and

Whereas, the Coastal Protection and Restoration Authority is making great progress implementing the projects in the ''Comprehensive Master Plan for a Sustainable Coast'' with all available funding, projects that are essential to the protection of the infrastructure that is critical to the energy needs of the United States; and

Whereas, in order to properly compensate the coastal states for the infrastructure demands that result from production of energy and fuels that heat and cool the nation's homes, offices, and businesses and fuel the nation's transportation needs, revenue sharing for coastal states needs to be at the same rate as interior states that produce oil, gas, and coal: Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to treat mineral and gas production in the Gulf Coastal states in a manner that is at least equal to onshore oil, gas, and coal production in interior states for revenue purposes; and to rectify the revenue sharing inequities between coastal and interior energy producing states in order to address the nationally significant crisis of wetland loss in the state of Louisiana; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–172. A concurrent resolution adopted by the General Assembly of the State of Ohio urging the United States Congress to increase NIH funding levels for research in and development of the closed-loop system and islet cell transplantation so that those who are suffering from type 1 diabetes will have expedited access to such technology; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NUMBER 2

Whereas, More than one million Americans have been diagnosed with insulin-dependent diabetes mellitus, also known as type 1 diabetes; and

Whereas, Type 1 diabetes is a disease that frequently strikes children suddenly, makes them dependent on insulin for life, and carries the constant threat of life-threatening complications; and

Whereas, The number of diagnoses of type 1 diabetes is growing at an alarming rate; and

Whereas, The cost of type 1 diabetes, including medical expenses and lost productivity, is billions of dollars per year; and

Whereas, Type 1 diabetes is a leading cause of blindness, kidney failure, amputations, heart disease, and death; and

Whereas, Medical and technological advances in the development of the closed-loop insulin delivery system, or ''artificial pancrease,'' and in the development of islet cell transplantation therapy have created meaningful and realistic pathways to a cure of type 1 diabetes; and

Whereas, Adequate federal funding for research and development involving the closed-loop system and islet cell transplantation will result in positive medical outcomes for millions of americans who are affected by type 1 diabetes and, thereby, ameliorate widespread human suffering and preserve billions of dollars in taxpayer funds; and

Whereas, Current levels of funding designated for the efforts of The National Institutes of Health (NIH) in advancing the technology associated with the closed-loop system and islet cell transplantation are inadequate, and an increase in funding for NIH's efforts will expedite the refining of and access to these important medical treatments and procedures: Now, therefore, be it

Resolved, That we, the members of the 131st general assembly of the state of Ohio, in adopting this resolution, urge the Congress of the United States to increase NIH funding levels for research in and development of the closed-loop system and islet cell transplantation so that those who are suffering from type i diabetes will have expedited access to such technology, thus enhancing health care while saving billions of dollars in health care costs and lost productivity; and be it further

Resolved, That the clerk of the Senate transmit duly authenticated copies of this resolution to the President Pro Tempore and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Ohio Congressional delegation, and the news media of Ohio.

POM–173. A resolution adopted by the House of Representatives of the State of Illinois urging the President of the United States to select and nominate a candidate to be an Associate Justice for the Supreme Court of the United States; urging the United States Senate Judiciary Committee to promptly schedule confirmations hearings for the President's nominee followed by a recorded vote recommending confirmation; and urging the full Senate to vote to confirm such nomination; to the Committee on the Judiciary.

HOUSE RESOLUTION NO. 1022

Whereas, Article III, Section I of the United States Constitution vests judicial authority ''in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish''; and

Whereas, The United States Congress passed the Judiciary Act of 1789, fixing the number of Supreme Court justices at 6; and

Whereas, In an effort to avoid an evenly divided Court, the Judiciary Act of 1869 increased membership on the Court to one Chief Justice, and 8 Associate Justices; that number has remained unchanged; and

Whereas, Antonin Scalia became an Associate Justice on the Supreme Court after being nominated by President Ronald Reagan in 1986; Justice Scalia was confirmed by the United States Senate 98–0; he was sworn in on September 26, 1986; and

Whereas, The death of Justice Scalia has effectively placed the Court in ideological gridlock with respect to liberal and conservative interpretations of the Constitution; and

Whereas, The Court now consists of 4 members appointed by Republican presidents: Chief Justice John Roberts, Justice Anthony Kennedy, Justice Clarence Thomas, and Justice Samuel Alito; and 4 members appointed by Democratic presidents: Justice Ruth Bader Ginsburg, Justice Stephen Breyer, Justice Sonia Sotomayor, and Justice Elena Kagan; and

Whereas, A Supreme Court term begins on the first Monday in October, and continues until late June or early July of the following year; the final day of the 2016 term will be June 26, 2016; the Court continues to hear oral arguments until April 26, 2016; and

Whereas, There are currently 74 cases on the Court docket; with the absence of Justice Scalia, many of those cases could be decided 4–4; in that event, the decisions of the lower courts will stand; and

Whereas, In its current term, the Court will hear cases on a variety of issues affecting millions of Americans, such as affirmative action, immigration, reproductive rights, redistricting, and labor practices; and

Whereas, Pursuant to Article II, Section 1 of the Constitution, Barack Obama was elected President of the United States in 2008, and again in 2012; his presidency will end on January 20, 2017; and

Whereas, Article II, Section II of the Constitution provides that the President ''shall nominate'' judges of the Supreme Court with the ''Advice and Consent of the Senate''; and

Whereas, The Democratic and Republican Presidential nominating conventions will take place in July of 2016; the Presidential election will take place on November 8, 2016; a new President will not be inaugurated until January 20, 2017, at which time that President will have the power to nominate judges; however, until that time, the power to nominate remains with President Barack Obama; and

Whereas, In 1916, Justice Louis Brandeis was confirmed as the 67th Associate Justice of the Supreme Court after 4 months of scrutiny, representing the longest confirmation process in American history; during which time, the Senate Judiciary Committee held the first public hearings on the nomination of a justice; he was sworn in on June 6, 1916, a presidential election year: and

Whereas, Justice Anthony Kennedy is the most senior member of the Court today; he was nominated by President Ronald Reagan on November 30, 1987; he was confirmed unanimously by a Senate controlled by Democrats on February 3, 1988 and was sworn in on February 18, 1988, during the last year of Reagan's presidency; and

Whereas, Additional Supreme Court justices nominated and confirmed during the final year of a presidency include: Oliver Ellsworth, Samuel Chase, William Johnson, Philip Barbour, Roger Taney, Melville Fuller, Lucius Lamar, George Shiras. Mahlon Pitney, John Clarke, Benjamin Cardozo, and Frank Murphy: Now, therefore, be it

Resolved, by the House of Representatives of the Ninety-Ninth General Asssembly of the State of Illinois, That we urge President Barack Obama to select and nominate a candidate to be an Associate Justice for the U.S Supreme Court in a timely manner and that the nominee both liberalize and truly diversify the Court; and be it further

Resolved, That we urge the Judiciary Committee of the United States Senate to promptly schedule confirmation hearings for the President's nominee followed by a recorded vote recommending confirmation; and be it further

Resolved, That we urge the full Senate to vote to confirm such nomination; and be it further

Resolved, That suitable copies of this resolution be delivered to President of the United States, Barack Obama; Chairman of the Senate Judiciary Committee, Chuck Grassley; Vice-President, Joe Biden; Chief Justice of the Supreme Court, John Roberts: and Senators Dick Durbin and Mark Kirk of Illinois.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 2127. A bill to provide appropriate protections to probationary Federal employees, to provide the Special Counsel with adequate access to information, to provide greater awareness of Federal whistleblower protections, and for other purposes (Rept. No. 114–262).

By Mr. COCHRAN, from the Committee on Appropriations, without amendment:

S. 3000. An original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes (Rept. No. 114–263).

By Mr. HOEVEN, from the Committee on Appropriations, without amendment:

S. 3001. An original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2017, and for other purposes (Rept. No. 114–264).

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship:

Report to accompany S. 552, A bill to amend the Small Business Investment Act of 1958 to provide for increased limitations on leverage for multiple licenses under common control (Rept. No. 114–265).

Report to accompany S. 966, A bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration (Rept. No. 114–266).

Report to accompany S. 967, A bill to require the Small Business Administration to make information relating to lenders making covered loans publicly available, and for other purposes (Rept. No. 114–267).

Report to accompany S. 1001, A bill to establish authorization levels for general business loans for fiscal years 2015 and 2016 (Rept. No. 114–268).

Report to accompany S. 1292, A bill to amend the Small Business Act to treat certain qualified disaster areas as HUBZones and to extend the period for HUBZone treatment for certain base closure areas, and for other purposes (Rept. No. 114–269).

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 Mrs. FISCHER (for herself, Mr. INHOFE, Mr. VITTER, Mr. BOOZMAN, Mr. COCHRAN, Mr. ISAKSON, Mr. ROBERTS, Mrs. ERNST, and Mr. CORNYN):

S. 2993. A bill to direct the Administrator of the Environmental Protection Agency to change the spill prevention, control, and countermeasure rule with respect to certain farms; to the Committee on Environment and Public Works.

By Mr. CASEY (for himself and Ms. MURKOWSKI):

S. 2994. A bill to amend the Federal Food, Drug, and Cosmetic Act to prevent the abuse

of dextromethorphan, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:

S. 2995. A bill to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHATZ (for himself, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Mr. MERKLEY, Ms. WARREN, and Mr. MARKEY):

S. 2996. A bill to amend the Internal Revenue Code of 1986 to phase out tax preferences for fossil fuels on the same schedule as the phase out of the tax credits for wind facilities; to the Committee on Finance.

By Ms. CANTWELL (for herself, Mr. BOOKER, and Mr. SCHUMER):

S. 2997. A bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COATS:

S. 2998. A bill to amend title XVIII of the Social Security Act to ensure prompt coverage of breakthrough devices under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. DAINES (for himself, Mr. MORAN, Mr. ROBERTS, and Mr. SCOTT):

S. 2999. A bill to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba; to the Committee on Armed Services.

By Mr. COCHRAN:

S. 3000. An original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. HOEVEN:

S. 3001. An original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2017, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. TOOMEY (for himself and Mr. DONNELLY):

S. 3002. A bill to amend title 4, United States Code, to encourage the display of the flag of the United States on National Vietnam War Veterans Day; to the Committee on the Judiciary.

By Mr. SCHATZ (for himself and Ms. MURKOWSKI):

S. 3003. A bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 3004. A bill to make technical corrections to the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 3005. A bill to establish the Alaska Land Use Council, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 3006. A bill to provide for the exchange of certain National Forest System land and non-Federal land in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COTTON (for himself, Mr. SASSE, Mr. RUBIO, Mr. RISCH, Mr. BURR, and Mr. INHOFE):

S. 3007. A bill to prohibit funds from being obligated or expended to aid, support, permit, or facilitate the certification or approval of any new sensor for use by the Russian Federation on observation flights under the Open Skies Treaty unless the President submits a certification related to such sensor to Congress and for other purposes; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself, Mrs. SHAHEEN, Mr. REED, Ms. BALDWIN, Mr. COONS, Mr. PETERS, Mrs. FEINSTEIN, and Mr. MERKLEY):

S. 3008. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain discharges of student loan indebtedness; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Mr. LEAHY):

S. 3009. A bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. MARKEY (for himself and Mr. RUBIO):

S. 3010. A bill to provide for restrictions related to nuclear cooperation with the People's Republic of China, and for other purposes; to the Committee on Foreign Relations.

By Mr. JOHNSON:

S. 3011. A bill to improve the accountability, efficiency, transparency, and overall effectiveness of the Federal Government; read the first time.

By Mrs. SHAHEEN (for herself and Mr. FRANKEN):

S. 3012. A bill to amend the Federal Power Act to establish an Office of Public Participation and Consumer Advocacy; to the Committee on Energy and Natural Resources.

By Mr. TESTER:

S. 3013. A bill to authorize and implement the water rights compact among the Confederated Salish and Kootenai Tribes of the Flathead Indian Reservation, the State of Montana, and the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. DAINES:

S. 3014. A bill to improve the management of Indian forest land, and for other purposes; to the Committee on Indian Affairs.

By Mr. CASEY:

S. 3015. A bill to amend the Public Health Service Act to direct the Centers for Disease Control and Prevention to provide for informational materials to educate and prevent addiction in teenagers and adolescents who are injured playing youth sports and subsequently prescribed an opioid; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. ENZI, and Ms. KLOBUCHAR):

S. 3016. A bill to amend the Internal Revenue Code of 1986 to permit the disclosure of certain tax return information for the purpose of missing or exploited children investigations; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MARKEY (for himself, Mr. DURBIN, and Mr. MURPHY):

S. Res. 479. A resolution urging the Government of the Democratic Republic of the Congo to comply with constitutional limits on presidential terms and fulfill its constitutional mandate for a democratic transition of power in 2016; to the Committee on Foreign Relations.

By Mr. CASSIDY (for himself, Mr. MURPHY, Mr. ALEXANDER, and Mrs. MURRAY):

S. Res. 480. A resolution supporting the designation of May 2016 as ''Mental Health Month'' ; considered and agreed to.

By Ms. HIRONO (for herself, Mr. REID, Mr. FRANKEN, Mr. CASEY, Mrs. MURRAY, Mr. KIRK, Mr. MENENDEZ, Mrs. FEINSTEIN, Mr. SCHATZ, Mr. MARKEY, Ms. KLOBUCHAR, Ms. CANTWELL, Mr. CARDIN, Mr. BROWN, Mr. KAINE, Mr. DURBIN, Mr. WYDEN, Mr. HELLER, Mr. GARDNER, Mr. BENNET, Ms. MURKOWSKI, Mr. BOOKER, Mr. SCHUMER, Ms. WARREN, and Mr. MERKLEY):

S. Res. 481. A resolution recognizing the significance of May 2016 as Asian/Pacific American Heritage Month and as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 122

At the request of Mr. MCCAIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 122, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada.

S. 275

At the request of Mr. ISAKSON, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 398

At the request of Mr. MORAN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 398, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 616

At the request of Ms. COLLINS, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 616, a bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers.

S. 629

At the request of Mr. PORTMAN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 629, a bill to enable hospital-based nursing programs that are affiliated with a hospital to maintain payments under the Medicare program to hospitals for the costs of such programs.

S. 812

At the request of Mr. MORAN, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 812, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1100

At the request of Mr. THUNE, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1100, a bill to require State and local government approval of prescribed burns on Federal land during conditions of drought or fire danger.

S. 1151

At the request of Mr. VITTER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1151, a bill to amend title IX of the Public Health Service Act to revise the operations of the United States Preventive Services Task Force, and for other purposes.

S. 1169

At the request of Mr. GRASSLEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1175

At the request of Mr. WYDEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1175, a bill to improve the safety of hazardous materials rail transportation, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1892

At the request of Mr. HATCH, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1892, a bill to provide for loan repayment for teachers in high-need schools.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

At the request of Mr. KAINE, his name was added as a cosponsor of S. 1982, supra.

S. 2346

At the request of Mr. NELSON, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2346, a bill to amend the Internal Revenue Code of 1986 to temporarily allow expensing of certain costs of replanting citrus plants lost by reason of casualty.

S. 2464

At the request of Mr. PAUL, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2464, a bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

S. 2540

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2540, a bill to provide access to counsel for unaccompanied children and other vulnerable populations.

S. 2641

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2641, a bill to amend the Public Health Service Act, in relation to requiring adrenoleukodystrophy screening of newborns.

S. 2680

At the request of Mr. ALEXANDER, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 2680, a bill to amend the Public Health Service Act to provide comprehensive mental health reform, and for other purposes.

S. 2736

At the request of Mr. THUNE, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2736, a bill to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes.

S. 2770

At the request of Mr. ROBERTS, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 2770, a bill to amend the Communications Act of 1934 to require providers of a covered service to provide call location information concerning the telecommunications device of a user of such service to an investigative or law enforcement officer in an emergency situation involving risk of death or serious physical injury or in order to respond to the user's call for emergency services.

S. 2873

At the request of Mr. HATCH, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 2873, a bill to require studies and reports examining the use of, and opportunities to use, technology-enabled collaborative learning and capacity building models to improve programs of the Department of Health and Human Services, and for other purposes.

S. 2875

At the request of Ms. AYOTTE, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 2875, a bill to provide for the elimination or modification of Federal reporting requirements.

S. 2921

At the request of Mr. ISAKSON, the name of the Senator from Illinois (Mr. KIRK) 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. 2924

At the request of Mr. REID, the names of the Senator from Ohio (Mr. BROWN), the Senator from Vermont (Mr. LEAHY), the Senator from California (Mrs. BOXER), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Connecticut (Mr. MURPHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2924, a bill to award a Congressional Gold Medal to former United States Senator Max Cleland.

S. 2934

At the request of Mr. SCHUMER, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2934, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale.

S. 2944

At the request of Mr. GRASSLEY, the names of the Senator from Utah (Mr. HATCH) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 2944, a bill to require adequate reporting on the Public Safety Officers' Benefit program, and for other purposes.

S. 2951

At the request of Ms. MURKOWSKI, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2951, a bill to amend the Oil Pollution Act of 1990 to impose penalties and provide for the recovery of removal costs and damages in connection with certain discharges of oil from foreign offshore units, and for other purposes.

S. 2971

At the request of Mr. PORTMAN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 2971, a bill to authorize the National Urban Search and Rescue Response System.

S. 2977

At the request of Mr. MANCHIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2977, a bill to amend the Internal Revenue Code of 1986 to establish an excise tax on the production and importation of opioid pain relievers, and for other purposes.

S. 2979

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2979, a bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

S. 2989

At the request of Ms. MURKOWSKI, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2989, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 2992

At the request of Mr. VITTER, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2992, a bill to amend the Small Business Act to strengthen the Office of Credit Risk Management of the Small Business Administration, and for other purposes.

S. CON. RES. 36

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. KIRK) 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. 340

At the request of Mr. CASSIDY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 340, a resolution expressing the sense of Congress that the so-called Islamic State in Iraq and al-Sham (ISIS or Da'esh) is committing genocide, crimes against humanity, and war crimes, and calling upon the President to work with foreign governments and the United Nations to provide physical protection for ISIS' targets, to support the creation of an international criminal tribunal with jurisdiction to punish these crimes, and to use every reasonable means, including sanctions, to destroy ISIS and disrupt its support networks.

S. RES. 472

At the request of Mr. BLUNT, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. Res. 472, a resolution expressing the sense of the Senate that a carbon tax would be detrimental to the economy of the United States.

S. RES. 478

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 478, a resolution expressing support for the designation of June 2, 2016, as ''National Gun Violence Awareness Day'' and June 2016 as ''National Gun Violence Awareness Month''.

AMENDMENT NO. 4067

At the request of Mr. WARNER, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Montana (Mr. TESTER) were added as cosponsors of amendment No. 4067 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4068

At the request of Mr. MORAN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 4068 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4069

At the request of Mr. MORAN, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of amendment No. 4069 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4071

At the request of Mr. HATCH, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of amendment No. 4071 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4085

At the request of Mr. LANKFORD, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 4085 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4097

At the request of Mr. MCCAIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 4097 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4098

At the request of Mr. MORAN, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of amendment No. 4098 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4120

At the request of Mr. GRASSLEY, the names of the Senator from Kentucky (Mr. PAUL), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 4120 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4124

At the request of Mr. KIRK, his name was added as a cosponsor of amendment No. 4124 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4136

At the request of Mr. HOEVEN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of amendment No. 4136 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4138

At the request of Mr. PETERS, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Vermont (Mr. SANDERS) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of amendment No. 4138 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4143

At the request of Mr. MORAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 4143 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4146

At the request of Mr. CASSIDY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of amendment No. 4146 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4155

At the request of Mr. BOOZMAN, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Delaware (Mr. COONS) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of amendment No. 4155 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4157

At the request of Mr. BOOZMAN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 4157 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4165

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 4165 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4172

At the request of Mr. KIRK, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 4172 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4175

At the request of Mr. REID, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of amendment No. 4175 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4204

At the request of Mr. INHOFE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 4204 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4215

At the request of Mr. REID, the names of the Senator from California (Mrs. BOXER) and the Senator from Florida (Mr. NELSON) were added as cosponsors of amendment No. 4215 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4217

At the request of Ms. AYOTTE, the names of the Senator from Georgia (Mr. PERDUE), the Senator from Utah (Mr. HATCH) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of amendment No. 4217 intended to be proposed to S. 2943, an original bill 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.

AMENDMENT NO. 4235

At the request of Mr. HELLER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 4235 intended to be proposed to S. 2943, an original bill 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. CANTWELL (for herself, Mr. BOOKER, and Mr. SCHUMER):

S. 2997. A bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. BOOKER. Mr. President, I am pleased to have worked with Senator CANTWELL and Senator SCHUMER to introduce the SANDy Act today which would provide much needed certainty and resiliency to our communications networks during times of natural disaster or emergency.

Severe weather and emergencies can have devastating effects on communities, as New Jersey knows all too well. In the aftermath of Superstorm Sandy, we experienced loss in our communications networks including phone and Internet services. Natural disasters are one of the most important times to maintain access to 9–1–1 in order to obtain lifesaving services.

Just this week, this legislation passed the House with overwhelming bipartisan support, including from the New Jersey delegation led by Congressman PALLONE's efforts. I hope the Senate will now turn its attention to this important matter and move this initiative forward to the benefit of New Jerseyans and people across the country.

I am further pleased that phone service providers entered into a voluntary agreement last month in order to provide service to consumers during times of emergency, regardless of the network the consumer subscribes to in that area.

The SANDy Act expresses the Sense of Congress that this agreement should continue to be adhered to in order to best serve 9–1–1 professionals, first responders, and local governments in accessing communications services during times of emergency.

Further, the legislation collects additional data on network security during times of disaster and the resiliency of telecommunications networks power utility during times of emergency. With additional information and data, we can better prepare for disasters and ensure our networks operate at the best of their ability when severe storms strike.

Finally, the legislation provides authority to FEMA to reimburse costs associated with restoring and repairing critical communications services to first responders and communities.

The SANDy Act is an important step toward better protecting and preserving vital communications networks when disaster strikes. I urge my colleagues to support this legislation.

By Mr. DAINES:

S. 3014. A bill to improve the management of Indian forest land, and for other purposes; to the Committee on Indian Affairs.

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. 3014

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 ''Tribal Forestry Participation and Protection Act of 2016''.

SEC. 2. PROTECTION OF TRIBAL FOREST ASSETS THROUGH USE OF STEWARDSHIP END RESULT CONTRACTING AND OTHER AUTHORITIES.

(a) PROMPT CONSIDERATION OF TRIBAL REQUESTS.—Section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)) is amended—

(1) in paragraph (1), by striking ''Not later than 120 days after the date on which an Indian tribe submits to the Secretary'' and inserting ''In response to the submission by an Indian tribe to the Secretary of''; and

(2) by adding at the end the following:

''(4) TIME PERIODS FOR CONSIDERATION.—

''(A) INITIAL RESPONSE.—Not later than 90 days after the date on which the Secretary receives a tribal request under paragraph (1), the Secretary shall provide an initial response to the Indian tribe regarding whether the request may meet the selection criteria described in subsection (c).

''(B) NOTICE OF DENIAL.—A notice under subsection (d) of the denial of a tribal request under paragraph (1) shall be provided to the Indian tribe by not later than 1 year after the date on which the Secretary receives the request.

''(C) COMPLETION.—Not later than 2 years after the date on which the Secretary receives a tribal request under paragraph (1), other than a tribal request denied under subsection (d), the Secretary shall—

''(i) complete all environmental reviews necessary in connection with the agreement or contract and proposed activities under the agreement or contract; and

''(ii) enter into the agreement or contract with the Indian tribe in accordance with paragraph (2).''.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 2 of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a) is amended—

(1) in subsections (b)(1) and (f)(1), by striking ''section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105–277) (as amended by section 323 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (117 Stat. 275))'' each place it appears and inserting ''section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c)''; and

(2) in subsection (d), in the matter preceding paragraph (1), by striking ''subsection (b)(1), the Secretary may'' and inserting ''paragraphs (1) and (4)(B) of subsection (b), the Secretary shall''.

SEC. 3. PILOT AUTHORITY FOR RESTORATION OF FEDERAL FOREST LAND BY INDIAN TRIBES.

(a) IN GENERAL.—Section 305 of the National Indian Forest Resources Management Act (25 U.S.C. 3104) is amended by adding at the end the following:

''(c) INCLUSION OF CERTAIN NATIONAL FOREST SYSTEM LAND AND PUBLIC LAND.—

''(1) PURPOSES.—The purposes of this subsection are—

''(A) to maximize the effective management of Federal forest land and to assist in the restoration of that land in accordance with the principles of sustained yield; and

''(B) to reduce insect, disease, or wildfire risk to communities, municipal water supplies, and other at-risk Federal land by providing for the implementation by Indian tribes of forest restoration projects.

''(2) DEFINITIONS.—In this subsection:

''(A) FEDERAL FOREST LAND.—

''(i) IN GENERAL.—The term 'Federal forest land' means—

''(I) National Forest System land; and

''(II) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), including—

''(aa) Coos Bay Wagon Road Grant land reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179, chapter 47); and

''(bb) Oregon and California Railroad Grant land.

''(ii) EXCLUSIONS.—The term 'Federal forest land' does not include—

''(I) a component of the National Wilderness Preservation System;

''(II) a component of the National Wild and Scenic Rivers System;

''(III) a congressionally designated wilderness study area; or

''(IV) an inventoried roadless area within the National Forest System.

''(B) FOREST LAND MANAGEMENT ACTIVITIES.—The term 'forest land management activities' means activities performed in the management of Indian forest land described in subparagraphs (C), (D), and (E) of section 304(4).

''(C) SECRETARY CONCERNED.—The term 'Secretary concerned' means—

''(i) the Secretary of Agriculture, with respect to the Federal forest land referred to in subparagraph (A)(i)(I); and

''(ii) the Secretary of the Interior, with respect to the Federal forest land referred to in subparagraph (A)(i)(II).

''(3) AUTHORITY.—

''(A) IN GENERAL.—At the request of an Indian tribe, the Secretary concerned may treat Federal forest land as Indian forest land for purposes of planning and conducting forest land management activities under this section if the Federal forest land is located within, or mostly within, a geographical area that presents a feature or involves circumstances principally relevant to that Indian tribe, such as Federal forest land—

''(i) ceded to the United States by treaty or other agreement with that Indian tribe;

''(ii) within the boundaries of a current or former reservation of that Indian tribe; or

''(iii) adjudicated by the Indian Claims Commission or a Federal court to be the tribal homeland of that Indian tribe.

''(B) MANAGEMENT.—Federal forest land treated as Indian forest land for purposes of planning and conducting management activities pursuant to subparagraph (A) shall—

''(i) be managed exclusively under this Act; and

''(ii) remain under the ownership of the Federal agency that owned the Federal forest land on the day before the date of enactment of this subsection.

''(4) REQUIREMENTS.—As part of an agreement to treat Federal forest land as Indian forest land under paragraph (3), the Secretary concerned and the Indian tribe making the request shall—

''(A) provide for continued public access and recreation applicable to the Federal forest land as in existence prior to the agreement, except that the Secretary concerned may limit or prohibit that access only for the purpose of—

''(i) protecting human safety; or

''(ii) preventing harm to natural resources;

''(B) continue sharing revenue generated by the Federal forest land with State and local governments on the terms applicable to the Federal forest land prior to the agreement, including, as applicable—

''(i) 25-percent payments under the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.); or

''(ii) 50-percent payments under the Act of August 28, 1937 (43 U.S.C. 1181a et seq.);

''(C) comply with applicable prohibitions on the export of unprocessed logs harvested from the Federal forest land;

''(D) recognize all right-of-way agreements in place on Federal forest land as in existence prior to the commencement of tribal management activities;

''(E) ensure that any county road within the Federal forest land as in existence prior to the agreement is not adversely impacted; and

''(F) ensure that all commercial timber removed from the Federal forest land is sold on a competitive bid basis.

''(5) PROMPT CONSIDERATION OF TRIBAL REQUESTS.—Not later than 180 days after the date on which the Secretary receives a request from an Indian tribe under paragraph (3)(A), the Secretary shall—

''(A) approve or deny the request; and

''(B) if the Secretary approves the request, begin exercising the authority under that paragraph.

''(6) CONSULTATION.—To the extent consistent with the laws governing the administration of public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), the Secretary concerned shall consult with each State and unit of local government within which Federal forest land is located—

''(A) before entering into an agreement to treat the Federal forest land as Indian forest land under paragraph (3); and

''(B) with respect to an agreement described in subparagraph (A), in planning and conducting forest land management activities under this section.

''(7) FOREST MANAGEMENT PLANS.—All forest land management activities under this subsection on National Forest System land shall be consistent with the applicable forest plan.

''(8) LIMITATIONS.—The treatment of Federal forest land as Indian forest land for purposes of planning and conducting management activities pursuant to paragraph (3)—

''(A) shall not be considered to designate the Federal forest land as Indian forest land for any other purpose; and

''(B) shall be in accordance with all relevant Federal laws applicable to Federal forest land, including—

''(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

''(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

''(iv) the Clean Air Act (42 U.S.C. 7401 et seq.).

''(9) APPLICABILITY OF NEPA.—The execution of, but not the decision to enter into, an agreement to treat Federal forest land as Indian forest land under paragraph (3) shall constitute a Federal action for purposes of

the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(10) TERMINATION OF AUTHORITY.—The authority provided by this subsection terminates on the date that is 10 years after the date of enactment of this subsection.''.

(b) EFFECT.—Nothing in this section or an amendment made by this section—

(1) prohibits, restricts, or otherwise adversely affects any permit, lease, or similar agreement in effect on or after the date of enactment of this Act for the use of Federal land for the purpose of recreation, utilities, logging, mining, oil, gas, grazing, water rights, or any other purpose;

(2) negatively impacts private land; or

(3) prohibits, restricts, or otherwise adversely affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate under State law fish and wildlife on land or in water in the State, including on Federal public land.

SEC. 4. TRIBAL FOREST MANAGEMENT DEMONSTRATION PROJECT.

The Secretary of the Interior and the Secretary of Agriculture may carry out demonstration projects pursuant to which federally recognized Indian tribes or tribal organizations may enter into contracts to carry out administrative, management, and other functions under the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.), through contracts entered into under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

SEC. 5. FUNDING.

The Secretary of the Interior and the Secretary of Agriculture shall use to carry out this Act and amendments made by this Act such amounts as are necessary from other amounts available to the Secretary of the Interior or the Secretary of Agriculture, respectively, that are not otherwise obligated.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 479—URGING THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO COMPLY WITH CONSTITUTIONAL LIMITS ON PRESIDENTIAL TERMS AND FULFILL ITS CONSTITUTIONAL MANDATE FOR A DEMOCRATIC TRANSITION OF POWER IN 2016

Mr. MARKEY (for himself, Mr. DURBIN, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 479

Whereas the United States and the Democratic Republic of the Congo (''DRC'') have a history of partnership grounded in economic investment and mutual interests in security and stability, and marked by efforts to address the protracted humanitarian crisis facing the country;

Whereas in 2006, DRC adopted a new constitution with a provision limiting the President to 2 consecutive terms;

Whereas in 2006, Joseph Kabila was elected President in what was widely viewed as a free and fair election;

Whereas many respected international observers concluded that President Kabila's reelection in 2011 was deeply flawed;

Whereas President Kabila's second term and constitutional mandate to serve as President of DRC ends on December 19, 2016;

Whereas, for the past 2 years, President Kabila has used administrative and technical means to try to delay the presidential election, including—

(1) by trying unsuccessfully to persuade the Parliament of DRC—

(A) to change the Constitution of DRC to allow him to run for a third term; and

(B) to pass a law requiring a multiyear census in advance of the presidential election, which was widely seen as an attempt to delay elections to allow President Kabila to remain in power.

(2) by failing to pass timely election laws or release authorized election funding to the Independent National Elections Commission;

(3) by declaring that it will take the Government of DRC between 16 and 18 months to revise the voter rolls; and

(4) by enforcing nondemocratic and nonparticipatory restrictions that limit the ability of the political opposition to participate in the political process and the role of civil society in DRC;

Whereas mass popular demonstrations convinced President Kabila to drop efforts to pass a law requiring a census in January 2015, but not before security forces had killed at least 36 protesters and jailed hundreds more;

Whereas Congolese security and intelligence officials have arrested, harassed, and detained peaceful activists, members of civil society, political leaders, and others who oppose President Kabila's effort to unconstitutionally remain in power after the expiration of his current term;

Whereas President Obama spoke with President Kabila on March 15, 2015, and ''emphasized the importance of timely, credible, and peaceful elections that respect the Constitution of DRC and protect the rights of all DRC citizens'';

Whereas observers view President Kabila's renewed call for a National Dialogue as another attempt to delay the elections and distract from the constitutional requirement for a democratic succession of the presidency later this year;

Whereas international and domestic human rights groups have consistently reported on the worsening of the human rights situation in DRC, including—

(1) the use of excessive force by security forces against peaceful demonstrators; and

(2) an increase in politically motivated trials;

Whereas the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo has registered more than 312 human rights violations committed by officials of the Government of DRC between January 2015 and January 2016, most of which targeted political opponents, civil society, and journalists;

Whereas the Government of DRC issued an arrest warrant for what appear to be politically motivated charges against a leading opposition figure the week after he declared his intent to run for President, and other political activists remain in jail;

Whereas on March 30, 2016, the United Nations Security Council unanimously adopted Resolution 2277, which—

(1) expresses deep concern with—

(A) ''the delays in the preparation of the presidential elections'' in DRC; and

(B) ''increased restrictions of the political space in the DRC''; and

(2) calls for ensuring ''the successful and timely holding of elections, in particular presidential and legislative elections on November 2016, in accordance with the Constitution'':

Whereas President Kabila's refusal to publicly affirm that he will step down when his constitutional mandate expires has caused growing political tension, unrest, and violence across DRC: Now, therefore, be it

Resolved, That the Senate—

(1) condemns—

(A) actions by the Government of DRC to subvert the Constitution of DRC and undermine democracy, including the arrest and detention of civil society activists (such as Fred Bauma and Yves Makwambala), the harassment of political opponents, and its efforts to close political space and punish peaceful dissent;

(B) the failure of the Government of DRC to take timely necessary measures to organize free and fair national elections; and

(C) violations of human rights and international humanitarian law committed by security forces of the Government of DRC;

(2) reaffirms its support for democracy and good-governance in sub-Saharan Africa that are free from political repression and abuses of human rights;

(3) calls on President Kabila's government—

(A) to publicly and unequivocally commit to complete a peaceful transfer of presidential power upon the expiration of his mandate on December 19, 2016; and

(B) to adhere to the Constitution of DRC and relinquish power at the end of his term on December 19, 2016;

(4) calls on the President of the United States—

(A) in coordination with regional and international partners and the United Nations, to impose targeted sanctions on those officials of the Government of DRC who are responsible for violence and human rights violations and undermining the democratic processes or institutions in DRC, including visa bans and asset freezes under Executive Order 13671 (79 Fed. Reg. 39947), based on actions that ''undermine democratic processes or institutions,'' or that ''threaten the peace, security, or stability'' of DRC; and

(B) to consider lifting the sanctions described in subparagraph (A) when the President determines that—

(i) President Kabila—

(I) has publicly and unequivocally stated that he will complete a peaceful transfer of presidential power upon the expiration of his mandate on December 19, 2016;

(II) has made verified progress toward organizing and holding timely free and fair national elections in accordance with the Constitution of DRC; and

(III) is respecting human and political rights for the opposition and civil society; or

(ii) a free and fair presidential election has been held in DRC, in accordance with the Constitution of DRC, and a new President has been sworn into office in DRC;

(5) calls on the Secretary of State, the Secretary of Defense, and the Administrator of the United States Agency for International Development to review all United States assistance to DRC, including security and economic assistance, to ensure that such assistance is not being used to support President Kabila's efforts to remain in power; and

(6) calls on the Secretary of State and the Administrator of the United States Agency for International Development—

(A) to continue providing financial and technical assistance to support the organizing of free, fair, and peaceful national elections, and support the inclusion and civic education of youth, women, and rural populations; and

(B) to ensure the continuance of United States assistance that is delivered through national and international nongovernmental organizations, particularly assistance in support of improved democracy and governance and humanitarian needs.

SENATE RESOLUTION 480—SUPPORTING THE DESIGNATION OF MAY 2016 AS ''MENTAL HEALTH MONTH''

Mr. CASSIDY (for himself, Mr. MURPHY, Mr. ALEXANDER, and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 480

Whereas mental health and the emotional well-being of individuals in the United States are foundational issues that affect individual, family, and community quality of life and economic prosperity;

Whereas studies note that individuals with serious mental illness die, on average, 25 years earlier than individuals in the general population;

Whereas individuals with mental illness, behavioral health disorders, or co-occurring substance use disorders can recover through treatment that includes psychosocial therapy, clinical treatment, and peer support, alone or in combination with behavioral, psychiatric, psychological, or integrated medical services;

Whereas prevention strategies can prevent or delay the onset of many mental health conditions;

Whereas recovery-oriented interventions such as supported employment, supported housing, and supported education have been shown to improve outcomes for individuals with mental illness;

Whereas mental illness impacts individuals across the United States and in every walk of life;

Whereas nearly 44,000,000 adults in the United States live with mental illness and 20 percent of children and adolescents have a diagnosable mental health disorder;

Whereas 1 in 25 individuals in the United States has lived with a serious mental illness, such as schizophrenia, bipolar disorder, or major depression;

Whereas approximately ½ of students age 14 or older with a mental illness drop out of school and 70 percent of adolescents in the juvenile justice system have a mental illness;

Whereas the average delay from the onset of symptoms of mental illness to therapeutic intervention for teens is between 8 and 10 years;

Whereas suicide is the 10th-leading cause of death in the United States and leads to the death of more than 41,000 individuals in the United States each year;

Whereas negative perception and stigma continue to be associated with mental illness, which contributes to individuals not seeking needed care;

Whereas nearly 15 percent of men and 31 percent of women in jails have a serious mental illness, such as schizophrenia, major depression, or bipolar disorder; and

Whereas it would be appropriate to observe May 2016 as ''Mental Health Month'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of ''Mental Health Month'' to reduce the stigma associated with mental illness and to encourage individuals to seek care;

(2) recognizes that mental well-being is critically important and linked to the well-being of individuals, communities, and the economy in the United States;

(3) supports the integration of national and local community efforts to promote public awareness of mental health and to support individuals and families affected by mental illness; and

(4) encourages the people of the United States to view ''Mental Health Month'' as a chance to promote mental health wellness, to ensure access to services, and to improve the quality of life of individuals living with mental illness.

SENATE RESOLUTION 481—RECOGNIZING THE SIGNIFICANCE OF MAY 2016 AS ASIAN/PACIFIC AMERICAN HERITAGE MONTH AND AS AN IMPORTANT TIME TO CELEBRATE THE SIGNIFICANT CONTRIBUTIONS OF ASIAN AMERICANS AND PACIFIC ISLANDERS TO THE HISTORY OF THE UNITED STATES

Ms. HIRONO (for herself, Mr. REID, Mr. FRANKEN, Mr. CASEY, Mrs. MURRAY, Mr. KIRK, Mr. MENENDEZ, Mrs. FEINSTEIN, Mr. SCHATZ, Mr. MARKEY, Ms. KLOBUCHAR, Ms. CANTWELL, Mr. CARDIN, Mr. BROWN, Mr. KAINE, Mr. DURBIN, Mr. WYDEN, Mr. HELLER, Mr. GARDNER, Mr. BENNET, Ms. MURKOWSKI, Mr. BOOKER, Mr. SCHUMER, Ms. WARREN, and Mr. MERKLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 481

Whereas the people of the United States join together each May to pay tribute to the contributions of generations of Asian Americans and Pacific Islanders who have enriched the history of the United States;

Whereas the history of Asian Americans and Pacific Islanders in the United States is inextricably tied to the story of the United States;

Whereas the Asian American and Pacific Islander community is an inherently diverse population, comprised of more than 45 distinct ethnicities and more than 100 language dialects;

Whereas, according to the Bureau of the Census, the Asian American population grew at a faster rate than any other racial or ethnic group in the United States during the last decade, surging nearly 46 percent between 2000 and 2010, a growth rate that is 4 times the rate of the total population of the United States;

Whereas, according to the 2010 decennial census, there are approximately 17,300,000 residents of the United States who identify themselves as Asian and approximately 1,200,000 residents of the United States who identify themselves as Native Hawaiian or other Pacific Islander, making up approximately 5.5 percent and 0.4 percent, respectively, of the total population of the United States;

Whereas the month of May was selected for Asian/Pacific American Heritage Month because the first immigrants from Japan arrived in the United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from immigrants from China;

Whereas section 102 of title 36, United States Code, officially designates May as Asian/Pacific American Heritage Month and requests that the President issue an annual proclamation calling on the people of the United States to observe Asian/Pacific American Heritage Month with appropriate programs, ceremonies, and activities;

Whereas Asian Americans and Pacific Islanders, such as Daniel K. Inouye, a Medal of Honor and Presidential Medal of Freedom recipient who as President Pro Tempore of the Senate was the highest-ranking Asian American government official in United States history, Dalip Singh Saund, the first Asian American elected to serve in Congress, Patsy T. Mink, the first woman of color and the first Asian American woman to be elected to Congress, Hiram L. Fong, the first Asian American Senator, Daniel K. Akaka, the first Senator of Native Hawaiian ancestry, Norman Y. Mineta, the first Asian American member of a presidential cabinet, Elaine L. Chao, the first Asian American woman member of a presidential cabinet, Mee Moua, the first Hmong American elected to a State legislature, and others have made significant contributions in both the Government and military of the United States;

Whereas the year 2016 marks several important milestones for the Asian American and Pacific Islander community, including—

(1) the 115th anniversary of the arrival of Peter Ryu, the first Korean immigrant in the United States;

(2) the 95th anniversary of the first premier in a United States film of an Asian American woman, Anna May Wong, in ''Bits of Life'';

(3) the 70th anniversary of the passage of the amendments made by the Act of July 2, 1946 (commonly known as the ''Luce–Cellar Act of 1946'') (60 Stat. 416, chapter 534), which allowed Filipinos and Indians to immigrate to the United States and become naturalized United States citizens;

(4) the 70th anniversary of the passage of the First Supplemental Surplus Appropriation Rescission Act of 1946 (60 Stat. 6, chapter 30), which stripped military benefits from Filipino World War II veterans in the service of the United States Armed Forces;

(5) the 60th anniversary of the election to the House of Representatives of Dalip Singh Saund, the first Asian American, first Indian American, and first Sikh American elected to Congress;

(6) the 40th anniversary of the election to the Senate of Dr. Samuel Ichiye Hayakawa, the first Asian American elected to the Senate from a mainland State;

(7) the 40th anniversary of Presidential Proclamation 4417, dated February 19, 1976 (41 Fed. Reg. 7741), in which President Gerald Ford formally rescinded Executive Order 9066 (7 Fed. Reg. 1407; relating to authorizing the Secretary of War to prescribe military areas) and condemned the incarceration of United States citizens and lawful permanent residents of Japanese ancestry during World War II;

(8) the 40th anniversary of the completion of the double-hulled voyaging canoe, Hokule'a, marking the first traditional Polynesian voyaging canoe built in Hawaii in over 600 years;

(9) the 30th anniversary of the granting of United States citizenship to the Chamorros and Carolinians of the Northern Mariana Islands; and

(10) the 20th anniversary of the election as the Governor of the State of Washington of Gary Locke, the first Asian American elected as a Governor of a mainland State;

Whereas, in 2016, family members of Filipino World War II veterans became eligible to apply for immigration benefits to come to the United States to be reunited with their aging Filipino veteran family members who are United States citizens and lawful permanent residents;

Whereas, in 2016, the Congressional Asian Pacific American Caucus, a bicameral caucus of Members of Congress advocating on behalf of Asian Americans and Pacific Islanders, is composed of 51 Members, including 13 Members of Asian or Pacific Islander descent;

Whereas, in 2016, Asian Americans and Pacific Islanders are serving in State and territorial legislatures across the United States in record numbers, including the States of Alaska, Arizona, California, Colorado, Connecticut, Georgia, Hawaii, Idaho, Maryland, Massachusetts, Michigan, Minnesota, New

Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and the territories of American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands;

Whereas the number of Federal judges who are Asian Americans or Pacific Islanders doubled between 2001 and 2008 and more than tripled between 2009 and 2015, reflecting a commitment to diversity in the Federal judiciary that has resulted in the confirmations of high-caliber Asian American and Pacific Islander judicial nominees;

Whereas there remains much to be done to ensure that Asian Americans and Pacific Islanders have access to resources and a voice in the Government of the United States and continue to advance in the political landscape of the United States; and

Whereas celebrating Asian/Pacific American Heritage Month provides the people of the United States with an opportunity to recognize the achievements, contributions, and history of Asian Americans and Pacific Islanders, and to appreciate the challenges faced by Asian Americans and Pacific Islanders: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significance of May 2016 as Asian/Pacific American Heritage Month and as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; and

(2) recognizes that the Asian American and Pacific Islander community enhances the rich diversity of and strengthens the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4237. Mr. INHOFE (for himself, Mr. DONNELLY, Mr. HATCH, Mr. KAINE, and Mr. ROUNDS) 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 4238. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4239. 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 4240. 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 4241. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4242. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4243. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4244. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4245. Mr. BROWN (for himself, Mr. DURBIN, Ms. WARREN, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. FRANKEN, Mr. CARPER, Mr. MARKEY, Mr. MURPHY, Mr. REED, Mrs. BOXER, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4246. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4247. Mr. DAINES (for himself, Mr. HOEVEN, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4248. 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 4249. Ms. HEITKAMP (for herself and Mr. BOOZMAN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4250. Mrs. SHAHEEN (for herself, Mr. MCCAIN, Mr. REED, and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4251. Mr. DAINES (for himself, Mr. TESTER, Mr. RUBIO, Mr. PORTMAN, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4252. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4253. Mrs. SHAHEEN (for herself and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4254. Mr. WYDEN (for himself, Mr. PAUL, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4255. Mr. REID (for Mr. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. BROWN , Mr. SANDERS, Mr. LEAHY, Ms. BALDWIN, Mr. MERKLEY, Mr. REED, and Mrs. BOXER)) submitted an amendment intended to be proposed by Mr. Reid to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4256. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. Reid to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4257. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4258. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4259. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4260. Mr. DAINES (for himself, Mr. MCCAIN, Mr. CARDIN, Mrs. ERNST, Ms. MIKULSKI, Mr. BLUMENTHAL, Mr. GARDNER, Mr. BENNET, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4261. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4262. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4263. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4264. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4265. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4266. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4267. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4268. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4269. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4270. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4271. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4272. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4273. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4274. Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4275. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4276. Mr. LEE (for himself, Mr. CRUZ, Mr. INHOFE, Mr. ROUNDS, Mr. SASSE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4277. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4278. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4279. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4280. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4281. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4282. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4283. Mr. REID (for Mr. BLUMENTHAL (for himself and Mr. DURBIN)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4284. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4285. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4286. Mr. CORNYN (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4287. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4288. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4289. Mr. CRUZ (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4290. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4291. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4292. Mr. CASEY (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4293. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4294. Mr. WYDEN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4295. Mrs. SHAHEEN (for herself, Mr. BLUMENTHAL, Mr. MURPHY, Mrs. BOXER, Mrs. MURRAY, Mrs. GILLIBRAND, and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4296. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4297. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4298. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4299. Mr. MURPHY (for himself and 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 4300. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4301. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4302. Mr. DONNELLY (for himself, Mr. CRUZ, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4303. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4304. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4305. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4306. Mr. INHOFE (for himself, Mr. CRUZ, Mr. ROUNDS, Mr. COTTON, Mr. HATCH, Mr. TILLIS, Mr. RUBIO, Mr. MORAN, Mr. THUNE, Mr. ISAKSON, Mr. LANKFORD, Mr. SESSIONS, and Mrs. ERNST) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4307. Mr. JOHNSON (for himself, Mr. LEAHY, Ms. MURKOWSKI, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4308. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4309. Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mr. KIRK, Mr. COONS, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4310. Mrs. GILLIBRAND (for herself, Ms. BALDWIN, Mr. WYDEN, Mr. UDALL, Mr. KIRK, Ms. MURKOWSKI, Mr. GRASSLEY, Mr. PAUL, Mr. BLUMENTHAL, Ms. STABENOW, Mr. HELLER, Mrs. BOXER, Ms. HIRONO, Mr. VITTER, Ms. KLOBUCHAR, Mr. BROWN, Ms. WARREN, Mr. LEAHY, Mr. DURBIN, Mr. DONNELLY, Mr. HEINRICH, Mr. MARKEY, Mr. MENENDEZ, Mr. COONS , Mr. MERKLEY, Mr. FRANKEN, Mr. CRUZ, Mrs. SHAHEEN, Ms. HEITKAMP, Mr. BOOKER, Mr. SANDERS, Mr. CASEY, Mr. PETERS, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4311. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4312. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4313. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4314. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4315. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4316. Mr. ROUNDS (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4317. Ms. HIRONO (for herself, Ms. MURKOWSKI, and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4318. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4319. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4320. Mr. SCHATZ (for himself, Mrs. GILLIBRAND, Mr. MURPHY, Mr. WHITEHOUSE, Ms. BALDWIN, Ms. WARREN, Mr. BROWN, Mr. DURBIN, Mr. WYDEN, Mrs. BOXER, Mr. TESTER, Mr. BLUMENTHAL, Mr. UDALL, Mr. MERKLEY, Mr. SANDERS, Mrs. MCCASKILL, Mr. LEAHY, Ms. CANTWELL, Mrs. MURRAY, Ms. HIRONO, Mr. CARPER, Ms. HEITKAMP, Mr. COONS, Mr. BENNET, Mr. BOOKER, Mrs. SHAHEEN, Mr. HEINRICH, Mr. PETERS, Mr. SCHUMER, and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4321. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4322. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4323. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4324. Mr. SCOTT (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4325. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4326. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4327. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4328. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4329. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4330. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4331. Mr. UDALL (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4332. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4333. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4334. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4335. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4336. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4337. Mr. BOOKER (for himself, Mr. JOHNSON, Ms. BALDWIN, Mrs. ERNST, Mr. BROWN, Mr. PORTMAN, and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4338. Mr. MCCAIN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4339. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4340. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4341. Mr. CASEY submitted an amendment intended to be proposed by him to the

bill S. 2943, supra; which was ordered to lie on the table.

SA 4342. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4343. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4344. Mr. SULLIVAN (for himself, Mr. WARNER, Mr. CORNYN, and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4345. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4346. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4347. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4348. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4349. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4350. Mr. WARNER (for himself, Mr. CARPER, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4351. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4352. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4353. Mr. SCHATZ (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4354. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4355. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4356. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4357. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4358. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4359. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4360. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4361. Mr. LEAHY (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4362. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4363. Mr. BROWN (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 4364. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4365. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4366. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4367. Mr. JOHNSON (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4368. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4369. Mr. DURBIN (for himself, Mr. COCHRAN, Mr. REID, Mr. BLUNT, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. FEINSTEIN, Ms. COLLINS, Mrs. MURRAY, Mr. CASEY, and Mr. SHELBY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4370. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4371. Mrs. MCCASKILL 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 4237. Mr. INHOFE (for himself, Mr. DONNELLY, Mr. HATCH, Mr. KAINE, and Mr. ROUNDS) 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 E of title VI, add the following:

SEC. 663. REPORT ON MODIFICATION OF BASIC ALLOWANCE FOR SUBSISTENCE IN LIGHT OF AUTHORITY FOR VARIABLE PRICING OF GOODS AT COMMISSARY STORES.

Not later than March 31, 2017, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of modifying the amounts payable for basic allowance for subsistence (BAS) for members of the Armed Forces in light of potential changes in prices of goods and services at commissary stores pursuant to the authority granted by the amendments made by section 661. The report shall include the following:

(1) An assessment of the potential for increases in prices of goods and services at commissary stores by reason of such authority, set forth by locality.

(2) An assessment of the feasibility and advisability of modifications in the amounts payable for basic allowance for subsistence in light of such potential increases in prices, including paying basic allowance for subsistence at different rates in different locations.

SA 4238. Mr. PERDUE 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 E of title XII, add the following:

SEC. 1236. PROHIBITION ON ENTRY INTO CONTRACTS WITH ENTITIES THAT HAVE CONTRIBUTED TO THE VIOLATION BY THE RUSSIAN FEDERATION OF THE INTERMEDIATE-RANGE NUCLEAR FORCES TREATY.

(a) PROHIBITION.—

(1) IN GENERAL.—No funds authorized to be appropriated or otherwise made available for a department or agency of the United States Government for a fiscal year after fiscal year 2016 may be used to enter into a contract with a person or entity that the Secretary of State determines has materially contributed to any violation of the Intermediate-Range Nuclear Forces (INF) Treaty by the Russian Federation during the last calendar year ending before the calendar year in which such fiscal year begins.

(2) DETERMINATIONS.—Any determination made by the Secretary for purposes of paragraph (1) shall be made in connection with the preparation by the Secretary of the annual report on arms control, nonproliferation, and disarmament pursuant to section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a).

(b) WAIVER.—

(1) IN GENERAL.—The President may waive the prohibition in subsection (a)(1) with respect to entry into any particular contract if the President determines that the waiver is in the national security interest of the United States.

(2) REPORT.—The President shall submit to the appropriate committees of Congress a report on any waiver made under this subsection.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' 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) The term ''Intermediate-Range Nuclear Forces (INF) Treaty'' means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty, signed at Washington, December 8, 1987, and entered into force June 1, 1988.

SA 4239. Mr. LANKFORD 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 I title X, add the following:

SEC. 807. ENSURING GRANTS ARE IN SUPPORT OF NATIONAL SECURITY.

The Secretary of Defense shall establish and implement a policy that will ensure that all grants issued by the Department of Defense are in support of national security.

SA 4240. Mr. LANKFORD 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 C of title VII, add the following:

SEC. 764. REPORT ON FEASIBILITY AND ADVISABILITY OF ALIGNMENT OF PRESCRIPTION DRUG BUYING PROGRAMS OF THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than January 31, 2017, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report on the feasibility and advisability of aligning the structure, statutory parameters, and regulatory guidance for prescription drug buying programs of the Department of Defense and the Department of Veterans Affairs to increase buying power and reduce costs.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an assessment of the feasibility, advisability, costs, and benefits of aligning the prescription drug buying programs of the Department of Defense and the Department of Veterans Affairs; and

(2) a timeline to implement such alignment.

SA 4241. Mr. MARKEY 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 D of title XVI, add the following:

SEC. 1655. PROHIBITION ON USE OF FUNDS FOR LONG-RANGE STANDOFF WEAPON OR W80 WARHEAD LIFE EXTENSION PROGRAM.

Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2017 for the Department of Defense or the Department of Energy may be obligated or expended for the research, development, test, and evaluation or procurement of the long-range standoff weapon or for the W80 warhead life extension program.

SA 4242. Mr. PETERS 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 H of title VIII, add the following:

SEC. 899C. NOTIFICATION TO SMALL BUSINESS CONCERNS REGARDING PROCUREMENT TECHNICAL ASSISTANCE CENTERS.

Section 2418 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) The Secretary of Defense, in partnership with eligible entities and the Administrator of General Services, shall notify small business concerns that have successfully registered in the System for Award Management referenced in subpart 4.11 of the Federal Acquisition Regulation that once their registration is complete free procurement technical assistance is available pursuant to procurement technical assistance cooperative agreements.

''(2) In this subsection, the term 'small business concern' has the meaning given the term in section 3(a) of the Small Business Act (15 U.S.C. 632(a)).''.

SA 4243. Mr. PORTMAN 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 1231 and insert the following:

SEC. 1231. EXTENSION AND ENHANCEMENT OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) FUNDING.—Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068) is amended—

(1) in subsection (a), by striking ''Of the amounts'' and all that follows through ''shall be available to'' and inserting ''Amounts available for a fiscal year under subsection (f) shall be available to'';

(2) by redesignating subsection (f) as subsection (h); and

(3) by inserting after subsection (e) the following new subsection (f):

''(f) FUNDING.—From amounts authorized to be appropriated for the fiscal year concerned for the Department of Defense for overseas contingency operations, the following shall be available for purposes of subsection (a):

''(1) For fiscal year 2016, $300,000,000.

''(2) For fiscal year 2017, $500,000,000.''.

(b) ADDITIONAL AUTHORIZED ASSISTANCE.—Subsection (b) of such section is amended—

(1) in paragraph (2), by striking ''and small arms and ammunition'' and inserting ''small arms and ammunition, and air defense weapon systems''; and

(2) by adding at the end the following new paragraphs:

''(10) Equipment and technical assistance to the State Border Guard Service of Ukraine for the purpose of developing a comprehensive border surveillance network for Ukraine.

''(11) Training for staff officers and senior leadership of the military.

''(12) Air defense and coastal defense radars.''.

(c) AVAILABILITY OF FUNDS.—Subsection (c) of such section is amended—

(1) in paragraph (1), by inserting ''for a fiscal year'' after ''pursuant to subsection (a)'';

(2) in paragraph (2), by striking ''pursuant to subsection (a)'' and all that follows and inserting ''pursuant to subsection (a) for a fiscal year, the amount as follows shall be available only for lethal and critical assistance described in paragraphs (2) and (3) of subsection (b) in that fiscal year:

''(A) In fiscal year 2016, $50,000,000.

''(B) In fiscal year 2017, $150,000,000;''.

(3) in paragraph (3)—

(A) in the paragraph heading, by striking ''OTHER PURPOSES'' and inserting ''AVAILABILITY FOR NON-UKRAINE PURPOSES OF CERTAIN AMOUNT OTHERWISE AVAILABLE FOR UKRAINE DEFENSIVE LETHAL ASSISTANCE'';

(B) in the matter preceding subparagraph (A), by striking the first sentence and inserting the following new sentence: ''Subject to paragraph (5), the amount described in paragraph (2)(B) for fiscal year 2017 shall be available for purposes other than assistance and support described in subsection (a) commencing on the date that is 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 if the Secretary of Defense, with the concurrence of the Secretary of State, determines that the use of such amount for lethal and critical assistance described in paragraphs (2) and (3) of subsection (b) is not in the national security interests of the United States.''; and

(C) in subparagraph (B), by striking ''or the Government of Ukraine''; and

(4) by adding at the end the following new paragraphs:

''(4) AVAILABILITY FOR NON-UKRAINE PURPOSES OF CERTAIN AMOUNT OTHERWISE AVAILABLE FOR UKRAINE GENERALLY.—

''(A) IN GENERAL.—If the certification described in subparagraph (B) is not made to the congressional defense committees by the end of the 90-day period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, commencing as of the end of that period $250,000,000 of the amount available for this section for fiscal year 2017 under subsection (f) shall be available in accordance with paragraph (5)(B).

''(B) CERTIFICATION.—A certification described in this subparagraph is a certification by the Secretary of Defense, in coordination with the Secretary of State, that the Government of Ukraine has taken substantial actions to make defense institutional reforms in such areas as civilian control of the military, cooperation and coordination with Verkhovna Rada efforts to exercise oversight of the Ministry of Defense and military forces, increased transparency and accountability in defense procurement, and improvement in transparency, accountability, and potential opportunities for privatization in the defense industrial sector. The purpose of these defense institutional reforms is to decrease corruption, increase accountability, and sustain improvements of combat capability enabled by such international security assistance. The certification shall include an assessment of the substantial actions taken to make such defense institutional reforms and the areas in which additional action is needed.

''(5) USE.—In the event funds described in paragraph (2)(B) are not used in fiscal year 2017 for defensive lethal and critical assistance described in paragraphs (2) and (3) of subsection (b) by reason of a determination under paragraph (3), and funds described in paragraph (4) are not available under that paragraph in that fiscal year by reason of the lack of a certification described in paragraph (4)(B), of the amount available for this section under subsection (f) for fiscal year 2017—

''(A) $250,000,000 may be used for assistance and support described in subsection (a) for the Government of Ukraine; and

''(B) $250,000,000 may be used for purposes described in paragraph (3), of which not more

than $150,000,000 may be used for such purposes for a particular foreign country.

''(6) NOTICE TO CONGRESS.—Not later than 15 days before providing assistance or training under paragraph (3), (4), or (5), 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 notification containing the following:

''(A) The recipient foreign country.

''(B) A detailed description of the assistance or training to be provided, including—

''(i) the objectives of such assistance or training;

''(ii) the budget for such assistance or training; and

''(iii) the expected or estimated timeline for delivery of such assistance or training.

''(C) Such other matters as the Secretary considers appropriate.''.

(d) CONSTRUCTION WITH OTHER AUTHORITY.—Such section is further amended by inserting after subsection (f), as amended by subsection (a)(3) of this section, the following new subsection (g):

''(g) CONSTRUCTION WITH OTHER AUTHORITY.—The authority to provide assistance and support pursuant to subsection (a), and the authority to provide assistance and training support under subsection (c), is in addition to authority to provide assistance and support under title 10, United States Code, the Foreign Assistance Act of 1961, the Arms Export Control Act, or any other provision of law.''.

(e) EXTENSION.—Subsection (h) of such section, as redesignated by subsection (a)(2) of this section, is amended by striking ''December 31, 2017'' and inserting ''December 31, 2019''.

(f) EXTENSION OF REPORTS ON MILITARY ASSISTANCE TO UKRAINE.—Section 1275(e) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3592), as amended by section 1250(g) of the National Defense Authorization Act for Fiscal Year 2016, is further amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

SA 4244. Mr. REED 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 I of title X, add the following:

SEC. 1097. CYBERSECURITY TRANSPARENCY.

(a) DEFINITIONS.—In this section—

(1) the term ''Commission'' means the Securities and Exchange Commission;

(2) the term ''cybersecurity threat''—

(A) means an action, not protected by the First Amendment to the Constitution of the United States, on or through an information system that may result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system; and

(B) does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement;

(3) the term ''information system''—

(A) has the meaning given the term in section 3502 of title 44, United States Code; and

(B) includes industrial control systems, such as supervisory control and data acquisition systems, distributed control systems, and programmable logic controllers;

(4) the term ''issuer'' has the meaning given the term in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c); and

(5) the term ''reporting company'' means any company that is an issuer—

(A) the securities of which are registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l); or

(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).

(b) REQUIREMENT TO ISSUE RULES.—Not later than 360 days after the date of enactment of this Act, the Commission shall issue final rules to require each reporting company, in the annual report submitted under section 13 or section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m and 78o(d)) or the annual proxy statement submitted under section 14(a) of such Act (15 U.S.C. 78n(a))—

(1) to disclose whether any member of the governing body, such as the board of directors or general partner, of the reporting company has expertise or experience in cybersecurity and in such detail as necessary to fully describe the nature of the expertise or experience; and

(2) if no member of the governing body of the reporting company has expertise or experience in cybersecurity, to describe what other cybersecurity steps taken by the reporting company were taken into account by such persons responsible for identifying and evaluating nominees for any member of the governing body, such as a nominating committee.

(c) CYBERSECURITY EXPERTISE OR EXPERIENCE.—For purposes of subsection (b), the Commission, in coordination with the National Institute of Standards and Technology, shall define what constitutes expertise or experience in cybersecurity, such as professional qualifications to administer information security program functions or experience detecting, preventing, mitigating, or addressing cybersecurity threats.

SA 4245. Mr. BROWN (for himself, Mr. DURBIN, Ms. WARREN, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. FRANKEN, Mr. CARPER, Mr. MARKEY, Mr. MURPHY, Mr. REED, Mrs. BOXER, and Mr. HEINRICH) 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 563.

SA 4246. Mrs. FEINSTEIN 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; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. AUTHORITY TO ENTER INTO CERTAIN LEASES AT THE DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES CAMPUS.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out leases described in subsection (b) at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California (in this section referred to as the ''Campus'').

(b) LEASES DESCRIBED.—Leases described in this subsection are the following:

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 8161(3) of such title, that principally benefit veterans and their families.

(2) Any lease of real property for a term not to exceed 50 years to a third party to provide services that principally benefit veterans and their families and that are limited to one or more of the following purposes:

(A) The promotion of health and wellness, including nutrition and spiritual wellness.

(B) Education.

(C) Vocational training, skills building, or other training related to employment.

(D) Peer activities, socialization, or physical recreation.

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

(I) Services in support of one or more of the purposes specified in subparagraphs (A) through (H).

(3) A lease of real property for a term not to exceed 10 years to The Regents of the University of California, a corporation organized under the laws of the State of California, on behalf of its University of California, Los Angeles (UCLA) campus (in this section referred to as ''The Regents''), if—

(A) the lease is consistent with the master plan described in subsection (g);

(B) the provision of services to veterans is the predominant focus of the activities of The Regents at the Campus during the term of the lease;

(C) The Regents expressly agrees to provide, during the term of the lease and to an extent and in a manner that the Secretary considers appropriate, additional services and support (for which The Regents is not compensated by the Secretary or through an existing medical affiliation agreement) that—

(i) principally benefit veterans and their families, including veterans who are severely disabled, women, aging, or homeless; and

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families or any of the purposes specified in any of subparagraphs (A) through (I) of paragraph (2); and

(D) The Regents maintains records documenting the value of the additional services and support that The Regents provides pursuant to subparagraph (C) for the duration of the lease and makes such records available to the Secretary.

(c) LIMITATION ON LAND-SHARING AGREEMENTS.—The Secretary may not carry out any land-sharing agreement pursuant to section 8153 of title 38, United States Code, at the Campus unless such agreement—

(1) provides additional health-care resources to the Campus; and

(2) benefits veterans and their families other than from the generation of revenue for the Department of Veterans Affairs.

(d) REVENUES FROM LEASES AT THE CAMPUS.—Any funds received by the Secretary

under a lease described in subsection (b) shall be credited to the applicable Department medical facilities account and shall be available, without fiscal year limitation and without further appropriation, exclusively for the renovation and maintenance of the land and facilities at the Campus.

(e) EASEMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation), pursuant to section 8124 of title 38, United States Code, the Secretary may grant easements or rights-of-way on, above, or under lands at the Campus to—

(A) any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities, including, fixed guideway facilities and transportation centers; and

(B) the State of California, County of Los Angeles, City of Los Angeles, or any agency or political subdivision thereof, or any public utility company (including any company providing electricity, gas, water, sewage, or telecommunication services to the public) for the purpose of providing such public utilities.

(2) IMPROVEMENTS.—Any improvements proposed pursuant to an easement or right-of-way authorized under paragraph (1) shall be subject to such terms and conditions as the Secretary considers appropriate.

(3) TERMINATION.—Any easement or right-of-way authorized under paragraph (1) shall be terminated upon the abandonment or nonuse of the easement or right-of-way and all right, title, and interest in the land covered by the easement or right-of-way shall revert to the United States.

(f) PROHIBITION ON SALE OF PROPERTY.—Notwithstanding section 8164 of title 38, United States Code, the Secretary may not sell or otherwise convey to a third party fee simple title to any real property or improvements to real property made at the Campus.

(g) CONSISTENCY WITH MASTER PLAN.—The Secretary shall ensure that each lease carried out under this section is consistent with the draft master plan approved by the Secretary on January 28, 2016, or successor master plans.

(h) COMPLIANCE WITH CERTAIN LAWS.—

(1) LAWS RELATING TO LEASES AND LAND USE.—If the Inspector General of the Department of Veterans Affairs determines, as part of an audit report or evaluation conducted by the Inspector General, that the Department is not in compliance with all Federal laws relating to leases and land use at the Campus, or that significant mismanagement has occurred with respect to leases or land use at the Campus, the Secretary may not enter into any lease or land-sharing agreement at the Campus, or renew any such lease or land-sharing agreement that is not in compliance with such laws, until the Secretary certifies to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located that all recommendations included in the audit report or evaluation have been implemented.

(2) COMPLIANCE OF PARTICULAR LEASES.—Except as otherwise expressly provided by this section, no lease may be entered into or renewed under this section unless the lease complies with chapter 33 of title 41, United States Code, and all Federal laws relating to environmental and historic preservation.

(i) COMMUNITY VETERANS ENGAGEMENT BOARD.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Community Veterans Engagement Board (in this subsection referred to as the ''Board'') for the Campus to coordinate locally with the Department of Veterans Affairs to—

(A) identify the goals of the community; and

(B) provide advice and recommendations to the Secretary to improve services and outcomes for veterans, members of the Armed Forces, and the families of such veterans and members.

(2) MEMBERS.—The Board shall be comprised of a number of members that the Secretary determines appropriate, of which not less than 50 percent shall be veterans. The nonveteran members shall be family members of veterans, veteran advocates, service providers, or stakeholders.

(3) COMMUNITY INPUT.—In carrying out subparagraphs (A) and (B) of paragraph (1), the Board shall—

(A) provide the community opportunities to collaborate and communicate with the Board, including by conducting public forums on the Campus; and

(B) focus on local issues regarding the Department that are identified by the community, including with respect to health care, benefits, and memorial services at the Campus.

(j) NOTIFICATION AND REPORTS.—

(1) CONGRESSIONAL NOTIFICATION.—With respect to each lease or land-sharing agreement intended to be entered into or renewed at the Campus, the Secretary shall notify the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the lease or land-sharing agreement not later than 45 days before entering into or renewing the lease or land-sharing agreement.

(2) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located an annual report evaluating all leases and land-sharing agreements carried out at the Campus, including—

(A) an evaluation of the management of the revenue generated by the leases; and

(B) the records described in subsection (b)(3)(D).

(3) INSPECTOR GENERAL REPORT.—

(A) IN GENERAL.—Not later than each of two years and five years after the date of the enactment of this Act, and as determined necessary by the Inspector General of the Department of Veterans Affairs thereafter, the Inspector General shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located a report on all leases carried out at the Campus and the management by the Department of the use of land at the Campus, including an assessment of the efforts of the Department to implement the master plan described in subsection (g) with respect to the Campus.

(B) CONSIDERATION OF ANNUAL REPORT.—In preparing each report required by subparagraph (A), the Inspector General shall take into account the most recent report submitted to Congress by the Secretary under paragraph (2).

(k) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the authority of the Secretary to enter into other agreements regarding the Campus that are authorized by law and not inconsistent with this section.

(l) PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.—In this section the term ''principally benefit veterans and their families'', with respect to services provided by a person or entity under a lease of property or land-sharing agreement—

(1) means services—

(A) provided exclusively to veterans and their families; or

(B) that are designed for the particular needs of veterans and their families, as opposed to the general public, and any benefit of those services to the general public is distinct from the intended benefit to veterans and their families; and

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.

(m) CONFORMING AMENDMENTS.—

(1) PROHIBITION ON DISPOSAL OF PROPERTY.—Section 224(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2272) is amended by striking ''The Secretary of Veterans Affairs'' and inserting ''Except as authorized under section 1097 of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Veterans Affairs''.

(2) ENHANCED-USE LEASES.—Section 8162(c) of title 38, United States Code, is amended by inserting '', other than an enhanced-use lease under section 1097 of the National Defense Authorization Act for Fiscal Year 2017,'' before ''shall be considered''.

SA 4247. Mr. DAINES (for himself, Mr. HOEVEN, and Mr. TESTER) 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 D of title XVI, insert the following:

SEC. 1655. EXPEDITED DECISION WITH RESPECT TO SECURING LAND-BASED MISSILE FIELDS.

To mitigate any risk posed to the nuclear forces of the United States by the failure to replace the UH–1N helicopter, the Secretary of Defense shall, in consultation with the Chairman of the Joint Chiefs of Staff—

(1) decide if the land-based missile fields using UH–1N helicopters meet security requirements and if there are any shortfalls or gaps in meeting such requirements;

(2) not later than 30 days after the date of the enactment of this Act, submit to Congress a report on the decision relating to a request for forces required by paragraph (1); and

(3) if the Chairman determines the implementation of the decision to be warranted to mitigate any risk posed to the nuclear forces of the United States—

(A) not later than 60 days after such date of enactment, implement that decision; or

(B) if the Secretary cannot implement that decision during the period specified in subparagraph (A), not later than 45 days after such date of enactment, submit to Congress a report that includes a proposal for the date

by which the Secretary can implement that decision and a plan to carry out that proposal.

SA 4248. 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; as follows:

On page 809, after line 24, add the following:

(5) a description of installations from which the Armed Forces may conduct communications and domain awareness activities in support of Arctic security missions; and

(6) a description of efforts to promote military-to-military cooperation with partner countries that have mutual security interests in the Arctic region, including opportunities for sharing installations and maintenance facilities.

On page 810, between lines 16 and 17, insert the following:

(f) OTHER INSTALLATIONS.—Nothing in this section may be construed to limit the authority of the Department of Defense to use existing infrastructure in support of Arctic domain awareness or to pursue military-to-military cooperation with partner countries that have mutual security interests in the Arctic region, including opportunities for sharing installations and maintenance facilities.

SA 4249. Ms. HEITKAMP (for herself and Mr. BOOZMAN) 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; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. FINANCING OF SALES OF AGRICULTURAL COMMODITIES TO CUBA.

(a) IN GENERAL.—Notwithstanding any other provision of law (other than section 908 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207), as amended by subsection (c)), a person subject to the jurisdiction of the United States may provide payment or financing terms for sales of agricultural commodities to Cuba or an individual or entity in Cuba.

(b) DEFINITIONS.—In this section:

(1) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) FINANCING.—The term ''financing'' includes any loan or extension of credit.

(c) CONFORMING AMENDMENTS.—Section 908 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207) is amended—

(1) in the section heading, by striking ''**AND FINANCING**'';

(2) by striking subsection (b);

(3) in subsection (a)—

(A) by striking ''PROHIBITION'' and all that follows through ''(1) IN GENERAL.—Notwithstanding'' and inserting ''IN GENERAL.—Notwithstanding''; and

(B) by redesignating paragraphs (2) and (3) as subsections (b) and (c), respectively, and by moving those subsections, as so redesignated, 2 ems to the left; and

(4) by striking ''paragraph (1)'' each place it appears and inserting ''subsection (a)''.

SA 4250. Mrs. SHAHEEN (for herself, Mr. MCCAIN, Mr. REED, and Mr. TILLIS) 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; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. MODIFICATION OF PROTECTION FOR AFGHAN ALLIES.

(a) NUMERICAL LIMITATIONS.—Subparagraph (F) of section 602(b)(3) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in the heading, by striking ''2015, 2016, AND 2017'' and inserting ''2015, 2016, 2017, AND 2018'';

(2) in the matter preceding clause (i)—

(A) by striking ''exhausted,,'' and inserting ''exhausted,''; and

(B) by striking ''7,000'' and inserting ''11,000'';

(3) in clause (i), by striking ''December 31, 2016;'' and inserting ''December 31, 2017;''; and

(4) in clause (ii), by striking ''December 31, 2016;'' and inserting ''December 31, 2017;''.

(b) PLAN TO BRING AFGHAN SIV PROGRAM TO A RESPONSIBLE END.—Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by adding at the end the following:

''(17) PLAN TO BRING AFGHAN SIV PROGRAM TO A RESPONSIBLE END.—

''(A) IN GENERAL.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 or March 1, 2018, whichever is earlier, the Secretary of Defense and Secretary of State, in consultation with the Secretary of Homeland Security, the Chairman of the Joint Chiefs of Staff, the Commander of United States Central Command, and the Commander Resolute Support/United States Forces – Afghanistan, shall submit to the appropriate committees of Congress a report detailing a strategy for bringing the program under this title to provide special immigrant status to certain Afghans to a responsible end by or before December 31, 2019, or as soon thereafter as practicable consistent with the national security interests of the United States.

''(B) CONTENT.—The report required by subparagraph (A) shall address, at a minimum, the following:

''(i) The number of visas that would be required to meet existing or reasonably projected commitments, taking into account the need to support a continued United States Government presence in Afghanistan.

''(ii) An estimate of how long such visas should remain available.

''(iii) A assessment of whether other existing programs would be adequate to incentivize the continued recruitment, retention, and protection of critical Afghan employees, after the program under this title expires.

''(iv) A description of potential alternative programs that could be considered if existing programs are inadequate.''.

SA 4251. Mr. DAINES (for himself, Mr. TESTER, Mr. RUBIO, Mr. PORTMAN, and Mr. BURR) 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 F of title VI, add the following:

SEC. 673. REPEAL OF AUTHORITY OF THE PRESIDENT TO DETERMINE AN ALTERNATIVE ANNUAL PAY ADJUSTMENT FOR MEMBERS OF THE UNIFORMED SERVICES BASED ON SERIOUS ECONOMIC CONDITIONS.

Section 1009(e) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking ''or serious economic conditions affecting the general welfare'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

SA 4252. Mr. TESTER 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 I of title X, add the following:

SEC. 1097. REVIEW AND UPDATE OF GUIDANCE REGARDING SECURITY CLEARANCES FOR CERTAIN SENATE EMPLOYEES.

(a) DEFINITIONS.—In this section—

(1) the term ''covered committee of the Senate'' means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Subcommittee on Defense of the Committee on Appropriations of the Senate;

(D) the Subcommittee on State, Foreign Operations, and Related Programs of the Committee on Appropriations of the Senate;

(E) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(F) the Committee on the Judiciary of the Senate;

(2) the term ''covered Member of the Senate'' means a Member of the Senate who serves on a covered committee of the Senate; and

(3) the term ''Senate employee'' means an employee whose pay is disbursed by the Secretary of the Senate.

(b) REVIEW OF PROCEDURES.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Director of Senate Security, in coordination with the Director of National Intelligence and the Chairperson of the Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103), shall—

(A) conduct a review of whether procedures in effect enable 1 Senate employee designated by each covered Member of the Senate to obtain security clearances necessary for access to classified national security information, including top secret and sensitive

compartmentalized information, if the Senate employee meets the criteria for such clearances; and

(B) if the Director of Senate Security, in coordination with the Director of National Intelligence and the Chairperson of the Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103), determines the procedures described in subparagraph (A) are inadequate, issue guidelines on the establishment and implementation of such procedures.

(2) REPORT.—Not later than 90 days after the date of enactment of this Act, the Director of Senate Security shall submit to each covered committee of the Senate a report regarding the review conducted under paragraph (1)(A) and guidance, if any, issued under paragraph (1)(B).

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter—

(1) the rule of the Information Security Oversight Office implementing Standard Form 312, which Members of Congress sign in order to be permitted to access classified information;

(2) the requirement that Members of the Senate satisfy the ''need-to-know'' requirement to access classified information;

(3) the scope of the jurisdiction of any committee or subcommittee of the Senate; or

(4) the inherent authority of the executive branch of the Government, the Office of Senate Security, any Committee of the Senate, or the Department of Defense to determine recipients of all classified information.

SA 4253. Mrs. SHAHEEN (for herself and Mr. VITTER) 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; as follows:

At the end, add the following:

DIVISION F—SBIR AND STTR REAUTHORIZATION AND IMPROVEMENTS

SEC. 6001. SHORT TITLE.

This division may be cited as the ''SBIR and STTR Reauthorization and Improvement Act of 2016''.

TITLE LXI—REAUTHORIZATION OF PROGRAMS

SEC. 6101. PERMANENCY OF SBIR PROGRAM AND STTR PROGRAM.

(a) SBIR.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended—

(1) in the subsection heading, by striking ''TERMINATION'' and inserting ''SBIR PROGRAM AUTHORIZATION''; and

(2) by striking ''terminate on September 30, 2017'' and inserting ''be in effect for each fiscal year''.

(b) STTR.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended by striking ''through fiscal year 2017''.

TITLE LXII—ENHANCED SMALL BUSINESS ACCESS TO FEDERAL INNOVATION INVESTMENTS

SEC. 6201. ALLOCATION INCREASES AND TRANSPARENCY IN BASE CALCULATION.

(a) SBIR.—Section 9(f) of the Small Business Act (15 U.S.C. 638(f)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''expend'' and inserting ''obligate for expenditure'';

(B) in subparagraph (H), by striking ''and'' at the end;

(C) in subparagraph (I), by striking ''and each fiscal year thereafter,'' and inserting a semicolon; and

(D) by inserting after subparagraph (I) the following:

''(J) for a Federal agency other than the Department of Defense—

''(i) not less than 3.5 percent of the extramural budget for research or research and development of the Federal agency in each of fiscal years 2018 and 2019;

''(ii) not less than 4 percent of such extramural budget in each of fiscal years 2020 and 2021;

''(iii) not less than 4.5 percent of such extramural budget in each of fiscal years 2022 and 2023;

''(iv) not less than 5 percent of such extramural budget in each of fiscal years 2024 and 2025;

''(v) not less than 5.5 percent of such extramural budget in each of fiscal years 2026 and 2027; and

''(vi) not less than 6 percent of such extramural budget in fiscal year 2028 and each fiscal year thereafter; and

''(K) for the Department of Defense—

''(i) not less than 2.5 percent of the budget for research, development, test, and evaluation of the Department of Defense in each of fiscal years 2018 and 2019;

''(ii) not less than 3 percent of such budget in each of fiscal years 2020 and 2021;

''(iii) not less than 3.5 percent of such budget in each of fiscal years 2022 and 2023;

''(iv) not less than 4 percent of such budget in each of fiscal years 2024 and 2025;

''(v) not less than 4.5 percent of such budget in each of fiscal years 2026 and 2027; and

''(vi) not less than 5 percent of such budget in fiscal year 2028 and each fiscal year thereafter,'';

(2) in paragraph (2)(B), by inserting ''(or for the Department of Defense, an amount of the budget for basic research of the Department of Defense)'' after ''research''; and

(3) in paragraph (4), by inserting ''(or for the Department of Defense an amount of the budget for research, development, test, and evaluation of the Department of Defense)'' after ''of the agency''.

(b) STTR.—Section 9(n)(1) of the Small Business Act (15 U.S.C. 638(n)(1)) is amended—

(1) in subparagraph (A)—

(A) by striking ''expend'' and inserting ''obligate for expenditure''; and

(B) by striking ''not less than the percentage of that extramural budget specified in subparagraph (B)'' and inserting ''for a Federal agency other than the Department of Defense, not less than the percentage of that extramural budget specified in subparagraph (B) and, for the Department of Defense, not less than the percentage of the budget for research, development, test, and evaluation of the Department of Defense specified in subparagraph (B)''

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by striking ''the extramural budget required to be expended by an agency'' and inserting ''the extramural budget, for a Federal agency other than the Department of Defense, and of the budget for research, development, test, and evaluation, for the Department of Defense, required to be obligated for expenditure with small business concerns'';

(B) in clause (iv), by striking ''and'' at the end;

(C) in clause (v), by striking ''fiscal year 2016 and each fiscal year thereafter.'' and inserting ''each of fiscal years 2016 and 2017;''; and

(D) by adding at the end the following:

''(vi) 0.55 percent for each of fiscal years 2018 and 2019;

''(vii) 0.65 percent for each of fiscal years 2020 and 2021;

''(viii) 0.75 percent for each of fiscal years 2022 and 2023; and

''(ix) 1 percent for fiscal year 2024 and each fiscal year thereafter.''.

SEC. 6202. REGULAR OVERSIGHT OF AWARD AMOUNTS.

(a) ELIMINATION OF AUTOMATIC INFLATION ADJUSTMENTS.—Section 9(j) of the Small Business Act (15 U.S.C. 638(j)) is amended—

(1) in paragraph (2)(D), by inserting ''through fiscal year 2016'' after ''every year''; and

(2) by adding at the end the following:

''(4) 2016 MODIFICATIONS FOR DOLLAR VALUE OF AWARDS.—Not later than 120 days after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, the Administrator shall modify the policy directives issued under this subsection to—

''(A) eliminate the annual adjustments for inflation of the dollar value of awards described in paragraph (2)(D); and

''(B) clarify that Congress intends to review the dollar value of awards every 3 fiscal years.''.

(b) SENSE OF CONGRESS REGARDING REGULAR REVIEW OF THE AWARD SIZES.—It is the sense of Congress that for fiscal year 2019, and every third fiscal year thereafter, Congress should evaluate whether the maximum award sizes under the Small Business Innovation Research Program and the Small Business Technology Transfer Program under section 9 of the Small Business Act (15 U.S.C. 638) should be adjusted and, if so, take appropriate action to direct that such adjustments be made under the policy directives issued under subsection (j) of such section.

(c) CLARIFICATION OF SEQUENTIAL PHASE II AWARDS.—Section 9(ff) of the Small Business Act (15 U.S.C. 638(ff)) is amended by adding at the end the following:

''(3) CLARIFICATION OF SEQUENTIAL PHASE II AWARDS.—The head of a Federal agency shall ensure that any sequential Phase II award is made in accordance with the limitations on award sizes under subsection (aa).

''(4) CROSS-AGENCY SEQUENTIAL PHASE II AWARDS.—A small business concern that receives a sequential Phase II SBIR or Phase II STTR award for a project from a Federal agency is eligible to receive an additional sequential Phase II award that continues work on that project from another Federal agency.''.

TITLE LXIII—COMMERCIALIZATION IMPROVEMENTS

SEC. 6301. PERMANENCY OF THE COMMERCIALIZATION PILOT PROGRAM FOR CIVILIAN AGENCIES.

Section 9(gg) of the Small Business Act (15 U.S.C. 638(gg)) is amended—

(1) in the subsection heading, by striking ''PILOT PROGRAM'' and inserting ''COMMERCIALIZATION DEVELOPMENT AWARDS'';

(2) by striking paragraphs (2), (7), and (8);

(3) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (2), (3), (4), and (5), respectively;

(4) by adding at the end the following:

''(6) DEFINITIONS.—In this subsection—

''(A) the term 'commercialization development program' means a program established by a covered Federal agency under paragraph (1); and

''(B) the term 'covered Federal agency'—

''(i) means a Federal agency participating in the SBIR program or the STTR program; and

''(ii) does not include the Department of Defense.''; and

(5) by striking ''pilot program'' each place it appears and inserting ''commercialization development program''.

SEC. 6302. ENFORCEMENT OF NATIONAL SMALL BUSINESS GOAL FOR FEDERAL RESEARCH AND DEVELOPMENT.

Section 9(h) of the Small Business Act (15 U.S.C. 638(h)) is amended by inserting '', which may not be less than 10 percent for fiscal year 2018, and each fiscal year thereafter,'' after ''shall establish goals''.

SEC. 6303. TRACKING RAPID INNOVATION FUND AWARDS IN ANNUAL CONGRESSIONAL REPORT.

Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended—

(1) in subparagraph (F), by striking ''and'' at the end;

(2) in subparagraph (G), by adding ''and'' at the end; and

(3) by adding at the end the following:

''(H) information regarding awards under the Rapid Innovation Program under section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4366; 10 U.S.C. 2359 note), including—

''(i) the number and dollar amount of awards made under the Rapid Innovation Program to business concerns receiving an award under the SBIR program or the STTR program;

''(ii) the proportion of awards under the Rapid Innovation Program made to business concerns receiving an award under the SBIR program or the STTR program;

''(iii) the proportion of awards under the Rapid Innovation Program made to small business concerns; and

''(iv) a projection of the effect on the number of awards under the Rapid Innovation Program if amounts to carry out the program were made available as a fixed allocation of the amount appropriated to the Department of Defense for research, development, test, and evaluation, excluding amounts appropriated for the defense universities;''.

SEC. 6304. INTELLECTUAL PROPERTY PROTECTION FOR TECHNOLOGY DEVELOPMENT.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

''(tt) INTELLECTUAL PROPERTY PROTECTIONS.—

''(1) IN GENERAL.—Subject to paragraph (2)(B), the cost of seeking protection for intellectual property, including a trademark, copyright, or patent, that was created through work performed under an SBIR or STTR award is allowable as an indirect cost under that award.

''(2) CLARIFICATION OF PATENT COSTS.—

''(A) IN GENERAL.—A Federal agency shall not directly or indirectly inhibit, through the policies, directives, or practices of the Federal agency, an otherwise eligible small business concern performing under an SBIR or STTR award from recovering patent costs incurred as requirements under that award, including—

''(i) the costs of preparing—

''(I) invention disclosures;

''(II) reports; and

''(III) other documents;

''(ii) the costs for searching the art to the extent necessary to make the invention disclosures;

''(iii) other costs in connection with the filing and prosecution of a United States patent application where title or royalty-free license is to be conveyed to the Federal Government; and

''(iv) general counseling services relating to patent matters, including advice on patent laws, regulations, clauses, and employee agreements.

''(B) RECOVERY LIMITATIONS.—After consultation with contracting or auditing authorities, the patent costs described in subparagraph (A) shall be allowable for technology developed under a—

''(i) Phase I award, as indirect costs in an amount not greater than $5,000;

''(ii) Phase II award, as indirect costs in an amount not greater than $15,000; and

''(iii) Phase III award in which the Federal Government has government purpose rights (as defined in section 227.7103-5 of title 48, Code of Federal Regulations).''.

SEC. 6305. ANNUAL GAO AUDIT OF COMPLIANCE WITH COMMERCIALIZATION GOALS.

Section 9(nn) of the Small Business Act (15 U.S.C. 638(nn)) is amended to read as follows:

''(nn) ANNUAL GAO REPORT ON GOVERNMENT COMPLIANCE WITH GOALS, INCENTIVES, AND PHASE III PREFERENCE.—Not later than 1 year after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, and every year thereafter until the date that is 5 years after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that—

''(1) discusses the status of the compliance of Federal agencies with the requirements or authorities established under—

''(A) subsection (h), relating to the establishment by certain Federal agencies of a goal for funding agreements for research and research and development with small business concerns;

''(B) subsection (y)(5)(A), relating to the requirement for the Department of Defense to establish goals for the transition of Phase III technologies in subcontracting plans;

''(C) subsection (y)(5)(B), relating to the requirement for the Department of Defense to establish procedures for a prime contractor to report the number and dollar amount of contracts with small business concerns for Phase III SBIR projects or STTR projects of the prime contractor; and

''(D) subsection (y)(6), relating to the requirement for the Department of Defense to set a goal to increase the number of Phase II SBIR and STTR contracts that transition into programs of record or fielded systems;

''(2) includes, for a Federal agency that is in compliance with a requirement described under paragraph (1), a description of how the Federal agency achieved compliance; and

''(3) includes a list, organized by Federal agency, of small business concerns that have asserted that—

''(A) the Government or prime contractor—

''(i) did not protect the intellectual property of the small business concern in accordance with data rights under the SBIR or STTR award; or

''(ii) issued a Phase III SBIR or STTR award conditional on relinquishing data rights;

''(B) the Federal agency solicited bids for a contract, or provided funding to an entity other than the small business concern receiving the SBIR or STTR award, that was for work that derived from, extended, or completed efforts made under prior funding agreements under the SBIR program or STTR program;

''(C) the Government or prime contractor did not comply with the SBIR and STTR policy directives and the small business concern filed a comment or complaint to the Office of the National Ombudsman or appealed to the Administrator for intervention; or

''(D) the Federal agency did not comply with subsection (g)(12) or (o)(16) requiring timely notice to the Administrator of any case or controversy before any Federal judicial or administrative tribunal concerning the SBIR program or the STTR program of the Federal agency.''.

SEC. 6306. CLARIFYING THE PHASE III PREFERENCE.

Section 9(r) of the Small Business Act (15 U.S.C. 638(r)) is amended—

(1) by striking paragraph (4);

(2) by redesignating paragraph (2) as paragraph (4), and transferring such paragraph to after paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) PHASE III AWARD DIRECTION FOR AGENCIES AND PRIME CONTRACTORS.—To the greatest extent practicable, Federal agencies and Federal prime contractors shall issue Phase III awards relating to technology, including sole source awards and awards under the Defense Research and Development Rapid Innovation Program under section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4366; 10 U.S.C. 2359 note), to the SBIR and STTR award recipients that developed the technology.''.

SEC. 6307. IMPROVEMENTS TO TECHNICAL AND BUSINESS ASSISTANCE.

Section 9(q) of the Small Business Act (15 U.S.C. 638(q)) is amended—

(1) in the subsection heading, by inserting ''AND BUSINESS'' after ''TECHNICAL'';

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''a vendor selected under paragraph (2)'' and inserting ''1 or more vendors selected under paragraph (2)(A)'';

(ii) by inserting ''and business'' before ''assistance services''; and

(iii) by inserting ''assistance with product sales, intellectual property protections, market research, market validation, and development of regulatory plans and manufacturing plans,'' after ''technologies,''; and

(B) in subparagraph (D), by inserting '', including intellectual property protections'' before the period at the end;

(3) in paragraph (2)—

(A) by striking ''Each agency may select a vendor to assist small business concerns to meet'' and inserting the following:

''(A) IN GENERAL.—Each agency may select 1 or more vendors from which small business concerns may obtain assistance in meeting''; and

(B) by adding at the end the following:

''(B) SELECTION BY SMALL BUSINESS CONCERN.—A small business concern may, by contract or otherwise, select 1 or more vendors to assist the small business concern in meeting the goals listed in paragraph (1).''; and

(4) in paragraph (3)—

(A) by inserting ''(A)'' after ''paragraph (2)'' each place it appears;

(B) in subparagraph (A), by striking ''$5,000 per year'' each place it appears and inserting ''$6,500 per project'';

(C) in subparagraph (B)—

(i) by striking ''$5,000 per year'' each place it appears and inserting ''$35,000 per project''; and

(ii) in clause (ii), by striking ''which shall be in addition to the amount of the recipient's award'' and inserting ''which may, as determined appropriate by the head of the Federal agency, be included as part of the recipient's award or be in addition to the amount of the recipient's award'';

(D) in subparagraph (C)—

(i) by inserting ''or business'' after ''technical'';

(ii) by striking ''the vendor'' and inserting ''a vendor''; and

(iii) by adding at the end the following: ''Business-related services aimed at improving the commercialization success of a small business concern may be obtained from an entity, such as a public or private organization or an agency of or other entity established or funded by a State that facilitates or accelerates the commercialization of technologies or assists in the creation and growth of private enterprises that are commercializing technology.'';

(E) in subparagraph (D)—

(i) by inserting ''or business'' after ''technical'' each place it appears; and

(ii) in clause (i)—

(I) by striking ''the vendor'' and inserting ''1 or more vendors''; and

(II) by striking ''provides'' and inserting ''provide''; and

(F) by adding at the end the following:

''(E) MULTIPLE AWARD RECIPIENTS.—The Administrator shall establish a limit on the amount of technical and business assistance services that may be received or purchased under subparagraph (B) by small business concerns with respect to multiple Phase II SBIR or STTR awards for a fiscal year.''.

TITLE LXIV—PROGRAM DIVERSIFICATION INITIATIVES

SEC. 6401. REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (mm)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''2017'' and inserting ''2021'';

(ii) in subparagraph (I), by striking ''and'' at the end;

(iii) in subparagraph (J), by striking the period and inserting ''; and''; and

(iv) by adding at the end the following:

''(K) funding for improvements that increase commonality across data systems, reduce redundancy, and improve data oversight and accuracy.''; and

(B) by adding at the end the following:

''(7) SBIR AND STTR PROGRAMS; FAST PROGRAM.—

''(A) DEFINITION.—In this paragraph, the term 'covered Federal agency' means a Federal agency that—

''(i) is required to conduct an SBIR program; and

''(ii) elects to use the funds allocated to the SBIR program of the Federal agency for the purposes described in paragraph (1).

''(B) REQUIREMENT.—Each covered Federal agency shall transfer an amount equal to 15 percent of the funds that are used for the purposes described in paragraph (1) to the Administration—

''(i) for the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (uu);

''(ii) for the Federal and State Technology Partnership Program established under section 34; and

''(iii) to support the Office of the Administration that administers the SBIR program and the STTR program, subject to agreement from other agencies about how the funds will be used, in carrying out those programs and the programs described in clauses (i) and (ii).

''(8) PILOT PROGRAM.—

''(A) IN GENERAL.—Of amounts provided to the Administration under paragraph (7), not less than $5,000,000 shall be used to provide awards under the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (uu) for each fiscal year in which the program is in effect.

''(B) DISBURSEMENT FLEXIBILITY.—The Administration may use any unused funds made available under subparagraph (A) as of April 1 of each fiscal year for awards to carry out clauses (ii) and (iii) of paragraph (7)(B) after providing written notice to—

''(i) the Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate; and

''(ii) the Committee on Small Business and the Committee on Appropriations of the House of Representatives.''; and

(2) by adding after subsection (tt), as added by section 6304 of this Act, the following:

''(uu) REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'eligible entity' means—

''(i) a research institution; and

''(ii) a small business concern;

''(B) the term 'eligible State' means—

''(i) a State that the Administrator determines is in the bottom half of States, based on the average number of annual SBIR program awards made to companies in the State for the preceding 3 years for which the Administration has applicable data; and

''(ii) an EPSCoR State that—

''(I) is a State described in clause (i); or

''(II) is—

''(aa) not a State described in clause (i); and

''(bb) invited to participate in a regional collaborative;

''(C) the term 'EPSCoR State' means a State that participates in the Experimental Program to Stimulate Competitive Research of the National Science Foundation, as established under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g);

''(D) the term 'FAST program' means the Federal and State Technology Partnership Program established under section 34;

''(E) the term 'pilot program' means the Regional SBIR State Collaborative Initiative Pilot Program established under paragraph (2);

''(F) the term 'regional collaborative' means a collaborative consisting of eligible entities that are located in not less than 3 eligible States; and

''(G) the term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

''(2) ESTABLISHMENT.—The Administrator shall establish a pilot program, to be known as the Regional SBIR State Collaborative Initiative Pilot Program, under which the Administrator shall provide awards to regional collaboratives to address the needs of small business concerns in order to be more competitive in the proposal and selection process for awards under the SBIR program and the STTR program and to increase technology transfer and commercialization.

''(3) GOALS.—The goals of the pilot program are—

''(A) to create regional collaboratives that allow eligible entities to work cooperatively to leverage resources to address the needs of small business concerns;

''(B) to grow SBIR program and STTR program cooperative research and development and commercialization through increased awards under those programs;

''(C) to increase the participation of States that have historically received a lower level of awards under the SBIR program and the STTR program;

''(D) to utilize the strengths and advantages of regional collaboratives to better leverage resources, best practices, and economies of scale in a region for the purpose of increasing awards and increasing the commercialization of the SBIR program and STTR projects;

''(E) to increase the competitiveness of the SBIR program and the STTR program;

''(F) to identify sources of outside funding for applicants for an award under the SBIR program or the STTR program, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs; and

''(G) to offer increased one-on-one engagements with companies and entrepreneurs for SBIR program and STTR program education, assistance, and successful outcomes.

''(4) APPLICATION.—

''(A) IN GENERAL.—A regional collaborative that desires to participate in the pilot program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

''(B) INCLUSION OF LEAD ELIGIBLE ENTITIES AND COORDINATOR.—A regional collaborative shall include in an application submitted under subparagraph (A)—

''(i) the name of each lead eligible entity from each eligible State in the regional collaborative, as designated under paragraph (5)(A); and

''(ii) the name of the coordinator for the regional collaborative, as designated under paragraph (6).

''(C) AVOIDANCE OF DUPLICATION.—A regional collaborative shall include in an application submitted under subparagraph (A) an explanation as to how the activities of the regional collaborative under the pilot program would differ from other State and Federal outreach activities in each eligible State in the regional collaborative.

''(5) LEAD ELIGIBLE ENTITY.—

''(A) IN GENERAL.—Each eligible State in a regional collaborative shall designate 1 eligible entity located in the eligible State to serve as the lead eligible entity for the eligible State.

''(B) AUTHORIZATION BY GOVERNOR.—Each lead eligible entity designated under subparagraph (A) shall be authorized to act as the lead eligible entity by the Governor of the applicable eligible State.

''(C) RESPONSIBILITIES.—Each lead eligible entity designated under subparagraph (A) shall be responsible for administering the activities and program initiatives described in paragraph (7) in the applicable eligible State.

''(6) REGIONAL COLLABORATIVE COORDINATOR.—Each regional collaborative shall designate a coordinator from amongst the eligible entities located in the eligible States in the regional collaborative, who shall serve as the interface between the regional collaborative and the Administration with respect to measuring cross-State collaboration and program effectiveness and documenting best practices.

''(7) USE OF FUNDS.—Each regional collaborative that is provided an award under the pilot program may, in each eligible State in which an eligible entity of the regional collaborative is located—

''(A) establish an initiative under which first-time applicants for an award under the SBIR program or the STTR program are reviewed by experienced, national experts in the United States, as determined by the lead eligible entity designated under paragraph (5)(A);

''(B) engage national mentors on a frequent basis to work directly with applicants for an award under the SBIR program or the STTR program, particularly during Phase II, to assist with the process of preparing and submitting a proposal;

''(C) create and make available an online mechanism to serve as a resource for applicants for an award under the SBIR program or the STTR program to identify and connect with Federal labs, prime government contractor companies, other industry partners, and regional industry cluster organizations;

''(D) conduct focused and concentrated outreach efforts to increase participation in the SBIR program and the STTR program by small business concerns owned and controlled by women, small business concerns owned and controlled by veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals (as defined in section 8(d)(3)(C)), and historically black colleges and universities;

''(E) administer a structured program of training and technical assistance—

''(i) to prepare applicants for an award under the SBIR program or the STTR program—

''(I) to compete more effectively for Phase I and Phase II awards; and

''(II) to develop and implement a successful commercialization plan;

''(ii) to assist eligible States focusing on transition and commercialization to win Phase III awards from public and private partners;

''(iii) to create more competitive proposals to increase awards from all Federal sources, with a focus on awards under the SBIR program and the STTR program; and

''(iv) to assist first-time applicants by providing small grants for proof of concept research; and

''(F) assist applicants for an award under the SBIR program or the STTR program to identify sources of outside funding, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs.

''(8) AWARD AMOUNT.—

''(A) IN GENERAL.—The Administrator shall provide an award to each eligible State in which an eligible entity of a regional collaborative is located in an amount that is not more than $300,000 to carry out the activities described in paragraph (7).

''(B) LIMITATION.—

''(i) IN GENERAL.—An eligible State may not receive an award under both the FAST program and the pilot program for the same year.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to prevent an eligible State from applying for an award under the FAST program and the pilot program for the same year.

''(9) DURATION OF AWARD.—An award provided under the pilot program shall be for a period of not more than 1 year, and may be renewed by the Administrator for 1 additional year.

''(10) TERMINATION.—The pilot program shall terminate on September 30, 2021.

''(11) REPORT.—Not later than February 1, 2021, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the pilot program, which shall include—

''(A) an assessment of the pilot program and the effectiveness of the pilot program in meeting the goals described in paragraph (3);

''(B) an assessment of the best practices, including an analysis of how the pilot program compares to the FAST program and a single-State approach; and

''(C) recommendations as to whether any aspect of the pilot program should be extended or made permanent.''.

SEC. 6402. FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.

Section 34 of the Small Business Act (15 U.S.C. 657d) is amended—

(1) in subsection (h)—

(A) in paragraph (1), by striking ''2001 through 2005'' and inserting ''2017 through 2021''; and

(B) in paragraph (2), by striking ''fiscal years 2001 through 2005'' and inserting ''each of fiscal years 2017 through 2021''; and

(2) in subsection (i), by striking ''September 30, 2005'' and inserting ''September 30, 2021''.

TITLE LXV—OVERSIGHT AND SIMPLIFICATION INITIATIVES

SEC. 6501. DATA MODERNIZATION SUMMIT.

(a) DEFINITIONS.—In this section—

(1) the term ''Administration'' means the Small Business Administration;

(2) the term ''Committee'' means the SBIR and STTR Interagency Policy Committee established under subsection (b);

(3) the terms ''Federal agency'', ''SBIR'', and ''STTR'' have the meanings given such terms under section 9(e) of the Small Business Act (15 U.S.C. 638(e));

(4) the term ''participating Federal agency'' means a Federal agency with an SBIR program or an STTR program;

(5) the term ''phase'' means Phase I, Phase II, and Phase III, as those terms are defined under section 9(e) of the Small Business Act (15 U.S.C. 638(e)); and

(6) the term ''small business concern'' has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 632).

(b) ESTABLISHMENT.—There is established an interagency committee to be known as the ''SBIR and STTR Interagency Policy Committee''.

(c) MEMBERSHIP.—The Committee shall include—

(1) 2 representatives from each participating Federal agency, of which—

(A) 1 shall have expertise with respect to the SBIR program and STTR program of the Federal agency; and

(B) 1 shall have expertise with respect to the information technology systems of the Federal agency; and

(2) 2 representatives from the Administration, of which—

(A) 1 shall serve as chairperson of the Committee; and

(B) 1 shall be from the Information Technology Development Team of the Office of Investment and Innovation of the Administration.

(d) DUTIES.—The Committee shall review the recommendations made in the report to Congress by the Office of Science and Technology of the Administration entitled ''SBIR/STTR TechNet Public & Government Databases'', dated September 15, 2014, and the practices of participating Federal agencies to—

(1) determine how to collect data on achievements by small business concerns in each phase of the SBIR program and the STTR program and ensure collection and dissemination of such data in a timely, efficient, and uniform manner;

(2) establish a uniform baseline for metrics that support improving the solicitation, contracting, funding, and execution of program management in the SBIR program and the STTR program;

(3) normalize formatting and database usage across participating Federal agencies; and

(4) determine the feasibility of developing a common system across all participating Federal agencies and the paperwork requirements under such a common system.

(e) IMPLEMENTATION.—Not later than September 31, 2018, the Committee shall brief the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives on the solutions identified by the Committee under subsection (d) and resources needed to execute the solutions.

SEC. 6502. IMPLEMENTATION OF OUTSTANDING REAUTHORIZATION PROVISIONS.

(a) IN GENERAL.—Section 9(mm) of the Small Business Act (15 U.S.C. 638(mm)), as amended by section 6401(1) of this Act, is amended—

(1) in paragraph (1), by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (9)''; and

(2) by adding at the end the following:

''(9) SUSPENSION OF FUNDING.—

''(A) FOR FEDERAL AGENCIES.—

''(i) IN GENERAL.—For fiscal years 2018 and 2019, any Federal agency that has not implemented each provision of law described in clause (ii)—

''(I) shall continue to provide amounts to the Administration in accordance with paragraph (7)(B); and

''(II) may not use any additional amounts as described in paragraph (1) until 30 days after the date on which the Federal agency submits to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives documentation demonstrating that the Federal agency has implemented and is in compliance with each provision of law described in clause (ii).

''(ii) PROVISIONS.—The provisions of law described in this subparagraph are the following:

''(I) Subsection (r)(4), relating to Phase III preferences.

''(II) Paragraphs (5) and (6) of subsection (y), relating to insertion goals.

''(III) Subsection (g)(4)(B), relating to shortening the decision time for SBIR awards.

''(IV) Subsection (o)(4)(B), relating to shortening the decision time for STTR awards.

''(V) Subsection (v), relating to reducing paperwork and compliance burdens.

''(B) FOR ADMINISTRATION.—For fiscal years 2018 and 2019, if the Administration is not in compliance with subsection (b)(7), relating to annual reports to Congress, the Administration may not use amounts received under paragraph (7)(B) of this subsection for a purpose described in clause (iii) of such paragraph (7)(B).''.

(b) CLARIFICATION OF REPORTING REQUIREMENT.—Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended in the matter preceding subparagraph (A), by striking ''not less than annually'' and inserting ''not later than December 31 of each year''.

SEC. 6503. STRENGTHENING OF THE REQUIREMENT TO SHORTEN THE APPLICATION REVIEW AND DECISION TIME.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)(4), by striking subparagraph (B) and inserting the following:

''(B) make a final decision on each proposal submitted under the SBIR program—

''(i) for the Department of Health and Human Services, not later than 1 year after the date on which the applicable solicitation closes, with a goal to reduce the review and decision time to less than 10 months by September 30, 2019;

''(ii) for the Department of Agriculture and the National Science Foundation, not later than 6 months after the date on which the applicable solicitation closes; or

''(iii) for any other Federal agency—

''(I) not later than 90 days after the date on which the applicable solicitation closes; or

''(II) if the Administrator authorizes an extension with respect to a solicitation, not later than 90 days after the date that would otherwise be applicable to the Federal agency under subclause (I);''; and

(2) in subsection (o)(4), by striking subparagraph (B) and inserting the following:

''(B) make a final decision on each proposal submitted under the STTR program—

''(i) for the Department of Health and Human Services, not later than 1 year after the date on which the applicable solicitation closes, with a goal to reduce the review and decision time to less than 10 months by September 30, 2019;

''(ii) for the Department of Agriculture and the National Science Foundation, not later than 6 months after the date on which the applicable solicitation closes; or

''(iii) for any other Federal agency—

''(I) not later than 90 days after the date on which the applicable solicitation closes; or

''(II) if the Administrator authorizes an extension with respect to a solicitation, not later than 90 days after the date that would otherwise be applicable to the Federal agency under subclause (I);''.

SEC. 6504. CONTINUED GAO OVERSIGHT OF ALLOCATION COMPLIANCE AND ACCURACY IN FUNDING BASE CALCULATIONS.

Section 5136(a) of the National Defense Authorization Act for Fiscal Year 2012 (15 U.S.C. 638 note) is amended—

(1) in the matter preceding paragraph (1), by striking ''until the date that is 5 years after the date of enactment of this Act'' and insert ''until the date on which the Comptroller General of the United States submits the report relating to fiscal year 2019'';

(2) in paragraph (1), by striking subparagraph (C) and inserting the following:

''(C) assess whether the change in the base funding for the Department of Defense as required by subparagraphs (J) and (K) of section 9(f)(1) of the Small Business Act (15 U.S.C. 638(f)(1))—

''(i) improves transparency for determining whether the Department is complying with the allocation requirements;

''(ii) reduces the burden of calculating the allocations; and

''(iii) improves the compliance of the Department with the allocation requirements; and''; and

(3) in paragraph (2) by striking ''under subparagraph (B)'' and inserting ''under subparagraphs (B) and (C)''.

TITLE LXVI—PARTICIPATION BY WOMEN AND MINORITIES

SEC. 6601. SBA COORDINATION ON INCREASING OUTREACH FOR WOMEN AND MINORITY-OWNED BUSINESSES.

Section 9(b) of the Small Business Act (15 U.S.C. 638(b)) is amended—

(1) in paragraph (8), by striking ''and'' at the end;

(2) in paragraph (9), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(10) to coordinate with participating agencies on efforts to increase outreach and awards under each of the SBIR and STTR programs to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4).''.

SEC. 6602. FEDERAL AGENCY OUTREACH REQUIREMENTS FOR WOMEN AND MINORITY-OWNED BUSINESSES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)—

(A) in paragraph (11), by striking ''and'' at the end;

(B) in paragraph (12), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(13) implement an outreach program to small business concerns for the purpose of enhancing its SBIR program, under which the Federal agency shall—

''(A) provide outreach to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4); and

''(B) establish goals for outreach by the Federal agency to the small business concerns described in subparagraph (A).''; and

(2) in subsection (o)(14), by striking ''SBIR program;'' and inserting ''SBIR program, under which the Federal agency shall—

''(A) provide outreach to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4); and

''(B) establish goals for outreach by the Federal agency to the small business concerns described in subparagraph (A).''.

SEC. 6603. STTR POLICY DIRECTIVE MODIFICATION.

Section 9(p) of the Small Business Act (15 U.S.C. 638(p)) is amended by adding at the end the following:

''(4) ADDITIONAL MODIFICATIONS.—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to provide for enhanced outreach efforts to increase the participation of small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4), in technological innovation and in STTR programs.''.

SEC. 6604. INTERAGENCY SBIR/STTR POLICY COMMITTEE.

Section 5124 of the SBIR/STTR Reauthorization Act of 2011 (Public Law 112–81; 125 Stat. 1837) is amended—

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

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

''(d) MEETINGS.—

''(1) IN GENERAL.—The Interagency SBIR/STTR Policy Committee shall meet not less than twice per year to carry out the duties under subsection (c).

''(2) OUTREACH AND TECHNICAL ASSISTANCE ACTIVITIES.—If the Interagency SBIR/STTR Policy Committee meets to discuss outreach and technical assistance activities to increase the participation of small business concerns that are underrepresented in the SBIR and STTR programs, the Committee shall invite to the meeting—

''(A) a representative of the Minority Business Development Agency; and

''(B) relevant stakeholders that work to advance the interests of—

''(i) small business concerns owned and controlled by women, as defined in section 3 of the Small Business Act (15 U.S.C. 632); and

''(ii) socially and economically disadvantaged small business concerns, as defined in section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4)).''.

SEC. 6605. DIVERSITY AND STEM WORKFORCE DEVELOPMENT PILOT PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term ''Administrator'' means the Administrator of the Small Business Administration;

(2) the term ''covered STEM intern'' means a student at, or recent graduate from, an institution of higher education serving as an intern—

(A) whose course of study studied is focused on the STEM fields; and

(B) who is a woman or a person from an underrepresented population in the STEM fields;

(3) the term ''eligible entity'' means a small business concern that—

(A) is receiving amounts under an award under the SBIR program or the STTR program of a Federal agency on the date on which the Federal agency awards a grant to the small business concern under subsection (b); and

(B) provides internships for covered STEM interns;

(4) the terms ''Federal agency'', ''SBIR'', and ''STTR'' have the meanings given those terms under section 9(e) of the Small Business Act (15 U.S.C. 638(e));

(5) the term ''institution of higher education'' has the meaning given the term under section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a));

(6) the term ''person from an underrepresented population in the STEM fields'' means a person from a group that is underrepresented in the population of STEM students, as determined by the Administrator;

(7) the term ''pilot program'' means the Diversity and STEM Workforce Development Pilot Program established under subsection (b);

(8) the term ''recent graduate'', relating to a woman or a person from an underrepresented population in the STEM fields, means that the woman or person from an underrepresented population in the STEM fields earned an associate degree, baccalaureate degree, or postbaccalaureate from an institution of higher education during the 1-year period beginning on the date of the internship;

(9) the term ''small business concern'' has the meaning given the term under section 3 of the Small Business Act (15 U.S.C. 632); and

(10) the term ''STEM fields'' means the fields of science, technology, engineering, and math.

(b) PILOT PROGRAM FOR INTERNSHIPS FOR WOMEN AND PEOPLE FROM UNDERREPRESENTED POPULATIONS.—The Administrator shall establish a Diversity and STEM Workforce Development Pilot Program to encourage the business community to provide workforce development opportunities for covered STEM interns, under which a Federal agency participating in the SBIR program or STTR program may make a grant to 1 or more eligible entities for the costs of internships for covered STEM interns.

(c) AMOUNT AND USE OF GRANTS.—

(1) AMOUNT.—A grant under subsection (b)—

(A) may not be in an amount of more than $15,000 per fiscal year; and

(B) shall be in addition to the amount of the award to the recipient under the SBIR program or the STTR program.

(2) USE.—Not less than 90 percent of the amount of a grant under subsection (b) shall be used by the eligible entity to provide stipends or other similar payments to interns.

(d) EVALUATION.—Not later than January 31 of the first calendar year after the third fiscal year during which the Administrator carries out the pilot program, the Administrator shall submit to Congress—

(1) data on the results of the pilot program, such as the number and demographics of the covered STEM interns participating in an internship funded under the pilot program and the amount spent on such internships; and

(2) an assessment of whether the pilot program helped the SBIR program and STTR program achieve the congressional objective of fostering and encouraging the participation of women and persons from underrepresented populations in the STEM fields.

(e) TERMINATION.—The pilot program shall terminate after the end of the fourth fiscal year during which the Administrator carries out the pilot program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the pilot program.

TITLE LXVII—TECHNICAL CHANGES

SEC. 6701. UNIFORM REFERENCE TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (cc), by striking ''National Institutes of Health'' and inserting ''Department of Health and Human Services''; and

(2) in subsection (dd)(1)(A), by striking ''Director of the National Institutes of Health'' and inserting ''Secretary of Health and Human Services''.

SEC. 6702. FLEXIBILITY FOR PHASE II AWARD INVITATIONS.

Section 9(e)(4)(B) of the Small Business Act (15 U.S.C. 638(e)(4)(B)) is amended in the matter preceding clause (i)—

(1) by striking '', which shall not include any invitation, pre-screening, or pre-selection process for eligibility for Phase II,''; and

(2) by inserting ''in which eligibility for an award shall not be based only on an invitation, pre-screening, or pre-selection process and'' before ''in which awards''.

SA 4254. Mr. WYDEN (for himself, Mr. PAUL, and Mr. MERKLEY) 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 I of title X, add the following:

SEC. 1097. EXCLUSION OF INDUSTRIAL HEMP FROM DEFINITION OF MARIHUANA.

(a) IN GENERAL.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) in paragraph (16)—

(A) by striking ''(16) The'' and inserting ''(16)(A) The''; and

(B) by adding at the end the following:

''(B) The term 'marihuana' does not include industrial hemp.''; and

(2) by adding at the end the following:

''(57) The term 'industrial hemp' means the plant Cannabis sativa L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.''.

(b) INDUSTRIAL HEMP DETERMINATION BY STATES.—Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by adding at the end the following:

''(k) INDUSTRIAL HEMP DETERMINATION.—If a person grows or processes Cannabis sativa L. for purposes of making industrial hemp in accordance with State law, the Cannabis sativa L. shall be deemed to meet the concentration limitation under section 102(57), unless the Attorney General determines that the State law is not reasonably calculated to comply with section 102(57).''.

SA 4255. Mr. REID (for Mr. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. BROWN, Mr. SANDERS, Mr. LEAHY, Ms. BALDWIN, Mr. MERKLEY, Mr. REED, and Mrs. BOXER)) submitted an amendment intended to be proposed by Mr. REID 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 829H.

SA 4256. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. REID 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 I of title X, add the following:

SEC. 1097. PARTICIPATION OF VETERANS IN TRANSITION ASSISTANCE PROGRAM OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Veterans Affairs and the Secretary of Defense shall enter into a memorandum of understanding under which a veteran, during the one-year period beginning on the date on which the veteran is discharged or separates from service in the Armed Forces, may participate in the Transition Assistance Program (TAP) of the Department of Defense.

(b) COUNSELING AT MILITARY INSTALLATIONS.—As part of their participation in the Transition Assistance Program under subsection (a), veterans may receive transition assistance counseling under the program at any military installation at which transition assistance counseling is being provided to members of the Armed Forces under the program.

(c) VETERAN DEFINED.—In this section, the term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

SA 4257. Mr. HELLER (for himself and Mr. CASEY) 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 B of title VII, add the following:

SEC. 740. IMPLEMENTATION OF RECOMMENDATIONS REGARDING INTEROPERABLE ELECTRONIC HEALTH RECORD BETWEEN THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than September 30, 2017, the Secretary of Defense and the Secretary of Veterans Affairs shall implement all recommendations set forth by the Comptroller General of the United States before the date of the enactment of this Act regarding the achievement of an interoperable electronic health record between the Department of Defense and the Department of Veterans Affairs.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report on the progress of the Secretary of Defense and the Secretary of Veterans Affairs in completing each action relating to the achievement of an interoperable electronic health record between the Department of Defense and the Department of Veterans Affairs that the Comptroller General determines has not been addressed.

SA 4258. Mr. PORTMAN 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 I of title X, add the following:

SEC. 1097. EXCEPTION FROM PUBLIC DISCLOSURE OF MANIFEST INFORMATION FOR THE SHIPMENT OF HOUSEHOLD GOODS OF MEMBERS OF THE UNIFORMED FORCES AND FEDERAL EMPLOYEES.

Section 431(c)(2) of the Tariff Act of 1930 (19 U.S.C. 1431(c)(2)) is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting a semicolon and ''or''; and

(3) by adding at the end the following new subparagraph:

''(C) the shipment consists of used household goods and personal effects, including personally owned vehicles, which are items that are for residential or professional use, are not for commercial resale, and are owned by a private individual who is—

''(i) an employee, as that term is defined in section 2105 of title 5, United States Code, who is shipping the goods and effects as part of a transfer of the employee from one official station to another for permanent duty or the spouse or dependent, as that term is defined in section 8901 of such title, of such employee; or

''(ii) a member of a uniformed service, as that term is defined in section 101 of title 37, United States Code, who is shipping the goods and effects as part of a permanent change of station or a dependent, as that term is defined in section 401 of such title, of such member.''.

SA 4259. Mr. PORTMAN 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 H of title VIII, add the following:

SEC. 899C. STRATEGIC SOURCING IMPROVEMENTS.

(a) DEFINITIONS.—In this section—

(1) the term ''Department'' means the Department of Defense;

(2) the term ''Secretary'' means the Secretary of Defense; and

(3) the term ''small business concern'' has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 632).

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds the following:

(A) Congress supports efforts by agencies to achieve efficiencies in the procurement of goods and services.

(B) The Government Accountability Office has reported that efficiencies and savings

may be possible through the use of strategic sourcing, which is a process that moves an organization away from numerous individual procurements toward a broader, more aggregate approach.

(C) At the same time, Congress is concerned that strategic sourcing could have a negative impact on some small business concerns.

(D) The Department has taken steps to consider this potential impact, but the Government Accountability Office has found that more could be done.

(2) PURPOSE.—The purpose of this section is to require the Department implement strategic sourcing in a manner consistent with the recommendations of Government Accountability Office, which are intended to maximize the benefits derived through strategic sourcing while minimizing any undue negative impacts on small business concerns.

(c) IMPROVING THE USE OF STRATEGIC SOURCING.—Not later than 180 days after the date of enactment of this Act—

(1) the Secretary, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall establish performance measures for the inclusion of small business concerns in Department-wide strategic sourcing initiatives, including efforts being conducted through the Federal Strategic Sourcing Initiative and the Category Management Initiative;

(2) the Secretary shall submit to the Director of the Office of Management and Budget, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives baseline data on, and performance measures for, the participation of small business concerns in strategic sourcing initiatives established by the Department, which shall include participation as subcontractors to the extent feasible and that data is available; and

(3) the Administrator for Federal Procurement Policy shall begin monitoring the inclusion of small business concerns in strategic sourcing initiatives by the Department, including evaluating whether the Department is meeting the performance measures described in paragraph (2).

SA 4260. Mr. DAINES (for himself, Mr. MCCAIN, Mr. CARDIN, Mrs. ERNST, Ms. MIKULSKI, Mr. BLUMENTHAL, Mr. GARDNER, Mr. BENNET, and Mr. WARNER) 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 B of title IX, add the following:

SEC. 926. ESTABLISHMENT OF A UNIFIED COMBATANT COMMAND FOR CYBER OPERATIONS FORCES.

With the advice and assistance of the Chairman of the Joint Chiefs of Staff, the President shall, through the Secretary of Defense, establish a unified combatant command for cyber operations forces. The principal function of the command is to prepare cyber operations forces to carry out assigned missions and to execute such missions when directed.

SA 4261. Mr. PORTMAN 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 appropriate place in title X, insert the following:

SEC. ___. ENROLLMENT OF CIVILIAN EMPLOYEES OF THE HOMELAND SECURITY INDUSTRY IN THE UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.

(a) ENROLLMENT AUTHORIZED.—Section 9314a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''and homeland security industry employees'' after ''defense industry employees'';

(ii) by inserting ''or homeland security industry employee'' after ''defense industry employee''; and

(iii) by inserting ''or homeland security-focused'' after ''defense-focused'';

(B) in paragraph (2), by striking ''125 defense industry employees'' and inserting ''an aggregate of 125 defense industry employees and homeland security industry employees''; and

(C) in paragraph (3), by inserting ''or homeland security industry employee'' after ''defense industry employee'' each place it appears;

(2) in subsection (c), by inserting ''and homeland security industry employees'' after ''defense industry employees'' each place it appears;

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting ''and homeland security industry employees'' after ''defense industry employees''; and

(ii) by inserting ''or homeland security'' after ''and defense''; and

(B) in paragraph (2), by inserting ''or the Department of Homeland Security, as applicable'' after ''the Department of Defense'';

(4) in subsection (f), by inserting ''and homeland security industry employees'' after ''defense industry employees''.

(b) HOMELAND SECURITY INDUSTRY EMPLOYEES.—Subsection (b) of such section is amended—

(1) by inserting after the first sentence the following new sentence: ''For purposes of this section, an eligible homeland security industry employee is an individual employed by a private firm in one of the critical infrastructure sectors identified in Presidential Policy Directive 21 (Critical Infrastructure Security and Resilience).''; and

(2) in the last sentence, by inserting ''or homeland security industry employee'' after ''defense industry employee''.

(c) CONFORMING AMENDMENTS.—

(1) SECTION HEADING AMENDMENT.—The heading of such section is amended to read as follows:

''§ 9314a. United States Air Force Institute of Technology: admission of defense industry civilians; admission of homeland security industry civilians''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 901 of such title is amended by striking the item relating to section 9314a and inserting the following new item:

''9314a. United States Air Force Institute of Technology: admission of defense industry civilians; admission of homeland security industry civilians.''.

SA 4262. Mr. KIRK 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 C of title V, add the following:

SEC. 538. QUALIFICATIONS FOR ENLISTMENT IN THE ARMED FORCES.

(a) ADDITIONAL QUALIFIED PERSONS.—Paragraph (1) of subsection (b) of section 504 of title 10, United States Code, is amended—

(1) by redesignating subparagraph (C) as subparagraph (E); and

(2) by inserting after subparagraph (B) the following new subparagraphs:

''(C) A person who, at the time of enlistment in an armed force, has resided continuously in a lawful status in the United States for at least two years.

''(D) A person who, at the time of enlistment in an armed force, possesses an employment authorization document issued by United States Citizenship and Immigration Services under the requirements of the Department of Homeland Security policy entitled 'Deferred Action for Childhood Arrivals' (DACA).''.

(b) ADMISSION TO PERMANENT RESIDENCE OF CERTAIN ENLISTEES.—Such section is further amended by adding at the end the following new subsection:

''(c) ADMISSION TO PERMANENT RESIDENCE OF CERTAIN ENLISTEES.—(1) A person described in subsection (b) who, at the time of enlistment in an armed force, is not a citizen or other national of the United States or lawfully admitted for permanent residence shall be adjusted to the status of an alien lawfully admitted for permanent residence under the provisions of section 249 of the Immigration and Nationality Act (8 U.S.C. 1259), except that the alien need not—

''(A) establish that he or she entered the United States prior to January 1, 1972; and

''(B) comply with section 212(e) of such Act (8 U.S.C. 1182(e)).

''(2) The Secretary of Homeland Security shall rescind the lawful permanent resident status of a person whose status was adjusted under paragraph (1) if the person is separated from the armed forces under other than honorable conditions before the person served for a period or periods aggregating five years. Such grounds for rescission are in addition to any other provided by law. The fact that the person was separated from the armed forces under other than honorable conditions shall be proved by a duly authenticated certification from the armed force in which the person last served. The service of the person in the armed forces shall be proved by duly authenticated copies of the service records of the person.

''(3) Nothing in this subsection shall be construed to alter the process prescribed by sections 328, 329, and 329A of the Immigration and Nationality Act (8 U.S.C. 1439, 1440, 1440–1) by which a person may naturalize through service in the armed forces.''.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 504. Persons not qualified; citizenship or residency requirements; exceptions''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 31 of such

title is amended by striking the item relating to section 504 and inserting the following new item:

''504. Persons not qualified; citizenship or residency requirements; exceptions.''.

SEC. 539. TREATMENT OF CERTAIN PERSONS AS HAVING SATISFIED ENGLISH AND CIVICS, GOOD MORAL CHARACTER, AND HONORABLE SERVICE AND DISCHARGE REQUIREMENTS FOR NATURALIZATION.

(a) IMMIGRATION AND NATIONALITY ACT.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after section 329A (8 U.S.C. 1440–1) the following:

''SEC. 329B. PERSONS WHO HAVE RECEIVED AN AWARD FOR ENGAGEMENT IN ACTIVE COMBAT OR ACTIVE PARTICIPATION IN COMBAT.

''(a) IN GENERAL.—

''(1) IN GENERAL.—For purposes of naturalization and continuing citizenship under the following provisions of law, a person who has received an award described in subsection (b) shall be treated—

''(A) as having satisfied the requirements under sections 312(a) and 316(a)(3), and subsections (b)(3), (c), and (e) of section 328; and

''(B) except as provided in paragraph (2), under sections 328 and 329—

''(i) as having served honorably in the Armed Forces for (in the case of section 328) a period or periods aggregating 1 year; and

''(ii) if separated from such service, as having been separated under honorable conditions.

''(2) REVOCATION.—Notwithstanding paragraph (1)(B), any person who separated from the Armed Forces under other than honorable conditions may be subject to revocation of citizenship under section 328(f) or 329(c) if the other requirements under such section are met.

''(b) APPLICATION.—This section shall apply with respect to the following awards from the Armed Forces of the United States:

''(1) The Combat Infantryman Badge from the Army.

''(2) The Combat Medical Badge from the Army.

''(3) The Combat Action Badge from the Army.

''(4) The Combat Action Ribbon from the Navy, the Marine Corps, or the Coast Guard.

''(5) The Air Force Combat Action Medal.

''(6) Any other award that the Secretary of Defense determines to be an equivalent award for engagement in active combat or active participation in combat.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 329A the following:

''Sec. 329B. Persons who have received an award for engagement in active combat or active participation in combat.''.

SA 4263. Mr. GARDNER 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 E of title XVI, add the following:

SEC. 1667. SENSE OF CONGRESS ON THE BALLISTIC MISSILE THREAT OF NORTH KOREA AND THE DEPLOYMENT OF TERMINAL HIGH ALTITUDE AREA DEFENSE IN SOUTH KOREA.

It is the sense of Congress—

(1) that the short-range, medium-range, and long-range ballistic missile programs of the Democratic People's Republic of Korea (DPRK) represent an imminent and growing threat to the Republic of Korea (ROK), Japan, and the United States homeland;

(2) that, according to open sources, the Democratic People's Republic of Korea currently fields an estimated 700 short-range ballistic missiles, 200 Nodong medium-range ballistic missiles, and 100 Musudan intermediate-range ballistic missiles;

(3) that, in March 2016, the United States and Republic of Korea officially began formal consultations regarding the deployment of the Terminal High Altitude Area Defense (THAAD) missile defense system to the Republic of Korea;

(4) that the Terminal High Altitude Area Defense missile defense system would effectively complement and significantly strengthen the existing missile defense capabilities of the United States on the Korean Peninsula;

(5) that the Terminal High Altitude Area Defense missile defense system is a limited defensive system that does not represent a threat to any of the neighbors of the Republic of Korea;

(6) to welcome deployment consultation talks between United States and the Republic of Korea on the Terminal High Altitude Area Defense missile defense system and to consider the deployment of that system as a sovereign choice of the Republic of Korean Government and a bilateral decision of the alliance between the United States and the Republic of Korea to protect the citizens of the Republic of Korea against the growing ballistic missile threat from the Democratic People's Republic of Korea and provide further protection to alliance forces serving on the Korean Peninsula; and

(7) to welcome joint missile defenses exercises between the United States, the Republic of Korea, and Japan against the ballistic missile threat from the Democratic People's Republic of Korea and encourage further trilateral defense cooperation between the United States, the Republic of Korea, and Japan.

SA 4264. Mr. COCHRAN 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:

On page 45, strike lines 1 through 13 and insert the following:

SEC. 125. BASELINE ESTIMATE FOR THE ADVANCED ARRESTING GEAR PROGRAM.

The Secretary of Defense

SA 4265. Mr. COCHRAN 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:

Beginning on page 45, strike line 20 and all that follows through page 47, line 22, and insert the following:

SEC. 126. REPORTING ON USS JOHN F. KENNEDY (CV–79) AND USS ENTERPRISE (CVN–80).

(a) REPORT ON CVN–79 AND CVN–80.—Not later than December 1, 2016, the Secretary of the Navy and the Chief of Naval Operations shall submit to the congressional defense committees a report on alternatives, including de-scoping requirements if necessary, to achieve a CVN–80 procurement end cost of $12,000,000,000. In addition, the report shall describe all applicable CVN–80 alternatives that could be applied to CVN–79 to enable an $11,000,000,000 procurement end cost.

(b) ANNUAL REPORT ON CVN–79 AND CVN–80.—

(1) IN GENERAL.—The Secretary of the Navy and the Chief of Naval Operations shall annually submit, with the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, a progress report describing efforts to attain the CVN–79 and CVN–80 procurement end costs specified in subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include the following elements:

(A) A description of progress made toward achieving the procurement end costs specified in subsection (a), including realized cost savings.

(B) A description of specific low value-added or unnecessary elements of program cost that have been reduced or eliminated.

(C) Cost savings estimates for current and planned initiatives.

(D) A schedule including a spend plan with phasing of key obligations and outlays, decision points when savings could be realized, and key events that must take place to execute initiatives and achieve savings.

(E) Instances of lower estimates used in contract negotiations.

(F) A description of risks to achieving the procurement end costs specified in subsection (a).

(G) A description of incentives or rewards provided or planned to be provided for meeting the procurement end costs specified in subsection (a).

SA 4266. Mr. COCHRAN 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 127.

SA 4267. Mr. COCHRAN 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:

In section 844, strike subsection (e).

SA 4268. Mr. COCHRAN 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 1038.

SA 4269. Mr. COCHRAN 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 1260.

SA 4270. Mr. COCHRAN 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 1611.

SA 4271. Mr. COTTON 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 D of title XII, add the following:

SEC. 1227. LIMITATION ON USE OF FUNDS TO PROCURE, OR ENTER INTO ANY CONTRACT FOR THE PROCUREMENT OF, ANY GOODS OR SERVICES FROM PERSONS THAT PROVIDE MATERIAL SUPPORT TO CERTAIN IRANIAN PERSONS.

(a) LIMITATION.—No funds authorized to be appropriated for the Department of Defense for fiscal year 2017 may be used to procure, or enter into any contract for the procurement of, any goods or services from any person that provides material support to, including engaging in a significant transaction or transactions with, a covered Iranian person during such fiscal year.

(b) CERTIFICATION.—The Federal Acquisition Regulation shall be revised to require a certification from each person that is a prospective contractor that such person does not engage in any of the conduct described in subsection (a). Such revision shall apply with respect to contracts in an amount greater than the simplified acquisition threshold (as defined in section 134 of title 41, United States Code) for which solicitations are issued on or after the date that is 90 days after the date of the enactment of this Act.

(c) WAIVER.—The Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury, may, on a case-by-case basis, waive the limitation in subsection (a) with respect to a person if the Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury—

(1) determines that the waiver is important to the national security interest of the United States; and

(2) submits to the appropriate committees of Congress a notification of, and detailed justification for, the waiver not less than 30 days before the date on which the waiver is to take effect.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED IRANIAN PERSON.—The term ''covered Iranian person'' means an Iranian person that—

(A) is included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury and the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) for acting on behalf of or at the direction of, or being owned or controlled by, the Government of Iran;

(B) is included on the list of persons identified as blocked solely pursuant to Executive Order 13599; or

(C) in the case of an Iranian person described in paragraph (3)(B)—

(i) is owned, directly or indirectly, by—

(I) Iran's Revolutionary Guard Corps, or any agent or affiliate thereof; or

(II) one or more other Iranian persons that are included on the list of specially designated nationals and blocked persons as described in subparagraph (A) if such Iranian persons collectively own a 25 percent or greater interest in the Iranian person; or

(ii) is controlled, managed, or directed, directly or indirectly, by Iran's Revolutionary Guard Corps, or any agent or affiliate thereof, or by one or more other Iranian persons described in clause (i)(II).

(3) IRANIAN PERSON.—The term ''Iranian person'' means—

(A) an individual who is a national of Iran; or

(B) an entity that is organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(4) PERSON.—The term ''person'' means has the meaning given such term in section 560.305 of title 31, Code of Federal Regulation, as such section 560.305 was in effect on April 22, 2016.

(5) SIGNIFICANT TRANSACTION OR TRANSACTIONS.—The term ''significant transaction or transactions'' shall be determined, for purposes of this section, in accordance with section 561.404 of title 31, Code of Federal Regulations, as such section 561.404 was in effect on January 1, 2016.

SA 4272. Mrs. SHAHEEN 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; as follows:

Strike section 212 and insert the following:

SEC. 212. ENHANCEMENT AND PERMANENT AUTHORITY FOR DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.

(a) COORDINATION OF PROGRAM.—Subsection (a) of section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4366; 10 U.S.C. 2359 note) is amended by adding at the end the following: ''The program shall be coordinated with the senior acquisition executives of the departments, Agencies, and components of the Department of Defense.''.

(b) DEPARTMENT OF DEFENSE EXPENDITURES.—Subsection (d) of such section is amended to read as follows:

''(d) DOD EXPENDITURES.—(1) For fiscal year 2018 and each fiscal year thereafter, the Department of Defense shall obligate for expenditure for eligible technologies not less than 0.5 percent of the aggregate budget of the Department of Defense for such fiscal year for research, development, test, and evaluation and available for projects and activities at the level of Advanced Component Development Prototypes and above (referred to as '6.4' and above).

''(2) Nothing in paragraph (1) may be construed to prohibit the departments, Agencies, and components of the Department from expending on eligible technologies in a fiscal year an amount for that fiscal year in excess of the amount otherwise required by that paragraph.''.

(c) PERMANENT AUTHORITY.—Such section is further amended by striking subsection (f).

SA 4273. Mrs. SHAHEEN 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; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. PILOT PROGRAM FOR STREAMLINED TECHNOLOGY TRANSITION FROM THE SBIR AND STTR PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) DEFINITIONS.—In this section—

(1) the terms ''commercialization'', ''SBIR'', ''STTR'', ''Phase I'', ''Phase II'', and ''Phase III'' have the meanings given those terms in section 9(e) of the Small Business Act (15 U.S.C. 638(e));

(2) the term ''covered small business concern'' means—

(A) a small business concern that completed a Phase II award under the SBIR or STTR program of the Department of Defense; or

(B) a small business concern that—

(i) completed a Phase I award under the SBIR or STTR program of the Department of Defense; and

(ii) a contracting officer for the Department of Defense recommends for inclusion in a multiple award contract described in subsection (b);

(3) the term ''multiple award contract'' has the meaning given the term in section 3302(a) of title 41, United States Code;

(4) the term ''pilot program'' means the pilot program established under subsection (b); and

(5) the term ''small business concern'' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(b) ESTABLISHMENT.—The Secretary of the Defense may establish a pilot program under which the Department of Defense shall award multiple award contracts to covered

small business concerns for the purchase of technologies, supplies, or services that the covered small business concern has developed through the SBIR or STTR program.

(c) WAIVER OF COMPETITION IN CONTRACTING ACT REQUIREMENTS.—The Secretary of the Defense may establish procedures to waive provisions of section 2304 of title 10, United States Code, for purposes of carrying out the pilot program.

(d) USE OF CONTRACT VEHICLE.—A multiple award contract described in subsection (b) may be used by any service or component of the Department of Defense.

(e) TERMINATION.—The pilot program established under this section shall terminate on September 30, 2022.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prevent the commercialization of products and services produced by a small business concern under an SBIR or STTR program of a Federal agency through—

(1) direct awards for Phase III of an SBIR or STTR program; or

(2) any other contract vehicle.

SA 4274. Mr. MENENDEZ (for himself and Mr. BOOKER) 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 XI, add the following:

SEC. 1114. PAY PARITY FOR DEPARTMENT OF DEFENSE EMPLOYEES EMPLOYED AT JOINT BASES.

(a) DEFINITIONS.—For purposes of this section—

(1) the term ''covered joint military installation'' means a joint military installation—

(A) created as a result of the recommendations of the Defense Base Closure and Realignment Commission in the 2005 base closure round; and

(B) for which the Federal Prevailing Rate Advisory Committee has recommended that the Office of Personnel Management consolidate to be within the same pay locality;

(2) the term ''joint military installation'' means 2 or more military installations reorganized or otherwise associated and operated as a single military installation;

(3) the term ''locality pay'' means any amount payable under section 5304 or 5304a of title 5, United States Code; and

(4) the term ''pay locality'' has the meaning given that term by section 5302(5) of title 5, United States Code.

(b) PAY PARITY AT JOINT BASES.—If 2 or more military installations were reorganized or otherwise associated as a single covered joint military installation, and the constituent installations are not all located within the same pay locality, all Department of Defense employees of the respective installations constituting the covered joint military installation (who are otherwise entitled to locality pay) shall receive locality pay at a uniform percentage equal to the percentage which is payable with respect to the pay locality which includes the constituent installation then receiving the highest locality pay (expressed as a percentage).

(c) REGULATIONS.—The Office of Personnel Management shall prescribe regulations to carry out this section.

(d) APPLICABILITY.—This section shall apply with respect to pay periods beginning on or after such date (not later than 1 year after the date of enactment of this Act) as the Secretary of Defense shall determine, in consultation with the Director of the Office of Personnel Management.

SA 4275. Mr. MENENDEZ 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 I of title X, add the following:

SEC. 1097. CERTAIN SERVICE DEEMED TO BE ACTIVE MILITARY SERVICE FOR PURPOSES OF LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(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 section 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 4276. Mr. LEE (for himself, Mr. CRUZ, Mr. INHOFE, Mr. ROUNDS, Mr. SASSE, and Mr. WICKER) 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 591 and insert the following:

SEC. 591. MODIFICATION OF PERSONS SUBJECT TO REGISTER FOR MILITARY SELECTIVE SERVICE ONLY PURSUANT TO STATUTE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the decision of the Secretary of Defense to open all military occupational specialties to women raises important legal, political, and social questions about who should be required to register for military selective service and how the Military Selective Service Act currently benefits the national security of the United States.

(b) REPORT.—Not later than July 1, 2017, the Secretary of Defense shall 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 registration system for military selective service. The report shall include an assessment of—

(1) whether a continuing need exists for a selective service system designed to produce large quantities of combat troops; and

(2) if so, whether that system should include mandatory registration by citizens and residents regardless of gender.

(c) MODIFICATION ONLY PURSUANT TO STATUTE.—Section 3 of the Military Selective Service Act (50 U.S.C. 3802) is amended by adding at the end the following new subsection:

''(c) Any modification or change to the persons subject to register pursuit to this section may be made only through an Act of Congress.''.

(d) PROHIBITION ON COURT JURISDICTION OF CLAIMS REGARDING CLASS OF PERSONS WITH DUTY TO REGISTER.—No court created by Act of Congress shall have any jurisdiction, and the Supreme Court shall have no appellate jurisdiction, to hear or decide any question or claim, whether filed before, on, or after the date of the enactment of this Act, pertaining to the interpretation of, or the validity under the Constitution of, the class of persons subject to the duty to register for purposes of the Military Selective Service Act (50 U.S.C. 3801 et seq.).

SA 4277. Mr. LEE 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 XVI, add the following:

SEC. 1613. COMMERCIAL USE OF EXCESS INTERCONTINENTAL BALLISTIC MISSILES BY UNITED STATES COMMERCIAL SPACE TRANSPORTATION SERVICES PROVIDERS.

(a) IN GENERAL.—Section 50134(b) of title 51, United States Code, is amended—

(1) in the subsection heading, by inserting ''AND UNITED STATES COMMERCIAL'' after ''AUTHORIZED FEDERAL''; and

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''A missile described'' and all that follows through ''such missile—'' and inserting the following: ''A missile described in subsection (c) may be converted for use as a space transportation vehicle by the Federal Government or a United States commercial provider if, except as provided in paragraph (2) and at least 30 days before such conversion, the agency seeking to use the missile as a space transportation vehicle, or to provide the missile to a United States commercial provider for use as a space transportation vehicle, as the case may be, transmits to the Committee on Armed Services and the Committee on Science and Technology of the House of Representatives, and to the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate, a certification that the use of such missile, or the provision of such missile to a United States commercial provider for such use, as applicable—'';

(B) in subparagraph (A), by striking ''when compared'' and all that follows and inserting a semicolon; and

(C) by striking subparagraph (B) and inserting the following new subparagraph (B):

''(B) if such missile is being provided to a United States commercial provider, such missile was made broadly available to

United States commercial providers before being provided to the United States commercial provider concerned;''.

(b) ADDITIONAL LIMITATIONS; TERMINATION.—Section 50134 of such title is further amended by adding at the end the following new subsection:

''(d) ADDITIONAL LIMITATIONS.—

''(1) NUMBER OF FLIGHT VEHICLES PRODUCED YEARLY BY ANY SINGLE PROVIDER.—The total number of space transportation vehicles produced by any United States commercial provider in a year using motors from missiles transferred or otherwise provided to the United States commercial provider under this section in any year may not 5 exceed vehicles.

''(2) NUMBER OF FLIGHT VEHICLES PRODUCED YEARLY BY ALL PROVIDERS.—The total number of space transportation vehicles produced by United States commercial providers in a year using motors from missiles transferred or otherwise provided to United States commercial providers under this section may not exceed 15 vehicles.

''(3) MINIMUM PAYLOAD MASS.—No space transportation vehicle produced by a United States commercial provider in any year using motors from missiles transferred or otherwise provided to the United States commercial provider under this section may be used to launch multiple payloads from more than one manufacturer that have a combined mass of 200 kg or less.

''(e) TERMINATION OF UNITED STATES COMMERCIAL PROVIDER AUTHORITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the authority under this section to transfer or otherwise provide a missile described in subsection (c) to a United States commercial provider for use as a space transportation vehicle shall terminate on the date that is 5 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

''(2) EXCEPTION.—The termination of authority under paragraph (1) shall not affect the use of motors from missiles transferred or provided to a United States commercial provider under this section pursuant to contracts entered into before such termination.''.

(c) MULTIAGENCY REVIEW.—Not later than 36 months after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Commerce, the Secretary of Transportation, and the Administrator of the National Aeronautics and Space Administration shall jointly conduct a multiagency review of the authority provided under section 50134 of title 51, United States Code, as amended by this section, to provide excess intercontinental ballistic missiles to United States commercial space transportation services providers for use as space transportation vehicles, and the limitations under subsection (d) of that section, including an assessment of the costs and benefits of that authority and those limitations and the consequences of that authority and those limitations for the industrial base of the United States.

(d) SENSE OF CONGRESS.—It is the sense of Congress that, if no significant consequences to the industrial base of the United States are found in the multiagency review required by subsection (c), the authority to provide excess intercontinental ballistic missiles to United States commercial space transportation services providers for use as space transportation vehicles under section 50134 of title 51, United States Code, should be extended before the termination date under subsection (e) of that section.

SA 4278. Mr. SCHATZ 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 B of title XXVIII, add the following:

SEC. 2814. DURATION OF UTILITY ENERGY SERVICE CONTRACTS.

Section 2913 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) DURATION OF CONTRACTS.—An utility energy service contract entered into under this section may have a contract period not to exceed 25 years.''.

SA 4279. Mr. SCHATZ 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 E of title V, add the following:

SEC. 565. RECEIPT BY MEMBERS OF THE ARMED FORCES WITH PRIMARY MARINER DUTIES OF TRAINING THAT COMPLIES WITH NATIONAL STANDARDS AND REQUIREMENTS.

(a) IN GENERAL.—Section 2015 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

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

''(b) MEMBERS WITH PRIMARY MARINER DUTIES.—(1) For purposes of the program under this section, the Secretary of Defense and the Secretary of Homeland Security shall each ensure that members of the armed forces with primary mariner duties receive training that complies with national standards and requirements under the International Convention on Standards of Training, Certification, and Watchkeeping (STCW).

''(2) The following shall comply with basic training standards under national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping:

''(A) The recruit training provided to each member of the armed forces.

''(B) The training provided to each member of the armed forces who is assigned to a vessel.

''(3) Under the program, each member of the armed forces who is assigned to a vessel of at least 100 gross tons (GRT) in a deck or engineering career field shall be provided the following:

''(A) A designated path to applicable credentials under the national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping consistent with the responsibilities of the position to which assigned.

''(B) The opportunity, at Government expense, to attend credentialing programs that provide merchant mariner training not offered by the armed forces.

''(4)(A) For purposes of the program, the material specified in subparagraph (B) shall be submitted to the National Maritime Center of the Coast Guard for assessment of the compliance of such material with national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping.

''(B) The material specified in this subparagraph is as follows:

''(i) The course material of each unclassified course for members of the armed forces in marine navigation, leadership, and operation and maintenance.

''(ii) The unclassified qualifications for assignment for deck or engineering positions on waterborne vessels.

''(C) The National Maritime Center shall conduct assessments of material for purposes of this paragraph. Such assessments shall evaluate the suitability of material for the service at sea addressed by such material and without regard to the military pay grade of the intended beneficiaries of such material.

''(D) If material submitted to the National Maritime Center pursuant to this paragraphs is determined not to comply as described in subparagraph (A), the Secretary offering such material to members of the armed forces shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the actions to be taken by such Secretary to bring such material into compliance.''.

(b) ADDITIONAL REQUIREMENTS.—

(1) IN GENERAL.—Each Secretary concerned shall establish, for members of the Armed Forces under the jurisdiction of such Secretary, procedures as follows:

(A) Procedures by which members identify qualification gaps in training and proficiency assessments and complete training or assessments approved by the Coast Guard in addressing such gaps.

(B) Procedures by which members obtain service records of any service at sea.

(C) Procedures by which members may submit service records of service at sea and other military qualifications to the National Maritime Center for evaluation and issuance of a Merchant Marine Credential.

(D) Procedures by which members may obtain a medical certificate for use in applications for Merchant Marine Credentials.

(2) USE OF MILITARY DRUG TEST RESULTS IN MERCHANT MARINE CREDENTIAL APPLICATIONS.—The Secretaries of the military departments and the Secretary of Homeland Security shall jointly establish procedures by which the results of appropriate drug tests administered to members of the Armed Forces by the military departments may be used for purposes of applications for Merchant Marine Credentials.

(3) SECRETARY CONCERNED DEFINED.—In this subsection, the term ''Secretary concerned'' has the meaning given that term in section 101(a) of title 10, United States Code.

(c) DEADLINE FOR IMPLEMENTATION.—This section and the amendments made by this section shall be fully implemented by not later than the date that is two years after the date of the enactment of this Act.

SA 4280. Mr. SCHATZ 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 XXVIII, add the following:

SEC. 2804. ANNUAL LOCALITY ADJUSTMENT OF DOLLAR THRESHOLDS APPLICABLE TO UNSPECIFIED MINOR MILITARY CONSTRUCTION AUTHORITIES.

Section 2805 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) ADJUSTMENT OF DOLLAR LIMITATIONS FOR LOCATION.—Each fiscal year, the Secretary concerned shall adjust the dollar limitations specified in this section applicable to an unspecified minor military construction project to reflect the area construction cost index for military construction projects published by the Department of Defense during the prior fiscal year for the location of the project.''.

SA 4281. Ms. HIRONO (for herself and Mr. WYDEN) 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; as follows:

At the end of subtitle B of title III, add the following:

SEC. 306. AUTHORITY TO USE ENERGY SAVINGS INVESTMENT FUND FOR ENERGY MANAGEMENT INITIATIVES.

Section 2919(b)(2) of title 10, United States Code, is amended by striking '', to the extent provided for in an appropriations Act,''.

SA 4282. Ms. HIRONO 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; as follows:

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

SEC. 1114. SENSE OF CONGRESS ON BUSINESS CASES ANALYSES FOR DECISIONS AFFECTING THE WORKFORCE AND MODIFYING LOCATIONS OF WHERE WORK WILL BE EXECUTED OR COMPLETED.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) in a budget constrained environment, the military departments and Defense Agencies must utilize all available tools to make informed, supportable decisions in moving workforce and workload from one location or entity to another;

(2) such tools should include a properly supported and documented business case analysis (BCA);

(3) several military departments and Defense Agencies have fallen short of proper analysis and support with respect to decision described in paragraph (1) in recent months;

(4) in one such case—

(A) the Air Force relied exclusively on a rough order economic analysis on an engine source of repair as justification for moving nearly $40,000,000 per year of workload; and

(B) before reversing its decision, the Air Force had only planned to accomplish business case analyses to shift work after award of the solicitation;

(5) in another case—

(A) the Defense Health Agency announced that it would be closing the Pacific Joint Information Technology Center (PJITC), with an annual operation and maintenance cost of $5,800,000, without supporting documentation or analysis;

(B) the center performs Health Information Technology (HIT) research and innovation and serves as a test center for joint concept technology development (JCTD) prototyping for the Department of Defense and the Department of Veterans Affairs for information technology products and services;

(C) if the center is closed, ongoing interoperability projects between the Department of Defense and the Department of Veterans Affairs will lose a critical health information technology research hub which was responsible for the Joint Legacy Viewer (JLV) which, in turn, is deployed throughout the Department of Defense and the Department of Veterans Affairs and meets required interoperability standards;

(D) Defense Health Agency officials contend that the quality of the work completed at the center is not at issue, and they plan to continue the work at a different facility which is not a joint research facility and does not have the capability or capacity to continue the work of the center;

(6) before a military department or Defense Agency embarks on a workforce decision of workload in excess of $3,000,000 per year, the Department of Defense needs to understand the possible costs, benefits, risks, and impacts to the small business goals, small and disadvantaged contracting agreements, and other sensitivities of the Department associated with such a decision;

(7) the military departments and Defense Agencies should perform a business case analysis, as part of any workforce decision described in paragraph (6);

(8) any such business case analysis for a workforce decision having an annual estimated cost of $5,000,0000 or more should be reviewed and approved by the Under Secretary of Defense for Acquisition, Technology, and Logistics, and the Under Secretary should provide such business case analysis to the congressional defense committees at least 30 days before taking any action to effect a shift in the workload concerned;

(9) the Assistant Secretary of Defense for Logistics, Materiel, and Readiness, working with the Cost Analysis Program Evaluation office, should develop minimum standards and criteria for business case analyses covered by this section and a process for the review and transparency of such business case analyses; and

(10) the Assistant Secretary should submit to the congressional defense committees, by not later than 180 days after the date of the enactment of this Act, a report on the plan of the Assistant Secretary plan to implement the standards and criteria described in paragraph (9).

(b) BUSINESS CASE ANALYSIS DEFINED.—In this section, the term ''business case analysis'' means a structured methodology and decision support document that aids decision making by identifying and comparing alternatives by examining the mission and business impacts (both financial and non-financial), risks, and sensitivities.

SA 4283. Mr. REID (for Mr. BLUMENTHAL (for himself and Mr. DURBIN)) submitted an amendment intended to be proposed by Mr. Reid 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 E of title VI, add the following:

SEC. 663. LIMITATION ON SALE OF DIETARY SUPPLEMENTS IN COMMISSARY AND EXCHANGE STORES.

(a) LIMITATION.—Section 2484(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4)(A) The Secretary of Defense, in consultation with the Commissioner of Food and Drugs, the Federal Trade Commission, and the Office of Dietary Supplements at the National Institutes of Health, shall establish a definition for a product category for dietary supplements that are considered to be high risk. The dietary supplements included within the product category shall include dietary supplements that are marketed for muscle building, weight loss, and sexual enhancement.

''(B) A dietary supplement in the product category of dietary supplements considered to be high risk under subparagraph (A) may be sold by a commissary store or exchange store, or a retail establishment operating on a military installation, only if the dietary supplement has been verified by an independent third party for recognized public standards of identity, purity, strength, and composition, and adherence to related process standards.

''(C) The Secretary of Defense and the Commissioner of Food and Drugs shall jointly identify the third parties that may provide verification under subparagraph (B).

''(D) In this paragraph, the term 'dietary supplement' has the meaning given that term in section 201(ff) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 15 321(ff).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act, and shall apply with respect to sales that occur on or after such effective date.

SA 4284. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. Reid 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 H of title V, add the following:

SEC. 597. ENHANCEMENT OF USE OF VETERANS' SERVICE ORGANIZATIONS TO CARRY OUT THE TRANSITION ASSISTANCE PROGRAM OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Section 1144 of title 10, United States Code, is amended—

(1) in subsection (d)(4), by inserting ''subject to subsection (e),'' before ''use representatives'';

(2) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(3) by inserting after subsection (d) the following new subsection (e):

''(e) USE OF VETERANS' SERVICE ORGANIZATIONS.—The Secretary of Defense, the Secretary of Veterans Affairs, and appropriate veterans' service organizations shall jointly enter into a memorandum of understanding regarding the manner in which representatives of veterans' service organizations are used for purposes of the program established under this section, including the nature and

scope of access of such representatives to military installations for that purpose. The memorandum of understanding shall apply to any veterans' service organization whose representatives are used for purposes of the program, regardless of whether or not the organization is expressly a party to the memorandum of understanding.''.

(b) VETERANS' SERVICE ORGANIZATION DEFINED.—Such section is further amended by adding at the end the following new subsection:

''(h) VETERANS' SERVICE ORGANIZATION DEFINED.—In this section, the term 'veterans' service organization' means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38.''.

SA 4285. Mr. KIRK 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 appropriate place, insert the following:

SEC. _____. CRITICAL LANGUAGES PROFICIENCY BONUSES.

(a) IN GENERAL.—Subchapter IV of chapter 57 of title 5, United States Code, is amended by adding at the end the following:

''§ 5762. Critical languages proficiency bonuses

''(a) DEFINITIONS.—In this section—

''(1) the term 'covered agency' means—

''(A) the Central Intelligence Agency;

''(B) the Defense Intelligence Agency;

''(C) the Federal Bureau of Investigation;

''(D) the National Geospatial-Intelligence Agency;

''(E) the National Reconnaissance Office;

''(F) the National Security Agency; and

''(G) the Office of the Director of National Intelligence;

''(2) the term 'critical language' means—

''(A) Arabic;

''(B) Urdu;

''(C) Pashto;

''(D) Farsi;

''(E) Dari;

''(F) Tajiki;

''(G) Kurdish;

''(H) Turkish;

''(I) Somali; and

''(J) Hausa; and

''(3) the term 'ILR' means the Interagency Language Roundtable.

''(b) BONUSES.—

''(1) RECRUITING BONUS.—

''(A) IN GENERAL.—The head of a covered agency may pay a bonus under this section to an individual who is newly appointed as an employee of the covered agency in a national security position.

''(B) AMOUNT.—The bonus described in subparagraph (A) shall be equal to—

''(i) $25,000 if the individual has been assigned an ILR skill level of 3, as of the date on which the individual is appointed;

''(ii) $31,250 if the individual has been assigned an ILR skill level of 4, as of the date on which the individual is appointed; and

''(iii) $37,500 if the individual has been assigned an ILR skill level of 5, as of the date on which the individual is appointed.

''(2) INCENTIVE BONUS.—

''(A) IN GENERAL.—The head of a covered agency may pay a bonus under this section to an individual employed by the covered agency in a national security position if—

''(i) before the date on which the individual is appointed as an employee of the covered agency in a national security position, the individual was not employed in a national security position; and

''(ii) while employed by the covered agency in a national security position, the individual is assigned an ILR skill level of not lower than 3.

''(B) AMOUNT.—The bonus described in subparagraph (A) shall be equal to—

''(i) $20,000 if the individual is assigned an ILR skill level of 3;

''(ii) $25,000 if the individual is assigned an ILR skill level of 4; and

''(iii) $30,000 if the individual is assigned an ILR skill level of 5.

''(C) LIMITATION.—An individual may receive only 1 bonus under this paragraph.

''(3) ADJUSTMENT OF AMOUNT.—The head of a covered agency may adjust the amounts of the bonuses described in paragraph (1) and (2) equal to amounts that the head of the covered agency determines is necessary to maintain staff in the covered agency with proficiency in critical languages.

''(4) EMPLOYEES OF THE FEDERAL BUREAU OF INVESTIGATION.—A bonus under this section may be awarded to an employee of the Federal Bureau of Investigation in addition to any cash award described in section 5761.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter IV of chapter 57 of title 5, United States Code, is amended by adding at the end the following:

''5762. Critical languages proficiency bonuses.''.

SA 4286. Mr. CORNYN (for himself and Mr. BOOZMAN) 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 title XII, add the following:

Subtitle I—Vietnam Sanctions

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the ''Vietnam Human Rights Sanctions Act''.

SEC. 1282. DEFINITIONS.

In this subtitle:

(1) ADMITTED; ALIEN; IMMIGRATION LAWS; NATIONAL.—The terms ''admitted'', ''alien'', ''immigration laws'', and ''national'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Ways and Means, the Committee on Financial Services, and the Committee on Foreign Affairs of the House of Representatives.

(3) CONVENTION AGAINST TORTURE.—The term ''Convention against Torture'' means the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York on December 10, 1984.

(4) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 1283. LIMITATIONS ON ARMS TRANSFERS TO VIETNAM.

(a) LIMITATION ON ARMS TRANSFERS.—No letter of offer to sell major defense equipment to Vietnam may be issued pursuant to the Arms Export Control Act (22 U.S.C. 2751 et seq.) and no license to export major defense equipment to Vietnam may be issued pursuant to that Act in a fiscal year until the Secretary of State, under the direction of the President, makes the certification described in subsection (b) for that fiscal year.

(b) CERTIFICATION DESCRIBED.—The certification described in this subsection is a certification by the Secretary of State, under the direction of the President, to the appropriate congressional committees that the Government of Vietnam has substantially improved its human rights practices, including, at a minimum, the following problems identified by the Secretary of State in the Country Reports on Human Rights Practices for 2015:

(1) Severe government restrictions of the political rights of citizens, particularly their right to change their government through free and fair elections.

(2) Limits on the civil liberties of citizens, including freedom of assembly, association, and expression.

(3) Inadequate protection of the due process rights of citizens, including protection against arbitrary detention.

(4) Arbitrary and unlawful deprivation of life.

(5) Police attacks and corporal punishment.

(6) Continued police mistreatment of suspects during arrest and detention, including the use of lethal force and austere prison conditions.

(7) Denial of the right to a fair and expeditious trial.

SEC. 1284. IMPOSITION OF SANCTIONS ON CERTAIN INDIVIDUALS WHO ARE COMPLICIT IN HUMAN RIGHTS ABUSES COMMITTED AGAINST NATIONALS OF VIETNAM OR THEIR FAMILY MEMBERS.

(a) IMPOSITION OF SANCTIONS.—The President shall impose the sanctions described in subsection (c) with respect to each individual on the list required by subsection (b)(1).

(b) LIST OF INDIVIDUALS WHO ARE COMPLICIT IN CERTAIN HUMAN RIGHTS ABUSES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of individuals who are nationals of Vietnam that the President determines are complicit in human rights abuses committed against nationals of Vietnam or their family members, regardless of whether such abuses occurred in Vietnam.

(2) UPDATES OF LIST.—The President shall submit to the appropriate congressional committees an updated list under paragraph (1) as new information becomes available and not less frequently than annually.

(3) PUBLIC AVAILABILITY.—The list required by paragraph (1) shall be made available to the public and posted on the websites of the Department of the Treasury and the Department of State.

(4) CONSIDERATION OF DATA FROM OTHER COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS.—In preparing the list required by paragraph (1), the President shall consider data already obtained by other countries and nongovernmental organizations, including organizations in Vietnam, that monitor the

human rights abuses of the Government of Vietnam.

(c) SANCTIONS.—

(1) PROHIBITION ON ENTRY AND ADMISSION TO THE UNITED STATES.—

(A) IN GENERAL.—An individual on the list required by subsection (b)(1) may not—

(i) be admitted to, enter, or transit through the United States;

(ii) receive any lawful immigration status in the United States under the immigration laws, including any relief under the Convention Against Torture; or

(iii) file any application or petition to obtain such admission, entry, or status.

(B) EXCEPTIONS TO COMPLY WITH INTERNATIONAL AGREEMENTS.—The President may, by regulation, authorize exceptions to subparagraph (A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, and other applicable international agreements.

(2) BLOCKING OF PROPERTY.—

(A) IN GENERAL.—The President shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of a person on the list required by subsection (b)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(i) IN GENERAL.—The authority to block and prohibit all transactions in all property and interests in property under subparagraph (A) shall not include the authority to impose sanctions on the importation of goods.

(ii) GOOD.—In this paragraph, the term ''good'' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(C) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subparagraph (A) or any regulation, license, or order issued to carry out subparagraph (A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) WAIVER.—The President may waive the requirement to impose or maintain sanctions with respect to an individual under subsection (a) or the requirement to include an individual on the list required by subsection (b)(1) if the President—

(1) determines that such a waiver is in the national interest of the United States; and

(2) submits to the appropriate congressional committees a report describing the reasons for the determination.

(e) TERMINATION OF SANCTIONS.—The provisions of this section shall terminate on the date on which the President determines and certifies to the appropriate congressional committees that the Government of Vietnam has—

(1) unconditionally released all political prisoners;

(2) ceased its practices of violence, unlawful detention, torture, and abuse of nationals of Vietnam while those nationals are engaging in peaceful political activity; and

(3) conducted a transparent investigation into the killings, arrest, and abuse of peaceful political activists in Vietnam and prosecuted those responsible.

SEC. 1285. SENSE OF CONGRESS ON DESIGNATION OF VIETNAM AS A COUNTRY OF PARTICULAR CONCERN WITH RESPECT TO RELIGIOUS FREEDOM.

It is the sense of Congress that—

(1) the relationship between the United States and Vietnam cannot progress while the record of the Government of Vietnam with respect to human rights and the rule of law continues to deteriorate;

(2) the designation of Vietnam as a country of particular concern for religious freedom pursuant to section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)) would be a powerful and effective tool in highlighting abuses of religious freedom in Vietnam and in encouraging improvement in the respect for human rights in Vietnam; and

(3) the Secretary of State should, in accordance with the recommendation of the United States Commission on International Religious Freedom, designate Vietnam as a country of particular concern for religious freedom.

SA 4287. Mr. TILLIS 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 563 and insert the following:

SEC. 563. ACCESS TO DEPARTMENT OF DEFENSE INSTALLATIONS OF INSTITUTIONS OF HIGHER EDUCATION PROVIDING CERTAIN ADVISING AND STUDENT SUPPORT SERVICES.

(a) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2012 the following new section:

''§ 2012a. Access to Department of Defense installations: institutions of higher education providing certain advising and student support services

''(a) ACCESS.—

''(1) IN GENERAL.—The Secretary of Defense may grant access to Department of Defense installations to any institution of higher education that—

''(A) has—

''(i) entered into a Voluntary Education Partnership Memorandum of Understanding with the Department for the purpose of providing at the installation concerned timely face-to-face student advising and related support services to members of the armed forces and other persons who are eligible for assistance under Department of Defense educational assistance programs and authorities; and

''(ii) been approved to provide such advising and support services by the educational service office of the installation concerned; or

''(B) has been approved by the base transition office of the installation concerned to educate members of the armed forces about education and employment after military service.

''(2) SCOPE OF ACCESS.—Access under paragraph (1) shall be granted in a nondiscriminatory manner to any institution covered by that paragraph.

''(b) REGULATIONS.—The Secretary shall prescribe in regulations the time and place of access authorized pursuant to subsection (a). The regulations shall provide the following:

''(1) The opportunity for institutions of higher education to receive access at times and places that ensure sufficient opportunity for students to obtain advising and support services described in subsection (a).

''(2) The opportunity for institutions of higher education to receive sufficient access at times and places that ensure maximum opportunity for members of the armed forces transitioning to life after military service, as determined by the base transition officer concerned, to receive advising, student support services, and education pursuant to this section.

''(3) Access shall be limited to face-to-face student advisement and related support services for students and members of the armed forces who have elected to participate in the higher education track of the Transition Assistance Program, and may not otherwise be used as an opportunity to conduct recruitment or marketing activities.

''(c) DEFINITIONS.—In this section:

''(1) The term 'Department of Defense educational assistance programs and authorities' has the meaning given the term 'Department of Defense educational assistance programs and authorities covered by this section' in section 2006a(c)(1) of this title.

''(2) The term 'institution of higher education' has the meaning given that term in section 2006a(c)(2) of this title.

''(3) The term 'Voluntary Education Partnership Memorandum of Understanding' has the meaning given that term in Department of Defense Instruction 1322.25, entitled 'Voluntary Education Programs', or any successor Department of Defense Instruction.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2012 the following new item:

''2012a. Access to Department of Defense installations: institutions of higher education providing certain advising and student support services.''.

SA 4288. Mr. KIRK 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 H of title XII, add the following:

SEC. 1277. PRIORITIZING SPECIAL IMMIGRANT VISAS FOR IRAQI AND AFGHAN TRANSLATORS.

The Secretary of State shall prioritize the issuance of special immigrant visas authorized under—

(1) section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 8 U.S.C. 1101 note);

(2) section 1244 of the Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note); and

(3) section 602 of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note).

SA 4289. Mr. CRUZ (for himself and Mr. GRAHAM) 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 E of title XVI, add the following:

SEC. 1667. INCREASED FUNDING FOR CERTAIN MISSILE DEFENSE ACTIVITIES.

(a) PROCUREMENT, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 101 is hereby increased by $290,000,000, with the amount of increase to be available for procurement, Defense-wide, as specified in the funding table in section 4101 and available for procurement for purposes, and in amounts, as follows:

(1) Iron Dome, $20,000,000.

(2) David's Sling Weapon System, $150,000,000.

(3) Arrow 3 Upper Tier, $120,000,000.

(b) RDT&E, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department by section 201 is hereby increased by $12,300,000, with the amount of increase to be available for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 4201 and available for research, development, test, and evaluation for purposes, and in amounts, as follows:

(1) David's Sling Weapon System, $10,000,000.

(2) Arrow 3 Upper Tier, $2,300,000.

(c) CONSTRUCTION.—Amounts available under this section for purposes specified in this section are in addition to any other amounts available for such purposes in this Act.

SA 4290. Mr. INHOFE 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 I of title X, add the following:

SEC. 1097. RISK MANAGEMENT WITH RESPECT TO CIVIL UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Administrator of the Federal Aviation Administration and the heads of other relevant Federal agencies, submit to Congress an assessment of risk posed by civil unmanned aircraft systems operating at or below 400 feet above ground level to—

(1) the safety of aircraft of the Armed Forces operating in military special use airspace and on military training routes; and

(2) the security of military installations located in the United States that directly support strategic operations of the Armed Forces.

(b) ADDRESSING IDENTIFIED RISKS.—Not later than 180 days after the Secretary submits to Congress the assessment described in subsection (a), the Secretary and the Administrator shall jointly, and in coordination with the heads of other relevant Federal agencies—

(1) assess the adequacy of current laws, regulations, procedures, and activities to address risks described in the assessment and identify additional actions that may be appropriate and necessary to address such risks; and

(2) submit to Congress a summary of the assessment and any additional actions identified under paragraph (1).

(c) CIVIL UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term ''civil unmanned aircraft system'' means an unmanned aircraft system (as that term is defined in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note)) that is a civil aircraft (as that term is defined in section 40102 of title 49, United States Code).

SA 4291. Mrs. MURRAY 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; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. TRANSFER OF HUMAN REMAINS.

(a) DEFINITIONS.—In this section:

(1) CLAIMANT TRIBES.—The term ''claimant tribes'' means the Indian tribes and band referred to in the letter from Secretary of the Interior Bruce Babbitt to Secretary of the Army Louis Caldera, relating to the human remains and dated September 21, 2000.

(2) DEPARTMENT.—The term ''Department'' means the Washington State Department of Archaeology and Historic Preservation.

(3) HUMAN REMAINS.—The term ''human remains'' means the human remains—

(A) that are known as Kennewick Man or the Ancient One, which includes the projectile point lodged in the right ilium bone, as well as any residue from previous sampling and studies; and

(B) that are part of archaeological collection number 45BN495.

(b) TRANSFER.—Notwithstanding any other provision of Federal law or law of the State of Washington, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), not later than 90 days after the date of enactment of this Act, the Secretary of the Army, acting through the Chief of Engineers, shall transfer the human remains to the Department, on the condition that the Department, acting through the State Historic Preservation Officer, disposes of the remains and repatriates the remains to claimant tribes.

(c) COST.—The Corps of Engineers shall be responsible for any costs associated with the transfer.

(d) LIMITATIONS.—

(1) IN GENERAL.—The transfer shall be limited solely to the human remains portion of the archaeological collection.

(2) CORPS OF ENGINEERS.—The Corps of Engineers shall have no further responsibility for the human remains transferred pursuant to subsection (b) after the date of the transfer.

SA 4292. Mr. CASEY (for himself and Mr. MORAN) 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 F of title V, add the following:

SEC. 582. AUTHORITY FOR REIMBURSEMENT OF SPOUSES FOR COSTS OF PROFESSIONAL RE-LICENSURE AND RE-CERTIFICATION IN A NEW STATE IN CONNECTION WITH PERMANENT CHANGES OF STATION OF MEMBERS OF THE ARMED FORCES.

Section 1784a(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) If established under this subsection, the program under this subsection shall provide for the reimbursement of a spouse of a member of the armed forces described in subsection (b) (and without regard to the exception in subsection (c)) for costs incurred by the spouse in obtaining professional re-licensure or re-certification in a new State in association with the member's permanent change of station to a location in such State.

''(B) Reimbursement under this paragraph shall be available for any of the following:

''(i) Application fees to a State board, bar association, or other certifying or licensing body.

''(ii) Exam fees and registration fees paid to a licensing body.

''(iii) Costs of additional coursework required for eligibility for licensing or certification specific to State concerned (other than costs in connection with continuing education courses).

''(C)(i) The total amount of reimbursement of a spouse under this paragraph in connection with a particular change of station may not exceed $500.

''(ii) Eligibility for reimbursement may not be limited by the grade of the member concerned.

''(D) The total amount reimbursement under this paragraph in any fiscal year may not exceed $2,000,000.

''(E) Reimbursements under this paragraph shall be distributed on a quarterly basis.

''(F) This paragraph shall expire on the enactment of a credit against the tax imposed by subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 for the taxable year an amount equal to the qualified re-licensing costs of an individual who is married to a member of the armed forces and who moves to another State with such member under a permanent change of station order.''.

SA 4293. Ms. BALDWIN 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; as follows:

At the end of subtitle C of title XIV, add the following:

SEC. 1422. NATIONAL ACADEMIES OF SCIENCES STUDY ON CONVENTIONAL MUNITIONS DEMILITARIZATION ALTERNATIVE TECHNOLOGIES.

(a) IN GENERAL.—The Secretary of the Army shall enter into an arrangement with the Board on Army Science and Technology of the National Academies of Sciences, Engineering, and Medicine to conduct a study of the conventional munitions demilitarization program of the Department of Defense.

(b) ELEMENTS.—The study required pursuant to subsection (a) shall include the following:

(1) A review of the current conventional munitions demilitarization stockpile, including types of munitions and types of materials contaminated with propellants or energetics, and the disposal technologies used.

(2) An analysis of disposal, treatment, and reuse technologies, including technologies currently used by the Department and emerging technologies used or being developed by private or other governmental agencies, including a comparison of cost, throughput capacity, personnel safety, and environmental impacts.

(3) An identification of munitions types for which alternatives to open burning, open detonation, or non-closed loop incineration/combustion are not used.

(4) An identification and evaluation of any barriers to full-scale deployment of alternatives to open burning, open detonation, or non-closed loop incineration/combustion, and recommendations to overcome such barriers.

(5) An evaluation whether the maturation and deployment of governmental or private technologies currently in research and development would enhance the conventional munitions demilitarization capabilities of the Department.

(c) SUBMITTAL TO CONGRESS.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the study conducted pursuant to subsection (a).

SA 4294. Mr. WYDEN (for himself and Ms. HIRONO) 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 B of title III, add the following:

SEC. 306. REQUIREMENT TO ESTABLISH REPOSITORY FOR OPERATIONAL ENERGY-RELATED RESEARCH AND DEVELOPMENT EFFORTS OF DEPARTMENT OF DEFENSE.

(a) REPOSITORY REQUIRED.—Not later than December 31, 2017, the Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering and in collaboration with the Assistant Secretary of Defense for Operational Energy Plans and Programs and the Secretaries of the military departments, shall establish a centralized repository for all operational energy-related research and development efforts of the Department of Defense, including with respect to the inception, operational, and complete phases of such efforts.

(b) INTERNET ACCESS.—The Secretary of Defense shall ensure that the repository required by subsection (a) is accessible through an Internet website of the Department of Defense and by all employees of the Department and members of the Armed Forces whom the Secretary determines appropriate, including all program managers involved in such research and development efforts, to enable improved collaboration between military departments on research and development efforts described in subsection (a), enable sharing of best practices and lessons learned relating to such efforts, and reduce redundancy in such efforts.

SA 4295. Mrs. SHAHEEN (for herself, Mr. BLUMENTHAL, Mr. MURPHY, Mrs. BOXER, Mrs. MURRAY, Mrs. GILLIBRAND, and Ms. HIRONO) 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; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 740. REMOVAL OF RESTRICTIONS ON USE OF DEPARTMENT OF DEFENSE MEDICAL FACILITIES TO PERFORM ABORTIONS.

Section 1093 of title 10, United States Code, is amended—

(1) by striking subsection (b); and

(2) in subsection (a), by striking ''(a) RESTRICTION ON USE OF FUNDS.—''.

SA 4296. Mrs. SHAHEEN 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; as follows:

Insert after section 332 the following:

SEC. 332A. REVISED POLICY ON GROUND COMBAT AND CAMOUFLAGE UTILITY UNIFORMS.

(a) ESTABLISHMENT OF POLICY.—Not later than October 1, 2018, the Secretary of Defense shall eliminate the development and fielding of Armed Force-specific combat and camouflage utility uniforms and families of uniforms in order to adopt and field a common combat and camouflage utility uniform or family of uniforms for specific combat environments to be used by all members of the Armed Forces.

(b) PROHIBITION.—Except as provided in subsection (c), after the date of the enactment of this Act, the Secretary of a military department may not adopt any new camouflage pattern design or uniform fabric for any combat or camouflage utility uniform or family of uniforms for use by an Armed Force, unless—

(1) the new design or fabric is a combat or camouflage utility uniform or family of uniforms that will be adopted by all Armed Forces;

(2) the Secretary adopts a uniform already in use by another Armed Force; or

(3) the Secretary of Defense grants an exception based on unique circumstances or operational requirements.

(c) EXCEPTIONS.—Nothing in subsection (b) shall be construed as—

(1) prohibiting the development of combat and camouflage utility uniforms and families of uniforms for use by personnel assigned to or operating in support of the unified combatant command for special operations forces described in section 167 of title 10, United States Code;

(2) prohibiting engineering modifications to existing uniforms that improve the performance of combat and camouflage utility uniforms, including power harnessing or generating textiles, fire resistant fabrics, and anti-vector, anti-microbial, and anti-bacterial treatments;

(3) prohibiting the Secretary of a military department from fielding ancillary uniform items, including headwear, footwear, body armor, and any other such items as determined by the Secretary; or

(4) prohibiting the Secretary of a military department from issuing vehicle crew uniforms.

(d) REGISTRATION REQUIRED.—The Secretary of a military department shall formally register with the Joint Clothing and Textiles Governance Board all uniforms in use by an Armed Force under the jurisdiction of the Secretary and all such uniforms planned for use by such an Armed Force.

(e) LIMITATION ON RESTRICTION.—The Secretary of a military department may not prevent the Secretary of another military department from authorizing the use of any combat or camouflage utility uniform or family of uniforms.

(f) GUIDANCE REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to implement this section.

(2) CONTENT.—At a minimum, the guidance required by paragraph (1) shall require the Secretary of each of the military departments—

(A) in cooperation with the commanders of the combatant commands, including the unified combatant command for special operations forces, to establish, by not later than 180 days after the date of the enactment of this Act, joint criteria for combat and camouflage utility uniforms and families of uniforms, which shall be included in all new requirements documents for such uniforms;

(B) to continually work together to assess and develop new technologies that could be incorporated into future combat and camouflage utility uniforms and families of uniforms to improve war fighter survivability;

(C) to ensure that new combat and camouflage utility uniforms and families of uniforms meet the geographic and operational requirements of the commanders of the combatant commands; and

(D) to ensure that all new combat and camouflage utility uniforms and families of uniforms achieve interoperability with all components of individual war fighter systems, including body armor, organizational clothing and individual equipment, and other individual protective systems.

(g) REPEAL OF POLICY.—Section 352 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84, 123 Stat. 2262; 10 U.S.C. 771 note prec.) is repealed.

SA 4297. Mr. DONNELLY 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 B of title VII, add the following:

SEC. 740. USE OF INPUT FROM SECRETARY OF VETERANS AFFAIRS IN DEVELOPING MENTAL HEALTH PROVIDER READINESS DESIGNATION FOR DEPARTMENT OF DEFENSE.

Section 717 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 1073 note) is amended—

(1) in subsection (a)(1)—

(A) by inserting '', with input from the Secretary of Veterans Affairs,'' after ''Secretary of Defense''; and

(B) by striking ''established by the Secretary'' and inserting ''established by the Secretary of Defense'';

(2) in subsection (b)—

(A) in paragraph (1), by inserting '', with input from the Secretary of Veterans Affairs,'' after ''Secretary of Defense''; and

(B) in paragraph (2), by striking ''The Secretary shall update'' and inserting ''The Secretary of Defense shall update'';

(3) in subsection (c)(1), by amending subparagraph (B) to read as follows:

''(B) is not a health care provider of the Department of Defense or the Department of Veterans Affairs at a facility of the Department of Defense or the Department of Veterans Affairs; and'';

(4) by redesignating subsection (c) as subsection (d); and

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

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to permit the Secretary of Defense to indicate that the Department of Veterans Affairs has certified or otherwise approved of health care providers with a mental health provider readiness designation under this section.''.

SA 4298. Ms. HIRONO 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; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. NATIVE HAWAIIAN ORGANIZATION.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 8(a) (15 U.S.C. 637(a))—

(A) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i)(III), by striking ''an economically disadvantaged Native Hawaiian organization'' and inserting ''a Native Hawaiian Organization''; and

(II) in clause (ii)(III), by striking ''an economically disadvantaged Native Hawaiian organization'' and inserting ''a Native Hawaiian Organization''; and

(ii) in subparagraph (B)(iii), by striking ''organizations'' and inserting ''Organizations''; and

(B) in paragraph (15)(C), by striking ''such'' and inserting ''economically disadvantaged individuals who are''; and

(2) in section 15(h)(2)(E)(vi) (15 U.S.C. 644(h)(2)(E)(vi)), in the matter preceding subclause (I), by inserting ''(as defined in section 8(a)(15))'' after ''Organization''.

SA 4299. Mr. MURPHY (for himself and Mr. PAUL) 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 H of title XII, add the following:

SEC. 1277. LIMITATIONS ON TRANSFER OF CERTAIN UNITED STATES MUNITIONS TO SAUDI ARABIA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that no funds authorized for the Defense Security Cooperation Agency by this Act, any previous Act, or otherwise available to the Agency may be used to carry out the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the purposes of implementing a sale of air to ground munitions to Saudi Arabia unless the Government of Saudi Arabia—

(1) demonstrates an ongoing effort to combat the mutual threat our nations face from designated foreign terrorist organizations; and

(2) takes all feasible precautions to reduce the risk of harm to civilians and civilian objects, in compliance with international humanitarian law, in the course of military actions it pursues for the purpose of legitimate self-defense as described in section 4 of the Arms Export Control Act (22 U.S.C. 2754).

(b) DEFINITIONS.—In this section:

(1) AIR-TO-GROUND MUNITIONS.—The term ''air-to-ground'' munitions means any United States bomb or missile designed as a Category IV item on the United States Munitions List pursuant to section 38 (a)(1) of the Arms Export Control Act (22 U.S.C. 2778 (a)(1)).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate.

(3) AUTHORIZED SALE.—The term ''authorized sale'' means any sale of United States defense articles or services authorized pursuant to the Arms Export Control Act.

(4) DESIGNATED FOREIGN TERRORIST ORGANIZATIONS.—The term ''designated foreign terrorist organizations'' means groups designated by the United States as foreign terrorist organizations pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) or Specially Designated Global Terrorists pursuant to Executive Order 13224 (50 U.S.C. 1701 note).

(5) PROPOSED SALE.—The term ''proposed sale'' means any sale notified to Congress pursuant to subsections (b) or (c) of section 36 of the Arms Export Control Act (22 U.S.C. 2776).

(c) CONDITIONS OF TRANSFER.—

(1) LIMITATION.—No transfer to Saudi Arabia of United States air-to-ground munitions may occur until the President makes the certification described under subsection (d).

(2) CERTIFICATION AT TIME OF CONGRESSIONAL NOTIFICATION.—Any notification to Congress made on or after the date of the enactment of this Act with respect to a proposed sale to Saudi Arabia of air-to-ground munitions shall be accompanied by the certification described under subsection (d).

(d) CONDITIONS REQUIRED PRIOR TO SALE.—The certification described under this subsection is a certification by the President to the appropriate congressional committees as follows:

(1) The Government of Saudi Arabia and its coalition partners are taking all feasible precautions to reduce the risk of harm to civilians and civilian objects to comply with their obligations under international humanitarian law, which includes minimizing harm to civilians, discriminating between civilian objects and military objectives, and exercising proportional use of force in the course of military actions it pursues for the purpose of legitimate self-defense as described in section 4 of the Arms Export Control Act (22 U.S.C. 2754).

(2) The Government of Saudi Arabia and its coalition partners are making demonstrable efforts to facilitate the flow of critical humanitarian aid and commercial goods, including commercial fuel and commodities not subject to sanction or prohibition under United Nations Security Council Resolution 2216 (2015).

(3) The Government of Saudi Arabia is taking all necessary measures to target designated foreign terrorist organizations, including al Qaeda in the Arabian Peninsula and affiliates of the Islamic State of Iraq and the Levant as part of its military operations in Yemen.

(e) REPORTING REQUIREMENTS.—

(1) REPORTING REQUIREMENTS.—Prior to any transfer of United States air-to-ground munitions to Saudi Arabia pursuant to an authorized sale to Saudi Arabia of air-to-ground munitions or the notification to Congress of a proposed sale to Saudi Arabia of air-to-ground munitions, the President or the President's designee shall provide a briefing to the appropriate congressional committees. The briefing shall include—

(A) a description of the nature, content, costs, and purposes of any United States support for the Government of Saudi Arabia's coalition military operations in Yemen on or after March 26, 2015;

(B) an assessment of whether the Government of Saudi Arabia's coalition operations have deliberately targeted civilian infrastructure in Yemen on or after March 26, 2015, and whether the armed forces of the Government of Saudi Arabia and its coalition partners have taken all possible steps to comply with the rules of distinction, proportionality, and precautions, as regulated by Additional Protocol I to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts, done at Geneva June 8, 1977;

(C) an assessment of whether the armed forces of Saudi Arabia have used United States-origin munitions, including cluster munitions, in any attacks against civilians or civilian infrastructure in Yemen on or after March 26, 2015, and how that affects the United States' credibility in the region; and

(D) an assessment of the effect of Saudi Arabia's military operations in Yemen on its ability to contribute to United States efforts to defeat al Qaeda in the Arabian Peninsula and the Islamic State of Iraq and the Levant.

(2) FORM OF BRIEFING.—The briefing required under paragraph (1) shall be conducted in an unclassified forum but may be conducted in a classified setting as required.

(f) SUNSET.—This section shall cease to have effect three years after the date of the enactment of this Act, unless renewed.

SA 4300. Mr. MURPHY (for himself and Mr. BLUMENTHAL) 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 B of title II, add the following:

SEC. 221. RESEARCH AND DEVELOPMENT ON SMART GUN TECHNOLOGY.

The Director of the Defense Advanced Research Projects Agency may, using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Defense Advanced Research Projects Agency, carry out research, development, test, and evaluation activities relating to smart gun technology.

SA 4301. Mr. MURPHY 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 882.

SA 4302. Mr. DONNELLY (for himself, Mr. CRUZ, and Mr. MANCHIN) 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 C of title XI, add the following:

SEC. 1138. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (G), by striking ''and'' at the end;

(B) in subparagraph (H), by adding ''and'' at the end; and

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

''(I) a qualified reservist;'';

(2) in paragraph (4), by striking ''and'' at the end;

(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(6) 'qualified reservist' means an individual who is a member of a reserve component of the Armed Forces on the date of the applicable determination—

''(A) who—

''(i) has completed at least 6 years of service in a reserve component of the Armed Forces; and

''(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; or

''(B) who—

''(i) has completed at least 10 years of service in a reserve component of the Armed Forces; and

''(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; and

''(7) 'reserve component of the Armed Forces' means a reserve component specified in section 101(27) of title 38.''.

(b) TIERED HIRING PREFERENCE FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 3309 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''and'' at the end; and

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(3) a preference eligible described in section 2108(6)(B) — 3 points; and

''(4) a preference eligible described in section 2108(6)(A) — 2 points.''.

(c) GAO REVIEW.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) assesses Federal employment opportunities for members of a reserve component of the Armed Forces;

(2) evaluates the impact of the amendments made by this section on the hiring of reservists and veterans by the Federal Government; and

(3) provides recommendations, if any, for strengthening Federal employment opportunities for members of a reserve component of the Armed Forces.

SA 4303. Mr. PORTMAN 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 B of title V, add the following:

SEC. 526. PLAN TO MEET THE DEMAND FOR CYBERSPACE CAREER FIELDS IN THE RESERVE COMPONENTS OF THE AIR FORCE.

(a) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to Congress a report setting forth a plan for meeting the increased demand for cyberspace career fields in the reserve components of the Air Force, in accordance with the recommendations of the National Commission on the Structure of the Air Force.

(b) ELEMENTS.—The plan shall take into account the following:

(1) The availability of qualified local workforces.

(2) Potential synergies with private sector companies involved in cyberspace or educational institutions with established cyberspace-related academic programs.

(3) The potential for or proven record of Total Force Integration with associated units or organizations in the regular Air Force.

(c) METRICS.—The plan shall include appropriate metrics for use in the evaluation of the implementation of the plan.

SA 4304. Mrs. MCCASKILL 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; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 554. REPORTS ON INCIDENTS OF SEXUAL ASSAULT MADE BY MEMBERS OF THE ARMED FORCES TO HEALTH CARE PERSONNEL OF THE DEPARTMENT OF VETERANS AFFAIRS TREATABLE AS DEPARTMENT OF DEFENSE RESTRICTED REPORTS.

(a) TREATMENT AT ELECTION OF MEMBERS.—Under procedures established by the Secretary of Veterans Affairs, a report on an incident of sexual assault made by a member of the Armed Forces to such health care personnel of the Department of Veterans Affairs as the Secretary shall specify for purposes of such procedures may, at the election of the member, be treated as a Restricted Report on the incident for Department of Defense purposes.

(b) TRANSMITTAL TO DEPARTMENT OF DEFENSE.—Under procedures jointly established by the Secretary of Veterans Affairs and the Secretary of Defense, a report on an incident of sexual assault treated as a Restricted Report pursuant to subsection (a) shall be transmitted by the Department of Veterans Affairs to such personnel of the Department of Defense who are authorized to access Restricted Reports on incidents of sexual assault as the Secretary of Defense shall specify for purposes of such procedures. The transmittal shall be made in a manner that preserves for all purposes the confidential nature of the report as a Restricted Report.

SA 4305. Mrs. MURRAY 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; as follows:

Strike section 562 and insert the following:

SEC. 562. MODIFICATION OF PROGRAM TO ASSIST MEMBERS OF THE ARMED FORCES IN OBTAINING PROFESSIONAL CREDENTIALS.

(a) SCOPE OF PROGRAM.—Subsection (a)(1) of section 2015 of title 10, United States Code, is amended by striking ''incident to the performance of their military duties''.

(b) QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS.—Subsection (c) of such section is amended—

(1) in paragraph (1), by inserting before the period at the end the following: '', or meets the requirements in paragraph (3)''; and

(2) by adding at the end the following new paragraph:

''(3) A credentialing program used in connection with the program under subsection (a) is eligible for funds under subsection (b) if successful completion of the program results in a recognized postsecondary credential, meaning an industry recognized certificate or certification, a certificate of completion of an apprenticeship, or a license recognized by a State or the Federal Government, and is provided by an eligible training provider under section 122 of the Workforce Innovation and Opportunity Act (Public Law 113–128).''.

SA 4306. Mr. INHOFE (for himself, Mr. CRUZ, Mr. ROUNDS, Mr. COTTON, Mr. HATCH, Mr. TILLIS, Mr. RUBIO, Mr. MORAN, Mr. THUNE, Mr. ISAKSON, Mr. LANKFORD, Mr. SESSIONS, and Mrs. ERNST) 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 D of title X, add the following:

SEC. 1031. ADVANCE NOTICE TO THE PUBLIC ON THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) ADVANCE NOTICE REQUIRED.—The Secretary of Defense shall make public, not later than 21 days before the intended date of transfer or release, a notice on the decision to transfer or release any individual detained at Guantanamo.

(b) ELEMENTS OF NOTICE.—The notice on an individual pursuant to subsection (a) shall include the following:

(1) The name of the individual.

(2) The location to which the individual will be transferred or released.

(3) A summary of the agreement, if any, made with the government of the location accepting the transfer or release of the individual.

(4) The actions taken to mitigate the risks of the transfer or release of the individual from United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of June 24, 2009, who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) 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.

SA 4307. Mr. JOHNSON (for himself, Mr. LEAHY, Ms. MURKOWSKI, and Mr. SCHUMER) 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 I of title X, add the following:

SEC. 1097. JURISDICTION OVER OFFENSES COMMITTED BY CERTAIN UNITED STATES PERSONNEL STATIONED IN CANADA.

(a) SHORT TITLE.—This section may be cited as the ''Promoting Travel, Commerce, and National Security Act of 2016''.

(b) AMENDMENT.—Chapter 212A of title 18, United States Code, is amended—

(1) in the chapter heading, by striking ''**TRAFFICKING IN PERSONS**''; and

(2) by adding after section 3272 the following:

''§ 3273. Offenses committed by certain United States personnel stationed in Canada in furtherance of border security initiatives

''(a) IN GENERAL.—Whoever, while employed by the Department of Homeland Security or the Department of Justice and stationed or deployed in Canada pursuant to a treaty, executive agreement, or bilateral memorandum in furtherance of a border security initiative, engages in conduct (or conspires or attempts to engage in conduct) in Canada that would constitute an offense for which a person may be prosecuted in a court of the United States had the conduct been engaged in within the United States or within the special maritime and territorial jurisdiction of the United States shall be fined or imprisoned, or both, as provided for that offense.

''(b) DEFINITION.—In this section, the term 'employed by the Department of Homeland Security or the Department of Justice' means—

''(1) being employed as a civilian employee, a contractor (including a subcontractor at any tier), or an employee of a contractor (or a subcontractor at any tier) of the Department of Homeland Security or the Department of Justice;

''(2) being present or residing in Canada in connection with such employment; and

''(3) not being a national of or ordinarily resident in Canada.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Part II of title 18, United States Code, is amended—

(1) in the table of chapters, by striking the item relating to chapter 212A and inserting the following:

''212A. Extraterritorial jurisdiction over certain offenses ..... 3271''; and

(2) in the table of sections for chapter 212A, by inserting after the item relating to section 3272 the following:

''3273. Offenses committed by certain United States personnel stationed in Canada in furtherance of border security initiatives.''.

(d) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to infringe upon or otherwise affect the exercise of prosecutorial discretion by the Department of Justice in implementing this section and the amendments made by this section.

SA 4308. Mr. CORNYN 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 appropriate place in title X, insert the following:

SEC. _____. TREATMENT OF CERTAIN INDIVIDUALS PERFORMING SERVICES IN THE SINAI PENINSULA OF EGYPT.

(a) IN GENERAL.—For purposes of the following provisions of the Internal Revenue Code of 1986, a qualified hazardous duty area shall be treated in the same manner as if it were a combat zone (as determined under section 112 of such Code):

(1) Section 2(a)(3) (relating to special rule where deceased spouse was in missing status).

(2) Section 112 (relating to the exclusion of certain combat pay of members of the Armed Forces).

(3) Section 692 (relating to income taxes of members of Armed Forces on death).

(4) Section 2201 (relating to members of the Armed Forces dying in combat zone or by reason of combat-zone-incurred wounds, etc.).

(5) Section 3401(a)(1) (defining wages relating to combat pay for members of the Armed Forces).

(6) Section 4253(d) (relating to the taxation of phone service originating from a combat zone from members of the Armed Forces).

(7) Section 6013(f)(1) (relating to joint return where individual is in missing status).

(8) Section 7508 (relating to time for performing certain acts postponed by reason of service in combat zone).

(b) QUALIFIED HAZARDOUS DUTY AREA.—For purposes of this section, the term ''qualified hazardous duty area'' means the Sinai Peninsula of Egypt, if as of the date of the enactment of this section any member of the Armed Forces of the United States is entitled to special pay under section 310 of title 37, United States Code (relating to special pay; duty subject to hostile fire or imminent danger) for services performed in such location. Such term includes such location only during the period such entitlement is in effect.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the provisions of this section shall take effect on June 9, 2015.

(2) WITHHOLDING.—Subsection (a)(5) shall apply to remuneration paid after the date of the enactment of this Act.

SA 4309. Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mr. KIRK, Mr. COONS, and Mr. RUBIO) 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 D of title XII, add the following:

SEC. 1227. REPORT ON AIRPORTS USED BY MAHAN AIR.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter through 2020, the Secretary of Homeland Security, in consultation with the Secretary of Transportation, the Secretary of State, the Secretary of the Treasury, and the Director of National Intelligence, shall submit to Congress a report that includes—

(1) a list of all airports at which aircraft owned or controlled by Mahan Air have landed during the 2 years preceding the submission of the report; and

(2) for each such airport—

(A) an assessment of whether aircraft owned or controlled by Mahan Air continue to conduct operations at that airport;

(B) an assessment of whether any of the landings of aircraft owned or controlled by Mahan Air were necessitated by an emergency situation;

(C) a determination regarding whether additional security measures should be imposed on flights to the United States that originate from that airport; and

(D) an explanation of the rationale for that determination.

(b) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) PUBLICATION OF LIST.—The list required by subsection (a)(1) shall be publicly and prominently posted on the website of the Department of Homeland Security on the date on which the report required by subsection (a) is submitted to Congress.

SA 4310. Mrs. GILLIBRAND (for herself, Ms. BALDWIN, Mr. WYDEN, Mr. UDALL, Mr. KIRK, Ms. MURKOWSKI, Mr. GRASSLEY, Mr. PAUL, Mr. BLUMENTHAL, Ms. STABENOW, Mr. HELLER, Mrs. BOXER, Ms. HIRONO, Mr. VITTER, Ms. KLOBUCHAR, Mr. BROWN, Ms. WARREN, Mr. LEAHY, Mr. DURBIN, Mr. DONNELLY, Mr. HEINRICH, Mr. MARKEY, Mr. MENENDEZ, Mr. COONS, Mr. MERKLEY, Mr. FRANKEN, Mr. CRUZ, Mrs. SHAHEEN, Ms. HEITKAMP, Mr. BOOKER, Mr. SANDERS, Mr. CASEY, Mr. PETERS, and Mr. SCHUMER) 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; as follows:

At the end of subtitle D of title V, add the following:

PART III—UNIFORM CODE OF MILITARY JUSTICE REFORM

SEC. 556. SHORT TITLE.

This part may be cited as the ''Military Justice Improvement Act of 2016''.

SEC. 557. MODIFICATION OF AUTHORITY TO DETERMINE TO PROCEED TO TRIAL BY COURT-MARTIAL ON CHARGES ON CERTAIN OFFENSES WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) MODIFICATION OF AUTHORITY.—

(1) IN GENERAL.—

(A) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (2) and not excluded under paragraph (3), the Secretary of Defense shall require the Secretaries of the military departments to provide for the determination under section 830(b) of such chapter (article 30(b) of the Uniform Code of Military Justice) on whether to try such charges by court-martial as provided in paragraph (4).

(B) HOMELAND SECURITY.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (2) and not excluded under paragraph (3) against a member of the Coast Guard (when it is not operating as a service in the Navy), the Secretary of Homeland Security shall provide for the determination under section 830(b) of such chapter (article 30(b) of the Uniform Code of Military Justice) on whether to try such charges by court-martial as provided in paragraph (4).

(2) COVERED OFFENSES.—An offense specified in this paragraph is an offense as follows:

(A) An offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that is triable by court-martial under that chapter for which the maximum punishment authorized under that chapter includes confinement for more than one year.

(B) An offense of retaliation for reporting a crime under section 893 of title 10, United States Code (article 93 of the Uniform Code of Military Justice), as amended by section 559B of this Act, regardless of the maximum punishment authorized under that chapter for such offense.

(C) An offense under section 907a of title 10, United States Code (article 107a of the Uniform Code of Military Justice), as added by section 559C of this Act, regardless of the maximum punishment authorized under that chapter for such offense.

(D) A conspiracy to commit an offense specified in subparagraph (A) through (C) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(E) A solicitation to commit an offense specified in subparagraph (A) through (C) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(F) An attempt to commit an offense specified in subparagraphs (A) through (E) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(3) EXCLUDED OFFENSES.—Paragraph (1) does not apply to an offense as follows:

(A) An offense under sections 883 through 917 of title 10, United States Code (articles 83 through 117 of the Uniform Code of Military Justice).

(B) An offense under section 933 or 934 of title 10, United States Code (articles 133 and 134 of the Uniform Code of Military Justice).

(C) A conspiracy to commit an offense specified in subparagraph (A) or (B) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(D) A solicitation to commit an offense specified in subparagraph (A) or (B) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(E) An attempt to commit an offense specified in subparagraph (A) through (D) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(4) REQUIREMENTS AND LIMITATIONS.—The disposition of charges pursuant to paragraph (1) shall be subject to the following:

(A) The determination whether to try such charges by court-martial shall be made by a commissioned officer of the Armed Forces designated in accordance with regulations prescribed for purposes of this subsection from among commissioned officers of the Armed Forces in grade O–6 or higher who—

(i) are available for detail as trial counsel under section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice);

(ii) have significant experience in trials by general or special court-martial; and

(iii) are outside the chain of command of the member subject to such charges.

(B) Upon a determination under subparagraph (A) to try such charges by court-martial, the officer making that determination shall determine whether to try such charges by a general court-martial convened under section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), or a special court-martial convened under section 823 of title 10, United States Code (article 23 of the Uniform Code of Military Justice).

(C) A determination under subparagraph (A) to try charges by court-martial shall include a determination to try all known offenses, including lesser included offenses.

(D) The determination to try such charges by court-martial under subparagraph (A), and by type of court-martial under subparagraph (B), shall be binding on any applicable convening authority for a trial by court-martial on such charges.

(E) The actions of an officer described in subparagraph (A) in determining under that subparagraph whether or not to try charges by court-martial shall be free of unlawful or unauthorized influence or coercion.

(F) The determination under subparagraph (A) not to proceed to trial of such charges by general or special court-martial shall not operate to terminate or otherwise alter the authority of commanding officers to refer such charges for trial by summary court-martial convened under section 824 of title 10, United States Code (article 24 of the Uniform Code of Military Justice), or to impose non-judicial punishment in connection with the conduct covered by such charges as authorized by section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice).

(5) CONSTRUCTION WITH CHARGES ON OTHER OFFENSES.—Nothing in this subsection shall be construed to alter or affect the disposition of charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense triable by court-martial under that chapter for which the maximum punishment authorized under that chapter includes confinement for one year or less.

(6) POLICIES AND PROCEDURES.—

(A) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall revise policies and procedures as necessary to comply with this subsection.

(B) UNIFORMITY.—The General Counsel of the Department of Defense and the General Counsel of the Department of Homeland Security shall jointly review the policies and procedures revised under this paragraph in order to ensure that any lack of uniformity in policies and procedures, as so revised, among the military departments and the Department of Homeland Security does not render unconstitutional any policy or procedure, as so revised.

(7) MANUAL FOR COURTS-MARTIAL.—The Secretary of Defense shall recommend such changes to the Manual for Courts-Martial as are necessary to ensure compliance with this subsection.

(b) EFFECTIVE DATE AND APPLICABILITY.—Subsection (a), and the revisions required by that subsection, shall take effect on the date that is 180 days after the date of the enactment of this Act, and shall apply with respect to charges preferred under section 830 of title 10, United States Code (article 30 of the Uniform Code of Military Justice), on or after such effective date.

SEC. 558. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL.

(a) IN GENERAL.—Subsection (a) of section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), is amended—

(1) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following new paragraph (8):

''(8) the officers in the offices established pursuant to section 558(c) of the National Defense Authorization Act for Fiscal Year 2017 or officers in the grade of O–6 or higher who are assigned such responsibility by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, or the Commandant of the Coast Guard, but only with respect to offenses to which section 557(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 applies;''.

(b) NO EXERCISE BY OFFICERS IN CHAIN OF COMMAND OF ACCUSED OR VICTIM.—Such section (article) is further amended by adding at the end the following new subsection:

''(c) An officer specified in subsection (a)(8) may not convene a court-martial under this section if the officer is in the chain of command of the accused or the victim.''.

(c) OFFICES OF CHIEFS OF STAFF ON COURTS-MARTIAL.—

(1) OFFICES REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial under sections 822 and 823 of title 10, United States Code (articles 22 and 23 of the Uniform Code of Military Justice), pursuant to paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 557(a)(1) applies.

(B) To detail under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), members of courts-martial convened as described in subparagraph (A).

(2) PERSONNEL.—The personnel of each office established under paragraph (1) shall consist of such members of the Armed Forces and civilian personnel of the Department of Defense, or such members of the Coast Guard or civilian personnel of the Department of Homeland Security, as may be detailed or assigned to the office by the Chief of Staff or

Commandant concerned. The members and personnel so detailed or assigned, as the case may be, shall be detailed or assigned from personnel billets in existence on the date of the enactment of this Act.

SEC. 559. DISCHARGE USING OTHERWISE AUTHORIZED PERSONNEL AND RESOURCES.

(a) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall carry out sections 557 and 558 using personnel, funds, and resources otherwise authorized by law.

(b) NO AUTHORIZATION OF ADDITIONAL PERSONNEL OR RESOURCES.—Sections 557 and 558 shall not be construed as authorizations for personnel, personnel billets, or funds for the discharge of the requirements in such sections.

SEC. 559A. MONITORING AND ASSESSMENT OF MODIFICATION OF AUTHORITIES ON COURTS-MARTIAL BY INDEPENDENT PANEL ON REVIEW AND ASSESSMENT OF PROCEEDINGS UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

Section 576(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1762) is amended—

(1) by redesignating subparagraph (J) as subparagraph (K); and

(2) by inserting after subparagraph (I) the following new subparagraph (J):

''(J) Monitor and assess the implementation and efficacy of sections 557 through 559 of the National Defense Authorization Act for Fiscal Year 2017.''.

SEC. 559B. EXPLICIT CODIFICATION OF RETALIATION FOR REPORTING A CRIME AS AN OFFENSE UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) IN GENERAL.—Section 893 of title 10, United States Code (article 93 of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(a)'' before ''Any person'';

(2) in subsection (a), as so designated, by inserting '', or retaliating against any person subject to his orders for reporting a criminal offense,'' after ''any person subject to his orders''; and

(3) by adding at the end the following new subsection:

''(b) This section (article) is the sole section of this chapter under which the offense of retaliating against any person subject to a person's orders for reporting a criminal offense as described in subsection (a) is punishable.''.

(b) CONFORMING AMENDMENTS.—

(1) SECTION (ARTICLE) HEADING.—The heading of such section (article) is amended to read as follows:

''§ 893. Art. 93. Cruelty and maltreatment; retaliation for reporting a crime''.

(2) TABLE OF SECTIONS (ARTICLES).—The table of sections at the beginning of subchapter X of chapter 47 of such title is amended by striking the item relating to section 893 (article 93) and inserting the following new item:

''893. Art. 93. Cruelty and maltreatment; retaliation for reporting a crime.''.

(c) REPEAL OF SUPERSEDED PROHIBITION.—Section 1709 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 962; 10 U.S.C. 113 note) is repealed.

SEC. 559C. ESTABLISHMENT OF OBSTRUCTION OF JUSTICE AS A SEPARATE OFFENCE UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) PUNITIVE ARTICLE.—Subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after section 907 (article 107) the following new section (article):

''§ 907a. Art. 107a. Obstruction of justice

''(a) Any person subject to this chapter who wrongfully does a certain act with the intent to influence, impede, or otherwise obstruct the due administration of justice shall be punished as a court-martial may direct, except that the maximum punishment authorized for such offense may not exceed dishonorable discharge, forfeiture of all pay and allowances, and confinement for not more than five years.

''(b) This section (article) is the sole section of this chapter under which an offense described in subsection (a) is punishable.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter X of chapter 47 of such title, as amended by section 559B(b)(2) of this Act, is further amended by inserting after the item relating to section 907 (article 107) the following new item:

''907a. Art. 107a. Obstruction of justice.''.

SA 4311. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) 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 B of title II, add the following:

SEC. 221. AUTHORIZATION FOR RESEARCH TO IMPROVE MILITARY VEHICLE TECHNOLOGY TO INCREASE FUEL ECONOMY OR REDUCE FUEL CONSUMPTION OF MILITARY GROUND VEHICLES USED IN COMBAT.

(a) RESEARCH AUTHORIZED.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering and in collaboration with the Secretary of the Army, the Secretary of the Navy, and the Director of the Defense Advanced Research Projects Agency, may carry out research to improve military ground vehicle technology to increase fuel economy or reduce fuel consumption of military ground vehicles used in combat.

(b) PREVIOUS SUCCESSES.—The Secretary of Defense shall ensure that research carried out under subsection (a) takes into account the successes of, and lessons learned during, previous Department of Defense, Department of Energy, and private sector efforts to identify, assess, develop, demonstrate, and prototype technologies that support increasing fuel economy or decreasing fuel consumption of military ground vehicles, while balancing survivability, in furtherance of military missions.

SA 4312. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) 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 B of title III, add the following:

SEC. 306. ESTABLISHMENT OF DEPARTMENT OF DEFENSE ALTERNATIVE FUELED VEHICLE INFRASTRUCTURE FUND.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury a fund to be known as the ''Department of Defense Alternative Fuel Vehicle Infrastructure Fund''.

(b) DEPOSITS.—The Fund shall consist of the following:

(1) Amounts appropriated to the Fund.

(2) Amounts earned through investment under subsection (c).

(3) Any other amounts made available to the Fund by law.

(c) INVESTMENTS.—The Secretary shall invest any part of the Fund that the Secretary decides is not required to meet current expenses. Each investment shall be made in an interest-bearing obligation of the United States Government, or an obligation that has its principal and interest guaranteed by the Government, that the Secretary decides has a maturity suitable for the Fund.

(d) USE OF FUNDS.—Amounts in the Fund shall be available to the Secretary, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, to install, operate, and maintain alternative fuel dispensing stations for use by alternative fueled vehicles of the Department of Defense and other infrastructure necessary to fuel alternative fueled vehicles of the Department.

(e) DEFINITIONS.—In this section:

(1) ALTERNATIVE FUEL.—The term ''alternative fuel'' has the meaning given such term in section 32901 of title 49, United States Code.

(2) ALTERNATIVE FUELED VEHICLE.—The term ''alternative fueled vehicle'' means a vehicle that operates on alternative fuel.

(3) FUND.—The term ''Fund'' means the fund established under subsection (a).

SA 4313. Mr. PETERS 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 I of title X, add the following:

SEC. 1097. REPORT ON DEFENSE NUCLEAR NONPROLIFERATION RESEARCH AND DEVELOPMENT PROJECTS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Joint Comprehensive Plan of Action (JCPOA) provides for the long term presence of the International Atomic Energy Agency (IAEA) in Iran using modern technologies in Annex I, section N.

(2) The JCPOA allows the IAEA to utilize on-line enrichment measurement and electronic seals as well as other internationally accepted modern technologies for inspection and verification of compliance.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Deputy Administrator for Defense Nuclear Nonproliferation shall submit to Congress a report that contains at a minimum the following elements:

(1) A description of ongoing, planned, and anticipated defense nuclear nonproliferation research and development projects and activities.

(2) A strategy for improving arms control agreement verification capabilities, including improving the capability and accuracy of nonproliferation verification technologies that comply with the JCPOA.

(c) JOINT COMPREHENSIVE PLAN OF ACTION DEFINED.—The term ''Joint Comprehensive Plan of Action'' means the Joint Comprehensive Plan of Action signed at Vienna on July

14, 2015, by Iran and by France, Germany, the Russian Federation, the People's Republic of China, the United Kingdom, and the United States.

SA 4314. Mr. PETERS 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 D of title XII, add the following:

SEC. 1227. AUTHORITY TO PROVIDE ASSISTANCE AND TRAINING TO INCREASE MARITIME SECURITY AND DOMAIN AWARENESS OF FOREIGN COUNTRIES BORDERING THE PERSIAN GULF, ARABIAN SEA, OR MEDITERRANEAN SEA.

(a) PURPOSE.—The purpose of this section is to authorize assistance and training to increase maritime security and domain awareness of foreign countries bordering the Persian Gulf, the Arabian Sea, or the Mediterranean Sea in order to deter and counter illicit smuggling and related maritime activity by Iran, including illicit Iranian weapons shipments.

(b) AUTHORITY.—

(1) IN GENERAL.—To carry out the purpose of this section as described in subsection (a), the Secretary of Defense, with the concurrence of the Secretary of State, is authorized—

(A) to provide training to the national military or other security forces of Israel, Bahrain, Saudi Arabia, the United Arab Emirates, Oman, Kuwait, and Qatar that have among their functional responsibilities maritime security missions; and

(B) to provide training to ministry, agency, and headquarters level organizations for such forces.

(2) DESIGNATION.—The provision of assistance and training under this section may be referred to as the ''Counter Iran Maritime Initiative''.

(c) TYPES OF TRAINING.—

(1) AUTHORIZED ELEMENTS OF TRAINING.—Training provided under subsection (b)(1)(A) may include the provision of de minimis equipment, supplies, and small-scale military construction.

(2) REQUIRED ELEMENTS OF TRAINING.—Training provided under subsection (b) shall include elements that promote the following:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for legitimate civilian authority within the country to which the assistance is provided.

(d) AVAILABILITY OF FUNDS.—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 section 4301, $50,000,000 shall be available only for the provision of assistance and training under subsection (b).

(e) COST SHARING.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that, given income parity among recipient countries, the Secretary of Defense, with the concurrence of the Secretary of State, should seek, through appropriate bilateral and multilateral arrangements, payments sufficient in amount to offset any training costs associated with implementation of subsection (b).

(2) COST-SHARING AGREEMENT.—The Secretary of Defense, with the concurrence of the Secretary of State, shall negotiate a cost-sharing agreement with a recipient country regarding the cost of any training provided pursuant to section (b). The agreement shall set forth the terms of cost sharing that the Secretary of Defense determines are necessary and appropriate, but such terms shall not be less than 50 percent of the overall cost of the training.

(3) CREDIT TO APPROPRIATIONS.—The portion of such cost-sharing received by the Secretary of Defense pursuant to this subsection may be credited towards appropriations available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301.

(f) NOTICE TO CONGRESS ON TRAINING.—Not later than 15 days before exercising the authority under subsection (b) with respect to a recipient country, the Secretary of Defense shall submit to the appropriate congressional committees a notification containing the following:

(1) An identification of the recipient country.

(2) A detailed justification of the program for the provision of the training concerned, and its relationship to United States security interests.

(3) The budget for the program, including a timetable of planned expenditures of funds to implement the program, an implementation time-line for the program with milestones (including anticipated delivery schedules for any assistance and training under the program), the military department or component responsible for management of the program, and the anticipated completion date for the program.

(4) A description of the arrangements, if any, to support recipient country sustainment of any capability developed pursuant to the program, and the source of funds to support sustainment efforts and performance outcomes to be achieved under the program beyond its completion date, if applicable.

(5) A description of the program objectives and an assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient force.

(6) Such other matters as the Secretary considers appropriate.

(g) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(h) TERMINATION.—Assistance and training may not be provided under this section after September 30, 2020.

SA 4315. Mr. PETERS (for himself and Ms. STABENOW) 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 I of title X, add the following:

SEC. 1097. REPORT ON MILITARY TRAINING FOR OPERATIONS IN DENSELY POPULATED URBAN TERRAIN.

(a) FINDINGS.—Congress makes the following findings:

(1) Despite years of contingency operations in densely populated urban areas, the United States Armed Forces continue to rely on crude mock-ups of city blocks for urban training.

(2) Current urban training complexes do not offer sufficient capability to train or exercise joint, combined arms or large units in a dense urban landscape of tall buildings and other obstacles inhabited by millions of people.

(3) Combat units from all military services train in facilities that are significantly smaller and less complex than the real-world urban environments of today and of the megacity challenges anticipated in the future.

(4) The military services have identified the training gap, but do not have the resources or funding to invest in the development of massive cities with the infrastructure and obstacles that would be encountered during a contingency in dense urban environments.

(5) In 2015, the Chief of Staff of the Army published guidance to subordinate organizations to continue to develop concepts and capabilities related to all aspects of the dense urban terrain challenge.

(6) The United States Army Training and Doctrine Command (TRADOC) was directed to assume the leadership for the development of solutions to address the myriad of challenges operating in dense urban terrain, including requirements for the developing an urban studies program to increase operational leader understanding of urban environments, advancing material solutions for current and future megacity challenges, and improving urban systems modeling capabilities.

(b) REPORT.—

(1) IN GENERAL.—Not later than February 1, 2017, the Secretary of Defense shall submit to the congressional defense committees a report on plans and initiatives to enhance existing urban training concepts, capabilities, and facilities, and to provide for new training opportunities that will more closely resemble large, dense, heavily populated urban environments. The report should include specific efforts to provide for a realistic environment for the training of large units with joint assets and recently fielded technologies to exercise new tactics, techniques, and procedures, including consideration of anticipated urban military operations in or near the littoral environment and maritime domain as well as the cyber domain.

(2) FORM.—The report required under paragraph (1) may be submitted in classified or unclassified form.

SA 4316. Mr. ROUNDS (for himself and Mr. CASEY) 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 VII, add the following:

SEC. 709. EXPEDITED EVALUATION AND TREATMENT FOR PRENATAL SURGERY UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—The Secretary of Defense shall implement processes and procedures to ensure that a covered beneficiary under the TRICARE program whose pregnancy is complicated with a fetal anomaly or suspected of being complicated with a fetal anomaly receives, in an expedited manner and at the discretion of the covered beneficiary, evaluation and treatment from a perinatal or pediatric specialist capable of providing surgical management and intervention in utero.

(b) DEFINITIONS.—In this section, the terms ''covered beneficiary'' and ''TRICARE program'' have the meanings given those terms in section 1072 of title 10, United States Code.

SA 4317. Ms. HIRONO (for herself, Ms. MURKOWSKI, and Ms. CANTWELL) 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; as follows:

At the end of subtitle H of title XII, insert the following:

SEC. 1277. SENSE OF CONGRESS ON COMMITMENT TO THE REPUBLIC OF PALAU.

(a) FINDINGS.—Congress makes the following findings:

(1) The Republic of Palau is comprised of 300 islands and covers roughly 177 square miles strategically located in the western Pacific Ocean between the Philippines and the United States territory of Guam.

(2) The United States and Palau have forged close security, economic and cultural ties since the United States defeated the armed forces of Imperial Japan in Palau in 1944.

(3) The United States administered Palau as a District of the United Nations Trust Territory of the Pacific Islands from 1947 to 1994.

(4) In 1994, the United States and Palau entered into a 50-year Compact of Free Association which provided for the independence of Palau and set forth the terms for close and mutually beneficial relations in security, economic, and governmental affairs.

(5) The security terms of the Compact grant the United States full authority and responsibility for the security and defense of Palau, including the exclusive right to deny any nation's military forces access to the territory of Palau except the United States, an important element of our Pacific strategy for defense of the United States homeland, and the right to establish and use defense sites in Palau.

(6) The Compact entitles any citizen of Palau to volunteer for service in the United States Armed Forces, and they do so at a rate that exceeds that of any of the 50 States.

(7) In 2009, and in accordance with section 432 of the Compact, the United States and Palau reviewed their overall relationship. In 2010, the two nations signed an agreement updating and extending several provisions of the Compact, including an extension of United States financial and program assistance to Palau, and establishing increased post-9/11 immigration protections. However, the United States has not yet approved this Agreement or provided the assistance as called for in the Agreement.

(8) Beginning in 2010 and most recently on February 22, 2016, the Department of the Interior, the Department of State, and the Department of Defense have sent letters to Speaker of the House of Representatives and the President Pro Tempore of the Senate transmitting the legislation to approve the 2010 United States Palau Agreement including an analysis of the budgetary impact of the legislation.

(9) The February 22, 2016, letter concluded, ''Approving the results of the Agreement is important to the national security of the United States, stability in the Western Pacific region, our bilateral relationship with Palau and to the United States' broader strategic interest in the Asia-Pacific region.''

(10) On May 20, 2016, the Department of Defense submitted a letter to the Chairmen and Ranking Members of the congressional defense committees in support of including legislation enacting the agreement in the fiscal year 2017 National Defense Authorization Act and concluded that its inclusion advances United States national security objectives in the region.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) to fulfill the promise and commitment of the United States to its ally, the Republic of Palau, and reaffirm this special relationship and strengthen the ability of the United States to defend the homeland, Congress and the President should promptly enact the Compact Review Agreement signed by the United States and Palau in 2010; and

(2) Congress and the President should immediately seek a mutually acceptable solution to approving the Compact Review Agreement and ensuring adequate budgetary resources are allocated to meet United States obligations under the Compact through enacting legislation, including through this Act.

SA 4318. Mr. SCHUMER 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 B of title III, add the following:

SEC. 306. AIR FORCE REPORT ON PERFLUOROOCTANOIC ACID (PFOA) AND PERFLUOROOCTANE SULFONATES (PFOS) CONTAMINATION AT CERTAIN MILITARY INSTALLATIONS.

(a) FINDING.—Congress makes the following findings:

(1) An increasing number of communities across New York have reportedly identified the presence of perfluorooctanoic acid (PFOA) and perfluorooctane sulfonates (PFOS), which can contaminate water and cause adverse health effects.

(2) According to reports, levels of PFOA and PFOS have been detected in the public and private water supplies in the cities of Newburgh and Plattsburgh and the towns of Hoosick Falls and Petersburgh, New York. Public and private wells in these communities are being tested by the New York Department of Environmental Conservation (DEC) and the New York Department of Health (DOH) .

(3) The Environmental Protection Agency (EPA) has identified PFOA as an ''emerging contaminant,'' and in 2009, the EPA issued an updated provisional health advisory for drinking water of 70 parts per trillion for PFOA and PFOS.

(b) REPORT.—

(1) IN GENERAL.—Not later than September 1, 2016, the Secretary of the Air Force, in collaboration with the Administrator of the Environmental Protection Agency, shall submit to Congress a report on perfluorooctanoic acid (PFOA) and perfluorooctane sulfonates (PFOS) contamination at Stewart Air National Guard Base, Newburgh, Plattsburgh, Hoosick Falls, and Petersburgh, New York.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) An update on the cleanups underway at Stewart Air National Guard Base, Newburgh, Plattsburgh, Hoosick Falls, and Petersburgh.

(B) An update on the Air Force's efforts to identify and notify everyone affected or impacted by the contamination.

(C) An assessment of the Air Force's role, if any, in the new contaminations.

(D) A summary of the Air Force's support, where appropriate, for the EPA with respect to the latest contaminations.

SA 4319. Mrs. FEINSTEIN (for herself and Mrs. BOXER) 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; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. USE OF REVENUE AT A PREVIOUSLY ASSOCIATED AIRPORT.

Section 40117 of title 49, United States Code, is amended by adding at the end the following:

''(n) USE OF REVENUES AT A PREVIOUSLY ASSOCIATED AIRPORT.—Notwithstanding the requirements relating to airport control under subsection (b)(1), the Secretary may authorize use of a passenger facility charge under subsection (b) to finance an eligible airport-related project if—

''(1) the eligible agency seeking to impose the new charge controls an airport where a $2.00 passenger facility charge became effective on January 1, 2013; and

''(2) the location of the project to be financed by the new charge is at an airport that was under the control of the same eligible agency that had controlled the airport described in paragraph (1).''.

SA 4320. Mr. SCHATZ (for himself, Mrs. GILLIBRAND, Mr. MURPHY, Mr. WHITEHOUSE, Ms. BALDWIN, Ms. WARREN, Mr. BROWN, Mr. DURBIN, Mr. WYDEN, Mrs. BOXER, Mr. TESTER, Mr. BLUMENTHAL, Mr. UDALL, Mr. MERKLEY, Mr. SANDERS, Mrs. MCCASKILL, Mr. LEAHY, Ms. CANTWELL, Mrs. MURRAY, Ms. HIRONO, Mr. CARPER, Ms. HEITKAMP, Mr. COONS, Mr. BENNET, Mr. BOOKER, Mrs. SHAHEEN, Mr. HEINRICH, Mr. PETERS, Mr. SCHUMER, and Mr. REID) 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:

Insert after section 536 the following:

SEC. 536A. REVIEW OF DISCHARGE CHARACTERIZATION.

(a) IN GENERAL.—In accordance with this section, the appropriate discharge boards—

(1) shall review the discharge characterization of covered members at the request of the covered member; and

(2) if such characterization is any characterization except honorable, may change such characterization to honorable.

(b) CRITERIA.—In changing the discharge characterization of a covered member to honorable under subsection (a)(2), the Secretary of Defense shall ensure that such changes are carried out consistently and uniformly across the military departments using the following criteria:

(1) The original discharge must be based on Don't Ask Don't Tell (in this Act referred to as ''DADT'') or a similar policy in place prior to the enactment of DADT.

(2) Such discharge characterization shall be so changed if, with respect to the original discharge, there were no aggravating circumstances, such as misconduct, that would have independently led to a discharge characterization that was any characterization except honorable. For purposes of this paragraph, such aggravating circumstances may not include—

(A) an offense under section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice), committed by a covered member against a person of the same sex with the consent of such person; or

(B) statements, consensual sexual conduct, or consensual acts relating to sexual orientation or identity, or the disclosure of such statements, conduct, or acts, that were prohibited at the time of discharge but after the date of such discharge became permitted.

(3) When requesting a review, a covered member, or the member's representative, shall be required to provide either—

(A) documents consisting of—

(i) a copy of the DD–214 form of the member;

(ii) a personal affidavit of the circumstances surrounding the discharge; and

(iii) any relevant records pertaining to the discharge; or

(B) an affidavit certifying that the member, or the member's representative, does not have the documents specified in subparagraph (A).

(4) If a covered member provides an affidavit described in subparagraph (B) of paragraph (3)—

(A) the appropriate discharge board shall make every effort to locate the documents specified in subparagraph (A) of such paragraph within the records of the Department of Defense; and

(B) the absence of such documents may not be considered a reason to deny a change of the discharge characterization under subsection (a)(2).

(c) REQUEST FOR REVIEW.—The appropriate discharge board shall ensure the mechanism by which covered members, or their representative, may request to have the discharge characterization of the covered member reviewed under this section is simple and straightforward.

(d) REVIEW.—

(1) IN GENERAL.—After a request has been made under subsection (c), the appropriate discharge board shall review all relevant laws, records of oral testimony previously taken, service records, or any other relevant information regarding the discharge characterization of the covered member.

(2) ADDITIONAL MATERIALS.—If additional materials are necessary for the review, the appropriate discharge board—

(A) may request additional information from the covered member or the member's representative, in writing, and specifically detailing what is being requested; and

(B) shall be responsible for obtaining a copy of the necessary files of the covered member from the member, or when applicable, from the Department of Defense.

(e) CHANGE OF CHARACTERIZATION.—The appropriate discharge board shall change the discharge characterization of a covered member to honorable if such change is determined to be appropriate after a review is conducted under subsection (d) pursuant to the criteria under subsection (b). A covered member, or the member's representative, may appeal a decision by the appropriate discharge board to not change the discharge characterization by using the regular appeals process of the board.

(f) CHANGE OF RECORDS.—For each covered member whose discharge characterization is changed under subsection (e), or for each covered member who was honorably discharged but whose DD–214 form reflects the sexual orientation of the member, the Secretary of Defense shall reissue to the member or the member's representative a revised DD–214 form that reflects the following:

(1) For each covered member discharged, the Separation Code, Reentry Code, Narrative Code, and Separation Authority shall not reflect the sexual orientation of the member and shall be placed under secretarial authority. Any other similar indication of the sexual orientation or reason for discharge shall be removed or changed accordingly to be consistent with this paragraph.

(2) For each covered member whose discharge occurred prior to the creation of general secretarial authority, the sections of the DD–214 form referred to paragraph (1) shall be changed to similarly reflect a universal authority with codes, authorities, and language applicable at the time of discharge.

(g) STATUS.—

(1) IN GENERAL.—Each covered member whose discharge characterization is changed under subsection (e) shall be treated without regard to the original discharge characterization of the member, including for purposes of—

(A) benefits provided by the Federal Government to an individual by reason of service in the Armed Forces; and

(B) all recognitions and honors that the Secretary of Defense provides to members of the Armed Forces.

(2) REINSTATEMENT.—In carrying out paragraph (1)(B), the Secretary shall reinstate all recognitions and honors of a covered member whose discharge characterization is changed under subsection (e) that the Secretary withheld because of the original discharge characterization of the member.

(h) REPORTS.—

(1) REVIEW.—The Secretary of Defense shall conduct a review of the consistency and uniformity of the reviews conducted under section 2.

(2) REPORTS.—Not later than 270 days after the date of the enactment of this Act, and each year thereafter for a four-year period, the Secretary shall submit to Congress a report on the reviews under paragraph (1). Such reports shall include any comments or recommendations for continued actions.

(i) HISTORICAL REVIEW.—The Secretary of each military department shall ensure that oral historians of the department—

(1) review the facts and circumstances surrounding the estimated 100,000 members of the Armed Forces discharged from the Armed Forces between World War II and September 2011 because of the sexual orientation of the member; and

(2) receive oral testimony of individuals who personally experienced discrimination and discharge because of the actual or perceived sexual orientation of the individual so that such testimony may serve as an official record of these discriminatory policies and their impact on American lives.

(j) DEFINITIONS.—In this section:

(1) The term ''appropriate discharge board'' means the boards for correction of military records under section 1552 of title 10, United States Code, or the discharge review boards under section 1553 of such title, as the case may be.

(2) The term ''covered member'' means any former member of the Armed Forces who was discharged from the Armed Forces because of the sexual orientation of the member.

(3) The term ''discharge characterization'' means the characterization under which a member of the Armed Forces is discharged or released, including ''dishonorable'', ''general'', ''other than honorable'', and ''honorable''.

(4) The term ''Don't Ask Don't Tell'' means section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don't Ask, Don't Tell Repeal Act of 2010 (Public Law 111–321).

(5) The term ''representative'' means the surviving spouse, next of kin, or legal representative of a covered member.

SA 4321. Mr. SCHATZ 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 F of title XII, add the following:

SEC. 1247. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON UNITED STATES INTERESTS IN THE FREELY ASSOCIATED STATES.

(a) REPORT REQUIRED.—Not later than December 1, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the results of a study, conducted by the Comptroller General for purposes of the report, on United States security and foreign policy interests in the Freely Associated States of the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

(b) ELEMENTS.—The study required pursuant to subsection (a) shall address the following:

(1) The role of the Compacts of Free Association in promoting United States defense and foreign policy interests, and the status of the obligations of the United States and the Freely Associated States under the Compacts of Free Association.

(2) The economic assistance practices of the People's Republic of China in the Freely Associated States, and the implications of such practices for United States defense and foreign policy interests in the Freely Associated States and the Pacific region.

(3) The economic assistance practices of other countries in the Freely Associated States, as determined by the Comptroller General, and the implications of such practices for United States defense and foreign policy interests in the Freely Associated States and the Pacific region.

(4) Any other matters the Comptroller General considers appropriate.

(c) CONSULTATION.—The Comptroller General shall consult in the preparation of the

report with other departments and agencies of the United States Government, including elements of the intelligence community.

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified for, but may include a classified annex.

SA 4322. Mr. TESTER 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 F of title V, add the following:

SEC. 583. GAO REPORT ON IMPACT AID CONSTRUCTION PROGRAMS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a comprehensive study that—

(1) examines the implementation of section 8007 of the Elementary and Secondary Education Act of 1965 (for fiscal year 2016 and any preceding fiscal year, and as in effect for such fiscal year) and section 7007 of that Act (for each of fiscal years 2017 and 2018, and as in effect for such fiscal year), including a comparison of—

(A) the distribution of payments between subparagraphs (A) and (B) of subsection (a)(3) of those sections, as applicable, for the period of the 10 fiscal years preceding the fiscal year of the study;

(B) other Federal funding made available to local educational agencies eligible to receive funding under subsection (a)(3) of those sections; and

(C) the overall level of available capital funding of local educational agencies eligible to receive funding under subsection (a)(3) of those sections compared to other comparable local educational agencies;

(2) evaluates unmet need as of the date of enactment of this section for housing of professionals employed to work at schools operated by local educational agencies eligible to receive funding under subsection (a)(3)(B) of section 7007 of the Elementary and Secondary Education Act of 1965 (as in effect for fiscal year 2017);

(3) to the extent practicable, determines the age, condition, and remaining utility of school facilities for those local educational agencies enrolling students described in subparagraph (B) or (C) of section 7003(a)(1) of that Act (as in effect for fiscal year 2017) that are eligible to receive a basic support payment under—

(A) section 8003(b) of that Act (for any of fiscal years 2009 through 2016, and as in effect for such fiscal year); and

(B) section 7003(b) of that Act (for any of fiscal years 2017 and 2018, and as in effect for such fiscal year); and

(4) recommends a method by which the Federal Government may develop a school facility condition index for a school facility of a local educational agency eligible to receive funding under 7007(a)(3) of that Act (as in effect for fiscal year 2017) that limits the reporting burden to the maximum extent practicable on the eligible local educational agencies included in the index.

(b) REPORTING.—The Comptroller General shall submit a report containing the conclusions of the study under subsection (a) to—

(1) the Committees on Indian Affairs, Armed Services, and Health, Education, Labor, and Pensions of the Senate; and

(2) the Subcommittee on Indian, Insular, and Alaska Native Affairs and the Committees on Education and the Workforce and Armed Services of the House of Representatives.

(c) TIMEFRAME.—The Comptroller General shall complete the study under subsection (a) and submit the report under subsection (b) by the date that is not later than 18 months after the date of enactment of this Act.

(d) DEFINITION OF SCHOOL FACILITY.—In this section, the term ''school facility'' has the meaning given the term in section 7013 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713), as in effect for fiscal year 2017.

SA 4323. Ms. COLLINS 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; as follows:

Strike section 604.

SA 4324. Mr. SCOTT (for himself and Mr. SASSE) 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 F of title V, add the following:

SEC. 583. MILITARY SCHOLARSHIPS.

(a) PURPOSE.—The purpose of this section is to ensure high-quality education for children of military personnel who live on military installations and thus have less freedom to exercise school choice for their children, in order to improve the ability of the Armed Forces to retain such military personnel.

(b) MILITARY SCHOLARSHIP PROGRAM.—

(1) DEFINITIONS.—In this section:

(A) ESEA DEFINITIONS.—The terms ''child'', ''elementary school'', ''secondary school'', and ''local educational agency'' have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(B) ELIGIBLE MILITARY STUDENT.—The term ''eligible military student'' means a child who—

(i) is a military dependent student;

(ii) lives on a military installation selected to participate in the program under paragraph (2)(B); and

(iii) chooses to attend a participating school, rather than a school otherwise assigned to the child.

(C) MILITARY DEPENDENT STUDENT.—The term ''military dependent student'' has the meaning given the term in section 572(e) of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7703b(e)).

(D) PARTICIPATING SCHOOL.—The term ''participating school'' means a public or private elementary school or secondary school that—

(i) accepts scholarship funds provided under this section on behalf of an eligible military student for the costs of tuition, fees, or transportation of the eligible military student; and

(ii) is accredited, licensed, or otherwise operating in accordance with State law.

(E) SECRETARY.—The term ''Secretary'' means the Secretary of Defense.

(2) PROGRAM AUTHORIZED.—

(A) IN GENERAL.—From amounts made available under paragraph (7) and beginning for the first full school year following the date of enactment of this Act, the Secretary shall carry out a 5-year pilot program to award scholarships to enable eligible military students to attend the public or private elementary schools or secondary schools selected by the eligible military students' parents.

(B) SCOPE OF PROGRAM.—

(i) IN GENERAL.—The Secretary shall select not less than 5 military installations to participate in the pilot program described in subparagraph (A). In making such selection, the Secretary shall choose military installations that where eligible military students would most benefit from expanded educational options.

(ii) INELIGIBILITY.—A military installation that provides, on its premises, education for all elementary school and secondary school grade levels through 1 or more Department of Defense dependents' schools shall not be eligible for participation in the program.

(C) AMOUNT OF SCHOLARSHIPS.—

(i) IN GENERAL.—The annual amount of each scholarship awarded to an eligible military student under this section shall not exceed the lesser of—

(I) the cost of tuition, fees, and transportation associated with attending the participating school selected by the parents of the student; or

(II)(aa) in the case of an eligible military student attending elementary school—

(AA) $8,000 for the first full school year following the date of enactment of this Act; or

(BB) the amount determined under clause (ii) for each school year following such first full school year; or

(bb) in the case of an eligible military student attending secondary school—

(AA) $12,000 for the first full school year following the date of enactment of this Act; or

(BB) the amount determined under clause (ii) for each school year following such first full school year.

(ii) ADJUSTMENT FOR INFLATION.—For each school year after the first full school year following the date of enactment of this Act, the amounts specified in items (aa) and (bb) of clause (i)(II) shall be adjusted to reflect changes for the 12-month period ending the preceding June in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(D) PAYMENTS TO PARENTS.—The Secretary shall make scholarship payments under this section to the parent of the eligible military student in a manner that ensures such payments will be used for the payment of tuition, fees, and transportation expenses (if any) in accordance with this section.

(3) SELECTION OF SCHOLARSHIPS RECIPIENTS.—

(A) RANDOM SELECTION.—If more eligible military students apply for scholarships under the program under this section than the Secretary can accommodate, the Secretary shall select the scholarship recipients through a random selection process from students who submitted applications by the application deadline specified by the Secretary.

(B) CONTINUED ELIGIBILITY.—

(i) IN GENERAL.—An individual who is selected to receive a scholarship under the program under this section shall continue to receive a scholarship for each year of the program until the individual—

(I) graduates from secondary school or elects to no longer participate in the program;

(II) exceeds the maximum age for which the State in which the student lives provides a free public education; or

(III) is no longer an eligible military student.

(ii) CONTINUED PARTICIPATION FOR MILITARY TRANSFERS.—

(I) TRANSFER TO PRIVATE NON-MILITARY HOUSING.—Notwithstanding clause (i)(III), an individual receiving a scholarship under this section for a school year who meets the requirements of clauses (i) and (iii) of paragraph (1)(B) and whose family, during such school year, moves into private non-military housing that is not considered to be part of the military installation, shall continue to receive the scholarship for use at the participating school for the remaining portion of the school year.

(II) TRANSFER TO A DIFFERENT MILITARY INSTALLATION.—Notwithstanding clause(i)(III), an individual receiving a scholarship under this section for a school year whose family is transferred to a different military installation shall no longer be eligible to receive such scholarship beginning on the date of the transfer. Such individual may apply to participate in any program offered under this section for the new military installation for a subsequent school year, if such individual qualifies as an eligible military student for such school year.

(4) NONDISCRIMINATION AND OTHER PROVISIONS.—

(A) NON-DISCRIMINATION.—A participating school shall not discriminate against program participants or applicants on the basis of race, color, national origin, or sex.

(B) APPLICABILITY AND SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.—

(i) IN GENERAL.—Notwithstanding any other provision of law, the prohibition of sex discrimination in subparagraph (A) shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of subparagraph (A) is inconsistent with the religious tenets or beliefs of the school.

(ii) SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.—Notwithstanding subparagraph (A) or any other provision of law, a parent may choose, and a participating school may offer, a single-sex school, class, or activity.

(C) CHILDREN WITH DISABILITIES.—Nothing in this section may be construed to alter or modify the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(D) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A participating school, including the schools described in paragraph (5), may require eligible students to abide by any rules of conduct and other requirements applicable to all other students at the school.

(5) RELIGIOUSLY AFFILIATED SCHOOLS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, a participating school that is operated by, supervised by, controlled by, or connected to, a religious organization may exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including the exemptions in that title.

(B) MAINTENANCE OF PURPOSE.—Notwithstanding any other provision of law, funds made available under this section to eligible military students that are received by a participating school, as a result of their parents' choice, shall not, consistent with the first amendment of the Constitution of the United States—

(i) necessitate any change in the participating school's teaching mission;

(ii) require any private participating school to remove religious art, icons, scriptures, or other symbols; or

(iii) preclude any private participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

(6) REPORTS.—

(A) ANNUAL REPORTS.—Not later than July 30 of the year following the year of the date of enactment of this Act, and each subsequent year through the year in which the final report is submitted under subparagraph (B), the Secretary shall prepare and submit to Congress an interim report on the scholarships awarded under the pilot program under this section that includes the content described in subparagraph (C) for the applicable school year of the report.

(B) FINAL REPORT.—Not later than 90 days after the end of the pilot program under this section, the Secretary shall prepare and submit to Congress a report on the scholarships awarded under the program that includes the content described in subparagraph (C) for each school year of the program.

(C) CONTENT.—Each annual report under subparagraph (A) and the final report under subparagraph (B) shall contain—

(i) the number of applicants for scholarships under this section;

(ii) the number, and the average dollar amount, of scholarships awarded;

(iii) the number of participating schools;

(iv) the number of elementary school students receiving scholarships under this section and the number of secondary school students receiving such scholarships; and

(v) the results of a survey, conducted by the Secretary, regarding parental satisfaction with the scholarship program under this section.

(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2017 through 2021.

(8) OFFSET IN DEPARTMENT OF EDUCATION SALARIES.—Notwithstanding any other provision of law, for fiscal year 2017 and each of the 4 succeeding fiscal years, the Secretary of Education shall return to the Treasury $10,000,000 of the amounts made available to the Secretary for salaries and expenses of the Department of Education for such year.

SA 4325. Mr. KIRK 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 D of title X, add the following:

SEC. 1031. ADDITIONAL REPORTS ON TRANSFER OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES.

(a) REPORT REQUIRED UPON TRANSFER.—

(1) REPORT.—Upon the transfer of an individual detained at Guantanamo to a foreign country, the Secretary of Defense shall submit to the appropriate committees of Congress a report on any written or unwritten agreement or memorandum of understanding between the United States Government and the government of the country regarding the transfer of the individual.

(2) ELEMENTS.—The report on an individual under paragraph (1) shall set forth the following:

(A) The prospective status of the individual after transfer to the country concerned.

(B) The capacity of the country to securely detain or monitor the individual, or both.

(C) The actions the country will take to mitigate the risk of recidivism by the individual.

(D) An assessment of the security environment in the country.

(E) A list of individuals detained at Guantanamo previously transferred to the country, if any, and the current known status of each such individual.

(F) A plan to periodically assess the status of the individual and the compliance of the country with any written or unwritten agreement or memorandum of understanding described in subsection (a).

(G) An assessment of security cooperation between the United States and the country, and a description of any security assistance provided to the country—

(i) in connection with the transfer; and

(ii) during the two-year period ending on the date of the report.

(H) Any other incentives provided by the United States Government to the country to accept the transfer of the individual.

(b) REPORTS REQUIRED AFTER TRANSFER.—

(1) IN GENERAL.—The Secretary shall submit to the appropriate committees of Congress, with the frequency specified in paragraph (2), a report on each individual detained at Guantanamo who is transferred to a foreign county. Each such report shall include the following:

(A) A description of the compliance of such country with any written or unwritten agreement or memorandum of understanding between the United States Government and the government of such country regarding the transfer of the individual.

(B) A description of the status of each individual detained at Guantanamo who was previously transferred to such country, regardless of when transferred.

(2) FREQUENCY.—A report shall be submitted under paragraph (1) on an individual as follows:

(A) Not later than six months after transfer.

(B) Not later than one year after transfer.

(C) Not later than annually thereafter.

(c) CONSTRUCTION WITH OTHER REPORTING REQUIREMENTS.—The reports required under this section in connection with the transfer of an individual detained at Guantanamo are in addition to any other reports required in connection with the transfer of the individual under any other provision of law.

(d) PUBLICATION.—Each report under this section shall be published in the Federal Register in unclassified form.

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1032. REPORT ON INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, WHOSE STATUS WAS REVISED AFTER 2010 FINAL REPORT OF THE GUANTANAMO REVIEW TASK FORCE.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the individuals detained at United States Naval Station, Guantanamo Bay, Cuba, whose status was revised after the January 22, 2010, Final Report of the Guantanamo Review Task Force.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) Name and number of each individual detained at Guantanamo whose status was revised after the January 22, 2010, Final Report of the Guantanamo Review Task Force.

(2) An explanation for the revision in status of each such individual.

(3) The name of each individual detained at Guantanamo who was designated in the Final Report of the Guantanamo Review Task Force as too dangerous to transfer, but had the status revised and was subsequently transferred from United States Naval Station, Guantanamo Bay, Cuba.

(4) The place to which each individual covered by paragraph (3) was transferred.

(5) The current status of each individual covered by paragraph (3).

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SA 4326. Mr. RUBIO 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 D of title XII, add the following:

SEC. 1227. LIMITATION ON USE OF FUNDS TO PROCURE GOODS OR SERVICES FROM PERSONS THAT ENGAGE IN SIGNIFICANT TRANSACTIONS WITH CERTAIN IRANIAN PERSONS.

(a) LIMITATION.—No funds authorized to be appropriated for the Department of Defense for fiscal year 2017 may be used to procure, or enter into any contract for the procurement of, any goods or services from any person that knowingly engages in a significant transaction or transactions with a covered Iranian person during such fiscal year.

(b) CERTIFICATION.—The Federal Acquisition Regulation shall be revised to require a certification from each person that is a prospective contractor that such person does not engage in any transaction described in subsection (a). Such revision shall apply with respect to contracts in an amount greater than the simplified acquisition threshold (as defined in section 134 of title 41, United States Code) for which solicitations are issued on or after the date that is 90 days after the date of the enactment of this Act.

(c) WAIVER.—The Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury, may, on a case-by-case basis, waive the limitation in subsection (a) with respect to a person if the Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury—

(1) determines that the waiver is important to the national security interest of the United States; and

(2) not less than 30 days before the date on which the waiver is to take effect, submits to the appropriate committees of Congress—

(A) a notification of, and detailed justification for, the waiver; and

(B) a certification that—

(i) the person to which the waiver is to apply is no longer engaging in transactions described in subsection (a) or has taken significant verifiable and credible steps toward stopping such transactions, including winding down contracts or other agreements that were in effect before the date of the enactment of this Act; and

(ii) the Secretary of Defense has received reliable assurances in writing that the person will not knowingly engage in a transaction described in subsection (a) in the future.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED IRANIAN PERSON.—The term ''covered Iranian person'' means an Iranian person that—

(A) is included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury and the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) for acting on behalf of or at the direction of, or being owned or controlled by, the Government of Iran;

(B) is included on the list of persons identified as blocked solely pursuant to Executive Order 13599; or

(C) in the case of an Iranian person described in paragraph (3)(B)—

(i) is owned, directly or indirectly, by—

(I) Iran's Revolutionary Guard Corps, or any agent or affiliate thereof; or

(II) one or more other Iranian persons that are included on the list of specially designated nationals and blocked persons as described in subparagraph (A) if such Iranian persons collectively own a 25 percent or greater interest in the Iranian person; or

(ii) is controlled, managed, or directed, directly or indirectly, by Iran's Revolutionary Guard Corps, or any agent or affiliate thereof, or by one or more other Iranian persons described in clause (i)(II).

(3) IRANIAN PERSON.—The term ''Iranian person'' means—

(A) an individual who is a national of Iran; or

(B) an entity that is organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(4) KNOWINGLY.—The term ''knowingly'' shall be determined, for the purposes of this section, in accordance with section 561.314 of title 31, Code of Federal Regulations, as such section 561.314 was in effect on January 1, 2016.

(5) PERSON.—The term ''person'' means has the meaning given such term in section 560.305 of title 31, Code of Federal Regulation, as such section 560.305 was in effect on April 22, 2016.

(6) SIGNIFICANT TRANSACTION OR TRANSACTIONS.—The term ''significant transaction or transactions'' shall be determined, for purposes of this section, in accordance with section 561.404 of title 31, Code of Federal Regulations, as such section 561.404 was in effect on January 1, 2016.

SA 4327. Mr. THUNE 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 I of title X, add the following:

SEC. 1097. VEHICLE INSPECTIONS.

(a) IN GENERAL.—As an interim safety measure, the Transportation Protective Service of the Department of Defense shall ensure that all commercial transportation service providers transporting explosives or potentially hazardous or sensitive cargo have a vehicle out-of-service percentage rate of not more than 10 percent, as determined by the Federal Motor Carrier Safety Administration, until the Department of Transportation concludes its current study to determine fair and accurate scoring methodology for the Safety Measurement System.

(b) COMPLIANCE.—The Transportation Protective Service may give a provider that exceeds the allowable vehicle out-of-service percentage rate under subsection (a) up to 90 days to bring such rate in compliance with subsection (a).

SA 4328. Mr. UDALL 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 G of title XII, add the following:

SEC. 1266. REPORT ON SECURITY COOPERATION PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE INTENDED TO BUILD PARTNER CAPACITY OF FOREIGN COUNTRIES.

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to the appropriate committees of Congress a report on the security cooperation programs and activities of the Department of Defense that are intended to build partner capacity of foreign countries.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) An identification of each current security cooperation program or activity of the

Department of Defense that is intended to build partner capacity of a foreign country.

(2) A description of the manner in which each program and activity identified pursuant to paragraph (1) is intended to build partner capacity of a foreign country.

(3) An assessment whether the programs and activities identified pursuant to paragraph (1) have effectively contributed to the accomplishment of strategic-level objectives.

(c) ASSESSMENT.—In preparing the assessment of a program or activity required pursuant to subsection (b)(3), the Secretary shall do a comparative analysis of the short-term, medium-term, and long-term effectiveness of the program or activity from the perspective of the United States Government and from the perspective of the government of the country concerned.

(d) DEFINITIONS.—In this section, the terms ''appropriate committees of Congress'' and ''security cooperation programs and activities of the Department of Defense'' have the meaning given those terms in section 301 of title 10, United States Code, as added by section 1252 of this Act.

SA 4329. Mr. UDALL (for himself and Mr. HEINRICH) 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 subsection (d) of section 876, add the following:

(8) Secure laser communications systems with high data rates to provide low probability of interception by adversaries.

(9) Advanced additive manufacturing capabilities that can be deployed in combat zones for use in areas without adequate access to parts and supplies or out at sea.

SA 4330. Mr. UDALL 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 title X, add the following:

Subtitle J—Organ Mountains-Desert Peaks

SEC. 1099A. DEFINITIONS.

In this subtitle:

(1) MONUMENT.—The term ''Monument'' means the Organ Mountains-Desert Peaks National Monument established by Presidential Proclamation 9131 (79 Fed. Reg. 30431).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of New Mexico.

(4) WILDERNESS AREA.—The term ''wilderness area'' means a wilderness area designated by section 1099B(a).

SEC. 1099B. DESIGNATION OF WILDERNESS AREAS.

(a) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness and as components of the National Wilderness Preservation System:

(1) ADEN LAVA FLOW WILDERNESS.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 27,673 acres, as generally depicted on the map entitled ''Potrillo Mountains Complex'' and dated April 19, 2016, which shall be known as the ''Aden Lava Flow Wilderness''.

(2) BROAD CANYON WILDERNESS.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 13,902 acres, as generally depicted on the map entitled ''Desert Peaks Wilderness'' and dated April 19, 2016, which shall be known as the ''Broad Canyon Wilderness''.

(3) CINDER CONE WILDERNESS.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 16,935 acres, as generally depicted on the map entitled ''Potrillo Mountains Complex'' and dated April 19, 2016, which shall be known as the ''Cinder Cone Wilderness''.

(4) ORGAN MOUNTAINS WILDERNESS.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 19,197 acres, as generally depicted on the map entitled ''Organ Mountains Area'' and dated April 19, 2016, which shall be known as the ''Organ Mountains Wilderness'', the boundary of which shall be offset 400 feet from the centerline of Dripping Springs Road in T. 23 S., R. 04 E., sec. 7, New Mexico Principal Meridian.

(5) POTRILLO MOUNTAINS WILDERNESS.—Certain land administered by the Bureau of Land Management in Doña Ana and Luna counties comprising approximately 125,854 acres, as generally depicted on the map entitled ''Potrillo Mountains Complex'' and dated April 19, 2016, which shall be known as the ''Potrillo Mountains Wilderness''.

(6) ROBLEDO MOUNTAINS WILDERNESS.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 16,776 acres, as generally depicted on the map entitled ''Desert Peaks Complex'' and dated April 19, 2016, which shall be known as the ''Robledo Mountains Wilderness''.

(7) SIERRA DE LAS UVAS WILDERNESS.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 11,114 acres, as generally depicted on the map entitled ''Desert Peaks Complex'' and dated April 19, 2016, which shall be known as the ''Sierra de las Uvas Wilderness''.

(8) WHITETHORN WILDERNESS.—Certain land administered by the Bureau of Land Management in Doña Ana and Luna counties comprising approximately 9,616 acres, as generally depicted on the map entitled ''Potrillo Mountains Complex'' and dated April 19, 2016, which shall be known as the ''Whitethorn Wilderness''.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file maps and legal descriptions of the wilderness areas with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—The maps and legal descriptions filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(c) MANAGEMENT.—Subject to valid existing rights, the wilderness areas shall be administered by the Secretary—

(1) as components of the National Landscape Conservation System; and

(2) in accordance with—

(A) this subtitle; and

(B) the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(i) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(ii) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(d) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land that is within the boundary of a wilderness area that is acquired by the United States shall—

(1) become part of the wilderness area within the boundaries of which the land is located; and

(2) be managed in accordance with—

(A) the Wilderness Act (16 U.S.C. 1131 et seq.);

(B) this subtitle; and

(C) any other applicable laws.

(e) GRAZING.—Grazing of livestock in the wilderness areas, where established before the date of enactment of this Act, shall be administered in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in Appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(f) MILITARY OVERFLIGHTS.—Nothing in this section restricts or precludes—

(1) low-level overflights of military aircraft over the wilderness areas, including military overflights that can be seen or heard within the wilderness areas;

(2) the designation of new units of special airspace over the wilderness areas; or

(3) the use or establishment of military flight training routes over the wilderness areas.

(g) BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this section creates a protective perimeter or buffer zone around any wilderness area.

(2) ACTIVITIES OUTSIDE WILDERNESS AREAS.—The fact that an activity or use on land outside any wilderness area can be seen or heard within the wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

(h) PARAGLIDING.—The use of paragliding within areas of the Potrillo Mountains Wilderness designated by subsection (a)(5) in which the use has been established before the date of enactment of this Act, shall be allowed to continue in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), subject to any terms and conditions that the Secretary determines to be necessary.

(i) CLIMATOLOGIC DATA COLLECTION.—Subject to such terms and conditions as the Secretary may prescribe, nothing in this subtitle precludes the installation and maintenance of hydrologic, meteorologic, or climatologic collection devices in wilderness areas if the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities.

(j) FISH AND WILDLIFE.—Nothing in this subtitle affects the jurisdiction of the State with respect to fish and wildlife located on public land in the State, except that the Secretary, after consultation with the New Mexico Department of Game and Fish, may designate zones where, and establish periods during which, no hunting or fishing shall be

permitted for reasons of public safety, administration, or compliance with applicable law.

(k) WITHDRAWALS.—

(1) IN GENERAL.—Subject to valid existing rights, the Federal land within the wilderness areas and any land or interest in land that is acquired by the United States in the wilderness areas after the date of enactment of this Act is withdrawn from—

(A) entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) PARCEL B.—The approximately 6,500 acres of land generally depicted as ''Parcel B'' on the map entitled ''Organ Mountains Area'' and dated April 19, 2016, is withdrawn in accordance with paragraph (1), except that the land is not withdrawn for purposes of the issuance of oil and gas pipeline rights-of-way.

(3) PARCEL C.—The approximately 1,300 acres of land generally depicted as ''Parcel C'' on the map entitled ''Organ Mountains Area'' and dated April 19, 2016, is withdrawn in accordance with paragraph (1), except that the land is not withdrawn from disposal under the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869 et seq.).

(4) PARCEL D.—

(A) IN GENERAL.—The Secretary of the Army shall allow for the conduct of certain recreational activities on the approximately 2,050 acres of land generally depicted as ''Parcel D'' on the map entitled ''Organ Mountains Area'' and dated April 19, 2016 (referred to in this paragraph as the ''parcel''), which is a portion of the public land withdrawn and reserved for military purposes by Public Land Order 833 dated May 21, 1952 (17 Fed. Reg. 4822).

(B) OUTDOOR RECREATION PLAN.—

(i) IN GENERAL.—The Secretary of the Army shall develop a plan for public outdoor recreation on the parcel that is consistent with the primary military mission of the parcel.

(ii) REQUIREMENT.—In developing the plan under clause (i), the Secretary of the Army shall ensure, to the maximum extent practicable, that outdoor recreation activities may be conducted on the parcel, including, hunting, hiking, wildlife viewing, and camping.

(C) CLOSURES.—The Secretary of the Army may close the parcel or any portion of the parcel to the public as the Secretary of the Army determines to be necessary to protect—

(i) public safety; or

(ii) the safety of the military members training on the parcel.

(D) TRANSFER OF ADMINISTRATIVE JURISDICTION; WITHDRAWAL.—

(i) IN GENERAL.—On a determination by the Secretary of the Army that military training capabilities, personnel safety, and installation security would not be hindered as a result of the transfer to the Secretary of administrative jurisdiction over the parcel, the Secretary of the Army shall transfer to the Secretary administrative jurisdiction over the parcel.

(ii) WITHDRAWAL.—On transfer of the parcel under clause (i), the parcel shall be—

(I) under the jurisdiction of the Director of the Bureau of Land Management; and

(II) withdrawn from—

(aa) entry, appropriation, or disposal under the public land laws;

(bb) location, entry, and patent under the mining laws; and

(cc) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(iii) RESERVATION.—On transfer under clause (i), the parcel shall be reserved for management of the resources of, and military training conducted on, the parcel in accordance with a memorandum of understanding entered into under subparagraph (E).

(E) MEMORANDUM OF UNDERSTANDING RELATING TO MILITARY TRAINING.—

(i) IN GENERAL.—If, after the transfer of the parcel under subparagraph (D)(i), the Secretary of the Army requests that the Secretary enter into a memorandum of understanding, the Secretary shall enter into a memorandum of understanding with the Secretary of the Army providing for the conduct of military training on the parcel.

(ii) REQUIREMENTS.—The memorandum of understanding entered into under clause (i) shall—

(I) address the location, frequency, and type of training activities to be conducted on the parcel;

(II) provide to the Secretary of the Army access to the parcel for the conduct of military training;

(III) authorize the Secretary or the Secretary of the Army to close the parcel or a portion of the parcel to the public as the Secretary or the Secretary of the Army determines to be necessary to protect—

(aa) public safety; or

(bb) the safety of the military members training; and

(IV) to the maximum extent practicable, provide for the protection of natural, historic, and cultural resources in the area of the parcel.

(F) MILITARY OVERFLIGHTS.—Nothing in this paragraph restricts or precludes—

(i) low-level overflights of military aircraft over the parcel, including military overflights that can be seen or heard within the parcel;

(ii) the designation of new units of special airspace over the parcel; or

(iii) the use or establishment of military flight training routes over the parcel.

(l) POTENTIAL WILDERNESS AREA.—

(1) ROBLEDO MOUNTAINS POTENTIAL WILDERNESS AREA.—

(A) IN GENERAL.—Certain land administered by the Bureau of Land Management, comprising approximately 100 acres as generally depicted as ''Potential Wilderness'' on the map entitled ''Desert Peaks Complex'' and dated April 19, 2016, is designated as a potential wilderness area.

(B) USES.—The Secretary shall permit only such uses on the land described in subparagraph (A) that were permitted on the date of enactment of this Act.

(C) DESIGNATION AS WILDERNESS.—

(i) IN GENERAL.—On the date on which the Secretary publishes in the Federal Register the notice described in clause (ii), the potential wilderness area designated under subparagraph (A) shall be—

(I) designated as wilderness and as a component of the National Wilderness Preservation System; and

(II) incorporated into the Robledo Mountains Wilderness designated by subsection (a)(6).

(ii) NOTICE.—The notice referred to in clause (i) is notice that—

(I) the communications site within the potential wilderness area designated under subparagraph (A) is no longer used;

(II) the associated right-of-way is relinquished or not renewed; and

(III) the conditions in the potential wilderness area designated by subparagraph (A) are compatible with the Wilderness Act (16 U.S.C. 1131 et seq.).

(m) RELEASE OF WILDERNESS STUDY AREAS.—Congress finds that, for purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the public land in Doña Ana County administered by the Bureau of Land Management not designated as wilderness by subsection (a)—

(1) has been adequately studied for wilderness designation;

(2) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(3) shall be managed in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(B) this subtitle; and

(C) any other applicable laws.

SEC. 1099C. BORDER SECURITY.

(a) IN GENERAL.—Nothing in this subtitle—

(1) prevents the Secretary of Homeland Security from undertaking law enforcement and border security activities, in accordance with section 4(c) of the Wilderness Act (16 U.S.C. 1133(c)), within the wilderness areas, including the ability to use motorized access within a wilderness area while in pursuit of a suspect;

(2) affects the 2006 Memorandum of Understanding among the Department of Homeland Security, the Department of the Interior, and the Department of Agriculture regarding cooperative national security and counterterrorism efforts on Federal land along the borders of the United States; or

(3) prevents the Secretary of Homeland Security from conducting any low-level overflights over the wilderness areas that may be necessary for law enforcement and border security purposes.

(b) WITHDRAWAL AND ADMINISTRATION OF CERTAIN AREA.—

(1) WITHDRAWAL.—The area identified as ''Parcel A'' on the map entitled ''Potrillo Mountains Complex'' and dated April 19, 2016, is withdrawn in accordance with section 1099B(k)(1).

(2) ADMINISTRATION.—Except as provided in paragraphs (3) and (4), the Secretary shall administer the area described in paragraph (1) in a manner that, to the maximum extent practicable, protects the wilderness character of the area.

(3) USE OF MOTOR VEHICLES.—The use of motor vehicles, motorized equipment, and mechanical transport shall be prohibited in the area described in paragraph (1) except as necessary for—

(A) the administration of the area (including the conduct of law enforcement and border security activities in the area); or

(B) grazing uses by authorized permittees.

(4) EFFECT OF SUBSECTION.—Nothing in this subsection precludes the Secretary from allowing within the area described in paragraph (1) the installation and maintenance of communication or surveillance infrastructure necessary for law enforcement or border security activities.

(c) RESTRICTED ROUTE.—The route excluded from the Potrillo Mountains Wilderness identified as ''Restricted—Administrative Access'' on the map entitled ''Potrillo Mountains Complex'' and dated April 19, 2016, shall be—

(1) closed to public access; but

(2) available for administrative and law enforcement uses, including border security activities.

SEC. 1099D. ORGAN MOUNTAINS-DESERT PEAKS NATIONAL MONUMENT.

(a) MANAGEMENT PLAN.—In preparing and implementing the management plan for the Monument, the Secretary shall include a watershed health assessment to identify opportunities for watershed restoration.

(b) INCORPORATION OF ACQUIRED STATE TRUST LAND AND INTERESTS IN STATE TRUST LAND.—

(1) IN GENERAL.—Any land or interest in land that is within the State trust land described in paragraph (2) that is acquired by the United States shall—

(A) become part of the Monument; and

(B) be managed in accordance with—

(i) Presidential Proclamation 9131 (79 Fed. Reg. 30431); and

(ii) any other applicable laws.

(2) DESCRIPTION OF STATE TRUST LAND.—The State trust land referred to in paragraph (1) is the State trust land in T. 22 S., R 01 W., New Mexico Principal Meridian and T. 22 S., R. 02 W., New Mexico Principal Meridian.

(c) LAND EXCHANGES.—

(1) IN GENERAL.—Subject to paragraphs (3) through (6), the Secretary shall attempt to enter into an agreement to initiate an exchange under section 2201.1 of title 43, Code of Federal Regulations (or successor regulations), with the Commissioner of Public Lands of New Mexico, by the date that is 18 months after the date of enactment of this Act, to provide for a conveyance to the State of all right, title, and interest of the United States in and to Bureau of Land Management land in the State identified under paragraph (2) in exchange for the conveyance by the State to the Secretary of all right, title, and interest of the State in and to parcels of State trust land within the boundary of the Monument identified under that paragraph or described in subsection (b)(2).

(2) IDENTIFICATION OF LAND FOR EXCHANGE.—The Secretary and the Commissioner of Public Lands of New Mexico shall jointly identify the Bureau of Land Management land and State trust and eligible for exchange under this subsection, the exact acreage and legal description of which shall be determined by surveys approved by the Secretary and the New Mexico State Land Office.

(3) APPLICABLE LAW.—A land exchange under paragraph (1) shall be carried out in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(4) CONDITIONS.—A land exchange under paragraph (1) shall be subject to—

(A) valid existing rights; and

(B) such terms as the Secretary and the State shall establish.

(5) VALUATION, APPRAISALS, AND EQUALIZATION.—

(A) IN GENERAL.—The value of the Bureau of Land Management land and the State trust land to be conveyed in a land exchange under this subsection—

(i) shall be equal, as determined by appraisals conducted in accordance with subparagraph (B); or

(ii) if not equal, shall be equalized in accordance with subparagraph (C).

(B) APPRAISALS.—

(i) IN GENERAL.—The Bureau of Land Management land and State trust land to be exchanged under this subsection shall be appraised by an independent, qualified appraiser that is agreed to by the Secretary and the State.

(ii) REQUIREMENTS.—An appraisal under clause (i) shall be conducted in accordance with—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(II) the Uniform Standards of Professional Appraisal Practice.

(C) EQUALIZATION.—

(i) IN GENERAL.—If the value of the Bureau of Land Management land and the State trust land to be conveyed in a land exchange under this subsection is not equal, the value may be equalized by—

(I) making a cash equalization payment to the Secretary or to the State, as appropriate, in accordance with section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)); or

(II) reducing the acreage of the Bureau of Land Management land or State trust land to be exchanged, as appropriate.

(ii) CASH EQUALIZATION PAYMENTS.—Any cash equalization payments received by the Secretary under clause (i)(I) shall be—

(I) deposited in the Federal Land Disposal Account established by section 206(a) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305(a)); and

(II) used in accordance with that Act.

(6) LIMITATION.—No exchange of land shall be conducted under this subsection unless mutually agreed to by the Secretary and the State.

SA 4331. Mr. UDALL (for himself and Mr. LEE) 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 section 1221, add the following:

(c) LIMITATION ON USE OF FUNDS FOR LETHAL ARMS FOR THE VETTED SYRIAN OPPOSITION.—

(1) LIMITATION.—Amounts authorized to be appropriated by this Act may not be expended for procuring or transferring lethal arms to the vetted Syrian opposition until the Secretary of Defense determines, and certifies in writing, that such arms are not being transferred to individuals or groups who are allied, working with, or otherwise associated with Al Qaeda and its affiliates, Al Nusrah, the Islamic State of Iraq and the Levant (ISIL), or other terrorists groups identified by the United States Government.

(2) CONSULTATION IN DETERMINATION.—In making a determination for purposes of paragraph (1), the Secretary of Defense shall consult with the Secretary of State, the Director of National Intelligence, and the elements of the intelligence community.

(3) WAIVER AUTHORITY.—The President may waive the limitation in paragraph (1) with respect to the procurement or transfer of lethal arms if the President determines that the transfer of such arms is in the national security interests of the United States.

(4) PROVISION TO CONGRESS.—The President shall provide each waiver under paragraph (3), and an unclassified summary thereof, to—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 4332. Mr. UDALL 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 I of title X, add the following:

SEC. 1097. INTERNATIONAL INFRASTRUCTURE SIMULATION AND ANALYSIS CENTER.

(a) ESTABLISHMENT.—Using existing funds, the Secretary of Defense shall work in consultation with the Secretary of Energy and the Secretary of State to develop an International Infrastructure Simulation and Analysis Center.

(b) PURPOSE.—The International Infrastructure Simulation and Analysis Center shall serves as the focal point for gathering, analyzing, and disseminating information to the Department of Defense, Secretary of State, the Department of Energy, and National Security Council for the purposes of—

(1) providing advanced modeling, simulation, and analysis capabilities to analyze critical infrastructure interdependencies, vulnerabilities, and complexities outside the United States;

(2) providing analysis and data to policy makers and decision makers to aid in the prevention or response to humanitarian or other threats outside the United States; and

(3) providing strategic, multidisciplinary analyses of infrastructure interdependencies and the consequences of infrastructure disruptions across multiple infrastructure sectors outside the United States.

(c) USE OF EXISTING FACILITIES.—The International Infrastructure Simulation and Analysis Center shall utilize existing Department of Defense or Department of Energy facilities.

(d) CAPABILITIES.—The Center should include the following capabilities:

(1) Process-based systems dynamic models.

(2) Mathematical network optimization models.

(3) Physics-based models of existing infrastructure.

(4) High fidelity, agent-based simulations of systems.

(5) Other systems capabilities as deemed necessary by the Secretary of Defense to fulfil the mission needs of the Department of Defense.

SA 4333. Mr. UDALL 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 I of title X, add the following:

SEC. 1097. RESEARCH ON IMPACT OF OPEN BURN PITS ON MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) ESTABLISHMENT OF RESEARCH NETWORK.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall establish a research network in which public and private entities assist the Secretary in conducting research on—

(A) the impact on the health of members of the Armed Forces and veterans of exposure by such members and veterans to open burn pits in Iraq and Afghanistan; and

(B) treatment for health conditions related to such exposure.

(2) RESEARCH CONDUCTED.—The research conducted pursuant to this section shall include the following:

(A) Scientific studies that advance knowledge of the diagnosis and treatment of health conditions among members of the Armed Forces and veterans associated with exposure of such members and veterans to toxic chemicals that are known or likely to

be present in smoke from open burn pits used in Afghanistan and Iraq after September 11, 2001.

(B) Research on the impact of exposure of individuals to open burn pits from the following fields:

(i) Environmental medicine.

(ii) Occupational medicine.

(iii) Inhalation toxicology.

(C) Research on the feasibility and advisability of using complementary and alternative medicine to treat members of the Armed Forces and veterans for health conditions arising from exposure to open burn pits.

(3) USE OF RESEARCH.—The Secretary shall use research conducted pursuant to this section as follows:

(A) To assist in developing best practices for treatment of health conditions caused by exposure of members of the Armed Forces or veterans to open burn pits.

(B) To assist in determining a disability rating for any veteran filing a claim for benefits under the laws administered by the Secretary based on the exposure of the veteran to an open burn pit while serving as a member of the Armed Forces.

(b) AVAILABILITY OF INFORMATION.—

(1) IN GENERAL.—The Secretary shall make available to eligible entities described in paragraph (2) the information contained in the open burn pit registry for purposes of conducting research described in subsection (a)(2).

(2) ELIGIBLE ENTITIES DESCRIBED.—An eligible entity described in this paragraph is any private research institution or medical research center of an institution of higher education that—

(A) is dedicated to the conduct of research on health conditions caused by exposure to air pollutants; and

(B) is licensed and accredited under all applicable Federal, State, and local laws to conduct research described in subsection (a)(2).

(3) SUBMITTAL OF RESEARCH.—Any eligible entity that conducts research described in subsection (a)(2) using information from the open burn pit registry shall submit such research to the Secretary for inclusion in the database established under subsection (c).

(c) ESTABLISHMENT OF DATABASE.—The Secretary shall publish on an Internet database of the Department available to the public all research described in subsection (a)(2) that is submitted to the Secretary pursuant to this section to allow peer review and analysis of such research from the public.

(d) PRIVACY.—Any medical or other personal information obtained by the Department under this section or by an entity conducting research under this section shall be protected from disclosure or misuse in accordance with the laws on privacy applicable to such information.

(e) DEFINITIONS.—In this section:

(1) COMPLEMENTARY AND ALTERNATIVE MEDICINE.—The term ''complementary and alternative medicine'' shall have the meaning given that term in regulations the Secretary shall prescribe for purposes of this section and shall—

(A) to the degree practicable, be consistent with the meaning given such term by the Secretary of Health and Human Services; and

(B) include medicine or treatment that is a cultural tradition of members of Indian tribes and Native Hawaiians.

(2) INDIAN TRIBE DEFINED.—The term ''Indian tribe'' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) OPEN BURN PIT.—The term ''open burn pit'' has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(4) OPEN BURN PIT REGISTRY.—The term ''open burn pit registry'' means the registry established by the Department of Veterans Affairs under section 201(a) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012.

SA 4334. Mr. UDALL 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 title XII, add the following:

Subtitle I—Matters Relating to Cuba

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the ''Cuba Digital and Telecommunications Advancement Act of 2016'' or the ''Cuba DATA Act''.

SEC. 1282. EXPORTATION OF CONSUMER COMMUNICATION DEVICES AND TELECOMMUNICATIONS SERVICES TO CUBA.

(a) IN GENERAL.—Notwithstanding any other provision of law, the President may permit any person subject to the jurisdiction of the United States—

(1) to export consumer communication devices and other telecommunications equipment to Cuba;

(2) to provide telecommunications services involving Cuba or persons in Cuba;

(3) to establish facilities to provide telecommunications services connecting Cuba with another country or to provide telecommunications services in Cuba;

(4) to conduct any transaction incident to carrying out an activity described in any of paragraphs (1) through (3); and

(5) to enter into, perform, and make and receive payments under a contract with any individual or entity in Cuba with respect to the provision of telecommunications services involving Cuba or persons in Cuba.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than annually thereafter for 4 years, the President shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a report on—

(1) the percentage of individuals in Cuba who are able to access the Internet and the infrastructure that would be needed in Cuba to reach the goal of increasing that percentage to 50 percent by 2020;

(2) the ability of individuals in Cuba, including foreign tourists, to access data through the use of cell phones and the infrastructure that would be needed to bring the capability to access that data to rural and urban population centers in Cuba;

(3) the impact of access to telecommunications technology on the development of new businesses, co-ops, and educational opportunities in Cuba; and

(4) the impact of the telecommunications equipment and telecommunications services provided under this section on advancing the human rights objectives of the United States and how such equipment and services are being used to advance those objectives.

(c) DEFINITIONS.—In this section:

(1) CONSUMER COMMUNICATION DEVICES.—The term ''consumer communication devices'' means commodities and software described in section 740.19(b) of title 15, Code of Federal Regulations (or any successor regulation).

(2) PERSON SUBJECT TO THE JURISDICTION OF THE UNITED STATES.—The term ''person subject to the jurisdiction of the United States'' means—

(A) any individual, wherever located, who is a citizen or resident of the United States;

(B) any person located in the United States;

(C) any corporation, partnership, association, or other organization organized under the laws of the United States or of any State, territory, possession, or district of the United States; and

(D) any corporation, partnership, association, or other organization, wherever organized or doing business, that is owned or controlled by a person described in subparagraph (A), (B), or (C).

(3) TELECOMMUNICATIONS SERVICES.—The term ''telecommunications services'' includes—

(A) data, telephone, telegraph, Internet connectivity, radio, television, news wire feeds, and similar services, regardless of the medium of transmission and including transmission by satellite;

(B) services incident to the exchange of communications over the Internet;

(C) domain name registration services; and

(D) services that are related to consumer communication devices and other telecommunications equipment to install, repair, or replace such devices and equipment.

SEC. 1283. REPEAL OF CERTAIN AUTHORITIES PREVENTING FINANCING AND MARKET REFORM FOR CUBA.

(a) CUBAN DEMOCRACY ACT.—

(1) IN GENERAL.—Section 1704 of the Cuban Democracy Act of 1992 (22 U.S.C. 6003) is repealed.

(2) CONFORMING AMENDMENTS.—Section 204 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6064) is amended—

(A) in subsection (b), by amending paragraph (3) to read as follows:

''(3) sections 1705(d) and 1706 of the Cuban Democracy Act of 1992 (22 U.S.C. 6004(d) and 6005);''; and

(B) in subsection (d), by amending paragraph (3) to read as follows:

''(3) sections 1705(d) and 1706 of the Cuban Democracy Act of 1992 (22 U.S.C. 6004(d) and 6005) are repealed; and''.

(b) CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY ACT.—

(1) IN GENERAL.—Sections 102, 103, 104, 105, and 108 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6032, 6033, 6034, 6035, and 6038) are repealed.

(2) CONFORMING AMENDMENT.—Section 109(a) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6039(a)) is amended by striking ''(including section 102 of this Act)''.

SA 4335. Mrs. MURRAY 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; as follows:

At the end of subtitle E of title VI, add the following:

SEC. 663. COMMISSARY, EXCHANGE, AND MORALE, WELFARE, AND RECREATION BENEFITS FOR CERTAIN SAME-SEX SURVIVING SPOUSES OF MEMBERS AND FORMER MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—A qualifying same-sex surviving spouse of a member or former member of the uniformed services is entitled to commissary, exchange, and morale, welfare, and recreation privilege benefits, and shall be issued a Department of Defense Identification Card for purposes of receipt of such benefits, to the same extent, and on the same basis, as the surviving spouse of a retired member of the uniformed services who is not a qualifying same-sex surviving spouse but is entitled to such benefits.

(b) QUALIFYING SAME-SEX SURVIVING SPOUSE.—For purposes of this section, an individual is a qualifying same-sex surviving spouse of a member or former member of the uniformed services if the individual is the same-sex surviving spouse of any member of the uniformed services as follows:

(1) A member who died while on active duty.

(2) A member who was awarded the medal of honor.

(3) A former member who was a veteran with a service-connected disability or combination of disabilities rated as 100 percent disabling under the schedule of ratings of disabilities of the Department of Veterans Affairs.

(4) A retired member.

(c) DOCUMENTATION.—An individual seeking to be treated as a qualifying same-sex surviving spouse under subsection (a) shall submit to the Secretary of Defense documentation to establish the status of the individual under subsection (b) as the Secretary shall specify for purposes of this section. Such documentation shall include the following:

(1) To establish former marital status, any one of the following:

(A) A marriage certificate.

(B) A certification of domestic partnership.

(C) A death certificate for the member concerned.

(D) An affidavit by a judge advocate certifying a common-law marriage.

(E) Any other documentation the Secretary considers appropriate.

(2) To establish identity, one of the following:

(A) An identification card issued by the Federal Government.

(B) A driver's license issued by a State.

(C) A birth certificate.

(D) Any other documentation the Secretary considers appropriate.

(d) COMPTROLLER GENERAL REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on extent of the inclusion by the Department of Defense of same-sex spouses and same-sex widows and widowers in the benefits provided by the Department to spouses and surviving spouses in their status as current or former military dependents (as applicable).

(2) ELEMENTS.—The report required by paragraph (1) shall set forth the following:

(A) The number of same-sex spouses, widows, and widowers who are eligible for benefits described in paragraph (3) as current or former military dependents.

(B) The number of individuals described in subparagraph (A) who are receiving benefits for which they are eligible.

(C) An analysis, including a complete file review of a representative sample of military personnel files, identifying policy or procedural barriers that prevent same-sex military spouses, widows, and widowers from receiving benefits as current or former military dependents.

(D) An evaluation of the compliance by Army Human Resources Command with the requirements of subsection (a).

(E) An evaluation of the compliance by Army Human Resources Command with policies in place before the date of the enactment of this Act with respect to the equitable treatment of same-sex spouses, widows, and widowers in eligibility for benefits as current or former military dependents.

(F) Recommendations for actions to correct any noncompliance identified pursuant to subparagraphs (D) and (E).

(G) Recommendations for actions to ensure that individuals described in subparagraph (A) who were inappropriately denied benefits described in paragraph (3) are notified and assisted in receiving such benefits.

(H) Any other matters the Comptroller General considers appropriate.

(3) BENEFITS.—The benefits described in this paragraph are as follows:

(A) Commissary, exchange and morale, welfare and recreation privileges and benefits.

(B) Health care, including medical, dental, and pharmacy services.

(C) Education benefits.

(D) Life Insurance.

(E) On-installation housing.

SA 4336. Mr. BROWN 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 F of title X, add the following:

SEC. 1059. PROHIBITION ON USE BY EDUCATIONAL INSTITUTIONS OF REVENUES DERIVED FROM EDUCATIONAL ASSISTANCE FURNISHED UNDER LAWS ADMINISTERED BY SECRETARY OF DEFENSE FOR ADVERTISING, MARKETING, OR RECRUITING.

(a) IN GENERAL.—As a condition on the receipt of Department of Defense educational assistance funds, an institution of higher education, or other postsecondary educational institution, may not use revenues derived from Department of Defense educational assistance funds for advertising, recruiting, or marketing activities described in subsection (b).

(b) COVERED ACTIVITIES.—Except as provided in subsection (c), the advertising, recruiting, and marketing activities subject to subsection (a) shall include the following:

(1) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

(2) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

(A) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other internet communications regarding enrollment; and

(B) soliciting an individual to provide contact information to an institution of higher education, including Internet websites established for such purpose and funds paid to third parties for such purpose.

(3) Such other activities as the Secretary of Defense may prescribe, including paying for promotion or sponsorship of education or military-related associations.

(c) EXCEPTIONS.—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a covered activity under subsection (b).

(d) DEPARTMENT OF DEFENSE EDUCATIONAL ASSISTANCE FUNDS DEFINED.—In this section, the term ''Department of Defense educational assistance funds'' means funds provided directly to an institution or to a student attending such institution under any of the following provisions of law:

(1) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10, United States Code.

(2) Section 1784a, 2005, or 2007 of such title.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than Department of Defense educational assistance funds.

(f) REPORTS.—As a condition on the receipt of Department of Defense educational assistance funds, each institution of higher education, or other postsecondary educational institution, that derives revenues from Department of Defense educational assistance funds shall submit to the Secretary of Defense and to Congress each year a report that includes the following:

(1) The institution's expenditures on advertising, marketing, and recruiting.

(2) A verification from an independent auditor that the institution is in compliance with the requirements of this subsection.

(3) A certification from the institution that the institution is in compliance with the requirements of this subsection.

SA 4337. Mr. BOOKER (for himself, Mr. JOHNSON, Ms. BALDWIN, Mrs. ERNST, Mr. BROWN, Mr. PORTMAN, and Mr. PETERS) 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 title X, add the following:

Subtitle J—Fair Chance Act

SEC. 1097. SHORT TITLE.

This subtitle may be cited as the ''Fair Chance to Compete for Jobs Act of 2016'' or the ''Fair Chance Act''.

SEC. 1098. PROHIBITION ON CRIMINAL HISTORY INQUIRIES PRIOR TO CONDITIONAL OFFER FOR FEDERAL EMPLOYMENT.

(a) IN GENERAL.—Subpart H of part III of title 5, United States Code, is amended by adding at the end the following:

''CHAPTER 92—PROHIBITION ON CRIMINAL HISTORY INQUIRIES PRIOR TO CONDITIONAL OFFER

''Sec.

''9201. Definitions.

''9202. Limitations on requests for criminal history record information.

''9203. Agency policies; whistleblower complaint procedures.

''9204. Adverse action.
''9205. Procedures.
''9206. Rules of construction.

"§ 9201. Definitions

''In this chapter—

''(1) the term 'agency' means 'Executive agency' as such term is defined in section 105 and includes—

''(A) the United States Postal Service and the Postal Regulatory Commission; and

''(B) the Executive Office of the President;

''(2) the term 'appointing authority' means an employee in the executive branch of the Government of the United States that has authority to make appointments to positions in the civil service;

''(3) the term 'conditional offer' means an offer of employment in a position in the civil service that is conditioned upon the results of a criminal history inquiry;

''(4) the term 'criminal history record information'—

''(A) except as provided in subparagraph (B), has the meaning given the term in section 9101(a);

''(B) includes any information described in the first sentence of section 9101(a)(2) that has been sealed or expunged pursuant to law, regardless of whether the information is accessible by State and local criminal justice agencies for the purpose of conducting background checks; and

''(C) includes information collected by a criminal justice agency, relating to an act or alleged act of juvenile delinquency, that is analogous to criminal history record information (including such information that has been sealed or expunged pursuant to law); and

''(5) the term 'suspension' has the meaning given the term in section 7501.

"§ 9202. Limitations on requests for criminal history record information

''(a) INQUIRIES PRIOR TO CONDITIONAL OFFER.—Except as provided in subsections (b) and (c), an employee of an agency may not request, in oral or written form (including through the Declaration for Federal Employment (Office of Personnel Management Optional Form 306), or any similar successor form), including through the USAJOBS Internet Web site or any other electronic means, that an applicant for an appointment to a position in the civil service disclose criminal history record information regarding the applicant before the appointing authority extends a conditional offer to the applicant.

''(b) OTHERWISE REQUIRED BY LAW.—The prohibition under subsection (a) shall not apply with respect to an applicant for a position in the civil service if consideration of criminal history record information prior to a conditional offer with respect to the position is otherwise required by law.

''(c) EXCEPTION FOR CERTAIN POSITIONS.—

''(1) IN GENERAL.—The prohibition under subsection (a) shall not apply with respect to an applicant for an appointment to a position—

''(A) that requires a determination of eligibility described in clause (i), (ii), or (iii) of section 9101(b)(1)(A);

''(B) as a Federal law enforcement officer (as defined in section 115(c) of title 18); or

''(C) identified by the Director of the Office of Personnel Management in the regulations issued under paragraph (2).

''(2) REGULATIONS.—

''(A) ISSUANCE.—The Director of the Office of Personnel Management shall issue regulations identifying additional positions with respect to which the prohibition under subsection (a) shall not apply, giving due consideration to positions that involve interaction with minors, access to sensitive information, or managing financial transactions.

''(B) COMPLIANCE WITH CIVIL RIGHTS LAWS.—The regulations issued under subparagraph (A) shall—

''(i) be consistent with, and in no way supersede, restrict, or limit the application of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) or other relevant Federal civil rights laws; and

''(ii) ensure that all hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws.

"§ 9203. Agency policies; complaint procedures

''The Director of the Office of Personnel Management shall—

''(1) develop, implement, and publish a policy to assist employees of agencies in complying with section 9202 and the regulations issued pursuant to such section; and

''(2) establish and publish procedures under which an applicant for an appointment to a position in the civil service may submit a complaint, or any other information, relating to compliance by an employee of an agency with section 9202.

"§ 9204. Adverse action

''(a) FIRST VIOLATION.—If the Director of the Office of Personnel Management determines, after notice and an opportunity for a hearing on the record, that an employee of an agency has violated section 9202, the Director shall—

''(1) issue to the employee a written warning that includes a description of the violation and the additional penalties that may apply for subsequent violations; and

''(2) file such warning in the employee's official personnel record file.

''(b) SUBSEQUENT VIOLATIONS.—If the Director of the Office of Personnel Management determines, after notice and an opportunity for a hearing on the record, that an employee that was subject to subsection (a) has committed a subsequent violation of section 9202, the Director may take the following action:

''(1) For a second violation, suspension of the employee for a period of not more than 7 days.

''(2) For a third violation, suspension of the employee for a period of more than 7 days.

''(3) For a fourth violation—

''(A) suspension of the employee for a period of more than 7 days; and

''(B) a civil penalty against the employee in an amount that is not more than $250.

''(4) For a fifth violation—

''(A) suspension of the employee for a period of more than 7 days; and

''(B) a civil penalty against the employee in an amount that is not more than $500.

''(5) For any subsequent violation—

''(A) suspension of the employee for a period of more than 7 days; and

''(B) a civil penalty against the employee in an amount that is not more than $1,000.

"§ 9205. Procedures

''(a) APPEALS.—The Director of the Office of Personnel Management shall by rule establish procedures providing for an appeal from any adverse action taken under section 9204 by not later than 30 days after the date of the action.

''(b) APPLICABILITY OF OTHER LAWS.—An adverse action taken under section 9204 (including a determination in an appeal from such an action under subsection (a) of this section) shall not be subject to—

''(1) the procedures under chapter 75; or

''(2) except as provided in subsection (a) of this section, appeal or judicial review.

"§ 9206. Rules of construction

''Nothing in this chapter may be construed to—

''(1) authorize any officer or employee of an agency to request the disclosure of information described under subparagraphs (B) and (C) of section 9201(4);

''(2) create a private right of action for any person; or

''(3) prohibit an agency from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act.''.

(b) REGULATIONS; EFFECTIVE DATE.—

(1) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out chapter 92 of title 5, United States Code (as added by this subtitle).

(2) EFFECTIVE DATE.—Section 9202 of title 5, United States Code (as added by this subtitle), shall take effect on the date that is 2 years after the date of enactment of this Act.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part III of title 5, United States Code, is amended by inserting after the item relating to chapter 91 the following:

"92. Prohibition on criminal history inquiries prior to conditional offer ..... 9201".

(d) APPLICATION TO LEGISLATIVE BRANCH.—

(1) IN GENERAL.—The Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) is amended—

(A) in section 102(a) (2 U.S.C. 1302(a)), by adding at the end the following:

''(12) Section 9202 of title 5, United States Code.'';

(B) by redesignating section 207 (2 U.S.C. 1317) as section 208; and

(C) by inserting after section 206 (2 U.S.C. 1316) the following new section:

"SEC. 207. RIGHTS AND PROTECTIONS RELATING TO CRIMINAL HISTORY INQUIRIES.

''(a) DEFINITIONS.—In this section, the terms 'agency', 'criminal history record information', and 'suspension' have the meanings given the terms in section 9201 of title 5, United States Code, except as otherwise modified by this section.

''(b) RESTRICTIONS ON CRIMINAL HISTORY INQUIRIES.—

''(1) IN GENERAL.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an employee of an employing office may not request that an applicant for employment as a covered employee disclose criminal history record information if the request would be prohibited under section 9202 of title 5, United States Code, if made by an employee of an agency.

''(B) CONDITIONAL OFFER.—For purposes of applying that section 9202 under subparagraph (A), a reference in that section 9202 to a conditional offer shall be considered to be an offer of employment as a covered employee that is conditioned upon the results of a criminal history inquiry.

''(2) RULES OF CONSTRUCTION.—The provisions of section 9206 of title 5, United States Code, shall apply to employing offices, consistent with regulations issued under subsection (d).

''(c) REMEDY.—

''(1) IN GENERAL.—The remedy for a violation of subsection (b)(1) shall be such remedy as would be appropriate if awarded under section 9204 of title 5, United States Code, if the violation had been committed by an employee of an agency, consistent with regulations issued under subsection (d), except that the reference in that section to a suspension shall be considered to be a suspension with

the level of compensation provided for a covered employee who is taking unpaid leave under section 202.

''(2) PROCESS FOR OBTAINING RELIEF.—An applicant for employment as a covered employee who alleges a violation of subsection (b)(1) may rely on the provisions of title IV (other than sections 404(2), 407, and 408), consistent with regulations issued under subsection (d).

''(d) REGULATIONS TO IMPLEMENT SECTION.—

''(1) IN GENERAL.—Not later than 18 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2016, the Board shall, pursuant to section 304, issue regulations to implement this section.

''(2) PARALLEL WITH AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations issued by the Director of the Office of Personnel Management under section 1098(b)(1) of the Fair Chance to Compete for Jobs Act of 2016 to implement the statutory provisions referred to in subsections (a) through (c) except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

''(e) EFFECTIVE DATE.—Section 102(a)(12) and subsections (a) through (c) shall take effect on the date on which section 9202 of title 5, United States Code, applies with respect to agencies.''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended—

(A) by redesignating the item relating to section 207 as the item relating to section 208; and

(B) by inserting after the item relating to section 206 the following new item:

''Sec. 207. Rights and protections relating to criminal history inquiries.''.

(e) APPLICATION TO JUDICIAL BRANCH.—

(1) IN GENERAL.—Section 604 of title 28, United States Code, is amended by adding at the end the following:

''(i) RESTRICTIONS ON CRIMINAL HISTORY INQUIRIES.—

''(1) DEFINITIONS.—In this subsection—

''(A) the terms 'agency' and 'criminal history record information' have the meanings given those terms in section 9201 of title 5;

''(B) the term 'covered employee' means an employee of the judicial branch of the United States Government, other than—

''(i) any judge or justice who is entitled to hold office during good behavior;

''(ii) a United States magistrate judge; or

''(iii) a bankruptcy judge; and

''(C) the term 'employing office' means any office or entity of the judicial branch of the United States Government that employs covered employees.

''(2) RESTRICTION.—A covered employee may not request that an applicant for employment as a covered employee disclose criminal history record information if the request would be prohibited under section 9202 of title 5 if made by an employee of an agency.

''(3) EMPLOYING OFFICE POLICIES; COMPLAINT PROCEDURE.—The provisions of sections 9203 and 9206 of title 5 shall apply to employing offices and to applicants for employment as covered employees, consistent with regulations issued by the Director to implement this subsection.

''(4) ADVERSE ACTION.—

''(A) ADVERSE ACTION.—The Director may take such adverse action with respect to a covered employee who violates paragraph (2) as would be appropriate under section 9204 of title 5 if the violation had been committed by an employee of an agency.

''(B) APPEALS.—The Director shall by rule establish procedures providing for an appeal from any adverse action taken under subparagraph (A) by not later than 30 days after the date of the action.

''(C) APPLICABILITY OF OTHER LAWS.—Except as provided in subparagraph (B), an adverse action taken under subparagraph (A) (including a determination in an appeal from such an action under subparagraph (B)) shall not be subject to appeal or judicial review.

''(5) REGULATIONS TO BE ISSUED.—

''(A) IN GENERAL.—Not later than 18 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2016, the Director shall issue regulations to implement this subsection.

''(B) PARALLEL WITH AGENCY REGULATIONS.—The regulations issued under subparagraph (A) shall be the same as substantive regulations promulgated by the Director of the Office of Personnel Management under section 1098(b)(1) of the Fair Chance to Compete for Jobs Act of 2016 except to the extent that the Director of the Administrative Office of the United States Courts may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this subsection.

''(6) EFFECTIVE DATE.—Paragraphs (1) through (4) shall take effect on the date on which section 9202 of title 5 applies with respect to agencies.''.

SEC. 1099. PROHIBITION ON CRIMINAL HISTORY INQUIRIES BY CONTRACTORS PRIOR TO CONDITIONAL OFFER.

(a) CIVILIAN AGENCY CONTRACTS.—

(1) IN GENERAL.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

''§ 4713. Prohibition on criminal history inquiries by contractors prior to conditional offer

''(a) LIMITATION ON CRIMINAL HISTORY INQUIRIES.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), an executive agency—

''(A) may not require that an individual or sole proprietor who submits a bid or competitive proposal for a contract to disclose criminal history record information regarding that individual or sole proprietor before determining the apparent awardee; and

''(B) shall require, as a condition of receiving a Federal contract and receiving payments under such contract that the contractor may not verbally, or through written form, request the disclosure of criminal history record information regarding an applicant for a position related to work under such contract before the contractor extends a conditional offer to the applicant.

''(2) OTHERWISE REQUIRED BY LAW.—The prohibition under paragraph (1) does not apply with respect to a contract if consideration of criminal history record information prior to a conditional offer with respect to the position is otherwise required by law.

''(3) EXCEPTION FOR CERTAIN POSITIONS.—

''(A) IN GENERAL.—The prohibition under paragraph (1) does not apply with respect to—

''(i) a contract that requires an individual hired under the contract to access classified information or to have sensitive law enforcement or national security duties; or

''(ii) a position that the Administrator of General Services identifies under the regulations issued under subparagraph (B).

''(B) REGULATIONS.—

''(i) ISSUANCE.—Not later than 16 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2016, the Administrator of General Services, in consultation with the Secretary of Defense, shall issue regulations identifying additional positions with respect to which the prohibition under paragraph (1) shall not apply, giving due consideration to positions that involve interaction with minors, access to sensitive information, or managing financial transactions.

''(ii) COMPLIANCE WITH CIVIL RIGHTS LAWS.—The regulations issued under clause (i) shall—

''(I) be consistent with, and in no way supersede, restrict, or limit the application of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) or other relevant Federal civil rights laws; and

''(II) ensure that all hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws.

''(b) COMPLAINT PROCEDURES.—The Administrator of General Services shall establish and publish procedures under which an applicant for a position with a Federal contractor may submit to the Administrator a complaint, or any other information, relating to compliance by the contractor with subsection (a)(1)(B).

''(c) ACTION FOR VIOLATIONS OF PROHIBITION ON CRIMINAL HISTORY INQUIRIES.—

''(1) FIRST VIOLATION.—If the head of an executive agency determines that a contractor has violated subsection (a)(1)(B), such head shall—

''(A) notify the contractor;

''(B) provide 30 days after such notification for the contractor to appeal the determination; and

''(C) issue a written warning to the contractor that includes a description of the violation and the additional remedies that may apply for subsequent violations.

''(2) SUBSEQUENT VIOLATION.—If the head of an executive agency determines that a contractor that was subject to paragraph (1) has committed a subsequent violation of subsection (a)(1)(B), such head shall notify the contractor, shall provide 30 days after such notification for the contractor to appeal the determination, and, in consultation with the relevant Federal agencies, may take actions, depending on the severity of the infraction and the contractor's history of violations, including—

''(A) providing written guidance to the contractor that the contractor's eligibility for contracts requires compliance with this section;

''(B) requiring that the contractor respond within 30 days affirming that the contractor is taking steps to comply with this section; and

''(C) suspending payment under the contract for which the applicant was being considered until the contractor demonstrates compliance with this section.

''(d) RULES OF CONSTRUCTION.—Nothing in this section may be construed to—

''(1) prohibit an executive agency from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act; or

''(2) authorize an executive agency to prohibit a contractor, as a condition of receiving a Federal contract and receiving payments under such contract, from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act.

''(e) DEFINITIONS.—In this section:

''(1) CONDITIONAL OFFER.—The term 'conditional offer' means an offer of employment for a position related to work under a contract that is conditioned upon the results of a criminal history inquiry.

''(2) CRIMINAL HISTORY RECORD INFORMATION.—The term 'criminal history record information' has the meaning given that term in section 9201 of title 5.''.

(2) CLERICAL AMENDMENT.—The table of sections of chapter 47 of such title is amended by inserting after the item relating to section 4712 the following new item:

''4713. Prohibition on criminal history inquiries by contractors prior to conditional offer.''.

(3) EFFECTIVE DATE.—Section 4713(a) of title 41, United States Code, as added by paragraph (1), shall apply with respect to contracts awarded pursuant to solicitations issued after the effective date described in section 1098(b)(2) of this subtitle.

(b) DEFENSE CONTRACTS.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2338. Prohibition on criminal history inquiries by contractors prior to conditional offer

''(a) LIMITATION ON CRIMINAL HISTORY INQUIRIES.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the head of an agency—

''(A) may not require that an individual or sole proprietor who submits a bid or competitive proposal for a contract to disclose criminal history record information regarding that individual or sole proprietor before determining the apparent awardee; and

''(B) shall require as a condition of receiving a Federal contract and receiving payments under such contract that the contractor may not verbally or through written form request the disclosure of criminal history record information regarding an applicant for a position related to work under such contract before such contractor extends a conditional offer to the applicant.

''(2) OTHERWISE REQUIRED BY LAW.—The prohibition under paragraph (1) does not apply with respect to a contract if consideration of criminal history record information prior to a conditional offer with respect to the position is otherwise required by law.

''(3) EXCEPTION FOR CERTAIN POSITIONS.—

''(A) IN GENERAL.—The prohibition under paragraph (1) does not apply with respect to—

''(i) a contract that requires an individual hired under the contract to access classified information or to have sensitive law enforcement or national security duties; or

''(ii) a position that the Secretary of Defense identifies under the regulations issued under subparagraph (B).

''(B) REGULATIONS.—

''(i) ISSUANCE.—Not later than 16 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2016, the Secretary of Defense, in consultation with the Administrator of General Services, shall issue regulations identifying additional positions with respect to which the prohibition under paragraph (1) shall not apply, giving due consideration to positions that involve interaction with minors, access to sensitive information, or managing financial transactions.

''(ii) COMPLIANCE WITH CIVIL RIGHTS LAWS.—The regulations issued under clause (i) shall—

''(I) be consistent with, and in no way supersede, restrict, or limit the application of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) or other relevant Federal civil rights laws; and

''(II) ensure that all hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws.

''(b) COMPLAINT PROCEDURES.—The Secretary of Defense shall establish and publish procedures under which an applicant for a position with a Department of Defense contractor may submit a complaint, or any other information, relating to compliance by the contractor with subsection (a)(1)(B).

''(c) ACTION FOR VIOLATIONS OF PROHIBITION ON CRIMINAL HISTORY INQUIRIES.—

''(1) FIRST VIOLATION.—If the Secretary of Defense determines that a contractor has violated subsection (a)(1)(B), the Secretary shall—

''(A) notify the contractor;

''(B) provide 30 days after such notification for the contractor to appeal the determination; and

''(C) issue a written warning to the contractor that includes a description of the violation and the additional remedies that may apply for subsequent violations.

''(2) SUBSEQUENT VIOLATIONS.—If the Secretary of Defense determines that a contractor that was subject to paragraph (1) has committed a subsequent violation of subsection (a)(1)(B), the Secretary shall notify the contractor, shall provide 30 days after such notification for the contractor to appeal the determination, and, in consultation with the relevant Federal agencies, may take actions, depending on the severity of the infraction and the contractor's history of violations, including—

''(A) providing written guidance to the contractor that the contractor's eligibility for contracts requires compliance with this section;

''(B) requiring that the contractor respond within 30 days affirming that the contractor is taking steps to comply with this section; and

''(C) suspending payment under the contract for which the applicant was being considered until the contractor demonstrates compliance with this section.

''(d) RULES OF CONSTRUCTION.—Nothing in this section may be construed to—

''(1) prohibit an agency from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act; or

''(2) authorize an agency to prohibit a contractor, as a condition of receiving a Federal contract and receiving payments under such contract, from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act.

''(e) DEFINITIONS.—In this section:

''(1) CONDITIONAL OFFER.—The term 'conditional offer' means an offer of employment for a position related to work under a contract that is conditioned upon the results of a criminal history inquiry.

''(2) CRIMINAL HISTORY RECORD INFORMATION.—The term 'criminal history record information' has the meaning given that term in section 9201 of title 5.''.

(2) EFFECTIVE DATE.—Section 2338(a) of title 10, United States Code, as added by paragraph (1), shall apply with respect to contracts awarded pursuant to solicitations issued after the effective date described in section 1098(b)(2) of this subtitle.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of such title is amended by inserting after the item relating to section 2337 the following new item:

''2338. Prohibition on criminal history inquiries by contractors prior to conditional offer.''.

(c) REVISIONS TO FEDERAL ACQUISITION REGULATION.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation to implement section 4713 of title 41, United States Code, and section 2338 of title 10, United States Code, as added by this section.

(2) CONSISTENCY WITH OFFICE OF PERSONNEL MANAGEMENT REGULATIONS.—The Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation under paragraph (1) to be consistent with the regulations issued by the Director of the Office of Personnel Management under section 1098(b)(1) to the maximum extent practicable. The Council shall include together with such revision an explanation of any substantive modification of the Office of Personnel Management regulations, including an explanation of how such modification will more effectively implement the rights and protections under this section.

SEC. 1099A. REPORT ON EMPLOYMENT OF INDIVIDUALS FORMERLY INCARCERATED IN FEDERAL PRISONS.

(a) DEFINITION.—In this section, the term ''covered individual''—

(1) means an individual who has completed a term of imprisonment in a Federal prison for a Federal criminal offense; and

(2) does not include an alien who is or will be removed from the United States for a violation of the immigration laws (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)).

(b) STUDY AND REPORT REQUIRED.—The Director of the Bureau of Justice Statistics, in coordination with the Director of the Bureau of the Census, shall—

(1) not later than 6 months after the date of enactment of this Act, design and initiate a study on the employment of covered individuals after their release from Federal prison, including by collecting—

(A) demographic data on covered individuals, including race, age, and sex; and

(B) data on employment and earnings of covered individuals who are denied employment, including the reasons for the denials; and

(2) not later than 2 years after the date of enactment of this Act, and every 5 years thereafter, submit a report that does not include any personally identifiable information on the study conducted under paragraph (1) to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) the Committee on Oversight and Government Reform of the House of Representatives; and

(D) the Committee on Education and the Workforce of the House of Representatives.

SA 4338. Mr. MCCAIN (for himself and Mr. BLUMENTHAL) 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 I of title X, add the following:

SEC. 1097. EXTENSION AND EXPANSION OF VETERANS CHOICE PROGRAM AND ESTABLISHMENT OF CONSISTENT CRITERIA AND STANDARDS RELATING TO PROVISION OF NON-DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE.

(a) EXTENSION.—The Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in section 101(p)(2), by striking ''3 years'' and inserting ''6 years''; and

(2) in section 802(d)(1), by striking ''$10,000,000,000'' and inserting ''$17,500,000,000''.

(b) EXPANSION OF ELIGIBILITY.—

(1) IN GENERAL.—Subsection (b)(2) of section 101 of such Act is amended—

(A) in subparagraph (C)(ii), by striking ''; or'' and inserting a semicolon;

(B) in subparagraph (D)(ii)(II)(dd), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following new subparagraph:

''(E) has received health services under the pilot program under section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) and resides in a location described in section (b)(2) of such section.''.

(2) CONFORMING AMENDMENTS.—

(A) INFORMATION ON AVAILABILITY OF CARE.—Subsection (g)(3) of such section is amended by striking ''or (D)'' and inserting ''(D), or (E)''.

(B) REPORT.—Subsection (q)(2)(A) of such section is amended—

(i) in clause (iii), by striking ''; and'' and inserting a semicolon;

(ii) in clause (iv), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following new clause:

''(v) eligible veterans described in subsection (b)(2)(E).''.

(c) ESTABLISHMENT OF CRITERIA FOR PROVISION OF SERVICES THROUGH NON-DEPARTMENT HEALTH CARE PROVIDERS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Veterans Affairs shall establish consistent criteria and standards—

(A) for purposes of determining eligibility of non-Department of Veterans Affairs health care providers to provide health care under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(B) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, which to the extent practicable shall—

(i) except as provided in clauses (ii) and (iii), use rates for reimbursement that are not more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services;

(ii) with respect to care or services provided in Alaska, use rates for reimbursement set forth in the Alaska Fee Schedule of the Department of Veterans Affairs, except for when another payment agreement, including a contract or provider agreement, is in place, in which case use rates for reimbursement set forth under such payment agreement;

(iii) with respect to care or services provided in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), use rates for reimbursement based on the payment rates under such agreement;

(iv) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(v) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

(2) EXCEPTION.—The criteria and standards required to be established under paragraph (1) shall not apply to hospital care and medical services furnished under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note).

(d) QUARTERLY REPORT.—Not less frequently than quarterly until all amounts deposited in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) are exhausted, the Secretary shall 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 update on the expenditures made from such Fund to carry out section 101 of such Act during the quarter covered by the report.

(e) EMERGENCY DESIGNATIONS.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) DESIGNATION IN SENATE.—In the Senate, the amendments made by subsections (a) and (b) are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SA 4339. Mr. CARPER 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 division B, add the following:

TITLE XXX—FEDERAL PROPERTY MANAGEMENT REFORM

SEC. 2951. SHORT TITLE.

This title may be cited as the ''Federal Property Management Reform Act of 2016''.

SEC. 2952. PURPOSE.

The purpose of this title is to increase the efficiency and effectiveness of the Federal Government in managing property of the Federal Government by—

(1) requiring the United States Postal Service to take appropriate measures to better manage and account for property and modernize the Postal fleet;

(2) providing for increased collocation with Postal Service facilities and guidance on Postal Service leasing practices;

(3) establishing a Federal Property Council to develop guidance on and ensure the implementation of strategies for better managing Federal property;

(4) providing incentives to agencies to dispose of excess property through retention of proceeds; and

(5) providing guidance for surplus property donations to museums.

SEC. 2953. PROPERTY MANAGEMENT.

(a) IN GENERAL.—Chapter 5 of subtitle I of title 40, United States Code, is amended by adding at the end the following:

''Subchapter VII—Property Management

''§ 621. Definitions

''In this subchapter:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of General Services.

''(2) COUNCIL.—The term 'Council' means the Federal Property Council established by section 623(a).

''(3) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(4) DISPOSAL.—The term 'disposal' means any action that constitutes the removal of any property from the inventory of the Federal agency, including sale, transfer, deed, demolition, donation, or exchange.

''(5) FEDERAL AGENCY.—The term 'Federal agency' means—

''(A) an executive department or independent establishment in the executive branch of the Government; or

''(B) a wholly owned Government corporation (other than the United States Postal Service).

''(6) FIELD OFFICE.—The term 'field office' means any office of a Federal agency that is not the headquarters office location for the Federal agency.

''(7) POSTAL PROPERTY.—The term 'postal property' means any property owned or leased by the United States Postal Service.

''(8) PUBLIC-PRIVATE PARTNERSHIP.—The term 'public-private partnership' means any partnership or working relationship between a Federal agency and a corporation, individual, or nonprofit organization for the purpose of financing, constructing, operating, managing, or maintaining 1 or more Federal real property assets.

''(9) UNDERUTILIZED PROPERTY.—The term 'underutilized property' means a portion or the entirety of any real property, including any improvements, that is used—

''(A) irregularly or intermittently by the accountable Federal agency for program purposes of the Federal agency; or

''(B) for program purposes that can be satisfied only with a portion of the property.

''§ 622. Collocation among United States Postal Service properties

''(a) IDENTIFICATION OF POSTAL PROPERTY.—Each year, the Postmaster General shall—

''(1) identify a list of postal properties with space available for use by Federal agencies; and

''(2) not later than September 30, submit the list to—

''(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Oversight and Government Reform of the House of Representatives.

''(b) VOLUNTARY IDENTIFICATION OF POSTAL PROPERTY.—Each year, the Postmaster General may submit the list under subsection (a) to the Council.

''(c) SUBMISSION OF LIST OF POSTAL PROPERTIES TO FEDERAL AGENCIES.—

''(1) IN GENERAL.—Not later than 30 days after the completion of a list under subsection (a), the Council shall provide the list to each Federal agency.

''(2) REVIEW BY FEDERAL AGENCIES.—Not later than 90 days after the receipt of the list submitted under paragraph (1), each Federal agency shall—

''(A) review the list;

''(B) review properties under the control of the Federal agency; and

''(C) recommend collocations if appropriate.

''(d) TERMS OF COLLOCATION.—On approval of the recommendations under subsection (c) by the Postmaster General and the applicable agency head, the Federal agency or appropriate landholding entity may work with

the Postmaster General to establish appropriate terms of a lease for each postal property.

''(e) RULE OF CONSTRUCTION.—Nothing in this section exceeds, modifies, or supplants any other Federal law relating to any competitive bidding process governing the leasing of postal property.

''§ 623. Establishment of a Federal Property Council

''(a) ESTABLISHMENT.—There is established a Federal Property Council.

''(b) PURPOSE.—The purpose of the Council shall be—

''(1) to develop guidance and ensure implementation of an efficient and effective property management strategy;

''(2) to identify opportunities for the Federal Government to better manage property and assets of the Federal Government; and

''(3) to reduce the costs of managing property of the Federal Government, including operations, maintenance, and security associated with Federal property.

''(c) COMPOSITION.—

''(1) IN GENERAL.—The Council shall be composed exclusively of—

''(A) the senior real property officers of each Federal agency and the Postal Service;

''(B) the Deputy Director for Management of the Office of Management and Budget;

''(C) the Controller of the Office of Management and Budget;

''(D) the Administrator; and

''(E) any other full-time or permanent part-time Federal officials or employees, as the Chairperson determines to be necessary.

''(2) CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall serve as Chairperson of the Council.

''(3) EXECUTIVE DIRECTOR.—

''(A) IN GENERAL.—The Chairperson shall designate an Executive Director to assist in carrying out the duties of the Council.

''(B) QUALIFICATIONS; FULL-TIME.—The Executive Director shall—

''(i) be appointed from among individuals who have substantial experience in the areas of commercial real estate and development, real property management, and Federal operations and management;

''(ii) serve full time; and

''(iii) hold no outside employment that may conflict with duties inherent to the position.

''(d) MEETINGS.—

''(1) IN GENERAL.—The Council shall meet subject to the call of the Chairperson.

''(2) MINIMUM.—The Council shall meet not fewer than 4 times each year.

''(e) DUTIES.—The Council, in consultation with the Director and the Administrator, shall—

''(1) not later than 1 year after the date of enactment of this subchapter, establish a property management plan template, to be updated annually, which shall include performance measures, specific milestones, measurable savings, strategies, and Government-wide goals based on the goals established under section 524(a)(7) to reduce surplus property, to achieve better utilization of underutilized property, or to enhance management of high value personal property, and evaluation criteria to determine the effectiveness of property management that are designed—

''(A) to enable Congress and heads of Federal agencies to track progress in the achievement of property management objectives on a Government-wide basis;

''(B) to improve the management of real property; and

''(C) to allow for comparison of the performance of Federal agencies against industry and other public sector agencies in terms of performance;

''(2) develop utilization rates consistent throughout each category of space, considering the diverse nature of the Federal portfolio and consistent with nongovernmental space use rates;

''(3) develop a strategy to reduce the reliance of Federal agencies on leased space for long-term needs if ownership would be less costly;

''(4) provide guidance on eliminating inefficiencies in the Federal leasing process;

''(5) compile a list of field offices that are suitable for collocation with other property assets;

''(6) research best practices regarding the use of public-private partnerships to manage properties and develop guidelines for the use of those partnerships in the management of Federal property;

''(7) not later than 1 year after the date of enactment of this subchapter—

''(A) examine the disposal of surplus property through the State Agencies for Surplus Property program; and

''(B) issue a report that includes recommendations on how the program could be improved to ensure accountability and increase efficiencies in the property disposal process; and

''(8) not later than 1 year after the date of enactment of this subchapter and annually during the 4-year period beginning on the date that is 1 year after the date of enactment of this subchapter and ending on the date that is 5 years after the date of enactment of this subchapter, the Council shall submit to the Director a report that contains—

''(A) a list of the remaining excess property or surplus property that is real property, and underutilized properties of each Federal agency;

''(B) the progress of the Council toward developing guidance for Federal agencies to ensure that the assessment required under section 524(a)(11)(B) is carried out in a uniform manner;

''(C) the progress of Federal agencies toward achieving the goals established under section 524(a)(7); and

''(D) if necessary, recommendations for legislation or statutory reforms that would further the goals of the Council, including streamlining the disposal of excess real or personal property or underutilized property.

''(f) CONSULTATION.—In carrying out the duties described in subsection (e), the Council shall also consult with representatives of—

''(1) State, local, tribal authorities, and affected communities; and

''(2) appropriate private sector entities and nongovernmental organizations that have expertise in areas of—

''(A) commercial real estate and development;

''(B) government management and operations;

''(C) space planning;

''(D) community development, including transportation and planning;

''(E) historic preservation;

''(F) providing housing to the homeless population; and

''(G) personal property management.

''(g) COUNCIL RESOURCES.—The Director and the Administrator shall provide staffing, and administrative support for the Council, as appropriate.

''(h) ACCESS TO INFORMATION.—The Council shall make available, on request, all information generated by the Council in performing the duties of the Council to—

''(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(2) the Committee on Environment and Public Works of the Senate;

''(3) the Committee on Oversight and Government Reform of the House of Representatives;

''(4) the Committee on Transportation and Infrastructure of the House of Representatives; and

''(5) the Comptroller General of the United States.

''(i) EXCLUSIONS.—In this section, surplus property shall not include—

''(1) any military installation (as defined in section 2910 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note; Public Law 101–510));

''(2) any property that is excepted from the definition of the term 'property' under section 102;

''(3) Indian and native Eskimo property held in trust by the Federal Government as described in section 3301(a)(5)(C)(iii);

''(4) real property operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.);

''(5) any real property the Director excludes for reasons of national security;

''(6) any public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)) administered by—

''(A) the Secretary of the Interior, acting through—

''(i) the Director of the Bureau of Land Management;

''(ii) the Director of the National Park Service;

''(iii) the Commissioner of Reclamation; or

''(iv) the Director of the United States Fish and Wildlife Service; or

''(B) the Secretary of Agriculture, acting through the Chief of the Forest Service; or

''(7) any property operated and maintained by the United States Postal Service.

''§ 624. Inventory and database

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of this subchapter, the Administrator shall establish and maintain a single, comprehensive, and descriptive database of all real property under the custody and control of all Federal agencies.

''(b) CONTENTS.—The database shall include—

''(1) information provided to the Administrator under section 524(a)(11)(B); and

''(2) a list of property disposals completed, including—

''(A) the date and disposal method used for each property;

''(B) the proceeds obtained from the disposal of each property;

''(C) the amount of time required to dispose of the property, including the date on which the property is designated as excess property;

''(D) the date on which the property is designated as surplus property and the date on which the property is disposed; and

''(E) all costs associated with the disposal.

''(c) ACCESSIBILITY.—

''(1) COMMITTEES.—The database established under subsection (a) shall be made available on request to the Committee on Homeland Security and Governmental Affairs and the Committee on Environment and Public Works of the Senate and the Committee on Oversight and Government Reform and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) GENERAL PUBLIC.—Not later than 3 years after the date of enactment of this subchapter and to the extent consistent with national security, the Administrator shall make the database established under subsection (a) accessible to the public at no cost through the website of the General Services Administration.

''(d) EXCLUSIONS.—In this section, surplus property shall not include—

''(1) any military installation (as defined in section 2910 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note; Public Law 101–510));

''(2) any property that is excepted from the definition of the term 'property' under section 102;

''(3) Indian and native Eskimo property held in trust by the Federal Government as described in section 3301(a)(5)(C)(iii);

''(4) real property operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.);

''(5) any real property the Director excludes for reasons of national security;

''(6) any public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)) administered by—

''(A) the Secretary of the Interior, acting through—

''(i) the Director of the Bureau of Land Management;

''(ii) the Director of the National Park Service;

''(iii) the Commissioner of Reclamation; or

''(iv) the Director of the United States Fish and Wildlife Service; or

''(B) the Secretary of Agriculture, acting through the Chief of the Forest Service; or

''(7) any property operated and maintained by the United States Postal Service.

''§ 625. Information on certain leasing authorities

''(a) IN GENERAL.—Except as provided in subsection (b), not later than December 31 of each year following the date of enactment of this subchapter, a Federal agency with independent leasing authority shall submit to the Council a list of all leases, including operating leases, in effect on the date of enactment of this subchapter that includes—

''(1) the date on which each lease was executed;

''(2) the date on which each lease will expire;

''(3) a description of the size of the space;

''(4) the location of the property;

''(5) the tenant agency;

''(6) the total annual rental payment; and

''(7) the amount of the net present value of the total estimated legal obligations of the Federal Government over the life of the contract.

''(b) EXCEPTION.—Subsection (a) shall not apply to—

''(1) the United States Postal Service; or

''(2) any other property the President excludes from subsection (a) for reasons of national security.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 5 of subtitle I of title 40, United States Code, is amended by inserting after the item relating to section 611 the following:

''SUBCHAPTER VII—PROPERTY MANAGEMENT

''Sec. 621. Definitions.
''Sec. 622. Collocation among United States Postal Service properties.
''Sec. 623. Establishment of a Federal Property Council.
''Sec. 624. Inventory and database.
''Sec. 625. Information on certain leasing authorities.''.

(2) TECHNICAL AMENDMENT.—Section 102 of title 40, United States Code, is amended in the matter preceding paragraph (1) by striking ''The'' and inserting ''Except as provided in subchapters VII and VIII of chapter 5 of this title, the''.

SEC. 2954. UNITED STATES POSTAL SERVICE PROPERTY MANAGEMENT.

(a) IN GENERAL.—Chapter 5 of subtitle I of title 40, United States Code, as amended by section 2953, is amended by adding at the end the following:

''Subchapter VIII—United States Postal Service Property Management

''§ 641. Definitions

''In this subchapter:

''(1) EXCESS PROPERTY.—The term 'excess property' means any postal property that the Postal Service determines is not required to meet the needs or responsibilities of the Postal Service.

''(2) POSTAL PROPERTY.—The term 'postal property' means any property owned or leased by, or under the control of, the Postal Service.

''(3) POSTAL SERVICE.—The term 'Postal Service' means the United States Postal Service.

''(4) UNDERUTILIZED PROPERTY.—The term 'underutilized property' means a portion or the entirety of any real property, including any improvements, that is used—

''(A) irregularly or intermittently by the Postal Service for program purposes of the Postal Service; or

''(B) for program purposes that can be satisfied only with a portion of the property.

''§ 642. United States Postal Service property management

''The Postal Service—

''(1) shall maintain adequate inventory controls and accountability systems for postal property;

''(2) shall develop current and future workforce projections so as to have the capacity to assess the needs of the Postal Service workforce regarding the use of property;

''(3) may develop a 5-year management template that—

''(A) establishes goals and policies that will lead to the reduction of excess property and underutilized property in the inventory of the Postal Service;

''(B) adopts workplace practices, configurations, and management techniques that can achieve increased levels of productivity and decrease the need for real property assets;

''(C) assesses leased space to identify space that is not fully used or occupied;

''(D) develops recommendations on how to address excess capacity at Postal Service facilities without negatively impacting mail delivery; and

''(E) develops recommendations on ensuring the security of mail processing operations; and

''(4) shall, on a regular basis—

''(A) conduct an inventory of postal property that is real property; and

''(B) make an assessment of each property described in subparagraph (A), which shall include—

''(i) the age and condition of the property;

''(ii) the size of the property in square footage and acreage;

''(iii) the geographical location of the property, including an address and description;

''(iv) the extent to which the property is being utilized;

''(v) the actual annual operating costs associated with the property;

''(vi) the total cost of capital expenditures associated with the property;

''(vii) the number of postal employees, contractor employees, and functions housed at the property;

''(viii) the extent to which the mission of the Postal Service is dependent on the property; and

''(ix) the estimated amount of capital expenditures projected to maintain and operate the property over each of the next 5 years after the date of enactment of this subchapter.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of subtitle I of title 40, United States Code, as amended by section 3, is amended by inserting after the item relating to section 626 the following:

''SUBCHAPTER VIII—UNITED STATES POSTAL SERVICE PROPERTY MANAGEMENT

''Sec. 641. Definitions.
''Sec. 642. United States Postal Service property management.''.

SEC. 2955. AGENCY RETENTION OF PROCEEDS.

Section 571 of title 40, United States Code, is amended to read as follows:

''§ 571. General rules for deposit and use of proceeds

''(a) PROCEEDS FROM TRANSFER OR SALE OF REAL PROPERTY.—

''(1) DEPOSIT OF NET PROCEEDS.—Net proceeds described in subsection (d) shall be deposited into the appropriate account of the agency that had custody and accountability for the property at the time the property is determined to be excess.

''(2) EXPENDITURE OF NET PROCEEDS.—The net proceeds deposited pursuant to paragraph (1) may only be expended as authorized in annual appropriations Acts, for—

''(A) activities described in sections 543 and 545, including paying costs incurred by the General Services Administration for any disposal-related activity authorized by this title; and

''(B) activities pursuant to implementation of the Federal Buildings Personnel Training Act of 2010 (40 U.S.C. 581 note; Public Law 111–308).

''(3) DEFICIT REDUCTION.—Any net proceeds described in subsection (d) from the sale, lease, or other disposition of surplus real property that are not expended under paragraph (2) shall be used for deficit reduction.

''(b) EFFECT ON OTHER SECTIONS.—Nothing in this section is intended to affect section 572(b), 573, or 574.

''(c) DISPOSAL AGENCY FOR REVERTED PROPERTY.—For the purposes of this section, for any property that reverts to the United States under sections 550 and 553, the General Services Administration, as the disposal agency, shall be treated as the agency with custody and accountability for the property at the time the property is determined to be excess.

''(d) NET PROCEEDS.—The net proceeds described in this subsection are proceeds under this chapter, less expenses of the transfer or disposition as provided in section 572(a), from—

''(1) a transfer of excess real property to a Federal agency for agency use; or

''(2) a sale, lease, or other disposition of surplus real property.

''(e) PROCEEDS FROM TRANSFER OR SALE OF PERSONAL PROPERTY.—

''(1) IN GENERAL.—Except as otherwise provided in this subchapter, proceeds described in paragraph (2) shall be deposited in the Treasury as miscellaneous receipts.

''(2) PROCEEDS.—The proceeds described in this paragraph are proceeds under this chapter from—

''(A) a transfer of excess personal property to a Federal agency for agency use; or

''(B) a sale, lease, or other disposition of surplus personal property.

''(3) PAYMENT OF EXPENSES OF SALE BEFORE DEPOSIT.—

''(A) IN GENERAL.—Subject to regulations under this subtitle, the expenses of the sale of personal property may be paid from the proceeds of the sale so that only the net proceeds are deposited in the Treasury.

''(B) APPLICATION.—This paragraph applies whether proceeds are deposited as miscellaneous receipts or to the credit of an appropriation as authorized by law.''.

SEC. 2956. INSPECTOR GENERAL REPORT ON UNITED STATES POSTAL SERVICE PROPERTY.

(a) DEFINITION OF EXCESS PROPERTY.—In this section, the term ''excess property'' has the meaning given the term in section 641 of title 40, United States Code, as added by section 2954.

(b) EXCESS PROPERTY REPORT.—Not later than 2 years after the date of enactment of this Act, the Inspector General of the United States Postal Service shall submit to Congress a report that includes—

(1) a survey of excess property held by the United States Postal Service; and

(2) recommendations for repurposing property identified in paragraph (1)—

(A) to—

(i) reduce excess capacity; and

(ii) increase collocation with other Federal agencies; and

(B) without diminishing the ability of the United States Postal Service to meet the service standards established under section 3691 of title 39, United States Code, as in effect on January 1, 2016.

SEC. 2957. REPORTS ON UNITED STATES POSTAL SERVICE FLEET MODERNIZATION.

(a) GAO REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall study and submit to Congress a report on—

(1) the feasibility of the United States Postal Service designing mail delivery vehicles that are equipped for diverse geographic conditions such as travel in rural areas and extreme weather conditions; and

(2) the feasibility and cost of the United States Postal Service integrating the use of collision-averting technology into its vehicle fleet.

(b) POSTAL SERVICE REPORT.—Not later than 1 year after the date of enactment of this Act, the United States Postal Service shall submit to Congress a report that includes—

(1) a review of the efforts of the United States Postal Service relating to fleet replacement and modernization; and

(2) a strategy for carrying out the fleet replacement and lifecycle plan of the United States Postal Service.

SEC. 2958. SURPLUS PROPERTY DONATIONS TO MUSEUMS.

Section 549(c)(3)(B) of title 40, United States Code, is amended by striking clause (vii) and inserting the following:

''(vii) a museum open to the public on a regularly scheduled weekly basis, and the hours of operation are, at a minimum, during normal business hours (as determined by the Administrator);''.

SEC. 2959. DUTIES OF FEDERAL AGENCIES.

(a) IN GENERAL.—Section 524(a) of title 40, United States Code, is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(6) develop current and future workforce projections so as to have the capacity to assess the needs of the Federal workforce regarding the use of real property;

''(7) establish goals and policies that will lead the executive agency to reduce excess property and underutilized property in the inventory of the executive agency;

''(8) submit to the Federal Property Council an annual report on all excess property that is real property and underutilized property in the inventory of the executive agency, including—

''(A) whether underutilized property can be better utilized, including through collocation with other executive agencies or consolidation with other facilities; and

''(B) the extent to which the executive agency believes that retention of the underutilized property serves the needs of the executive agency;

''(9) adopt workplace practices, configurations, and management techniques that can achieve increased levels of productivity and decrease the need for real property assets;

''(10) assess leased space to identify space that is not fully used or occupied;

''(11) on an annual basis and subject to the guidance of the Federal Property Council—

''(A) conduct an inventory of real property under control of the executive agency; and

''(B) make an assessment of each property, which shall include—

''(i) the age and condition of the property;

''(ii) the size of the property in square footage and acreage;

''(iii) the geographical location of the property, including an address and description;

''(iv) the extent to which the property is being utilized;

''(v) the actual annual operating costs associated with the property;

''(vi) the total cost of capital expenditures incurred by the Federal Government associated with the property;

''(vii) sustainability metrics associated with the property;

''(viii) the number of Federal employees and contractor employees and functions housed at the property;

''(ix) the extent to which the mission of the executive agency is dependent on the property;

''(x) the estimated amount of capital expenditures projected to maintain and operate the property during the 5-year period beginning on the date of enactment of this paragraph; and

''(xi) any additional information required by the Administrator of General Services to carry out section 623; and

''(12) provide to the Federal Property Council and the Administrator of General Services the information described in paragraph (11)(B) to be used for the establishment and maintenance of the database described in section 624.''.

(b) DEFINITION OF EXECUTIVE AGENCY.—Section 524 of title 40, United States Code, is amended by adding at the end the following:

''(c) DEFINITION OF EXECUTIVE AGENCY.—For the purpose of paragraphs (6) through (12) of subsection (a), the term 'executive agency' shall have the meaning given the term 'Federal agency' in section 621.''.

SA 4340. Mr. CASEY 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 B of title III, add the following:

SEC. 306. ENVIRONMENTAL TESTING AND REMEDIATION AT MILITARY INSTALLATIONS WHERE AQUEOUS FILM FORMING FOAM HAS BEEN USED.

(a) IDENTIFICATION OF POTENTIALLY CONTAMINATED SITES.—The Secretary of Defense shall direct the service secretaries to identify and make publicly available a list of military installations located in the United States where the fire extinguishing agent Aqueous Film Forming Foam was or could have been discharged.

(b) TESTING.—The Secretary of Defense shall make available to local water authorities and residents located at or near the military installations identified pursuant to subsection (a) testing of drinking water for the presence of perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) above the current Lifetime Health Advisory (LHA) limits.

(c) ACTIONS REQUIRED AT LOCATIONS WITH CONTAMINATION FOUND ABOVE LHA LIMITS.—If testing under subsection (b) identifies PFOS and PFOA contamination above LHA limits at or around a military installation identified under subsection (a), the Secretary of Defense shall—

(1) notify local residents within 15 days of the test results;

(2) provide affected individuals with an alternative, uncontaminated drinking water source within 15 days of such results that shall remain available until a remediation plan is fully implemented;

(3) develop and begin implementation of a remediation plan within 45 days of the results, unless such a plan is not technically feasible or is cost-prohibitive, in which case the Secretary may develop and implement a plan to provide a permanent alternative water supply to affected residents; and

(4) provide public status reports on the progress of implementation of the remediation plan every 45 days until remediation is complete.

SA 4341. Mr. CASEY 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 section 1531, add the following:

(c) AVAILABILITY OF FUNDS FOR COUNTERING MOVEMENT OF PRECURSOR MATERIALS.—

(1) IN GENERAL.—Of the funds made available for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2017 by this Act, up to $15,000,000 may be used by the Secretary of Defense to provide assistance in the form of training, equipment, supplies, and services to ministries and other governmental entities of any country that the Secretary of Defense, with the concurrence of the Secretary of State, has identified as critical for countering the movement of precursor materials for improvised explosive devices. Any such assistance shall be provided for the purpose of countering the movement of such precursor materials.

(2) PROVISION THROUGH OTHER UNITED STATES AGENCIES.—If agreed upon by the Secretary of Defense and the head of another department or agency of the United States, the Secretary may transfer funds available under paragraph (1) to the head of such department or agency for the provision by such department or agency of assistance described in that paragraph to ministries and other government entities of a country identified under that paragraph.

(d) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense should increase efforts to combat the use of improvised explosive devices by the terrorist group the Islamic State of Iraq and the Levant (ISIL) and the illicit smuggling of improvised explosive device precursor materials by that terrorist group.

SA 4342. Mr. UDALL 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 C of title XXVIII, add the following:

SEC. 2826. RETURN OF CERTAIN LANDS AT FORT WINGATE TO THE ORIGINAL INHABITANTS ACT.

(a) SHORT TITLE.—This section may be cited as the ''Return of Certain Lands At Fort Wingate to The Original Inhabitants Act''.

(b) DIVISION AND TREATMENT OF LANDS OF FORMER FORT WINGATE DEPOT ACTIVITY, NEW MEXICO, TO BENEFIT THE ZUNI TRIBE AND NAVAJO NATION.—

(1) IMMEDIATE TRUST ON BEHALF OF ZUNI TRIBE; EXCEPTION.—Subject to valid existing rights and to easements reserved pursuant to subsection (c), all right, title, and interest of the United States in and to the lands of Former Fort Wingate Depot Activity depicted in dark blue on the map titled ''The Fort Wingate Depot Activity Negotiated Property Division April 2016'' (in this section referred to as the ''Map'') and transferred to the Secretary of the Interior are to be held in trust by the Secretary of the Interior for the Zuni Tribe as part of the Zuni Reservation, unless the Zuni Tribe otherwise elects under clause (ii) of paragraph (3)(C) to have the parcel conveyed to it in Restricted Fee Status.

(2) IMMEDIATE TRUST ON BEHALF OF THE NAVAJO NATION; EXCEPTION.—Subject to valid existing rights and to easements reserved pursuant to subsection (c), all right, title, and interest of the United States in and to the lands of Former Fort Wingate Depot Activity depicted in dark green on the Map and transferred to the Secretary of the Interior are to be held in trust by the Secretary of the Interior for the Navajo Nation as part of the Navajo Reservation, unless the Navajo Nation otherwise elects under clause (ii) of paragraph (3)(C) to have the parcel conveyed to it in Restricted Fee Status.

(3) SUBSEQUENT TRANSFER AND TRUST; RESTRICTED FEE STATUS ALTERNATIVE.—

(A) TRANSFER UPON COMPLETION OF REMEDIATION.—Not later than 60 days after the date on which the Secretary of the Army, with the concurrence of the New Mexico Environment Department, notifies the Secretary of the Interior that remediation of a parcel of land of Former Fort Wingate Depot Activity has been completed consistent with subsection (d), the Secretary of the Army shall transfer administrative jurisdiction over the parcel to the Secretary of the Interior.

(B) NOTIFICATION OF TRANSFER.—Not later than 30 days after the date on which the Secretary of the Army transfers administrative jurisdiction over a parcel of land of Former Fort Wingate Depot Activity under subparagraph (A), the Secretary of the Interior shall notify the Zuni Tribe and Navajo Nation of the transfer of administrative jurisdiction over the parcel.

(C) TRUST OR RESTRICTED FEE STATUS.—

(i) TRUST.—Except as provided in clause (ii), the Secretary of the Interior shall hold each parcel of land of Former Fort Wingate Depot Activity transferred under subparagraph (A) in trust—

(I) for the Zuni Tribe, in the case of land depicted in blue on the Map; or

(II) for the Navajo Nation, in the case of land depicted in green on the Map.

(ii) RESTRICTED FEE STATUS.—In lieu of having a parcel of land held in trust under clause (i), the Zuni Tribe, with respect to land depicted in blue on the Map, and the Navajo Nation, with respect to land depicted in green on the Map, may elect to have the Secretary of the Interior convey the parcel or any portion of the parcel to it in restricted fee status.

(iii) NOTIFICATION OF ELECTION.—Not later than 45 days after the date on which the Zuni Tribe or the Navajo Nation receives notice under subparagraph (B) of the transfer of administrative jurisdiction over a parcel of land of Former Fort Wingate Depot Activity, the Zuni Tribe or the Navajo Nation shall notify the Secretary of the Interior of an election under clause (ii) for conveyance of the parcel or any portion of the parcel in restricted fee status.

(iv) CONVEYANCE.—As soon as practicable after receipt of a notice from the Zuni Tribe or the Navajo Nation under clause (iii), but in no case later than 6 months after receipt of the notice, the Secretary of the Interior shall convey, in restricted fee status, the parcel of land of Former Fort Wingate Depot Activity covered by the notice to the Zuni Tribe or the Navajo Nation, as the case may be.

(v) RESTRICTED FEE STATUS DEFINED.—For purposes of this section only, the term ''restricted fee status'', with respect to land conveyed under clause (iv), means that the land so conveyed—

(I) shall be owned in fee by the Indian tribe to whom the land is conveyed;

(II) shall be part of the Indian tribe's Reservation and expressly made subject to the jurisdiction of the Indian Tribe;

(III) shall not be sold by the Indian tribe without the consent of Congress;

(IV) shall not be subject to taxation by any government other than the government of the Indian tribe; and

(V) shall not be subject to any provision of law providing for the review or approval by the Secretary of the Interior before an Indian tribe may use the land for any purpose, directly or through agreement with another party.

(4) SURVEY AND BOUNDARY REQUIREMENTS.—

(A) IN GENERAL.—The Secretary of the Interior shall—

(i) provide for the survey of lands of Former Fort Wingate Depot Activity taken into trust for the Zuni Tribe or the Navajo Nation or conveyed in restricted fee status for the Zuni Tribe or the Navajo Nation under paragraph (1), (2), or (3); and

(ii) establish legal boundaries based on the Map as parcels are taken into trust or conveyed in restricted fee status.

(B) CONSULTATION.—Not later than 90 days after the date of the enactment of this section, the Secretary of the Interior shall consult with the Zuni Tribe and the Navajo Nation to determine their priorities regarding the order in which parcels should be surveyed and, to the greatest extent feasible, the Secretary shall follow these priorities.

(5) RELATION TO CERTAIN REGULATIONS.—Part 151 of title 25, Code of Federal Regulations, shall not apply to taking lands of Former Fort Wingate Depot Activity into trust under paragraph (1), (2), or (3).

(6) FORT WINGATE LAUNCH COMPLEX LAND STATUS.—Upon certification by the Secretary of Defense that the area generally depicted as ''Fort Wingate Launch Complex'' on the Map is no longer required for military purposes and can be transferred to the Secretary of the Interior—

(A) the areas generally depicted as ''FWLC A'' and ''FWLC B'' on the Map shall be held in trust by the Secretary of the Interior for the Zuni Tribe in accordance with this subsection; and

(B) the areas generally depicted as ''FWLC C'' and ''FWLC D'' on the Map shall be held in trust by the Secretary of the Interior for the Navajo Nation in accordance with this subsection.

(c) RETENTION OF NECESSARY EASEMENTS AND ACCESS.—

(1) RIGHTS-OF-WAY.—Entities operating on the land described herein, subject to prior easements and/or rights-of-way agreements, shall be granted a one-time 30-year extension of that agreement retroactive to the expiration of the prior agreement at existing compensation rates and subject to current Department of Interior regulations concerning easements and rights-of-ways. Compensation for future rights-of-way agreements and/or easements shall be negotiated between the parties based on prevailing market rates at the time of the negotiation.

(2) ACCESS FOR ENVIRONMENTAL RESPONSE ACTIONS.—The lands of Former Fort Wingate Depot Activity held in trust or conveyed in restricted fee status pursuant to subsection (b) shall be subject to reserved access by the United States as the Secretary of the Army and the Secretary of the Interior determine are reasonably required to permit access to lands of Former Fort Wingate Depot Activity for administrative and environmental response purposes. The Secretary of the Army shall provide to the governments of the Zuni Tribe and the Navajo Nation written copies of all access reservations under this subsection.

(3) SHARED ACCESS.—

(A) PARCEL 1 SHARED CULTURAL AND RELIGIOUS ACCESS.—In the case of the lands of Former Fort Wingate Depot Activity depicted as Parcel 1 on the Map, the lands shall be held in trust subject to a shared easement for cultural and religious purposes only. Both the Zuni Tribe and the Navajo Nation shall have unhindered access to their respective cultural and religious sites within Parcel 1. Within 1 year after the date of the enactment of this section, the Zuni Tribe and the Navajo Nation shall exchange detailed information to document the existence of cultural and religious sites within Parcel 1 for the purpose of carrying out this subparagraph. The information shall also be provided to the Secretary of the Interior.

(B) OTHER SHARED ACCESS.—Subject to the written consent of both the Zuni Tribe and the Navajo Nation, the Secretary of the Interior may facilitate shared access to other lands held in trust or restricted fee status pursuant to subsection (b), including, but not limited to, religious and cultural sites.

(4) I–40 FRONTAGE ROAD ENTRANCE.—The access road for the Former Fort Wingate Depot Activity, which originates at the frontage road for Interstate 40 and leads to the parcel of the Former Fort Wingate Depot Activity depicted as ''administration area'' on the Map, shall be held in common by the Zuni Tribe and Navajo Nation to provide for equal access to Former Fort Wingate Depot Activity.

(5) COMPATIBILITY WITH DEFENSE ACTIVITIES.—The lands of Former Fort Wingate Depot Activity held in trust or conveyed in restricted fee status pursuant to subsection (b) shall be subject to reservations by the United States as the Secretary of Defense determines are reasonably required to permit access to lands of the Fort Wingate launch complex for administrative, test operations, and launch operations purposes. The Secretary of Defense shall provide the governments of the Zuni Tribe and the Navajo Nation written copies of all reservations under this paragraph.

(d) ENVIRONMENTAL REMEDIATION.—Nothing in this section shall be construed as alleviating, altering, or affecting the responsibility of the United States for cleanup and remediation of Former Fort Wingate Depot

Activity in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

SA 4343. Mr. CARDIN 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 E of title V of division A, add the following:

SEC. 565. REPORT ON AVAILABILITY OF COLLEGE CREDIT FOR SKILLS ACQUIRED DURING MILITARY SERVICE.

Not later than 1 year after the date of 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 of the following:

(1) The ability of service members to receive transfer credit or technical certifications for military experience, including skills acquired during military service or training performed in the course of performing military duties.

(2) An evaluation of those schools that do provide such credit, the type and amount of credit provided, whether the number of schools providing such credit could be expanded, and obstacles to such expansion.

(3) A listing of civilian career fields best suited for the certifications and training obtained by technically-trained service members during their time in the Armed Forces.

(4) The number of veterans 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.

SA 4344. Mr. SULLIVAN (for himself, Mr. WARNER, Mr. CORNYN, and Mr. KIRK) 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 F of title XII, add the following:

SEC. 1247. MILITARY-TO-MILITARY EXCHANGES WITH INDIA.

To enhance military cooperation and encourage engagement in joint military operations between the United States and India, the Secretary of Defense may take appropriate actions to ensure that exchanges between senior military officers and senior civilian defense officials of the Government of India and the United States Government—

(1) are at a level appropriate to enhance engagement between the militaries of the two countries for developing threat analysis, military doctrine, force planning, logistical support, intelligence collection and analysis, tactics, techniques, and procedures, and humanitarian assistance and disaster relief;

(2) include exchanges of general and flag officers; and

(3) significantly enhance joint military operations, including maritime security, counter-piracy, counter-terror cooperation, and domain awareness in the Indo-Asia-Pacific region.

SA 4345. Mr. LEE 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 1221.

SA 4346. Mr. PORTMAN (for himself and Mr. MURPHY) 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 title XII, add the following:

Subtitle I—Countering Foreign Propaganda and Disinformation Act

SEC. 1281. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) foreign governments, including the Governments of the Russian Federation and the People's Republic of China, use disinformation and other propaganda tools to undermine the national security objectives of the United States and key allies and partners;

(2) the Russian Federation, in particular, has conducted sophisticated and large-scale disinformation campaigns that have sought to have a destabilizing effect on United States allies and interests;

(3) in the last decade disinformation has increasingly become a key feature of the Government of the Russian Federation's pursuit of political, economic, and military objectives in Ukraine, Moldova, Georgia, the Balkans, and throughout Central and Eastern Europe;

(4) the challenge of countering disinformation extends beyond effective strategic communications and public diplomacy, requiring a whole-of-government approach leveraging all elements of national power;

(5) the United States Government should develop a comprehensive strategy to counter foreign disinformation and propaganda and assert leadership in developing a fact-based strategic narrative; and

(6) an important element of this strategy should be to protect and promote a free, healthy, and independent press in countries vulnerable to foreign disinformation.

SEC. 1282. CENTER FOR INFORMATION ANALYSIS AND RESPONSE.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in coordination with the Secretary of Defense, the Broadcasting Board of Governors, and other relevant departments and agencies, establish a Center for Information Analysis and Response (in this section referred to as the ''Center''). The purposes of the Center are—

(1) to coordinate the sharing with relevant government agencies of information, subject to the appropriate classification guidelines, on foreign government information warfare efforts, including information provided by recipients of information access fund grants awarded under subsection (e) and other sources;

(2) to establish a process for the integration of relevant information on foreign propaganda and disinformation efforts into the development of national strategy; and

(3) to develop, plan, and synchronize, in coordination with the Secretary of Defense, the Broadcasting Board of Governors, and other relevant departments and agencies, interagency initiatives to expose and counter foreign information operations directed against United States national security interests and proactively advance fact-based narratives that support United States allies and interests.

(b) FUNCTIONS.—The Center shall carry out the following functions:

(1) Integrating interagency efforts to track and evaluate counterfactual narratives abroad that threaten the national security interests of the United States and United States allies, subject to appropriate regulations governing the dissemination of classified information and programs.

(2) Analyzing relevant information from United States Government agencies, allied nations, think-tanks, academic institutions, civil society groups, and other nongovernmental organizations.

(3) Developing and disseminating thematic narratives and analysis to counter propaganda and disinformation directed at United States allies and partners in order to safeguard United States allies and interests.

(4) Identifying current and emerging trends in foreign propaganda and disinformation, including the use of print, broadcast, online and social media, support for third-party outlets such as think tanks, political parties, and nongovernmental organizations, in order to coordinate and shape the development of tactics, techniques, and procedures to expose and refute foreign misinformation and disinformation and proactively promote fact-based narratives and policies to audiences outside the United States.

(5) Facilitating the use of a wide range of information-related technologies and techniques to counter foreign disinformation by sharing expertise among agencies, seeking expertise from external sources, and implementing best practices.

(6) Identifying gaps in United States capabilities in areas relevant to the Center's mission and recommending necessary enhancements or changes.

(7) Identifying the countries and populations most susceptible to foreign government propaganda and disinformation.

(8) Administering the information access fund established pursuant to subsection (e).

(9) Coordinating with allied and partner nations, particularly those frequently targeted by foreign disinformation operations, and international organizations and entities such as the NATO Center of Excellence on Strategic Communications, the European Endowment for Democracy, and the European External Action Service Task Force on Strategic Communications, in order to amplify the Center's efforts and avoid duplication.

(c) COMPOSITION.—

(1) COORDINATOR.—The Secretary of State shall appoint a full-time Coordinator to lead the Center.

(2) STEERING COMMITTEE.—

(A) COMPOSITION.—The Secretary of State shall establish a Steering Committee composed of senior representatives of agencies relevant to the Center's mission to provide advice to the Secretary on the operations and strategic orientation of the Center and to ensure adequate support for the Center.

The Steering Committee shall include the officials set forth in subparagraph (C), one senior representative designated by the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Administrator of the United States Agency for International Development, and the Chairman of the Broadcasting Board of Governors.

(B) MEETINGS.—The Steering Committee shall meet not less than every 3 months.

(C) CHAIRMAN AND VICE CHAIRMEN.—The Steering Committee shall be chaired by the Under Secretary of State for Political Affairs. A senior, Secretary of State-designated official responsible for digital media programming for foreign audiences and a senior, Secretary of Defense-designated official responsible for information operations shall serve as co-Vice Chairmen.

(D) EXECUTIVE SECRETARY.—The Coordinator of the Center shall serve as Executive Secretary of the Steering Committee.

(E) PARTICIPATION AND INDEPENDENCE.—The Chairman of the Broadcasting Board of Governors shall not compromise the journalistic freedom or integrity of relevant media organizations. Other Federal agencies may be invited to participate in the Steering Committee at the discretion of the Chairman of the Steering Committee and with the consent of the Secretary of State.

(d) STAFF.—

(1) IN GENERAL.—The Chairman may, with the consent of the Secretary and without regard to the civil service laws and regulations, appoint and terminate a Director and such other additional personnel as may be necessary to enable the Center to carry out its functions. The employment of the Director shall be subject to confirmation by the Steering Committee.

(2) COMPENSATION.—The Chairman may fix the compensation of the Director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Center without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(4) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(e) INFORMATION ACCESS FUND.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State for fiscal years 2017 and 2018 $40,000,000 to support the Center and provide grants or contracts of financial support to civil society groups, journalists, nongovernmental organizations, federally funded research and development centers, private companies, or academic institutions for the following purposes:

(A) To support local independent media who are best placed to refute foreign disinformation and manipulation in their own communities.

(B) To collect and store examples in print, online, and social media, disinformation, misinformation, and propaganda directed at the United States and its allies and partners.

(C) To analyze tactics, techniques, and procedures of foreign government information warfare with respect to disinformation, misinformation, and propaganda.

(D) To support efforts by the Center to counter efforts by foreign governments to use disinformation, misinformation, and propaganda to influence the policies and social and political stability of the United States and United States allies and partners.

(2) FUNDING AVAILABILITY AND LIMITATIONS.—All organizations that apply to receive funds under this subsection must undergo a vetting process in accordance with the relevant existing regulations to ensure their bona fides, capability, and experience, and their compatibility with United States interests and objectives.

(3) OFFSET.—Savings derived from projected bulk fuel cost savings in the operation and maintenance, Defense-wide account shall be made available to cover the appropriation authorized in paragraph (1).

SEC. 1283. INCLUSION IN DEPARTMENT OF STATE EDUCATION AND CULTURAL EXCHANGE PROGRAMS OF FOREIGN STUDENTS AND COMMUNITY LEADERS FROM COUNTRIES AND POPULATIONS SUSCEPTIBLE TO FOREIGN MANIPULATION.

When selecting participants for United States educational and cultural exchange programs, the Secretary of State shall give special consideration to students and community leaders from populations and countries the Secretary deems vulnerable to foreign propaganda and disinformation campaigns.

SEC. 1284. REPORTS.

(a) IN GENERAL.—Not later than one year after the establishment of the Center, the Secretary of State shall, in coordination with the Secretary of Defense and the Secretary of Homeland Security, submit to the appropriate congressional committees a report evaluating the success of the Center in fulfilling the purposes for which it was authorized and outlining steps to improve any areas of deficiency.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives.

SEC. 1285. TERMINATION OF CENTER AND STEERING COMMITTEE.

The Center for Information Analysis and Response and the Steering Committee shall terminate ten years after the date of the enactment of this Act.

SEC. 1286. RULE OF CONSTRUCTION REGARDING RELATIONSHIP TO INTELLIGENCE AUTHORITIES AND ACTIVITIES.

Nothing in this Act shall be construed as superseding or modifying any existing authorities governing the collection, sharing, and implementation of intelligence programs and activities or existing regulations governing the sharing of classified information and programs.

SA 4347. Mr. KAINE (for himself and Mr. WARNER) 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 I of title X, add the following:

SEC. 1097. 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 Boundary Expansion'', numbered 325/80,080, and dated March 2015. 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) IN GENERAL.—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) 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 transferred is depicted on the map titled ''Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction'', numbered 325/80,801A, dated May 2011. 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) is subject to the following conditions:

(A) NO REIMBURSEMENT OR CONSIDERATION.—The transfer is without reimbursement or consideration.

(B) MANAGEMENT.—The land conveyed to the Secretary under paragraph (1) shall be included within the boundary of the Petersburg National Battlefield and shall be administered as part of that park in accordance with applicable laws and regulations.

SA 4348. Ms. BALDWIN 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; as follows:

At the end of subtitle B of title II, add the following:

SEC. 221. REPORT ON NATIONAL SECURITY IMPLICATIONS OF INDEPENDENT RESEARCH AND DEVELOPMENT INVESTMENTS WITHIN THE DEFENSE INDUSTRY.

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 on the national security implications of independent research and development investments within the defense industry. The report shall include the following:

(1) An assessment of the short-term and long-term implications for the national security of the United States with respect to innovation, modernization, and technological superiority resulting from low levels of independent research and development investment within the defense industry.

(2) For fiscal years 2015 and 2016, an analysis of how firms in the defense industry have allocated corporate earnings, including a breakdown by allocation types such as—

(A) investments in research and development, labor force, or capital improvements;

(B) merger or acquisition activities; or

(C) activities to primarily increase shareholder value.

(3) An assessment whether regulations and acquisition policies of the Department of Defense provide incentives for firms in the defense industry to place a priority on short-term targets for earnings-per-share rather than on long-term capital investments.

(4) Such recommendations for legislative or administrative action as the Secretary considers appropriate to encourage, facilitate, and enhance independent research and development investments within the defense industry, and to spur innovation within the defense industry.

SA 4349. Mrs. GILLIBRAND 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; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. BORDER SECURITY ENFORCEMENT TRANSPARENCY.

(a) DEFINITIONS.—In this section

(1) BORDER SECURITY.—The term ''border security'' means the prevention of unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

(2) CHECKPOINT.—The term ''checkpoint'' means a location—

(A) where vehicles or individuals traveling through the location are stopped or boarded by an officer of U.S. Customs and Border Protection for the purposes of enforcement of United States laws and regulations; and

(B) that is not located at a port of entry along an international border of the United States.

(3) LAW ENFORCEMENT OFFICIAL.—The term ''law enforcement official'' means—

(A) an officer or agent of U.S. Customs and Border Protection;

(B) an officer or agent of U.S. Immigration and Customs Enforcement; or

(C) an officer or employee of a State or a political subdivision of a State who is carrying out the functions of an immigration officer pursuant to an agreement entered into under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)), pursuant to authorization under title IV of the Tariff Act of 1930 (19 U.S.C. 1401 et seq.), or pursuant to any other agreement with the Department of Homeland Security.

(4) PATROL STOP.—The term ''patrol stop'' means seizure or interrogation of a motorist, passenger, or pedestrian initiated anywhere except as part of an inspection at a port of entry or checkpoint.

(5) PRIMARY INSPECTION.—The term ''primary inspection'' means an initial inspection of a vehicle or individual at a checkpoint.

(6) SECONDARY INSPECTION.—The term ''secondary inspection'' means a further inspection of a vehicle or individual that is conducted following a primary inspection.

(b) REQUIREMENT FOR DATA COLLECTION REGARDING STOPS AND SEARCHES INTENDED TO ENFORCE BORDER SECURITY.—A law enforcement official who initiates a patrol stop or who detains any individual beyond a brief and limited inquiry during a primary inspection, including by referral to a secondary inspection or by conducting a search of the vehicle or its occupants, shall collect the following data:

(1) The date, time, and location of the contact.

(2) The surname and date of birth of the individual subject to the contact.

(3) The law enforcement official's basis for, or circumstances surrounding, the action, including if such individual's perceived race or ethnicity contributed to such basis.

(4) The identifying characteristics of such individual, including the individual's perceived race, gender, ethnicity, and approximate age.

(5) The duration of the stop, detention, or search, whether consent was requested and obtained for detention and any search, and the name of the person who provided such consent.

(6) A description of any articulable facts and behavior by the individual that justify initiating a stop or probable cause to justify any search pursuant to such contact.

(7) A description of any items seized during such search, including contraband or money, and a specification of the type of search conducted.

(8) Whether any warning or citation was issued as a result of such contact and the basis for such warning or citation.

(9) Whether an arrest or detention was made as a result of such contact, the justification for such arrest or detention, and the ultimate disposition of such arrest.

(10) Whether the affected individual is undergoing immigration proceedings as of the date of the annual report.

(11) The immigration status of the individual and whether removal proceedings were subsequently initiated against the individual.

(12) Whether force was used by the law enforcement official and if so, the type of force and justification for using force

(13) Whether any complaint was made by the individual, and if so whether there was any follow-up made regarding the complaint.

(14) The badge number of the law enforcement official involved in the complaint.

(15) If the action was initiated by a State or local law enforcement agency, the reason for involvement of a Federal law enforcement official, the duration of the stop prior to contact with any Federal law enforcement official, the method by which a Federal law enforcement official was informed of the stop, and whether the individual was being held by State or local officials on State criminal charges at the time of such contact.

(c) REQUIREMENT FOR U.S. CUSTOMS AND BORDER PROTECTION DATA COLLECTION REGARDING CHECKPOINTS.—The Commissioner of U.S. Customs and Border Protection shall collect data on the number of permanent and temporary checkpoints utilized by officers of U.S. Customs and Border Protection, the location of each such checkpoint, and a description of each such checkpoint, including the presence of any other law enforcement agencies and the use of law enforcement resources such as canines.

(d) COMPILATION OF DATA.—

(1) DEPARTMENT OF HOMELAND SECURITY LAW ENFORCEMENT OFFICIALS.—The Secretary of Homeland Security shall compile the data—

(A) collected under subsection (b) by officers of U.S. Immigration and Customs Enforcement and by officers of U.S. Customs and Border Protection; and

(B) collected under subsection (c) by the Commissioner of U.S. Customs and Border Protection.

(2) OTHER LAW ENFORCEMENT OFFICIALS.—The head of each agency, department, or other entity that employs law enforcement officials other than officers referred to in paragraph (1) shall—

(A) compile the data collected by such law enforcement officials pursuant to subsection (b); and

(B) submit the compiled data to the Secretary of Homeland Security.

(e) USE OF DATA.—The Secretary of Homeland Security shall consider the data compiled under subsection (d) in making policy and program decisions related to enforcement of border security.

(f) ANNUAL REPORT.—

(1) REQUIREMENT.—Not later than one year after the effective date of this Act, and annually thereafter, the Secretary of Homeland Security shall submit to Congress a report on the data compiled under subsection (d) that includes all such data for the previous year.

(2) AVAILABILITY.—Each report submitted under paragraph (1) shall be made available to the public, except for particular data if the Secretary explicitly invokes an exemption contained in paragraphs (1) through (9) of section 552(b) of title 5, United States Code, and provides a written explanation for the exemption's applicability.

(g) EFFECTIVE DATE.—This section shall take effect 60 days after the date of the enactment of this Act.

SA 4350. Mr. WARNER (for himself, Mr. CARPER, and Mr. COONS) 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 B of title III, add the following:

SEC. 306. ENERGY PREPAREDNESS FOR THE DEPARTMENT OF DEFENSE AND THE ARMED FORCES.

(a) STATEMENT OF POLICY.—It shall be the policy of the Department of Defense and the Armed Forces to ensure the readiness of the Armed Forces for their military missions by pursuing energy preparedness, including reliable sources of electric power and the efficient use of electric power.

(b) AUTHORITIES.—In order to achieve the policy set forth in subsection (a), the Secretary of Defense may take the actions as follows:

(1) ELECTRIC POWER RELIABILITY PLANS FOR MILITARY INSTALLATIONS.—The Secretary may require the service secretaries to establish and maintain electric power reliability plans that best meet their installations' mission assurance guidelines.

(2) RELIABILITY OF ELECTRIC POWER AND COST OF BACKUP POWER AS FACTORS IN PROCUREMENT.—The Secretary may authorize

the use of reliability and the cost of backup power as factors in the cost-benefit analysis for procurement of electric power.

SA 4351. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. Reid 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 536, insert the following:

SEC. 536A. INDEXING AND PUBLIC AVAILABILITY OF DECISIONS AND OTHER DOCUMENTS IN CONNECTION WITH ACTIONS OF BOARDS FOR THE CORRECTION OF MILITARY RECORDS.

Section 1552(a) of title 10, United States Code, as amended by section 536(a)(1) of this Act, is further amended—

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

(2) by inserting after paragraph (3) the following new paragraph (4):

''(4)(A) The record of the votes of each board under this section, and all other statements of findings, conclusions, and recommendations made on final determinations of applications by such board, shall be indexed and promptly made available for public inspection and copying at the Armed Forces Discharge Review/Correction Boards Reading Room located on the Concourse of the Pentagon Building in Room 2E123, Washington, DC.

''(B) Any documents made available for public inspection and copying pursuant to subparagraph (A) shall be indexed in a usable and concise form so as to enable the public to identify cases similar in issue together with the circumstances under or reasons for which the board concerned granted or denied relief. Each index shall be published quarterly, and shall be available for public inspection and distribution by sale at the Reading Room referred to in subparagraph (A).

''(C) To the extent necessary to prevent a clearly unwarranted invasion of personal privacy, the following shall be deleted from documents made available for public inspection and copying pursuant to subparagraph (A):

''(i) Identifying details of applicants and other persons.

''(ii) Names, addresses, social security numbers, and military service numbers.

''(iii) Subject to subparagraph (D), other information that is privileged or classified.

''(D) Information that is privileged or classified may be deleted pursuant to subparagraph (C)(iii) from documents made available for public inspection and copying pursuant to subparagraph (A) only if a written statement of the basis for such deletion is made available for public inspection.''.

SA 4352. Mr. CARPER 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 I of title X, add the following:

SECTION 1097. AUTHORIZATION OF THE OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) by inserting after section 801 the following:

''SEC. 802. OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Emergency Management Agency.

''(2) ASSISTANT SECRETARY.—The term 'Assistant Secretary' means the Assistant Secretary for Partnerships Against Violent Extremism designated under subsection (c).

''(3) COUNTERING VIOLENT EXTREMISM.—The term 'countering violent extremism' means proactive and relevant actions to counter recruitment, radicalization, and mobilization to violence and to address the immediate factors that lead to violent extremism and radicalization.

''(4) DOMESTIC TERRORISM; INTERNATIONAL TERRORISM.—The terms 'domestic terrorism' and 'international terrorism' have the meanings given those terms in section 2331 of title 18, United States Code.

''(5) RADICALIZATION.—The term 'radicalization' means the process by which an individual chooses to facilitate or commit domestic terrorism or international terrorism.

''(6) VIOLENT EXTREMISM.—The term 'violent extremism' means international or domestic terrorism.

''(b) ESTABLISHMENT.—There is in the Department an Office for Partnerships Against Violent Extremism.

''(c) HEAD OF OFFICE.—The Office for Partnerships Against Violent Extremism shall be headed by an Assistant Secretary for Partnerships Against Violent Extremism, who shall be designated by the Secretary and report directly to the Secretary.

''(d) DEPUTY ASSISTANT SECRETARY; ASSIGNMENT OF PERSONNEL.—The Secretary shall—

''(1) designate a career Deputy Assistant Secretary for Partnerships Against Violent Extremism; and

''(2) assign or hire, as appropriate, permanent staff to the Office for Partnerships Against Violent Extremism.

''(e) RESPONSIBILITIES.—

''(1) IN GENERAL.—The Assistant Secretary shall be responsible for the following:

''(A) Leading the efforts of the Department to counter violent extremism across all the components and offices of the Department that conduct strategic and supportive efforts to counter violent extremism. Such efforts shall include the following:

''(i) Partnering with communities to address vulnerabilities that can be exploited by violent extremists in the United States and explore potential remedies for Government and non-government institutions.

''(ii) Working with civil society groups and communities to counter violent extremist propaganda, messaging, or recruitment.

''(iii) In coordination with the Office for Civil Rights and Civil Liberties of the Department, managing the outreach and engagement efforts of the Department directed toward communities at risk for radicalization and recruitment for violent extremist activities.

''(iv) Ensuring relevant information, research, and products inform efforts to counter violent extremism.

''(v) Developing and maintaining Department-wide strategy, plans, policies, and programs to counter violent extremism. Such plans shall, at a minimum, address each of the following:

''(I) The Department's plan to leverage new and existing Internet and other technologies and social media platforms to improve non-government efforts to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, and foreign partners engaged in similar counter-messaging efforts.

''(II) The Department's countering violent extremism-related engagement efforts.

''(III) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism.

''(vi) Coordinating with the Office for Civil Rights and Civil Liberties of the Department to ensure all of the activities of the Department related to countering violent extremism fully respect the privacy, civil rights, and civil liberties of all persons.

''(vii) In coordination with the Under Secretary for Science and Technology and in consultation with the Under Secretary for Intelligence and Analysis, identifying and recommending new empirical research and analysis requirements to ensure the dissemination of information and methods for Federal, State, local, tribal, and territorial countering violent extremism practitioners, officials, law enforcement personnel, and non-governmental partners to utilize such research and analysis.

''(viii) Assessing the methods used by violent extremists to disseminate propaganda and messaging to communities at risk for recruitment by violent extremists.

''(B) Developing a digital engagement strategy that expands the outreach efforts of the Department to counter violent extremist messaging by—

''(i) exploring ways to utilize relevant Internet and other technologies and social media platforms; and

''(ii) maximizing other resources available to the Department.

''(C) Serving as the primary representative of the Department in coordinating countering violent extremism efforts with other Federal departments and agencies and non-governmental organizations.

''(D) Serving as the primary Department-level representative in coordinating with the Department of State on international countering violent extremism issues.

''(E) In coordination with the Administrator, providing guidance regarding the use of grants made to State, local, and tribal governments under sections 2003 and 2004 under the allowable uses guidelines related to countering violent extremism.

''(F) Developing a plan to expand philanthropic support for domestic efforts related to countering violent extremism, including by identifying viable community projects and needs for possible philanthropic support.

''(2) COMMUNITIES AT RISK.—For purposes of this subsection, the term 'communities at risk' shall not include a community that is determined to be at risk solely on the basis of race, religious affiliation, or ethnicity.

''(f) STRATEGY TO COUNTER VIOLENT EXTREMISM IN THE UNITED STATES.—

''(1) STRATEGY.—Not later than 90 days after the date of enactment of this section, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a comprehensive Department strategy to counter violent extremism in the United States.

''(2) CONTENTS OF STRATEGY.—The strategy required under paragraph (1) shall, at a minimum, address each of the following:

''(A) The Department's digital engagement effort, including a plan to leverage new and existing Internet, digital, and other technologies and social media platforms to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, nongovernmental, and foreign partners engaged in similar counter-messaging activities.

''(B) The Department's countering violent extremism-related engagement and outreach activities.

''(C) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for activities relating to countering violent extremism.

''(D) Ensuring all activities related to countering violent extremism adhere to relevant Department and applicable Department of Justice guidance regarding privacy, civil rights, and civil liberties, including safeguards against discrimination.

''(E) The development of qualitative and quantitative outcome-based metrics to evaluate the Department's programs and policies to counter violent extremism.

''(F) An analysis of the homeland security risk posed by violent extremism based on the threat environment and empirical data assessing terrorist activities and incidents, and violent extremist propaganda, messaging, or recruitment.

''(G) Information on the Department's near-term, mid-term, and long-term risk-based goals for countering violent extremism, reflecting the risk analysis conducted under subparagraph (F).

''(3) STRATEGIC CONSIDERATIONS.—In drafting the strategy required under paragraph (1), the Secretary shall consider including the following:

''(A) Departmental efforts to undertake research to improve the Department's understanding of the risk of violent extremism and to identify ways to improve countering violent extremism activities and programs, including outreach, training, and information sharing programs.

''(B) The Department's nondiscrimination policies as they relate to countering violent extremism.

''(C) Departmental efforts to help promote community engagement and partnerships to counter violent extremism in furtherance of the strategy.

''(D) Departmental efforts to help increase support for programs and initiatives to counter violent extremism of other Federal, State, local, tribal, territorial, nongovernmental, and foreign partners that are in furtherance of the strategy, and which adhere to all relevant constitutional, legal, and privacy protections.

''(E) Departmental efforts to disseminate to local law enforcement agencies and the general public information on resources, such as training guidance, workshop reports, and the violent extremist threat, through multiple platforms, including the development of a dedicated webpage, and information regarding the effectiveness of those efforts.

''(F) Departmental efforts to use cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism, and information regarding the effectiveness of those efforts.

''(G) Information on oversight mechanisms and protections to ensure that activities and programs undertaken pursuant to the strategy adhere to all relevant constitutional, legal, and privacy protections.

''(H) Departmental efforts to conduct oversight of all countering violent extremism training and training materials and other resources developed or funded by the Department.

''(I) Departmental efforts to foster transparency by making, to the extent practicable, all regulations, guidance, documents, policies, and training materials publicly available, including through any webpage developed under subparagraph (E).

''(4) STRATEGIC IMPLEMENTATION PLAN.—

''(A) IN GENERAL.—Not later than 90 days after the date on which the Secretary submits the strategy required under paragraph (1), the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives an implementation plan for each of the components and offices of the Department with responsibilities under the strategy.

''(B) CONTENTS.—The implementation plan required under subparagraph (A) shall include an integrated master schedule and cost estimate for activities and programs contained in the implementation plan, with specificity on how each such activity and program aligns with near-term, mid-term, and long-term goals specified in the strategy required under paragraph (1).

''(g) ANNUAL REPORT.—Not later than April 1, 2017, and annually thereafter, the Assistant Secretary shall submit to Congress an annual report on the Office for Partnerships Against Violent Extremism, which shall include the following:

''(1) A description of the status of the programs and policies of the Department for countering violent extremism in the United States.

''(2) A description of the efforts of the Office for Partnerships Against Violent Extremism to cooperate with and provide assistance to other Federal departments and agencies.

''(3) Qualitative and quantitative metrics for evaluating the success of such programs and policies and the steps taken to evaluate the success of such programs and policies.

''(4) An accounting of—

''(A) grants and cooperative agreements awarded by the Department to counter violent extremism; and

''(B) all training specifically aimed at countering violent extremism sponsored by the Department.

''(5) An analysis of how the Department's activities to counter violent extremism correspond and adapt to the threat environment.

''(6) A summary of how civil rights and civil liberties are protected in the Department's activities to counter violent extremism.

''(7) An evaluation of the use of section 2003 and section 2004 grants and cooperative agreements awarded to support efforts of local communities in the United States to counter violent extremism, including information on the effectiveness of such grants and cooperative agreements in countering violent extremism.

''(8) A description of how the Office for Partnerships Against Violent Extremism incorporated lessons learned from the countering violent extremism programs and policies of foreign, State, local, tribal, and territorial governments and stakeholder communities.

''(h) ANNUAL REVIEW.—Not later than 1 year after the date of enactment of this section, and every year thereafter, the Office for Civil Rights and Civil Liberties of the Department shall—

''(1) conduct a review of the Office for Partnerships Against Violent Extremism activities to ensure that all of the activities of the Office related to countering violent extremism respect the privacy, civil rights, and civil liberties of all persons; and

''(2) make publicly available on the website of the Department a report containing the results of the review conducted under paragraph (1).''; and

(2) in section 2008(b)—

(A) in subparagraph (A), by striking ''or'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(C) to support any organization or group which has knowingly or recklessly funded domestic terrorism or international terrorism (as those terms are defined in section 2331 of title 18, United States Code) or organization or group known to engage in or recruit to such activities, as determined by the Assistant Secretary for Partnerships Against Violent Extremism in consultation with the Administrator and the heads of other appropriate Federal departments and agencies.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by inserting after the item relating to section 801 the following:

''Sec. 802. Office for Partnerships Against Violent Extremism.''.

(c) SUNSET.—Effective on the date that is 7 years after the date of enactment of this Act—

(1) section 802 of the Homeland Security Act of 2002, as added by subsection (a), is repealed; and

(2) the table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by striking the item relating to section 802.

SA 4353. Mr. SCHATZ (for himself and Mr. SASSE) 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 title X, add the following:

Subtitle J—Open Government Data

SEC. 1097. SHORT TITLE.

(a) SHORT TITLE.—This subtitle may be cited as the ''Open, Public, Electronic, and Necessary Government Data Act'' or the ''OPEN Government Data Act''.

SEC. 1098. FINDINGS; AGENCY DEFINED.

(a) FINDINGS.—Congress finds the following:

(1) Federal Government data is a valuable national resource. Managing Federal Government data to make it open, available, discoverable, and useable to the general public, businesses, journalists, academics, and advocates promotes efficiency and effectiveness in Government, creates economic opportunities, promotes scientific discovery, and most importantly, strengthens our democracy.

(2) Maximizing the usefulness of Federal Government data that is appropriate for release rests upon making it readily available, discoverable, and usable—in a word: open. Information presumptively should be available to the general public unless the Federal Government reasonably foresees that disclosure could harm a specific, articulable interest

protected by law or the Federal Government is otherwise expressly prohibited from releasing such data due to statutory requirements.

(3) The Federal Government has the responsibility to be transparent and accountable to its citizens.

(4) Data controlled, collected, or created by the Federal Government should be originated, transmitted, and published in modern, open, and electronic format, to be as readily accessible as possible, consistent with data standards imbued with authority under this subtitle and to the extent permitted by law.

(5) The effort to inventory Government data will have additional benefits, including identifying opportunities within agencies to reduce waste, increase efficiencies, and save taxpayer dollars. As such, this effort should involve many types of data, including data generated by applications, devices, networks, and equipment, which can be harnessed to improve operations, lower energy consumption, reduce costs, and strengthen security.

(6) Communication, commerce, and data transcend national borders. Global access to Government information is often essential to promoting innovation, scientific discovery, entrepreneurship, education, and the general welfare.

(b) AGENCY DEFINED.—In this subtitle, the term ''agency'' has the meaning given that term in section 3502 of title 44, United States Code, and includes the Federal Election Commission.

SEC. 1099. RULE OF CONSTRUCTION.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to require the disclosure of information or records that are exempt from public disclosure under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'').

SEC. 1099A. FEDERAL INFORMATION POLICY DEFINITIONS.

Section 3502 of title 44, United States Code, is amended—

(1) in paragraph (13), by striking ''; and'' at the end and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(15) the term 'data' means recorded information, regardless of form or the media on which the data is recorded;

''(16) the term 'data asset' means a collection of data elements or data sets that may be grouped together;

''(17) the term 'Enterprise Data Inventory' means the data inventory developed and maintained pursuant to section 3523;

''(18) the term 'machine-readable' means a format in which information or data can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost;

''(19) the term 'metadata' means structural or descriptive information about data such as content, format, source, rights, accuracy, provenance, frequency, periodicity, granularity, publisher or responsible party, contact information, method of collection, and other descriptions;

''(20) the term 'nonpublic data asset'—

''(A) means a data asset that may not be made available to the public for privacy, security, confidentiality, regulation, or other reasons as determined by law; and

''(B) includes data provided by contractors that is protected by contract, license, patent, trademark, copyright, confidentiality, regulation, or other restriction;

''(21) the term 'open format' means a technical format based on an underlying open standard that is—

''(A) not encumbered by restrictions that would impede use or reuse; and

''(B) based on an underlying open standard that is maintained by a standards organization;

''(22) the term 'open Government data' means a Federal Government public data asset that is—

''(A) machine-readable;

''(B) available in an open format; and

''(C) part of the worldwide public domain or, if necessary, published with an open license;

''(23) the term 'open license' means a legal guarantee applied to a data asset that is made available to the public that such data asset is made available—

''(A) at no cost to the public; and

''(B) with no restrictions on copying, publishing, distributing, transmitting, citing, or adapting; and

''(24) the term 'public data asset' means a collection of data elements or a data set maintained by the Government that—

''(A) may be released; or

''(B) has been released to the public in an open format and is discoverable through a search of Data.gov.''.

SEC. 1099B. REQUIREMENT FOR MAKING OPEN AND MACHINE-READABLE THE DEFAULT FOR GOVERNMENT DATA.

(a) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, is amended by adding at the end the following:

''§ 3522. Requirements for Government data

''(a) MACHINE-READABLE DATA REQUIRED.—Government data assets made available by an agency shall be published as machine-readable data.

''(b) OPEN BY DEFAULT.—When not otherwise prohibited by law, and to the extent practicable, Government data assets shall—

''(1) be available in an open format; and

''(2) be available under open licenses.

''(c) OPEN LICENSE OR WORLDWIDE PUBLIC DOMAIN DEDICATION REQUIRED.—When not otherwise prohibited by law, and to the extent practicable, Government data assets published by or for an agency shall be made available under an open license or, if not made available under an open license and appropriately released, shall be considered to be published as part of the worldwide public domain.

''(d) INNOVATION.—Each agency may engage with nongovernmental organizations, citizens, non-profit organizations, colleges and universities, private and public companies, and other agencies to explore opportunities to leverage the agency's public data asset in a manner that may provide new opportunities for innovation in the public and private sectors in accordance with law and regulation.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 35 of title 44, United States Code, is amended by inserting after the item relating to section 3521 the following:

''3522. Requirements for Government data.''.

(c) EFFECTIVE DATE.—Notwithstanding section 1099G, the amendments made by subsections (a) and (b) shall take effect on the date that is 1 year after the date of enactment of this Act and shall apply with respect to any contract entered into by an agency on or after such effective date.

(d) USE OF OPEN DATA ASSETS.—Not later than 1 year after the date of enactment of this Act, the head of each agency shall ensure that any activities by the agency or any new contract entered into by the agency meet the requirements of section 3522 of title 44, United States Code, as added by subsection (a).

SEC. 1099C. RESPONSIBILITIES OF THE OFFICE OF ELECTRONIC GOVERNMENT.

(a) COORDINATION OF FEDERAL INFORMATION RESOURCES MANAGEMENT POLICY.—Section 3503 of title 44, United States Code, is amended by adding at the end the following:

''(c) COORDINATION OF FEDERAL INFORMATION RESOURCES MANAGEMENT POLICY.—The Federal Chief Information Officer shall work in coordination with the Administrator of the Office of Information and Regulatory Affairs and with the heads of other offices within the Office of Management and Budget to oversee and advise the Director on Federal information resources management policy.''.

(b) AUTHORITY AND FUNCTIONS OF DIRECTOR.—Section 3504(h) of title 44, United States Code, is amended—

(1) in paragraph (1), by inserting '', the Federal Chief Information Officer,'' after ''the Director of the National Institute of Standards and Technology'';

(2) in paragraph (4)—

(A) in subparagraph (A), by striking ''; and'' and inserting a semicolon; and

(B) by adding at the end the following:

''(C) oversee the completeness of the Enterprise Data Inventory and the extent to which the agency is making all data collected and generated by the agency available to the public in accordance with section 3523;'';

(3) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(6) coordinate the development and review of Federal information resources management policy by the Administrator of the Office of Information and Regulatory Affairs and the Federal Chief Information Officer.''.

(c) CHANGE OF NAME OF THE OFFICE OF ELECTRONIC GOVERNMENT.—

(1) DEFINITIONS.—Section 3601 of title 44, United States Code, is amended—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively; and

(C) by inserting after paragraph (3), as so redesignated, the following:

''(4) 'Federal Chief Information Officer' means the Federal Chief Information Officer of the Office of the Federal Chief Information Officer established under section 3602;''.

(2) OFFICE OF THE FEDERAL CHIEF INFORMATION OFFICER.—Section 3602 of title 44, United States Code, is amended—

(A) in the heading, by striking ''**Electronic Government**'' and inserting ''**the Federal Chief Information Officer**'';

(B) in subsection (a), by striking ''Office of Electronic Government'' and inserting ''Office of the Federal Chief Information Officer'';

(C) in subsection (b), by striking ''an Administrator'' and inserting ''a Federal Chief Information Officer'';

(D) in subsection (c), by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer'';

(E) in subsection (d), by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer'';

(F) in subsection (e), by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer'';

(G) in subsection (f)—

(i) in the matter preceding paragraph (1), by striking ''the Administrator shall'' and inserting ''the Federal Chief Information Officer shall''; and

(ii) in paragraph (16), by striking ''the Office of Electronic Government'' and inserting ''the Office of the Federal Chief Information Officer''; and

(H) in subsection (g), by striking ''the Office of Electronic Government'' and inserting ''the Office of the Federal Chief Information Officer''.

(3) CHIEF INFORMATION OFFICERS COUNCIL.—Section 3603 of title 44, United States Code, is amended—

(A) in subsection (b)(2), by striking ''The Administrator of the Office of Electronic Government'' and inserting ''The Federal Chief Information Officer'';

(B) in subsection (c)(1), by striking ''The Administrator of the Office of Electronic Government'' and inserting ''The Federal Chief Information Officer''; and

(C) in subsection (f)(3), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer''.

(4) E–GOVERNMENT FUND.—Section 3604 of title 44, United States Code, is amended—

(A) in subsection (a)(2), by striking ''the Administrator of the Office of Electronic Government'' and inserting ''the Federal Chief Information Officer'';

(B) in subsection (b), by striking ''Administrator'' each place it appears and inserting ''Federal Chief Information Officer''; and

(C) in subsection (c), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer''.

(5) PROGRAM TO ENCOURAGE INNOVATIVE SOLUTIONS TO ENHANCE ELECTRONIC GOVERNMENT SERVICES AND PROCESSES.—Section 3605 of title 44, United States Code, is amended—

(A) in subsection (a), by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer'';

(B) in subsection (b), by striking '', the Administrator,'' and inserting '', the Federal Chief Information Officer,''; and

(C) in subsection (c)—

(i) in paragraph (1)—

(I) by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer''; and

(II) by striking ''proposals submitted to the Administrator'' and inserting ''proposals submitted to the Federal Chief Information Officer'';

(ii) in paragraph (2), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer''; and

(iii) in paragraph (4), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer''.

(6) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TABLE OF SECTIONS.—The table of sections for chapter 36 of title 44, United States Code, is amended by striking the item relating to section 3602 and inserting the following:

''3602. Office of the Federal Chief Information Officer.''.

(B) POSITIONS AT LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking ''Administrator of the Office of Electronic Government'' and inserting ''Federal Chief Information Officer''.

(C) OFFICE OF ELECTRONIC GOVERNMENT.—Section 507 of title 31, United States Code, is amended by striking ''The Office of Electronic Government'' and inserting ''The Office of the Federal Chief Information Officer''.

(D) ELECTRONIC GOVERNMENT AND INFORMATION TECHNOLOGIES.—Section 305 of title 40, United States Code, is amended by striking ''Administrator of the Office of Electronic Government'' and inserting ''Federal Chief Information Officer''.

(E) CAPITAL PLANNING AND INVESTMENT CONTROL.—Section 11302(c)(4) of title 40, United States Code, is amended by striking ''Administrator of the Office of Electronic Government'' each place it appears and inserting ''Federal Chief Information Officer''.

(F) RESOURCES, PLANNING, AND PORTFOLIO MANAGEMENT.—The second subsection (c) of section 11319 of title 40, United States Code, is amended by striking ''Administrator of the Office of Electronic Government'' each place it appears and inserting ''Federal Chief Information Officer''.

(G) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.—

(i) Section 2222(i)(6) of title 10, United States Code, is amended by striking ''section 3601(4)'' and inserting ''section 3601(3)''.

(ii) Section 506D(k)(1) of the National Security Act of 1947 (50 U.S.C. 3100(k)(1)) is amended by striking ''section 3601(4)'' and inserting ''section 3601(3)''.

(7) RULE OF CONSTRUCTION.—The amendments made by this subsection are for the purpose of changing the name of the Office of Electronic Government and the Administrator of such office and shall not be construed to affect any of the substantive provisions of the provisions amended or to require a new appointment by the President.

SEC. 1099D. DATA INVENTORY AND PLANNING.

(a) ENTERPRISE DATA INVENTORY.—

(1) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, as amended by section 1099B, is amended by adding at the end the following:

''§ 3523. Enterprise data inventory

''(a) AGENCY DATA INVENTORY REQUIRED.—

''(1) IN GENERAL.—In order to develop a clear and comprehensive understanding of the data assets in the possession of an agency, the head of each agency, in consultation with the Director of the Office of Management and Budget, shall develop and maintain an enterprise data inventory (in this section referred to as the 'Enterprise Data Inventory') that accounts for any data asset created, collected, under the control or direction of, or maintained by the agency after the effective date of this section, with the ultimate goal of including all data assets, to the extent practicable.

''(2) CONTENTS.—The Enterprise Data Inventory shall include each of the following:

''(A) Data assets used in agency information systems, including program administration, statistical, and financial activity.

''(B) Data assets shared or maintained across agency programs and bureaus.

''(C) Data assets that are shared among agencies or created by more than 1 agency.

''(D) A clear indication of all data assets that can be made publicly available under section 552 of title 5 (commonly referred to as the 'Freedom of Information Act').

''(E) A description of whether the agency has determined that an individual data asset may be made publicly available and whether the data asset is currently available to the public.

''(F) Non-public data assets.

''(G) Government data assets generated by applications, devices, networks, and equipment, categorized by source type.

''(b) PUBLIC AVAILABILITY.—The Chief Information Officer of each agency shall use the guidance provided by the Director issued pursuant to section 3504(a)(1)(C)(ii) to make public data assets included in the Enterprise Data Inventory publicly available in an open format and under an open license.

''(c) NON-PUBLIC DATA.—Non-public data included in the Enterprise Data Inventory may be maintained in a non-public section of the inventory.

''(d) AVAILABILITY OF ENTERPRISE DATA INVENTORY.—The Chief Information Officer of each agency—

''(1) shall make the Enterprise Data Inventory available to the public on Data.gov;

''(2) shall ensure that access to the Enterprise Data Inventory and the data contained therein is consistent with applicable law and regulation; and

''(3) may implement paragraph (1) in a manner that maintains a non-public portion of the Enterprise Data Inventory.

''(e) REGULAR UPDATES REQUIRED.—The Chief Information Officer of each agency shall—

''(1) to the extent practicable, complete the Enterprise Data Inventory for the agency not later than 1 year after the date of enactment of this section; and

''(2) add additional data assets to the Enterprise Data Inventory for the agency not later than 90 days after the date on which the data asset is created or identified.

''(f) USE OF EXISTING RESOURCES.—When practicable, the Chief Information Officer of each agency shall use existing procedures and systems to compile and publish the Enterprise Data Inventory for the agency.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 35 of title 44, United States Code, as amended by section 5, is amended by inserting after the item relating to section 3522 the following:

''3523. Enterprise data inventory.''.

(b) STANDARDS FOR ENTERPRISE DATA INVENTORY.—Section 3504(a)(1) of title 44, United States Code, is amended—

(1) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (B)(vi), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) issue standards for the Enterprise Data Inventory described in section 3523, including—

''(i) a requirement that the Enterprise Data Inventory include a compilation of metadata about agency data assets; and

''(ii) criteria that the head of each agency shall use in determining whether to make a particular data asset publicly available in a manner that takes into account—

''(I) the expectation of confidentiality associated with an individual data asset;

''(II) security considerations, including the risk that information in an individual data asset in isolation does not pose a security risk but when combined with other available information may pose such a risk;

''(III) the cost and value to the public of converting the data into a manner that could be understood and used by the public;

''(IV) the expectation that all data assets that would otherwise be made available under section 552 of title 5 (commonly referred to as the 'Freedom of Information Act') be disclosed; and

''(V) any other considerations that the Director determines to be relevant.''.

(c) FEDERAL AGENCY RESPONSIBILITIES.—Section 3506 of title 44, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(C), by striking ''security;'' and inserting the following: ''security by—

''(i) using open format for any new Government data asset created or obtained on the date that is 1 year after the date of enactment of this clause; and

''(ii) to the extent practicable, encouraging the adoption of open form for all open Government data created or obtained before the date of enactment of this clause;''.

(B) in paragraph (4), by striking ''subchapter; and'' and inserting ''subchapter and a review of each agency's Enterprise Data Inventory described in section 3523;'';

(C) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(6) in consultation with the Director, develop an open data plan as a part of the requirement for a strategic information resources management plan described in paragraph (2) that, at a minimum and to the extent practicable—

''(A) requires the agency to develop processes and procedures that—

''(i) require each new data collection mechanism to use an open format; and

''(ii) allow the agency to collaborate with non-Government entities, researchers, businesses, and private citizens for the purpose of understanding how data users value and use open Government data;

''(B) identifies and implements methods for collecting and analyzing digital information on data asset usage by users within and outside of the agency, including designating a point of contact within the agency to assist the public and to respond to quality issues, usability, recommendations for improvements, and complaints about adherence to open data requirements in accordance with subsection (d)(2);

''(C) develops and implements a process to evaluate and improve the timeliness, completeness, accuracy, usefulness, and availability of open Government data;

''(D) requires the agency to update the plan at an interval determined by the Director;

''(E) includes requirements for meeting the goals of the agency open data plan including technology, training for employees, and implementing procurement standards, in accordance with existing law, that allow for the acquisition of innovative solutions from the public and private sector; and

''(F) prohibits the dissemination and accidental disclosure of nonpublic data assets.'';

(2) in subsection (c), by striking ''With respect to'' and inserting ''Except as provided under subsection (j), with respect to'';

(3) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking ''shall'';

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting ''shall'' before ''ensure'';

(ii) in subparagraph (A), by striking ''sources'' and inserting ''sources and uses''; and

(iii) in subparagraph (C), by inserting '', including providing access to open Government data online'' after ''economical manner'';

(C) in paragraph (2), by inserting ''shall'' before ''regularly'';

(D) in paragraph (3)—

(i) by inserting ''shall'' before ''provide''; and

(ii) by striking ''; and'' and inserting a semicolon;

(E) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting ''may'' before ''not''; and

(ii) by striking the period at the end and inserting a semicolon; and

(F) by adding at the end the following:

''(5) shall take the necessary precautions to ensure that the agency maintains the production and publication of data assets which are directly related to activities that protect the safety of human life or property, as identified by the open data plan of the agency required by subsection (b)(6); and

''(6) may engage the public in using open Government data and encourage collaboration by—

''(A) publishing information on open Government data usage in regular, timely intervals, but not less than annually;

''(B) receiving public input regarding priorities for the analysis and disclosure of data assets to be published;

''(C) assisting civil society groups and members of the public working to expand the use of open Government data; and

''(D) hosting challenges, competitions, events, or other initiatives designed to create additional value from open Government data.''; and

(4) by adding at the end the following:

''(j) COLLECTION OF INFORMATION EXCEPTION.—Notwithstanding subsection (c), an agency is not required to meet the requirements of paragraphs (2) and (3) of such subsection if—

''(1) the waiver of those requirements is approved by the head of the agency;

''(2) the collection of information is—

''(A) online and electronic;

''(B) voluntary and there is no perceived or actual tangible benefit to the provider of the information;

''(C) of an extremely low burden that is typically completed in 5 minutes or less; and

''(D) focused on gathering input about the performance of, or public satisfaction with, an agency providing service; and

''(3) the agency publishes representative summaries of the collection of information under subsection (c).''.

(d) REPOSITORY.—The Director of the Office of Management and Budget shall collaborate with the Office of Government Information Services and the Administrator of General Services to develop and maintain an online repository of tools, best practices, and schema standards to facilitate the adoption of open data practices. The repository shall—

(1) include definitions, regulation and policy, checklists, and case studies related to open data, this subtitle, and the amendments made by this subtitle; and

(2) facilitate collaboration and the adoption of best practices across the Federal Government relating to the adoption of open data practices.

(e) SYSTEMATIC AGENCY REVIEW OF OPERATIONS.—Section 305 of title 5, United States Code, is amended—

(1) in subsection (b), by adding at the end the following: ''To the extent practicable, each agency shall use existing data to support such reviews if the data is accurate and complete.'';

(2) in subsection (c)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) determining the status of achieving the mission, goals, and objectives of the agency as described in the strategic plan of the agency published pursuant to section 306;''; and

(3) by adding at the end the following:

''(d) OPEN DATA COMPLIANCE REPORT.—Not later than 1 year after the date of enactment of this subsection, and every 2 years thereafter, the Director of the Office of Management and Budget shall electronically publish a report on agency performance and compliance with the Open, Public, Electronic, and Necessary Government Data Act and the amendments made by that Act.''.

(f) GAO REPORT.—Not later than 3 years after the date of enactment of this Act, 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 that identifies—

(1) the value of information made available to the public as a result of this subtitle and the amendments made by this subtitle;

(2) whether it is valuable to expand the publicly available information to any other data assets; and

(3) the completeness of the Enterprise Data Inventory at each agency required under section 3523 of title 44, United States Code, as added by this section.

SEC. 8. TECHNOLOGY PORTAL.

(a) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, is amended by inserting after section 3511 the following:

''§ 3511A. Technology portal

''(a) DATA.GOV REQUIRED.—The Administrator of General Services shall maintain a single public interface online as a point of entry dedicated to sharing open Government data with the public.

''(b) COORDINATION WITH AGENCIES.—The Director of the Office of Management and Budget shall determine, after consultation with the head of each agency and the Administrator of General Services, the method to access any open Government data published through the interface described in subsection (a).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 35 of title 44, United States Code, as amended by this subtitle, is amended by inserting after the item relating to section 3511 the following:

''3511A. Technology portal.''.

(c) DEADLINE.—Not later than 180 days after the date of enactment of this Act, the Administrator of General Services shall meet the requirements of section 3511A(a) of title 44, United States Code, as added by subsection (a).

SEC. 1099E. ENHANCED RESPONSIBILITIES FOR CHIEF INFORMATION OFFICERS AND CHIEF INFORMATION OFFICERS COUNCIL DUTIES.

(a) AGENCY CHIEF INFORMATION OFFICER GENERAL RESPONSIBILITIES.—

(1) GENERAL RESPONSIBILITIES.—Section 11315(b) of title 40, United States Code, is amended—

(A) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(4) data asset management, format standardization, sharing of data assets, and publication of data assets;

''(5) the compilation and publication of the Enterprise Data Inventory for the agency required under section 3523 of title 44;

''(6) ensuring that agency data conforms with open data best practices;

''(7) ensuring compliance with the requirements of subsections (b), (c), (d), and (f) of section 3506 of title 44;

''(8) engaging agency employees, the public, and contractors in using open Government data and encourage collaborative approaches to improving data use;

''(9) supporting the agency Performance Improvement Officer in generating data to support the function of the Performance Improvement Officer described in section 1124(a)(2) of title 31;

''(10) reviewing the information technology infrastructure of the agency and the impact of such infrastructure on making data assets accessible to reduce barriers that inhibit data asset accessibility;

''(11) ensuring that, to the extent practicable, the agency is maximizing its own use of data, including data generated by applications, devices, networks, and equipment owned by the Government and such use is not otherwise prohibited, to reduce costs, improve operations, and strengthen security and privacy protections; and

''(12) identifying points of contact for roles and responsibilities related to open data use and implementation as required by the Director of the Office of Management and Budget.''.

(2) ADDITIONAL DEFINITIONS.—Section 11315 of title 40, United States Code, is amended by adding at the end the following:

''(d) ADDITIONAL DEFINITIONS.—In this section, the terms 'data', 'data asset', 'Enterprise Data Inventory', and 'open Government data' have the meanings given those terms in section 3502 of title 44.''.

(b) AMENDMENT.—Section 3603(f) of title 44, United States Code, is amended by adding at the end the following:

''(8) Work with the Office of Government Information Services and the Director of the Office of Science and Technology Policy to

promote data interoperability and comparability of data assets across the Government.''.

SEC. 1099F. EVALUATION OF AGENCY ANALYTICAL CAPABILITIES.

(a) AGENCY REVIEW OF EVALUATION AND ANALYSIS CAPABILITIES; REPORT.—Not later than 3 years after the date of enactment of this Act, the Chief Operating Officer of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Director of the Office of Management and Budget a report on the review described in subsection (b).

(b) REQUIREMENTS OF AGENCY REVIEW.—The report required under subsection (a) shall assess the coverage, quality, methods, effectiveness, and independence of the agency's evaluation research and analysis efforts, including each of the following:

(1) A list of the activities and operations of the agency that are being evaluated and analyzed and the activities and operations that have been evaluated and analyzed during the previous 5 years.

(2) The extent to which the evaluations research and analysis efforts and related activities of the agency support the needs of various divisions within the agency.

(3) The extent to which the evaluation research and analysis efforts and related activities of the agency address an appropriate balance between needs related to organizational learning, ongoing program management, performance management, strategic management, interagency and private sector coordination, international and external oversight, and accountability.

(4) The extent to which the agency uses methods and combinations of methods that are appropriate to agency divisions and the corresponding research questions being addressed, including an appropriate combination of formative and summative evaluation research and analysis approaches.

(5) The extent to which evaluation and research capacity is present within the agency to include personnel, agency process for planning and implementing evaluation activities, disseminating best practices and findings, and incorporating employee views and feedback.

(6) The extent to which the agency has the capacity to assist front-line staff and program offices to develop the capacity to use evaluation research and analysis approaches and data in the day-to-day operations.

(c) GAO REVIEW OF AGENCY REPORTS.—Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that summarizes agency findings and highlights trends from the reports submitted pursuant to subsection (a) and, if appropriate, recommends actions to further improve agency capacity to use evaluation techniques and data to support evaluation efforts.

SEC. 1099G. EFFECTIVE DATE.

This subtitle, and the amendments made by this subtitle, shall take effect on the date that is 180 days after the date of enactment of this Act.

SA 4354. Mr. LEAHY 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:

On page 819, strike lines 7 through 13 and insert the following:

(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 required to best contribute to the readiness of the Reserves and of the National Guard for its Federalized and non-Federalized missions.

SA 4355. Mr. LEAHY 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:

On page 138, between lines 17 and 18, insert the following:

''(5) The Chief of the National Guard Bureau and the Vice Chief of the National Guard Bureau.

SA 4356. Mr. LEAHY 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 925.

SA 4357. Mr. LEAHY 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:

On page 715, between lines 6 and 7, insert the following:

''(F) An officer from the National Guard Bureau in the grade of general.

SA 4358. Mr. LEAHY 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:

In section 502, strike subsection (rr).

SA 4359. Mr. LEAHY 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:

On page 90, between lines 7 and 8, insert the following:

''(C) in the case of a unit of the Army National Guard or the Army Reserve, the number of full-time support individuals required for the unit to carry out its mission requirements; and

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SA 4360. Mr. LEAHY 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 H of title X, add the following:

SEC. 1085. 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) CONFORMING AND 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 SECTIONS.—The table of sections at the beginning of chapter 1011 of such title is amended by striking the item relating to section 10504 and inserting the following new item:

''10504. Chief of the National Guard Bureau: annual reports.''.

SA 4361. Mr. LEAHY (for himself and Mr. SANDERS) 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 C of title III, add the following:

SEC. 314. STRATEGIC PLAN FOR MANUFACTURING WORKFORCE.

Subsection (f)(1) of section 2521 of title 10, United States Code, is amended—

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

(2) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) The overall manufacturing workforce goals, process development, technical training and education, and credentialing for the program.''.

SA 4362. Mr. BROWN 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 title VIII, add the following:

Subtitle I—Technology Innovation and Acquisition Provisions

SEC. 899G. PILOT PROGRAM ON DISTRIBUTION OF ROYALTIES RECEIVED BY DEPT OF DEFENSE LABORATORIES.

(a) IN GENERAL.—Except as provided in subsections (b) and (d), any royalties or other payments received by a Federal agency from the licensing and assignment of inventions under agreements entered into by Department of Defense laboratories, and from the licensing of inventions of Department of Defense laboratories, shall be retained by the laboratory which produced the invention and shall be disposed of as follows:

(1)(A) The laboratory director shall pay each year the first $2,000, and thereafter at least 20 percent, of the royalties or other payments, other than payments of patent costs as delineated by a license or assignment agreement, to the inventor or coinventors, if the inventor's or coinventor's rights are assigned to the United States.

(B) A laboratory director may provide appropriate incentives, from royalties or other payments, to laboratory employees who are not an inventor of such inventions but who substantially increased the technical value of the inventions.

(C) The laboratory shall retain the royalties and other payments received from an invention until the laboratory makes payments to employees of a laboratory under subparagraph (A) or (B).

(2) The balance of the royalties or other payments shall be transferred by the agency to its laboratories, with the majority share of the royalties or other payments from any invention going to the laboratory where the invention occurred. The royalties or other payments so transferred to any laboratory may be used or obligated by that laboratory during the fiscal year in which they are received or during the 2 succeeding fiscal years—

(A) to reward scientific, engineering, and technical employees of the laboratory, including developers of sensitive or classified technology, regardless of whether the technology has commercial applications;

(B) to further scientific exchange among the laboratories of the agency;

(C) for education and training of employees consistent with the research and development missions and objectives of the agency or laboratory, and for other activities that increase the potential for transfer of the technology of the laboratories of the agency;

(D) for payment of expenses incidental to the administration and licensing of intellectual property by the agency or laboratory with respect to inventions made at that laboratory, including the fees or other costs for the services of other agencies, persons, or organizations for intellectual property management and licensing services; or

(E) for scientific research and development consistent with the research and development missions and objectives of the laboratory.

(3) All royalties or other payments retained by the laboratory after payments have been made pursuant to paragraphs (1) and (2) that are unobligated and unexpended at the end of the second fiscal year succeeding the fiscal year in which the royalties and other payments were received shall be paid into the Treasury of the United States.

(b) DISPOSITION OF EXCESS ROYALTIES AND OTHER PAYMENTS.—If, after payments to inventors under subsection (a), the royalties or other payments received by an agency in any fiscal year exceed 5 percent of the budget of the agency for that year, 75 percent of such excess shall be paid to the Treasury of the United States and the remaining 25 percent may be used or obligated under subsection (a)(2). Any funds not so used or obligated shall be paid into the Treasury of the United States.

(c) TREATMENT OF PAYMENTS TO EMPLOYEES.—Any payment made to an employee under this section shall be in addition to the regular pay of the employee and to any other awards made to the employee, and shall not affect the entitlement of the employee to any regular pay, annuity, or award to which the employee is otherwise entitled or for which the employee is otherwise eligible or limit the amount thereof. Any payment made to an inventor as such shall continue after the inventor leaves the laboratory. Payments made under this section while the inventor is still employed at the laboratory shall not exceed $500,000 per year and after the inventor leaves the laboratory shall not exceed $150,000 per year to any one person, unless the President approves a larger award (with the excess over $500,000 being treated as a Presidential award under section 4504 of title 5, United States Code).

(d) INVENTION MANAGEMENT SERVICES.—A laboratory receiving royalties or other payments as a result of invention management services performed for another Federal agency or laboratory under section 207 of title 35, United States Code, may retain such royalties or payments to the extent required to offset payments to inventors under subparagraph (A) of subsection (a)(1), costs and expenses incurred under subparagraph (D) of subsection (a)(2), and the cost of foreign patenting and maintenance for any invention of the other agency. All royalties and other payments remaining after offsetting the payments to inventors, costs, and expenses described in the preceding sentence shall be transferred to the agency for which the services were performed, for distribution in accordance with subsection (a)(2).

(e) CERTAIN ASSIGNMENTS.—If the invention involved was one assigned to the laboratory—

(1) by a contractor, grantee, or participant, or an employee of a contractor, grantee, or participant, in an agreement or other arrangement with the agency; or

(2) by an employee of the agency who was not working in the laboratory at the time the invention was made,

the agency unit that was involved in such assignment shall be considered to be a laboratory for purposes of this section.

(f) SUNSET.—The pilot program under this section shall terminate 5 years after the date of the enactment of this Act.

SEC. 899H. METHODS FOR ENTERING INTO RESEARCH AGREEMENTS.

Section 2358(b) of title 10, United States Code, is amended—

(1) in paragraph (3), by striking ''or'';

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(5) by transactions other than contracts, cooperative agreements, and grants entered into pursuant to sections 2371 and 2371b of this title; or

''(6) by procurement for experimental purposes pursuant to section 2373 of this title.''.

SEC. 899I. PREFERENCE FOR USE OF OTHER TRANSACTIONS AND EXPERIMENTAL AUTHORITY.

In the execution of science and technology programs, the Secretary of Defense shall establish a preference for using transactions other than contracts, cooperative agreements, and grants entered into pursuant to sections 2371 and 2371b of title 10, United States Code, and authority for procurement for experimental purposes pursuant to section 2373 of title 10, United States Code.

SEC. 899J. MODIFICATION OF COST SHARING REQUIREMENT FOR USE OF OTHER TRANSACTION AUTHORITY.

Section 2371b(d)(1) of title 10, United States Code, is amended by striking subparagraph (C) and inserting the following new subparagraph:

''(C) At least one third of the total cost of the prototype project is to be paid out of funds provided by parties to the transaction other than the Federal Government, including funds from third party financial investment.''.

SEC. 899K. ENHANCED AUTHORITY OF CONTRACT AUTHORITY FOR ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPE UNITS.

Section 819(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2302 note) is amended by striking ''the lesser of'' and all that follows through ''$20,000,000'' and inserting ''the amount of expenditure consistent with a major system, as defined in section 2302d of title 10, United States Code''.

SEC. 899L. PERMANENCY AND ENHANCEMENT OF AUTHORITY FOR PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Subsection (f) of section 2374a of title 10, United States Code, is amended to read as follows:

''(f) USE OF PRIZE AUTHORITY.—Use of prize authority under this section shall be considered the use of competitive procedures for purposes of chapter 137 of this title.''.

SA 4363. Mr. BROWN (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 B of title VII, add the following:

SEC. 740. REQUIREMENTS REGARDING UPDATE BY SECRETARY OF DEFENSE OF DEPLOYMENT HEALTH FORMS.

(a) POST DEPLOYMENT HEALTH ASSESSMENT.—When first updating the post deployment health assessment conducted by the Department of Defense after the date of the enactment of this Act, the Secretary of Defense shall include in such assessment a question relating to whether a member of the Armed Forces has witnessed or observed any in-service stressor, including any event, activity, or incident, during the deployment of the member.

(b) INSTRUCTION ON DEPLOYMENT HEALTH.—When first updating Department of Defense Instruction 6490.03 ''Deployment Health'' after the date of the enactment of this Act, the Secretary of Defense shall ensure that a description of any in-service stressor, including any event, activity, incident, or being a witness to any such event, activity, or incident, experienced by a member of the Armed Forces that may have caused or contributed to post-traumatic stress disorder (PTSD) or mild traumatic brain injury (mTBI) while in combat or on active duty in the Armed Forces and any records and data relating to that in-service stressor are electronically uploaded into the military personnel files and medical records of the member for the permanent record of the member.

SA 4364. Mr. BROWN 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 I of title X, add the following:

SEC. 1097. PROTECTING FINANCIAL AID FOR STUDENTS AND TAXPAYERS.

(a) SHORT TITLE.—This section may be cited as the ''Protecting Financial Aid for Students and Taxpayers Act''.

(b) FINDINGS.—Congress finds the following:

(1) From 1998 to 2013, enrollment in for-profit institutions of higher education increased by 314 percent, from 498,176 students to 2,064,920 students.

(2) In the 2012–2013 academic year, students who enrolled at for-profit institutions of higher education received $26,469,028,523 in Federal Pell Grants and student loans.

(3) Eight out of the 10 top recipients of Post- 9/11 Educational Assistance funds are for-profit institutions of higher education. These 8 companies have received $2,900,000,000 in taxpayer funds to enroll veterans from 2009 to 2013.

(4) An analysis of 15 publicly traded companies that operate institutions of higher education shows that, on average, such companies spend 28 percent of expenditures on advertising, marketing, and recruiting.

(c) RESTRICTIONS ON SOURCES OF FUNDS FOR RECRUITING AND MARKETING ACTIVITIES.—Section 119 of the Higher Education Opportunity Act (20 U.S.C. 1011m) is amended—

(1) in the section heading, by inserting ''**AND RESTRICTIONS ON SOURCES OF FUNDS FOR RECRUITING AND MARKETING ACTIVITIES**'' after ''**FUNDS**'';

(2) in subsection (d), by striking ''subsections (a) through (c)'' and inserting ''subsections (a), (b), (c), and (e)'';

(3) by redesignating subsection (e) as subsection (f); and

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

''(e) RESTRICTIONS ON SOURCES OF FUNDS FOR RECRUITING AND MARKETING ACTIVITIES.—

''(1) IN GENERAL.—An institution of higher education, or other postsecondary educational institution, may not use revenues derived from Federal educational assistance funds for recruiting or marketing activities described in paragraph (2).

''(2) COVERED ACTIVITIES.—Except as provided in paragraph (3), the recruiting and marketing activities subject to paragraph (1) shall include the following:

''(A) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

''(B) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

''(i) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other Internet communications regarding enrollment; and

''(ii) soliciting an individual to provide contact information to an institution of higher education, including websites established for such purpose and funds paid to third parties for such purpose.

''(C) Such other activities as the Secretary of Education may prescribe, including paying for promotion or sponsorship of education or military-related associations.

''(3) EXCEPTIONS.—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a covered activity under paragraph (2).

''(4) FEDERAL EDUCATIONAL ASSISTANCE FUNDS.—In this subsection, the term 'Federal educational assistance funds' means funds provided directly to an institution or to a student attending such institution under any of the following provisions of law:

''(A) Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(B) Chapter 30, 31, 32, 33, 34, or 35 of title 38, United States Code.

''(C) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10, United States Code.

''(D) Section 1784a, 2005, or 2007 of title 10, United States Code.

''(E) Title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111 et seq.).

''(F) The Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.).

''(5) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than Federal educational assistance funds.

''(6) REPORTS.—Each institution of higher education, or other postsecondary educational institution, that derives 65 percent or more of revenues from Federal educational assistance funds shall report annually to the Secretary and to Congress and shall include in such report—

''(A) the institution's expenditures on advertising, marketing, and recruiting;

''(B) a verification from an independent auditor that the institution is in compliance with the requirements of this subsection; and

''(C) a certification from the institution that the institution is in compliance with the requirements of this subsection.''.

SA 4365. Mr. CARPER 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 812 and insert the following:

SEC. 812. MICRO-PURCHASE THRESHOLD APPLICABLE TO GOVERNMENT PROCUREMENTS.

(a) INCREASE IN THRESHOLD.—Section 1902 of title 41, United States Code, is amended—

(1) in subsection (a), by striking ''$3,000'' and inserting ''$10,000''; and

(2) in subsections (d) and (e), by striking ''not greater than $3,000'' and inserting ''with a price not greater than the micro-purchase threshold''.

(b) OMB GUIDANCE.—The Director of the Office of Management and Budget shall update the guidance in Circular A–123, Appendix B, as appropriate, to ensure that agencies—

(1) follow sound acquisition practices when making purchases using the Government purchase card; and

(2) maintain internal controls that reduce the risk of fraud, waste, and abuse in Government charge card programs.

(c) CONVENIENCE CHECKS.—A convenience check may not be used for an amount in excess of one half of the micro-purchase threshold under section 1902(a) of title 41, United States Code, or a lower amount set

by the head of the agency, and use of convenience checks shall comply with controls prescribed in OMB Circular A–123, Appendix B.

At the end of subtitle B of title VIII, add the following:

SEC. 829K. SIMPLIFICATION OF THE PROCESS FOR PREPARATION AND EVALUATION OF PROPOSALS FOR CERTAIN SERVICE CONTRACTS.

(a) CONTRACTING UNDER TITLE 41, UNITED STATES CODE.—Section 3306(c) of title 41, United States Code, is amended—

(1) in paragraph (1), by inserting ''except as provided in paragraph (3),'' in subparagraphs (B) and (C) after the subparagraph designation; and

(2) by adding at the end the following new paragraphs:

''(3) EXCEPTIONS FOR CERTAIN INDEFINITE DELIVERY, INDEFINITE QUANTITY MULTIPLE-AWARD CONTRACTS AND CERTAIN FEDERAL SUPPLY SCHEDULE CONTRACTS.—If the head of an agency issues a solicitation for multiple task or delivery order contracts under section 4103 of this title, or a Federal supply schedule contract under section 501(b) of title 40 and section 152(3) of this title, for the same or similar services and intends to make a contract award to each qualifying offeror—

''(A) cost or price to the Federal Government need not, at the Government's discretion, be considered under subparagraph (B) of paragraph (1) as an evaluation factor for the contract award; and

''(B) if, pursuant to subparagraph (A), cost or price to the Federal Government is not considered as an evaluation factor for the contract award—

''(i) the disclosure requirement of subparagraph (C) of paragraph (1) shall not apply; and

''(ii) cost or price to the Federal Government shall be considered in conjunction with the issuance of a task or delivery order under any contract resulting from the solicitation that is awarded pursuant to section 501(b) of title 40 and section 152(3) of this title.

''(4) QUALIFYING OFFEROR DEFINED.—In paragraph (3), the term 'qualifying offeror' means an offeror that—

''(A) is determined to be a responsible source;

''(B) submits a proposal that conforms to the requirements of the solicitation; and

''(C) the contracting officer has no reason to believe would likely offer other than fair and reasonable pricing.''.

(b) CONTRACTING UNDER TITLE 10, UNITED STATES CODE.—Section 2305(a)(3) of title 10, United States Code, is amended—

(1) in subparagraph (A), by inserting ''(except as provided in subparagraph (C))'' in clauses (ii) and (iii) after ''shall''; and

(2) by adding at the end the following new subparagraphs:

''(C) If the head of an agency issues a solicitation for multiple task or delivery order contracts under section 2304a(d)(1)(B) of this title for the same or similar services and intends to make a contract award to each qualifying offeror—

''(i) cost or price to the Federal Government need not, at the Government's discretion, be considered under clause (ii) of subparagraph (A) as an evaluation factor for the contract award; and

''(ii) if, pursuant to clause (i), cost or price to the Federal Government is not considered as an evaluation factor for the contract award—

''(I) the disclosure requirement of clause (iii) of subparagraph (A) shall not apply; and

''(II) cost or price to the Federal Government shall be considered in conjunction with the issuance pursuant to section 2304c(b) of this title of a task or delivery order under any contract resulting from the solicitation.

''(D) In subparagraph (C), the term 'qualifying offeror' means an offeror that—

''(i) is determined to be a responsible source;

''(ii) submits a proposal that conforms to the requirements of the solicitation; and

''(iii) the contracting officer has no reason to believe would likely offer other than fair and reasonable pricing.''.

SEC. 829L. PILOT PROGRAMS FOR AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL ITEMS USING GENERAL SOLICITATION COMPETITIVE PROCEDURES.

(a) AUTHORITY.—

(1) IN GENERAL.—The head of an agency 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.

(2) HEAD OF AN AGENCY.—In this section, the term ''head of an agency'' means the following:

(A) The Secretary of Defense.

(B) The Secretary of Homeland Security.

(C) The Administrator of General Services.

(3) APPLICABILITY OF SECTION.—This section applies to the following agencies:

(A) The Department of Defense.

(B) The Department of Homeland Security.

(C) The General Services Administration.

(b) TREATMENT AS COMPETITIVE PROCEDURES.—Use of general solicitation competitive procedures for the pilot program under subsection (a) shall be considered—

(1) in the case of the Department of Defense, to be use of competitive procedures for purposes of chapter 137 of title 10, United States Code; and

(2) in the case of the Department of Homeland Security and the General Services Administration, to be use of competitive procedures for purposes division C of title 41, United States Code (as defined in section 152 of such title).

(c) LIMITATION.—The head of an agency may not enter into a contract under the pilot program for an amount in excess of $10,000,000.

(d) GUIDANCE.—The head of an agency shall issue guidance for the implementation of the pilot program under this section within that agency. Such guidance shall be issued in consultation with the Office of Management and Budget and shall be posted for access by the public.

(e) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than three years after the date of the enactment of this Act, the head of an agency shall submit to the congressional committees specified in paragraph (3) a report on the activities the agency carried out under the pilot program.

(2) ELEMENTS OF REPORT.—Each report under this subsection shall include the following:

(A) An assessment of the impact of the pilot program on competition.

(B) In the case of the Department of Defense, an assessment of the ability under the pilot program to attract proposals from nontraditional 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.

(3) The congressional committees specified in this paragraph are the following:

(A) With respect to the Department of Defense, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(B) With respect to the Department of Homeland Security and the General Services Administration, the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(f) DEFINITION.—In this section, the term ''innovative'' means—

(1) any new technology, process, or method, including research and development; or

(2) any new application of an existing technology, process, or method.

(g) TERMINATION.—The authority to enter into a contract under a pilot program under this section terminates on September 30, 2022.

SEC. 829M. INCREASE IN SIMPLIFIED ACQUISITION THRESHOLD.

Section 134 of title 41, United States Code, is amended by striking ''$100,000'' and inserting ''$500,000''.

SEC. 829N. CATEGORY MANAGEMENT.

(a) GUIDANCE.—The Office of Management and Budget shall issue guidance to support the implementation of category management by executive agencies. The guidance shall address, at a minimum, the following:

(1) Principles and practices for—

(A) addressing common agency needs for goods and services through the use of data analytics, application of best-in-class practices, and an understanding of market and agency cost drivers and other relevant considerations;

(B) reducing duplication of contract vehicles for the same or similar requirements;

(C) collecting and interagency sharing of pricing data, contract terms and conditions, and other information as appropriate;

(D) strengthening demand management practices; and

(E) meeting other policy objectives achieved through Federal contracting, including—

(i) ensuring that small businesses, qualified HUBZone small business concerns, small businesses owned and controlled by socially and economically disadvantaged individuals, service-disabled veteran-owned small businesses, and small businesses owned and controlled by women are provided with the maximum practicable opportunities, as available to other potential contractors, to participate in Federal acquisitions; and

(ii) strengthening sustainability and accessibility requirements in Federal acquisitions.

(2) The roles and responsibilities of the Office of Management and Budget, the General Services Administration, and other agencies, as appropriate, in furthering category management principles and practices.

(3) Metrics for measuring results achieved through application of category management principles and practices.

(b) RESPONSIBILITIES OF AGENCY CHIEF ACQUISITION OFFICERS.—Section 1702(b)(3) of title 41, United States Code, is amended—

(1) by redesignating subparagraphs (D), (E), (F), and (G) as subparagraphs (E), (F), (G), and (H), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) establishing and overseeing a category management program for the agency's spend in consultation with the agency Chief Information Officer, the agency Chief Financial Officer, and other agency officials, as appropriate;''.

SEC. 829O. INNOVATION SET ASIDE PILOT PROGRAM.

(a) IN GENERAL.—The Director of the Office of Management and Budget may, in consultation with the Administrator of the Small Business Administration, conduct a pilot program to increase the participation of new, innovative entities in Federal contracting through the use of innovation set-asides.

(b) AUTHORITY.—(1) Notwithstanding the competition requirements in chapter 33 of title 41, United States Code, and the set-aside requirements in section 15 of the Small Business Act (15 U.S.C. 644), a Federal agency, with the concurrence of the Director, may set aside a contract award to one or more new entrant contractors. The Director shall consult with the Administrator prior to providing concurrence.

(2) Notwithstanding any law addressing compliance requirements for Federal contracts—

(A) except as provided in subparagraph (B), a contract award to a new entrant contractor under the pilot program shall be subject to the same relief afforded under section 1905 of title 41, United States Code, to contracts the value of which is not greater than the simplified acquisition threshold; and

(B) for up to five pilots, the Director may authorize an agency to make an award to a new entrant contractor subject to the same compliance requirements that apply to a contractor receiving an award from the Secretary of Defense under section 2371 of title 10 United States Code.

(c) CONDITIONS FOR USE.—The authority provided in subsection (b) may be used under the following conditions:

(1)(A) The agency has a requirement for new methods, processes, or technologies, which may include research and development, or new applications of existing methods, processes or technologies, to improve quality, reduce costs, or both; or

(B) Based on market research, the agency has determined that the requirement cannot be easily provided through an existing Federal contract;

(2) The agency intends either to make an award to a small business concern or to give special consideration to a small business concern before making an award to other than a small business; and

(3) The length of the resulting contract will not exceed 2 years.

(d) NUMBER OF PILOTS.—The Director may authorize the use of up to 25 innovation set-asides acquisitions.

(e) AWARD AMOUNT.—

(1) Except as provided in paragraph (2), the amount of an award under the pilot program under this section may not exceed $2,000,000 (including any options).

(2) The Director may authorize not more than 5 set-asides with an award amount greater than $2,000,000 but not greater than $5,000,000 (including any options).

(f) GUIDANCE AND REPORTING.—

(1) The Director shall issue guidance, as necessary, to implement the pilot program under this section.

(2) Within 3 years after the date of the enactment of this Act, the Director, in consultation with the Administrator shall submit to Congress a report on the pilot program under this section. The report shall include the following:

(A) The number of awards (or orders under the Schedule) made under the authority of this section.

(B) For each award (or order)—

(i) the agency that made the award (or order);

(ii) the amount of the award (or order); and

(iii) a brief description of the award (or order), including the nature of the requirement and the innovation produced from the award (or expected if contract performance is not completed).

(g) SUNSET.—The authority to award an innovation set-aside under this section shall terminate on December 31, 2020.

(h) DEFINITION.—For purposes of this section, the term ''new entrant contractor'', with respect to any contract under the program, means an entity that has not been awarded a Federal contract within the 5-year period ending on the date on which a solicitation for that contract is issued under the program.

SA 4366. Mr. CARPER 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 I of title X, add the following:

SEC. 1097. DEPARTMENT COORDINATION.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following:

''SEC. 708. DEPARTMENT COORDINATION.

''(a) DEFINITIONS.—In this section—

''(1) the term 'joint duty training program' means the training program established under subsection (e)(9)(A);

''(2) the term 'joint requirement' means a condition or capability of a Joint Task Force, or of multiple operating components of the Department, that is required to be met or possessed by a system, product, service, result, or component to satisfy a contract, standard, specification, or other formally imposed document;

''(3) the term 'Joint Task Force' means a Joint Task Force established under subsection (e) when the scope, complexity, or other factors of the crisis or issue require capabilities of 2 or more components of the Department operating under the guidance of a single Director; and

''(4) the term 'situational awareness' means knowledge and unified understanding of unlawful cross-border activity, including—

''(A) threats and trends concerning illicit trafficking and unlawful crossings;

''(B) the ability to forecast future shifts in such threats and trends;

''(C) the ability to evaluate such threats and trends at a level sufficient to create actionable plans; and

''(D) the operational capability to conduct continuous and integrated surveillance of the air, land, and maritime borders of the United States.

''(b) DEPARTMENT LEADERSHIP COUNCILS.—

''(1) ESTABLISHMENT.—The Secretary may establish such Department leadership councils as the Secretary determines necessary to ensure coordination among leadership in the Department.

''(2) FUNCTION.—Department leadership councils shall—

''(A) serve as coordinating forums;

''(B) advise the Secretary and Deputy Secretary on Department strategy, operations, and guidance; and

''(C) consider and report on such other matters as the Secretary or Deputy Secretary may direct.

''(3) CHAIRPERSON; MEMBERSHIP.—

''(A) CHAIRPERSON.—The Secretary or a designee may serve as chairperson of a Department leadership council.

''(B) MEMBERSHIP.—The Secretary shall determine the membership of a Department leadership council.

''(4) RELATIONSHIP TO OTHER FORUMS.—The Secretary or Deputy Secretary may delegate the authority to direct the implementation of any decision or guidance resulting from the action of a Department leadership council to any office, component, coordinator, or other senior official of the Department.

''(c) JOINT REQUIREMENTS COUNCIL.—

''(1) ESTABLISHMENT.—There is established within the Department a Joint Requirements Council.

''(2) MISSION.—In addition to other matters assigned to it by the Secretary and Deputy Secretary, the Joint Requirements Council shall—

''(A) identify, assess, and validate joint requirements (including existing systems and associated capability gaps) to meet mission needs of the Department;

''(B) ensure that appropriate efficiencies are made among life-cycle cost, schedule, and performance objectives, and procurement quantity objectives, in the establishment and approval of joint requirements; and

''(C) make prioritized capability recommendations for the joint requirements approved under subparagraph (A) to the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary to review decisions of the Joint Requirements Council.

''(3) CHAIR.—The Secretary shall appoint a chairperson of the Joint Requirements Council, for a term of not more than 2 years, from among senior officials from components of the Department or other senior officials as designated by the Secretary.

''(4) COMPOSITION.—The Joint Requirements Council shall be composed of senior officials representing components of the Department and other senior officials as designated by the Secretary.

''(5) RELATIONSHIP TO FUTURE YEARS HOMELAND SECURITY PROGRAM.—The Secretary shall ensure that the Future Years Homeland Security Program required under section 874 is consistent with the recommendations of the Joint Requirements Council under paragraph (2)(C) of this subsection, as affirmed by the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary under that paragraph.

''(d) JOINT OPERATIONAL PLANS.—

''(1) PLANNING AND GUIDANCE.—The Secretary may direct the development of Joint Operational Plans for the Department and issue planning guidance for such development.

''(2) COORDINATION.—The Secretary shall ensure coordination between requirements derived from Joint Operational Plans and the Future Years Homeland Security Program required under section 874.

''(3) LIMITATION.—Nothing in this subsection shall be construed to affect the national emergency management authorities and responsibilities of the Administrator of the Federal Emergency Management Agency under title V.

''(e) JOINT TASK FORCES.—

''(1) ESTABLISHMENT.—The Secretary may establish and operate Departmental Joint Task Forces to conduct joint operations using personnel and capabilities of the Department.

''(2) JOINT TASK FORCE DIRECTORS.—

''(A) DIRECTOR.—Each Joint Task Force shall be headed by a Director appointed by the Secretary for a term of not more than 2 years, who shall be a senior official of the Department.

''(B) EXTENSION.—The Secretary may extend the appointment of a Director of a

Joint Task Force for not more than 2 years if the Secretary determines that such an extension is in the best interest of the Department.

''(3) JOINT TASK FORCE DEPUTY DIRECTORS.—For each Joint Task Force, the Secretary shall appoint a Deputy Director who shall be an official of a different component or office than the Director of the Joint Task Force.

''(4) RESPONSIBILITIES.—The Director of a Joint Task Force, subject to the oversight, direction, and guidance of the Secretary, shall—

''(A) maintain situational awareness within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

''(B) provide operational plans and requirements for standard operating procedures and contingency operations;

''(C) plan and execute joint task force activities within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

''(D) set and accomplish strategic objectives through integrated operational planning and execution;

''(E) exercise operational direction over personnel and equipment from components and offices of the Department allocated to the Joint Task Force to accomplish the objectives of the Joint Task Force;

''(F) establish operational and investigative priorities within the operating areas of the Joint Task Force;

''(G) coordinate with foreign governments and other Federal, State, and local agencies, as appropriate, to carry out the mission of the Joint Task Force; and

''(H) carry out other duties and powers the Secretary determines appropriate.

''(5) PERSONNEL AND RESOURCES.—

''(A) IN GENERAL.—The Secretary may, upon request of the Director of a Joint Task Force, and giving appropriate consideration of risk to the other primary missions of the Department, allocate on a temporary basis personnel and equipment of components and offices of the Department to a Joint Task Force.

''(B) COST NEUTRALITY.—A Joint Task Force may not require more personnel, equipment, or resources than would be required by components of the Department in the absence of the Joint Task Force.

''(C) LOCATION OF OPERATIONS.—In establishing a location of operations for a Joint Task Force, the Secretary shall, to the extent practicable, use existing facilities that integrate efforts of components of the Department and State, local, tribal, or territorial law enforcement or military entities.

''(D) REPORT.—The Secretary shall, at the time the budget of the President is submitted to Congress for a fiscal year under section 1105(a) of title 31, United States Code, submit to the congressional homeland security committees a report on the total funding, personnel, and other resources that each component of the Department allocated to each Joint Task Force to carry out the mission of the Joint Task Force during the fiscal year immediately preceding the report.

''(6) COMPONENT RESOURCE AUTHORITY.—As directed by the Secretary—

''(A) each Director of a Joint Task Force shall be provided sufficient resources from relevant components and offices of the Department and the authority necessary to carry out the missions and responsibilities required under this section;

''(B) the resources referred to in subparagraph (A) shall be under the operational authority, direction, and control of the Director of the Joint Task Force to which the resources are assigned; and

''(C) the personnel and equipment of each Joint Task Force shall remain under the administrative direction of the executive agent for the Joint Task Force.

''(7) JOINT TASK FORCE STAFF.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

''(8) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary shall—

''(A) establish outcome-based and other appropriate performance metrics to evaluate the effectiveness of each Joint Task Force;

''(B) not later than 120 days after the date of enactment of this section, submit the metrics established under subparagraph (A) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives; and

''(C) not later than January 31 of each year beginning in 2017, submit to each committee described in subparagraph (B) a report that contains the evaluation described in subparagraph (A).

''(9) JOINT DUTY TRAINING PROGRAM.—

''(A) IN GENERAL.—The Secretary shall—

''(i) establish a joint duty training program in the Department for the purposes of—

''(I) enhancing coordination within the Department; and

''(II) promoting workforce professional development; and

''(ii) tailor the joint duty training program to improve joint operations as part of the Joint Task Forces.

''(B) ELEMENTS.—The joint duty training program established under subparagraph (A) shall address, at a minimum, the following topics:

''(i) National security strategy.

''(ii) Strategic and contingency planning.

''(iii) Command and control of operations under joint command.

''(iv) International engagement.

''(v) The homeland security enterprise.

''(vi) Interagency collaboration.

''(vii) Leadership.

''(viii) Specific subject matter relevant to the Joint Task Force to which the joint duty training program is assigned.

''(C) TRAINING REQUIRED.—

''(i) DIRECTORS AND DEPUTY DIRECTORS.—Except as provided in clauses (iii) and (iv), an individual shall complete the joint duty training program before being appointed Director or Deputy Director of a Joint Task Force.

''(ii) JOINT TASK FORCE STAFF.—Each official serving on the staff of a Joint Task Force shall complete the joint duty training program within the first year of assignment to the Joint Task Force.

''(iii) EXCEPTION.—Clause (i) shall not apply to the first Director or Deputy Director appointed to a Joint Task Force on or after the date of enactment of this section.

''(iv) WAIVER.—The Secretary may waive clause (i) if the Secretary determines that such a waiver is in the interest of homeland security.

''(10) ESTABLISHING JOINT TASK FORCES.—Subject to paragraph (13), the Secretary may establish Joint Task Forces for the purposes of—

''(A) coordinating and directing operations along the land and maritime borders of the United States;

''(B) cybersecurity; and

''(C) preventing, preparing for, and responding to other homeland security matters, as determined by the Secretary.

''(11) NOTIFICATION OF JOINT TASK FORCE FORMATION.—

''(A) IN GENERAL.—Not later than 90 days before establishing a Joint Task Force under this subsection, the Secretary shall submit a notification to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

''(B) WAIVER AUTHORITY.—The Secretary may waive the requirement under subparagraph (A) in the event of an emergency circumstance that imminently threatens the protection of human life or the protection of property.

''(12) REVIEW.—

''(A) IN GENERAL.—The Inspector General of the Department shall conduct a review of the Joint Task Forces established under this subsection.

''(B) CONTENTS.—The review required under subparagraph (A) shall include—

''(i) an assessment of the effectiveness of the structure of each Joint Task Force; and

''(ii) recommendations for enhancements to that structure to strengthen the effectiveness of the Joint Task Force.

''(C) SUBMISSION.—The Inspector General of the Department shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives—

''(i) an initial report that contains the evaluation described in subparagraph (A) by not later than January 31, 2018; and

''(ii) a second report that contains the evaluation described in subparagraph (A) by not later than January 31, 2021.

''(13) LIMITATION ON JOINT TASK FORCES.—

''(A) IN GENERAL.—The Secretary may not establish a Joint Task Force for any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or an incident for which the Federal Emergency Management Agency has primary responsibility for management of the response under title V of this Act, including section 504(a)(3)(A), unless the responsibilities of the Joint Task Force—

''(i) do not include operational functions related to incident management, including coordination of operations; and

''(ii) are consistent with the requirements of paragraphs (3) and (4)(A) of section 503(c) and section 509(c) of this Act and section 302 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5143).

''(B) RESPONSIBILITIES AND FUNCTIONS NOT REDUCED.—Nothing in this section shall be construed to reduce the responsibilities or functions of the Federal Emergency Management Agency or the Administrator thereof under title V of this Act and any other provision of law, including the diversion of any asset, function, or mission from the Federal Emergency Management Agency or the Administrator thereof pursuant to section 506.

''(f) JOINT DUTY ASSIGNMENT PROGRAM.—The Secretary may establish a joint duty assignment program within the Department for the purposes of enhancing coordination in the Department and promoting workforce professional development.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 707 the following:

''Sec. 708. Department coordination.''.

SA 4367. Mr. JOHNSON (for himself and Mr. CARPER) 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, add the following:

DIVISION F—DHS ACCOUNTABILITY

SECTION 6001. SHORT TITLE.

This division may be cited as the ''DHS Accountability Act of 2016''.

SEC. 6002. DEFINITIONS.

In this division:

(1) CONGRESSIONAL HOMELAND SECURITY COMMITTEES.—The term ''congressional homeland security committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Homeland Security Subcommittee of the Committee on Appropriations of the Senate; and

(D) the Homeland Security Subcommittee of the Committee on Appropriations of the House of Representatives.

(2) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

TITLE LXXI—DEPARTMENT MANAGEMENT AND COORDINATION

SEC. 6101. MANAGEMENT AND EXECUTION.

(a) IN GENERAL.—Section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113) is amended—

(1) in subsection (a)(1)—

(A) by striking subparagraph (F) and inserting the following:

''(F) An Under Secretary for Management, who shall be first assistant to the Deputy Secretary of Homeland Security for purposes of subchapter III of chapter 33 of title 5, United States Code.''; and

(B) by adding at the end the following:

''(K) An Under Secretary for Strategy, Policy, and Plans.''; and

(2) by adding at the end the following:

''(g) VACANCIES.—

''(1) ABSENCE, DISABILITY, OR VACANCY OF SECRETARY OR DEPUTY SECRETARY.—Notwithstanding section 3345 of title 5, United States Code, the Under Secretary for Management shall serve as the Acting Secretary if by reason of absence, disability, or vacancy in office, neither the Secretary nor Deputy Secretary is available to exercise the duties of the Office of the Secretary.

''(2) FURTHER ORDER OF SUCCESSION.—Notwithstanding section 3345 of title 5, United States Code, the Secretary may designate such other officers of the Department in further order of succession to serve as Acting Secretary.

''(3) NOTIFICATION OF VACANCIES.—The Secretary shall notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives of any vacancies that require notification under sections 3345 through 3349d of title 5, United States Code (commonly known as the 'Federal Vacancies Reform Act of 1998').''.

(b) IN GENERAL.—Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended—

(1) in subsection (a)—

(A) by striking paragraph (9) and inserting the following:

''(9) The management integration and transformation within each functional management discipline of the Department, including information technology, financial management, acquisition management, and human capital management, to ensure an efficient and orderly consolidation of functions and personnel in the Department, including—

''(A) the development of centralized data sources and connectivity of information systems to the greatest extent practicable to enhance program visibility, transparency, and operational effectiveness and coordination;

''(B) the development of standardized and automated management information to manage and oversee programs and make informed decisions to improve the efficiency of the Department;

''(C) the development of effective program management and regular oversight mechanisms, including clear roles and processes for program governance, sharing of best practices, and access to timely, reliable, and evaluated data on all acquisitions and investments; and

''(D) the overall supervision, including the conduct of internal audits and management analyses, of the programs and activities of the Department, including establishment of oversight procedures to ensure a full and effective review of the efforts by components of the Department to implement policies and procedures of the Department for management integration and transformation.'';

(B) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively; and

(C) by inserting after paragraph (9) the following:

''(10) The development of a transition and succession plan, before December 1 of each year in which a Presidential election is held, to guide the transition of Department functions to a new Presidential administration, and making such plan available to the next Secretary and Under Secretary for Management and to the congressional homeland security committees.

''(11) Reporting to the Government Accountability Office every 6 months to demonstrate measurable, sustainable progress made in implementing the corrective action plans of the Department to address the designation of the management functions of the Department on the bi-annual high risk list of the Government Accountability Office, until the Comptroller General of the United States submits to the appropriate congressional committees written notification of removal of the high-risk designation.'';

(2) by striking subsection (b) and inserting the following:

''(b) WAIVERS FOR CONDUCTING BUSINESS WITH SUSPENDED OR DEBARRED CONTRACTORS.—Not later than 5 days after the date on which the Chief Procurement Officer or Chief Financial Officer of the Department issues a waiver of the requirement that an agency not engage in business with a contractor or other recipient of funds listed as a party suspended or debarred from receiving contracts, grants, or other types of Federal assistance in the System for Award Management maintained by the General Services Administration, or any successor thereto, the Under Secretary for Management shall submit to the congressional homeland security committees and the Inspector General of the Department notice of the waiver and an explanation of the finding by the Under Secretary that a compelling reason exists for the waiver.'';

(3) by redesignating subsection (d) as subsection (e); and

(4) by inserting after subsection (c) the following:

''(d) SYSTEM FOR AWARD MANAGEMENT CONSULTATION.—The Under Secretary for Management shall require that all Department contracting and grant officials consult the System for Award Management (or successor system) as maintained by the General Services Administration prior to awarding a contract or grant or entering into other transactions to ascertain whether the selected contractor is excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits.''.

SEC. 6102. DEPARTMENT COORDINATION.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following:

''SEC. 708. DEPARTMENT COORDINATION.

''(a) DEFINITIONS.—In this section—

''(1) the term 'joint duty training program' means the training program established under subsection (e)(9)(A);

''(2) the term 'joint requirement' means a condition or capability of a Joint Task Force, or of multiple operating components of the Department, that is required to be met or possessed by a system, product, service, result, or component to satisfy a contract, standard, specification, or other formally imposed document;

''(3) the term 'Joint Task Force' means a Joint Task Force established under subsection (e) when the scope, complexity, or other factors of the crisis or issue require capabilities of 2 or more components of the Department operating under the guidance of a single Director; and

''(4) the term 'situational awareness' means knowledge and unified understanding of unlawful cross-border activity, including—

''(A) threats and trends concerning illicit trafficking and unlawful crossings;

''(B) the ability to forecast future shifts in such threats and trends;

''(C) the ability to evaluate such threats and trends at a level sufficient to create actionable plans; and

''(D) the operational capability to conduct continuous and integrated surveillance of the air, land, and maritime borders of the United States.

''(b) DEPARTMENT LEADERSHIP COUNCILS.—

''(1) ESTABLISHMENT.—The Secretary may establish such Department leadership councils as the Secretary determines necessary to ensure coordination among leadership in the Department.

''(2) FUNCTION.—Department leadership councils shall—

''(A) serve as coordinating forums;

''(B) advise the Secretary and Deputy Secretary on Department strategy, operations, and guidance; and

''(C) consider and report on such other matters as the Secretary or Deputy Secretary may direct.

''(3) CHAIRPERSON; MEMBERSHIP.—

''(A) CHAIRPERSON.—The Secretary or a designee may serve as chairperson of a Department leadership council.

''(B) MEMBERSHIP.—The Secretary shall determine the membership of a Department leadership council.

''(4) RELATIONSHIP TO OTHER FORUMS.—The Secretary or Deputy Secretary may delegate the authority to direct the implementation of any decision or guidance resulting from the action of a Department leadership council to any office, component, coordinator, or other senior official of the Department.

''(c) JOINT REQUIREMENTS COUNCIL.—

''(1) ESTABLISHMENT.—There is established within the Department a Joint Requirements Council.

''(2) MISSION.—In addition to other matters assigned to it by the Secretary and Deputy Secretary, the Joint Requirements Council shall—

''(A) identify, assess, and validate joint requirements (including existing systems and associated capability gaps) to meet mission needs of the Department;

''(B) ensure that appropriate efficiencies are made among life-cycle cost, schedule,

and performance objectives, and procurement quantity objectives, in the establishment and approval of joint requirements; and

''(C) make prioritized capability recommendations for the joint requirements approved under subparagraph (A) to the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary to review decisions of the Joint Requirements Council.

''(3) CHAIR.—The Secretary shall appoint a chairperson of the Joint Requirements Council, for a term of not more than 2 years, from among senior officials from components of the Department or other senior officials as designated by the Secretary.

''(4) COMPOSITION.—The Joint Requirements Council shall be composed of senior officials representing components of the Department and other senior officials as designated by the Secretary.

''(5) RELATIONSHIP TO FUTURE YEARS HOMELAND SECURITY PROGRAM.—The Secretary shall ensure that the Future Years Homeland Security Program required under section 874 is consistent with the recommendations of the Joint Requirements Council under paragraph (2)(C) of this subsection, as affirmed by the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary under that paragraph.

''(d) JOINT OPERATIONAL PLANS.—

''(1) PLANNING AND GUIDANCE.—The Secretary may direct the development of Joint Operational Plans for the Department and issue planning guidance for such development.

''(2) COORDINATION.—The Secretary shall ensure coordination between requirements derived from Joint Operational Plans and the Future Years Homeland Security Program required under section 874.

''(3) LIMITATION.—Nothing in this subsection shall be construed to affect the national emergency management authorities and responsibilities of the Administrator of the Federal Emergency Management Agency under title V.

''(e) JOINT TASK FORCES.—

''(1) ESTABLISHMENT.—The Secretary may establish and operate Departmental Joint Task Forces to conduct joint operations using personnel and capabilities of the Department.

''(2) JOINT TASK FORCE DIRECTORS.—

''(A) DIRECTOR.—Each Joint Task Force shall be headed by a Director appointed by the Secretary for a term of not more than 2 years, who shall be a senior official of the Department.

''(B) EXTENSION.—The Secretary may extend the appointment of a Director of a Joint Task Force for not more than 2 years if the Secretary determines that such an extension is in the best interest of the Department.

''(3) JOINT TASK FORCE DEPUTY DIRECTORS.—For each Joint Task Force, the Secretary shall appoint a Deputy Director who shall be an official of a different component or office than the Director of the Joint Task Force.

''(4) RESPONSIBILITIES.—The Director of a Joint Task Force, subject to the oversight, direction, and guidance of the Secretary, shall—

''(A) maintain situational awareness within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

''(B) provide operational plans and requirements for standard operating procedures and contingency operations;

''(C) plan and execute joint task force activities within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

''(D) set and accomplish strategic objectives through integrated operational planning and execution;

''(E) exercise operational direction over personnel and equipment from components and offices of the Department allocated to the Joint Task Force to accomplish the objectives of the Joint Task Force;

''(F) establish operational and investigative priorities within the operating areas of the Joint Task Force;

''(G) coordinate with foreign governments and other Federal, State, and local agencies, as appropriate, to carry out the mission of the Joint Task Force; and

''(H) carry out other duties and powers the Secretary determines appropriate.

''(5) PERSONNEL AND RESOURCES.—

''(A) IN GENERAL.—The Secretary may, upon request of the Director of a Joint Task Force, and giving appropriate consideration of risk to the other primary missions of the Department, allocate on a temporary basis personnel and equipment of components and offices of the Department to a Joint Task Force.

''(B) COST NEUTRALITY.—A Joint Task Force may not require more personnel, equipment, or resources than would be required by components of the Department in the absence of the Joint Task Force.

''(C) LOCATION OF OPERATIONS.—In establishing a location of operations for a Joint Task Force, the Secretary shall, to the extent practicable, use existing facilities that integrate efforts of components of the Department and State, local, tribal, or territorial law enforcement or military entities.

''(D) REPORT.—The Secretary shall, at the time the budget of the President is submitted to Congress for a fiscal year under section 1105(a) of title 31, United States Code, submit to the congressional homeland security committees a report on the total funding, personnel, and other resources that each component of the Department allocated to each Joint Task Force to carry out the mission of the Joint Task Force during the fiscal year immediately preceding the report.

''(6) COMPONENT RESOURCE AUTHORITY.—As directed by the Secretary—

''(A) each Director of a Joint Task Force shall be provided sufficient resources from relevant components and offices of the Department and the authority necessary to carry out the missions and responsibilities required under this section;

''(B) the resources referred to in subparagraph (A) shall be under the operational authority, direction, and control of the Director of the Joint Task Force to which the resources are assigned; and

''(C) the personnel and equipment of each Joint Task Force shall remain under the administrative direction of the executive agent for the Joint Task Force.

''(7) JOINT TASK FORCE STAFF.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

''(8) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary shall—

''(A) establish outcome-based and other appropriate performance metrics to evaluate the effectiveness of each Joint Task Force;

''(B) not later than 120 days after the date of enactment of this section, submit the metrics established under subparagraph (A) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives; and

''(C) not later than January 31 of each year beginning in 2017, submit to each committee described in subparagraph (B) a report that contains the evaluation described in subparagraph (A).

''(9) JOINT DUTY TRAINING PROGRAM.—

''(A) IN GENERAL.—The Secretary shall—

''(i) establish a joint duty training program in the Department for the purposes of—

''(I) enhancing coordination within the Department; and

''(II) promoting workforce professional development; and

''(ii) tailor the joint duty training program to improve joint operations as part of the Joint Task Forces.

''(B) ELEMENTS.—The joint duty training program established under subparagraph (A) shall address, at a minimum, the following topics:

''(i) National security strategy.

''(ii) Strategic and contingency planning.

''(iii) Command and control of operations under joint command.

''(iv) International engagement.

''(v) The homeland security enterprise.

''(vi) Interagency collaboration.

''(vii) Leadership.

''(viii) Specific subject matter relevant to the Joint Task Force to which the joint duty training program is assigned.

''(C) TRAINING REQUIRED.—

''(i) DIRECTORS AND DEPUTY DIRECTORS.—Except as provided in clauses (iii) and (iv), an individual shall complete the joint duty training program before being appointed Director or Deputy Director of a Joint Task Force.

''(ii) JOINT TASK FORCE STAFF.—Each official serving on the staff of a Joint Task Force shall complete the joint duty training program within the first year of assignment to the Joint Task Force.

''(iii) EXCEPTION.—Clause (i) shall not apply to the first Director or Deputy Director appointed to a Joint Task Force on or after the date of enactment of this section.

''(iv) WAIVER.—The Secretary may waive clause (i) if the Secretary determines that such a waiver is in the interest of homeland security.

''(10) ESTABLISHING JOINT TASK FORCES.—Subject to paragraph (13), the Secretary may establish Joint Task Forces for the purposes of—

''(A) coordinating and directing operations along the land and maritime borders of the United States;

''(B) cybersecurity; and

''(C) preventing, preparing for, and responding to other homeland security matters, as determined by the Secretary.

''(11) NOTIFICATION OF JOINT TASK FORCE FORMATION.—

''(A) IN GENERAL.—Not later than 90 days before establishing a Joint Task Force under this subsection, the Secretary shall submit a notification to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

''(B) WAIVER AUTHORITY.—The Secretary may waive the requirement under subparagraph (A) in the event of an emergency circumstance that imminently threatens the protection of human life or the protection of property.

''(12) REVIEW.—

''(A) IN GENERAL.—The Inspector General of the Department shall conduct a review of the Joint Task Forces established under this subsection.

''(B) CONTENTS.—The review required under subparagraph (A) shall include—

''(i) an assessment of the effectiveness of the structure of each Joint Task Force; and

''(ii) recommendations for enhancements to that structure to strengthen the effectiveness of the Joint Task Force.

''(C) SUBMISSION.—The Inspector General of the Department shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives—

''(i) an initial report that contains the evaluation described in subparagraph (A) by not later than January 31, 2018; and

''(ii) a second report that contains the evaluation described in subparagraph (A) by not later than January 31, 2021.

''(13) LIMITATION ON JOINT TASK FORCES.—

''(A) IN GENERAL.—The Secretary may not establish a Joint Task Force for any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or an incident for which the Federal Emergency Management Agency has primary responsibility for management of the response under title V of this Act, including section 504(a)(3)(A), unless the responsibilities of the Joint Task Force—

''(i) do not include operational functions related to incident management, including coordination of operations; and

''(ii) are consistent with the requirements of paragraphs (3) and (4)(A) of section 503(c) and section 509(c) of this Act and section 302 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5143).

''(B) RESPONSIBILITIES AND FUNCTIONS NOT REDUCED.—Nothing in this section shall be construed to reduce the responsibilities or functions of the Federal Emergency Management Agency or the Administrator thereof under title V of this Act and any other provision of law, including the diversion of any asset, function, or mission from the Federal Emergency Management Agency or the Administrator thereof pursuant to section 506.

''(f) JOINT DUTY ASSIGNMENT PROGRAM.—The Secretary may establish a joint duty assignment program within the Department for the purposes of enhancing coordination in the Department and promoting workforce professional development.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 707 the following:

''Sec. 708. Department coordination.''.

SEC. 6103. NATIONAL OPERATIONS CENTER.

Section 515 of the Homeland Security Act of 2002 (6 U.S.C. 321d) is amended—

(1) in subsection (a)—

(A) by striking ''emergency managers and decision makers'' and inserting ''emergency managers, decision makers, and other appropriate officials''; and

(B) by inserting ''and steady-state activity'' before the period at the end;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''and tribal governments'' and inserting ''tribal, and territorial governments, the private sector, and international partners''; and

(ii) by striking ''in the event of'' and inserting ''for events, threats, and incidents involving'';

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) enter into agreements with other Federal operations centers and other homeland security partners, as appropriate, to facilitate the sharing of information.'';

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b) the following:

''(c) REPORTING REQUIREMENTS.—Each Federal agency shall provide the National Operations Center with timely information—

''(1) relating to events, threats, and incidents involving a natural disaster, act of terrorism, or other man-made disaster;

''(2) concerning the status and potential vulnerability of the critical infrastructure and key resources of the United States;

''(3) relevant to the mission of the Department of Homeland Security; or

''(4) as may be requested by the Secretary under section 202.''; and

(5) in subsection (d), as so redesignated—

(A) in the subsection heading, by striking ''FIRE SERVICE'' and inserting ''EMERGENCY RESPONDER'';

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

''(1) ESTABLISHMENT OF POSITIONS.—The Secretary shall establish a position, on a rotating basis, for a representative of State and local emergency responders at the National Operations Center established under subsection (b) to ensure the effective sharing of information between the Federal Government and State and local emergency response services.'';

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2).

SEC. 6104. HOMELAND SECURITY ADVISORY COUNCIL.

(a) IN GENERAL.—Section 102(b) of the Homeland Security Act of 2002 (6 U.S.C. 112(b)) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(4) shall establish a Homeland Security Advisory Council to provide advice and recommendations on homeland security and homeland security-related matters.''.

SEC. 6105. STRATEGY, POLICY, AND PLANS.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by this Act, is amended by adding at the end the following:

''SEC. 709. OFFICE OF STRATEGY, POLICY, AND PLANS.

''(a) IN GENERAL.—There is established in the Department an Office of Strategy, Policy, and Plans.

''(b) HEAD OF OFFICE.—The Office of Strategy, Policy, and Plans shall be headed by an Under Secretary for Strategy, Policy, and Plans, who shall serve as the principal policy advisor to the Secretary and be appointed by the President, by and with the advice and consent of the Senate.

''(c) FUNCTIONS.—The Office of Strategy, Policy, and Plans shall—

''(1) lead, conduct, and coordinate Department-wide policy development and implementation and strategic planning;

''(2) develop and coordinate policies to promote and ensure quality, consistency, and integration for the programs, offices, and activities across the Department;

''(3) develop and coordinate strategic plans and long-term goals of the Department with risk-based analysis and planning to improve operational mission effectiveness, including leading and conducting the quadrennial homeland security review under section 707;

''(4) manage Department leadership councils and provide analytics and support to such councils;

''(5) manage international coordination and engagement for the Department;

''(6) review and incorporate, as appropriate, external stakeholder feedback into Department policy; and

''(7) carry out such other responsibilities as the Secretary determines appropriate.

''(d) COORDINATION BY DEPARTMENT COMPONENTS.—To ensure consistency with the policy priorities of the Department, the head of each component of the Department shall coordinate with the Office of Strategy, Policy, and Plans in establishing or modifying policies or strategic planning guidance.

''(e) HOMELAND SECURITY STATISTICS AND JOINT ANALYSIS.—

''(1) HOMELAND SECURITY STATISTICS.—The Under Secretary for Strategy, Policy, and Plans shall—

''(A) establish standards of reliability and validity for statistical data collected and analyzed by the Department;

''(B) be provided with statistical data maintained by the Department regarding the operations of the Department;

''(C) conduct or oversee analysis and reporting of such data by the Department as required by law or directed by the Secretary; and

''(D) ensure the accuracy of metrics and statistical data provided to Congress.

''(2) TRANSFER OF RESPONSIBILITIES.—There shall be transferred to the Under Secretary for Strategy, Policy, and Plans the maintenance of all immigration statistical information of U.S. Customs and Border Protection and U.S. Citizenship and Immigration Services, which shall include information and statistics of the type contained in the publication entitled 'Yearbook of Immigration Statistics' prepared by the Office of Immigration Statistics, including region-by-region statistics on the aggregate number of applications and petitions filed by an alien (or filed on behalf of an alien) and denied, and the reasons for such denials, disaggregated by category of denial and application or petition type.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by this Act, is amended by inserting after the item relating to section 708 the following:

''Sec. 709. Office of Strategy, Policy, and Plans.''.

SEC. 6106. AUTHORIZATION OF THE OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) by inserting after section 801 the following:

''SEC. 802. OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Emergency Management Agency.

''(2) ASSISTANT SECRETARY.—The term 'Assistant Secretary' means the Assistant Secretary for Partnerships Against Violent Extremism designated under subsection (c).

''(3) COUNTERING VIOLENT EXTREMISM.—The term 'countering violent extremism' means proactive and relevant actions to counter recruitment, radicalization, and mobilization to violence and to address the immediate factors that lead to violent extremism and radicalization.

''(4) DOMESTIC TERRORISM; INTERNATIONAL TERRORISM.—The terms 'domestic terrorism' and 'international terrorism' have the meanings given those terms in section 2331 of title 18, United States Code.

''(5) RADICALIZATION.—The term 'radicalization' means the process by which an individual chooses to facilitate or commit domestic terrorism or international terrorism.

''(6) VIOLENT EXTREMISM.—The term 'violent extremism' means international or domestic terrorism.

''(b) ESTABLISHMENT.—There is in the Department an Office for Partnerships Against Violent Extremism.

''(c) HEAD OF OFFICE.—The Office for Partnerships Against Violent Extremism shall be headed by an Assistant Secretary for Partnerships Against Violent Extremism, who shall be designated by the Secretary and report directly to the Secretary.

''(d) DEPUTY ASSISTANT SECRETARY; ASSIGNMENT OF PERSONNEL.—The Secretary shall—

''(1) designate a career Deputy Assistant Secretary for Partnerships Against Violent Extremism; and

''(2) assign or hire, as appropriate, permanent staff to the Office for Partnerships Against Violent Extremism.

''(e) RESPONSIBILITIES.—

''(1) IN GENERAL.—The Assistant Secretary shall be responsible for the following:

''(A) Leading the efforts of the Department to counter violent extremism across all the components and offices of the Department that conduct strategic and supportive efforts to counter violent extremism. Such efforts shall include the following:

''(i) Partnering with communities to address vulnerabilities that can be exploited by violent extremists in the United States and explore potential remedies for Government and non-government institutions.

''(ii) Working with civil society groups and communities to counter violent extremist propaganda, messaging, or recruitment.

''(iii) In coordination with the Office for Civil Rights and Civil Liberties of the Department, managing the outreach and engagement efforts of the Department directed toward communities at risk for radicalization and recruitment for violent extremist activities.

''(iv) Ensuring relevant information, research, and products inform efforts to counter violent extremism.

''(v) Developing and maintaining Department-wide strategy, plans, policies, and programs to counter violent extremism. Such plans shall, at a minimum, address each of the following:

''(I) The Department's plan to leverage new and existing Internet and other technologies and social media platforms to improve non-government efforts to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, and foreign partners engaged in similar counter-messaging efforts.

''(II) The Department's countering violent extremism-related engagement efforts.

''(III) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism.

''(vi) Coordinating with the Office for Civil Rights and Civil Liberties of the Department to ensure all of the activities of the Department related to countering violent extremism fully respect the privacy, civil rights, and civil liberties of all persons.

''(vii) In coordination with the Under Secretary for Science and Technology and in consultation with the Under Secretary for Intelligence and Analysis, identifying and recommending new empirical research and analysis requirements to ensure the dissemination of information and methods for Federal, State, local, tribal, and territorial countering violent extremism practitioners, officials, law enforcement personnel, and non-governmental partners to utilize such research and analysis.

''(viii) Assessing the methods used by violent extremists to disseminate propaganda and messaging to communities at risk for recruitment by violent extremists.

''(B) Developing a digital engagement strategy that expands the outreach efforts of the Department to counter violent extremist messaging by—

''(i) exploring ways to utilize relevant Internet and other technologies and social media platforms; and

''(ii) maximizing other resources available to the Department.

''(C) Serving as the primary representative of the Department in coordinating countering violent extremism efforts with other Federal departments and agencies and non-governmental organizations.

''(D) Serving as the primary Department-level representative in coordinating with the Department of State on international countering violent extremism issues.

''(E) In coordination with the Administrator, providing guidance regarding the use of grants made to State, local, and tribal governments under sections 2003 and 2004 under the allowable uses guidelines related to countering violent extremism.

''(F) Developing a plan to expand philanthropic support for domestic efforts related to countering violent extremism, including by identifying viable community projects and needs for possible philanthropic support.

''(2) COMMUNITIES AT RISK.—For purposes of this subsection, the term 'communities at risk' shall not include a community that is determined to be at risk solely on the basis of race, religious affiliation, or ethnicity.

''(f) STRATEGY TO COUNTER VIOLENT EXTREMISM IN THE UNITED STATES.—

''(1) STRATEGY.—Not later than 90 days after the date of enactment of this section, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a comprehensive Department strategy to counter violent extremism in the United States.

''(2) CONTENTS OF STRATEGY.—The strategy required under paragraph (1) shall, at a minimum, address each of the following:

''(A) The Department's digital engagement effort, including a plan to leverage new and existing Internet, digital, and other technologies and social media platforms to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, non-governmental, and foreign partners engaged in similar counter-messaging activities.

''(B) The Department's countering violent extremism-related engagement and outreach activities.

''(C) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for activities relating to countering violent extremism.

''(D) Ensuring all activities related to countering violent extremism adhere to relevant Department and applicable Department of Justice guidance regarding privacy, civil rights, and civil liberties, including safeguards against discrimination.

''(E) The development of qualitative and quantitative outcome-based metrics to evaluate the Department's programs and policies to counter violent extremism.

''(F) An analysis of the homeland security risk posed by violent extremism based on the threat environment and empirical data assessing terrorist activities and incidents, and violent extremist propaganda, messaging, or recruitment.

''(G) Information on the Department's near-term, mid-term, and long-term risk-based goals for countering violent extremism, reflecting the risk analysis conducted under subparagraph (F).

''(3) STRATEGIC CONSIDERATIONS.—In drafting the strategy required under paragraph (1), the Secretary shall consider including the following:

''(A) Departmental efforts to undertake research to improve the Department's understanding of the risk of violent extremism and to identify ways to improve countering violent extremism activities and programs, including outreach, training, and information sharing programs.

''(B) The Department's nondiscrimination policies as they relate to countering violent extremism.

''(C) Departmental efforts to help promote community engagement and partnerships to counter violent extremism in furtherance of the strategy.

''(D) Departmental efforts to help increase support for programs and initiatives to counter violent extremism of other Federal, State, local, tribal, territorial, nongovernmental, and foreign partners that are in furtherance of the strategy, and which adhere to all relevant constitutional, legal, and privacy protections.

''(E) Departmental efforts to disseminate to local law enforcement agencies and the general public information on resources, such as training guidance, workshop reports, and the violent extremist threat, through multiple platforms, including the development of a dedicated webpage, and information regarding the effectiveness of those efforts.

''(F) Departmental efforts to use cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism, and information regarding the effectiveness of those efforts.

''(G) Information on oversight mechanisms and protections to ensure that activities and programs undertaken pursuant to the strategy adhere to all relevant constitutional, legal, and privacy protections.

''(H) Departmental efforts to conduct oversight of all countering violent extremism training and training materials and other resources developed or funded by the Department.

''(I) Departmental efforts to foster transparency by making, to the extent practicable, all regulations, guidance, documents, policies, and training materials publicly available, including through any webpage developed under subparagraph (E).

''(4) STRATEGIC IMPLEMENTATION PLAN.—

''(A) IN GENERAL.—Not later than 90 days after the date on which the Secretary submits the strategy required under paragraph (1), the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives an implementation plan for each of the components and offices of the Department with responsibilities under the strategy.

''(B) CONTENTS.—The implementation plan required under subparagraph (A) shall include an integrated master schedule and cost estimate for activities and programs contained in the implementation plan, with specificity on how each such activity and program aligns with near-term, mid-term, and long-term goals specified in the strategy required under paragraph (1).

''(g) ANNUAL REPORT.—Not later than April 1, 2017, and annually thereafter, the Assistant Secretary shall submit to Congress an annual report on the Office for Partnerships Against Violent Extremism, which shall include the following:

''(1) A description of the status of the programs and policies of the Department for countering violent extremism in the United States.

''(2) A description of the efforts of the Office for Partnerships Against Violent Extremism to cooperate with and provide assistance to other Federal departments and agencies.

''(3) Qualitative and quantitative metrics for evaluating the success of such programs and policies and the steps taken to evaluate the success of such programs and policies.

''(4) An accounting of—

''(A) grants and cooperative agreements awarded by the Department to counter violent extremism; and

''(B) all training specifically aimed at countering violent extremism sponsored by the Department.

''(5) An analysis of how the Department's activities to counter violent extremism correspond and adapt to the threat environment.

''(6) A summary of how civil rights and civil liberties are protected in the Department's activities to counter violent extremism.

''(7) An evaluation of the use of section 2003 and section 2004 grants and cooperative agreements awarded to support efforts of local communities in the United States to counter violent extremism, including information on the effectiveness of such grants and cooperative agreements in countering violent extremism.

''(8) A description of how the Office for Partnerships Against Violent Extremism incorporated lessons learned from the countering violent extremism programs and policies of foreign, State, local, tribal, and territorial governments and stakeholder communities.

''(h) ANNUAL REVIEW.—Not later than 1 year after the date of enactment of this section, and every year thereafter, the Office for Civil Rights and Civil Liberties of the Department shall—

''(1) conduct a review of the Office for Partnerships Against Violent Extremism activities to ensure that all of the activities of the Office related to countering violent extremism respect the privacy, civil rights, and civil liberties of all persons; and

''(2) make publicly available on the website of the Department a report containing the results of the review conducted under paragraph (1).''; and

(2) in section 2008(b)(1)—

(A) in subparagraph (A), by striking ''or'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(C) to support any organization or group which has knowingly or recklessly funded domestic terrorism or international terrorism (as those terms are defined in section 2331 of title 18, United States Code) or organization or group known to engage in or recruit to such activities, as determined by the Assistant Secretary for Partnerships Against Violent Extremism in consultation with the Administrator and the heads of other appropriate Federal departments and agencies.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by this Act, is amended by inserting after the item relating to section 801 the following:

''Sec. 802. Office for Partnerships Against Violent Extremism.''.

(c) SUNSET.—Effective on the date that is 7 years after the date of enactment of this Act—

(1) section 802 of the Homeland Security Act of 2002, as added by subsection (a), is repealed; and

(2) the table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 802.

TITLE LXXII—DEPARTMENT ACCOUNTABILITY, EFFICIENCY, AND WORKFORCE REFORMS

SEC. 6201. DUPLICATION REVIEW.

(a) IN GENERAL.—The Secretary shall—

(1) not later than 1 year after the date of enactment of this Act, complete a review of the international affairs offices, functions, and responsibilities of the Department to identify and eliminate areas of unnecessary duplication; and

(2) not later than 30 days after the date on which the Secretary completes the review under paragraph (1), provide the results of the review to the congressional homeland security committees.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the congressional homeland security committees an action plan, including corrective steps and an estimated date of completion, to address areas of duplication, fragmentation, and overlap and opportunities for cost savings and revenue enhancement, as identified by the Government Accountability Office based on the annual report of the Government Accountability Office entitled ''Additional Opportunities to Reduce Fragmentation, Overlap, and Duplication and Achieve Other Financial Benefits''.

(c) EXCLUSION.—This section shall not apply to international activities related to the protective mission of the United States Secret Service, or to the Coast Guard when operating under the direct authority of the Secretary of Defense or the Secretary of the Navy.

SEC. 6202. INFORMATION TECHNOLOGY STRATEGIC PLAN.

(a) IN GENERAL.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended by adding at the end the following:

''(c) STRATEGIC PLANS.—Consistent with the timing set forth in section 306(a) of title 5, United States Code, and the requirements under section 3506 of title 44, United States Code, the Chief Information Officer shall develop, make public, and submit to the congressional homeland security committees an information technology strategic plan, which shall include how—

''(1) information technology will be leveraged to meet the priority goals and strategic objectives of the Department;

''(2) the budget of the Department aligns with priorities specified in the information technology strategic plan;

''(3) unnecessary duplicative, legacy, and outdated information technology within and across the Department will be identified and eliminated, and an estimated date for the identification and elimination of duplicative information technology within and across the Department;

''(4) the Chief Information Officer will coordinate with components of the Department to ensure that information technology policies are effectively and efficiently implemented across the Department;

''(5) a list of information technology projects, including completion dates, will be made available to the public and Congress;

''(6) the Chief Information Officer will inform Congress of high risk projects and cybersecurity risks; and

''(7) the Chief Information Officer plans to maximize the use and purchase of commercial off-the-shelf information technology products and services.''.

SEC. 6203. SOFTWARE LICENSING.

(a) IN GENERAL.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343), as amended by section 6202 of this Act, is amended by adding at the end the following:

''(d) SOFTWARE LICENSING.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, and every 2 years thereafter, the Chief Information Officer, in consultation with Chief Information Officers of components of the Department, shall—

''(A) conduct a Department-wide inventory of all existing software licenses held by the Department, including utilized and unutilized licenses;

''(B) assess the needs of the Department for software licenses for the subsequent 2 fiscal years;

''(C) assess the actions that could be carried out by the Department to achieve the greatest possible economies of scale and cost savings in the procurement of software licenses;

''(D) determine how the use of technological advancements will impact the needs for software licenses for the subsequent 2 fiscal years;

''(E) establish plans and estimated costs for eliminating unutilized software licenses for the subsequent 2 fiscal years; and

''(F) consult with the Federal Chief Information Officer to identify best practices in the Federal government for purchasing and maintaining software licenses.

''(2) EXCESS SOFTWARE LICENSING.—

''(A) PLAN TO REDUCE SOFTWARE LICENSES.—If the Chief Information Officer determines through the inventory conducted under paragraph (1)(A) that the number of software licenses held by the Department exceed the needs of the Department as assessed under paragraph (1)(B), the Secretary, not later than 90 days after the date on which the inventory is completed, shall establish a plan for bringing the number of such software licenses into balance with such needs of the Department.

''(B) PROHIBITION ON PROCUREMENT OF EXCESS SOFTWARE LICENSES.—

''(i) IN GENERAL.—Except as provided in clause (ii), upon completion of a plan established under paragraph (1)(A), no additional budgetary resources may be obligated for the procurement of additional software licenses of the same types until such time as the needs of the Department equals or exceeds the number of used and unused licenses held by the Department.

''(ii) EXCEPTION.—The Chief Information Officer may authorize the purchase of additional licenses and amend the number of needed licenses as necessary.

''(3) SUBMISSION TO CONGRESS.—The Chief Information Officer shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a copy of each inventory conducted under paragraph (1)(A), each plan established under paragraph (2)(A), and each exception exercised under paragraph (2)(B)(ii).''.

(b) GAO REVIEW.—Not later than 1 year after the date on which the results of the first inventory are submitted to Congress under subsection 703(d) of the Homeland Security Act of 2002, as added by subsection (a), the Comptroller General of the United States shall assess whether the Department complied with the requirements under paragraphs (1) and (2)(A) of such section 703(d) and provide the results of the review to the congressional homeland security committees.

SEC. 6204. WORKFORCE STRATEGY.

Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended to read as follows:

"SEC. 704. CHIEF HUMAN CAPITAL OFFICER.

''(a) IN GENERAL.—There is a Chief Human Capital Officer of the Department, who shall report directly to the Under Secretary for Management.

''(b) RESPONSIBILITIES.—In addition to the responsibilities set forth in chapter 14 of title 5, United States Code, and other applicable law, the Chief Human Capital Officer shall—

''(1) develop and implement strategic workforce planning policies that are consistent with Government-wide leading principles and in line with Department strategic human capital goals and priorities;

''(2) develop performance measures to provide a basis for monitoring and evaluating Department-wide strategic workforce planning efforts;

''(3) develop, improve, and implement policies, including compensation flexibilities available to Federal agencies where appropriate, to recruit, hire, train, and retain the workforce of the Department, in coordination with all components of the Department;

''(4) identify methods for managing and overseeing human capital programs and initiatives, in coordination with the head of each component of the Department;

''(5) develop a career path framework and create opportunities for leader development in coordination with all components of the Department;

''(6) lead the efforts of the Department for managing employee resources, including training and development opportunities, in coordination with each component of the Department;

''(7) work to ensure the Department is implementing human capital programs and initiatives and effectively educating each component of the Department about these programs and initiatives;

''(8) identify and eliminate unnecessary and duplicative human capital policies and guidance;

''(9) provide input concerning the hiring and performance of the Chief Human Capital Officer or comparable official in each component of the Department; and

''(10) ensure that all employees of the Department are informed of their rights and remedies under chapters 12 and 23 of title 5, United States Code.

''(c) COMPONENT STRATEGIES.—

''(1) IN GENERAL.—Each component of the Department shall, in coordination with the Chief Human Capital Officer of the Department, develop a 5-year workforce strategy for the component that will support the goals, objectives, and performance measures of the Department for determining the proper balance of Federal employees and private labor resources.

''(2) STRATEGY REQUIREMENTS.—In developing the strategy required under paragraph (1), each component shall consider the effect on human resources associated with creating additional Federal full-time equivalent positions, converting private contractors to Federal employees, or relying on the private sector for goods and services, including—

''(A) hiring projections, including occupation and grade level, as well as corresponding salaries, benefits, and hiring or retention bonuses;

''(B) the identification of critical skills requirements over the 5-year period, any current or anticipated deficiency in critical skills required at the Department, and the training or other measures required to address those deficiencies in skills;

''(C) recruitment of qualified candidates and retention of qualified employees;

''(D) supervisory and management requirements;

''(E) travel and related personnel support costs;

''(F) the anticipated cost and impact on mission performance associated with replacing Federal personnel due to their retirement or other attrition; and

''(G) other appropriate factors.

''(d) ANNUAL SUBMISSION.—Not later than 90 days after the date on which the Secretary submits the annual budget justification for the Department, the Secretary shall submit to the congressional homeland security committees a report that includes a table, delineated by component with actual and enacted amounts, including—

''(1) information on the progress within the Department of fulfilling the workforce strategies developed under subsection (c); and

''(2) the number of on-board staffing for Federal employees from the prior fiscal year;

''(3) the total contract hours submitted by each prime contractor as part of the service contract inventory required under section 743 of the Financial Services and General Government Appropriations Act, 2010 (division C of Public Law 111–117; 31 U.S.C. 501 note) with respect to—

''(A) support service contracts;

''(B) federally funded research and development center contracts; and

''(C) science, engineering, technical, and administrative contracts; and

''(4) the number of full-time equivalent personnel identified under the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.).''.

SEC. 6205. WHISTLEBLOWER PROTECTIONS.

(a) IN GENERAL.—Section 883 of the Homeland Security Act of 2002 (6 U.S.C. 463) is amended to read as follows:

"SEC. 883. WHISTLEBLOWER PROTECTIONS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'new employee' means an individual—

''(A) appointed to a position as an employee of the Department on or after the date of enactment of the DHS Accountability Act of 2016; and

''(B) who has not previously served as an employee of the Department;

''(2) the term 'prohibited personnel action' means taking or failing to take an action in violation of paragraph (8) or (9) of section 2302(b) of title 5, Untied States Code, against an employee of the Department;

''(3) the term 'supervisor' means a supervisor, as defined under section 7103(a) of title 5, United States Code, who is employed by the Department; and

''(4) the term 'whistleblower protections' means the protections against and remedies for a prohibited personnel practice described in paragraph (8) or subparagraph (A)(i), (B), (C), or (D) of paragraph (9) of section 2302(b) of title 5, United States Code.

''(b) ADVERSE ACTIONS.—

''(1) PROPOSED ADVERSE ACTIONS.—In accordance with paragraph (2), the Secretary shall propose against a supervisor whom the Secretary, 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 Department 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 Secretary determines that such evidence is not sufficient to reverse the proposed adverse action, the Secretary shall carry out the adverse action.

''(C) SCOPE OF PROCEDURES.—Paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7513 of title 5, United States Code, and paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7543 of title 5, United States Code, shall not apply with respect to an adverse action carried out under this subsection.

''(3) LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action, if the Secretary carries out an adverse action against a supervisor under another provision of law, the Secretary may carry out an additional adverse action under this subsection based on the same prohibited personnel action.

''(c) TRAINING FOR SUPERVISORS.—In consultation with the Special Counsel and the Inspector General of the Department, the Secretary shall provide training regarding how to respond to complaints alleging a violation of whistleblower protections available to employees of the Department—

''(1) to employees appointed to supervisory positions in the Department who have not previously served as a supervisor; and

''(2) on an annual basis, to all employees of the Department serving in a supervisory position.

''(d) INFORMATION ON WHISTLEBLOWER PROTECTIONS.—

''(1) RESPONSIBILITIES OF SECRETARY.—The Secretary shall be responsible for—

''(A) the prevention of prohibited personnel practices;

''(B) the compliance with and enforcement of applicable civil service laws, rules, and regulations and other aspects of personnel management; and

''(C) ensuring (in consultation with the Special Counsel and the Inspector General of the Department) that employees of the Department are informed of the rights and remedies available to them under chapters 12 and 23 of title 5, United States Code, including—

''(i) information regarding whistleblower protections available to new employees during the probationary period;

''(ii) the role of the Office of Special Counsel and the Merit Systems Protection Board with regard to whistleblower protections; and

''(iii) 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 the Department, Congress, or other Department employee designated to receive such disclosures.

''(2) TIMING.—The Secretary shall ensure that the information required to be provided under paragraph (1) is provided to each new employee of the Department not later than 6 months after the date the new employee is appointed.

''(3) INFORMATION ONLINE.—The Secretary shall make available information regarding whistleblower protections applicable to employees of the Department on the public

website of the Department, and on any online portal that is made available only to employees of the Department.

''(4) DELEGEES.—Any employee to whom the Secretary 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 paragraph (1).

''(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to exempt the Department from requirements applicable with respect to executive agencies—

''(1) to provide equal employment protection for employees of the Department (including pursuant to section 2302(b)(1) of title 5, United States Code, and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note)); or

''(2) to provide whistleblower protections for employees of the Department (including pursuant to paragraphs (8) and (9) of section 2302(b) of title 5, United States Code, and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note)).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by this Act, is amended by striking the item relating to section 883 and inserting the following:

''Sec. 883. Whistleblower protections.''.

SEC. 6206. COST SAVINGS AND EFFICIENCY REVIEWS.

Not later than 2 years after the date of enactment of this Act, the Secretary, acting through the Under Secretary for Management, shall submit to the congressional homeland security committees a report, which may include a classified or other appropriately controlled annex containing any information required to be submitted under this section that is restricted from public disclosure in accordance with Federal law, including information that is not publicly releasable, that—

(1) provides a detailed accounting of the management and administrative expenditures and activities of each component of the Department and identifies potential cost savings, avoidances, and efficiencies for those expenditures and activities;

(2) examines major physical assets of the Department, as defined by the Secretary;

(3) reviews the size, experience level, and geographic distribution of the operational personnel of the Department;

(4) makes recommendations for adjustments in the management and administration of the Department that would reduce deficiencies in the capabilities of the Department, reduce costs, and enhance efficiencies; and

(5) examines—

(A) how employees who carry out management and administrative functions at Department headquarters coordinate with employees who carry out similar functions at—

(i) each component of the Department;

(ii) the Office of Personnel Management; and

(iii) the General Services Administration; and

(B) whether any unnecessary duplication, overlap, or fragmentation exists with respect to those functions.

SEC. 6207. ABOLISHMENT OF CERTAIN OFFICES.

(a) ABOLISHMENT OF THE DIRECTOR OF SHARED SERVICES.—The position of Director of Shared Services in the Department is abolished.

(b) ABOLISHMENT OF THE OFFICE OF THE DIRECTOR OF COUNTERNARCOTICS ENFORCEMENT.—

(1) ABOLISHMENT.—The Office of the Director of Counternarcotics Enforcement in the Department is abolished.

(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 843(b)(1)(B) of the Homeland Security Act of 2002 (6 U.S.C. 413(b)(1)(B)) is amended by striking ''by—'' and all that follows through the end and inserting ''by the Secretary; and''.

TITLE LXXIII—DEPARTMENT TRANSPARENCY AND ASSESSMENTS

SEC. 6301. HOMELAND SECURITY STATISTICS AND METRICS.

(a) IN GENERAL.—Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended by striking subsection (b) and inserting the following:

''(b) HOMELAND SECURITY STATISTICS AND JOINT ANALYSIS.—

''(1) HOMELAND SECURITY STATISTICS.—The Under Secretary for Management shall—

''(A) establish standards of reliability and validity for statistical data collected and analyzed by the Department;

''(B) be provided with statistical data maintained by the Department regarding the operations of the Department;

''(C) conduct or oversee analysis and reporting of such data by the Department as required by law or directed by the Secretary; and

''(D) ensure the accuracy of metrics and statistical data provided to Congress.

''(2) TRANSFER OF RESPONSIBILITIES.—There shall be transferred to the Under Secretary for Management the maintenance of all immigration statistical information of U.S. Customs and Border Protection and U.S. Citizenship and Immigration Services, which shall include information and statistics of the type contained in the publication entitled 'Yearbook of Immigration Statistics' prepared by the Office of Immigration Statistics, including region-by-region statistics on the aggregate number of applications and petitions filed by an alien (or filed on behalf of an alien) and denied, and the reasons for such denials, disaggregated by category of denial and application or petition type.''.

(b) IMMIGRATION FUNCTIONS.—Section 478(a) of the Homeland Security Act of 2002 (6 U.S.C. 298(a)) is amended—

(1) in paragraph (1), by striking ''to the Committees on the Judiciary and Government Reform of the House of Representatives, and to the Committees on the Judiciary and Government Affairs of the Senate,'' and inserting ''the Committee on the Judiciary of the Senate, the Committee on the Judiciary of the House of Representatives, and the congressional homeland security committees''; and

(2) in paragraph (2), by adding at the end the following:

''(I) The number of persons known to have overstayed the terms of their visa, by visa type.

''(J) An estimated percentage of persons believed to have overstayed their visa, by visa type.

''(K) A description of immigration enforcement actions.''.

(c) BORDER SECURITY METRICS.—

(1) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

(ii) the Committee on Homeland Security of the House of Representatives;

(iii) the Committee on the Judiciary of the Senate; and

(iv) the Committee on the Judiciary of the House of Representatives.

(B) CONSEQUENCE DELIVERY SYSTEM.—The term ''Consequence Delivery System'' means the series of consequences applied by the Border Patrol to persons unlawfully entering the United States to prevent unlawful border crossing recidivism.

(C) GOT AWAY.—The term ''got away'' means an unlawful border crosser who—

(i) is directly or indirectly observed making an unlawful entry into the United States; and

(ii) is not a turn back and is not apprehended.

(D) KNOWN MIGRANT FLOW.—The term ''known migrant flow'' means the sum of the number of undocumented migrants—

(i) interdicted at sea;

(ii) identified at sea, but not interdicted;

(iii) that successfully entered the United States through the maritime border; or

(iv) not described in clause (i), (ii), or (iii), which were otherwise reported, with a significant degree of certainty, as having entered, or attempted to enter, the United States through the maritime border.

(E) MAJOR VIOLATOR.—The term ''major violator'' means a person or entity that has engaged in serious criminal activities at any land, air, or sea port of entry, including—

(i) possession of illicit drugs;

(ii) smuggling of prohibited products;

(iii) human smuggling;

(iv) weapons possession;

(v) use of fraudulent United States documents; or

(vi) other offenses that are serious enough to result in arrest.

(F) SITUATIONAL AWARENESS.—The term ''situational awareness'' means knowledge and unified understanding of current unlawful cross-border activity, including—

(i) threats and trends concerning illicit trafficking and unlawful crossings;

(ii) the ability to forecast future shifts in such threats and trends;

(iii) the ability to evaluate such threats and trends at a level sufficient to create actionable plans; and

(iv) the operational capability to conduct persistent and integrated surveillance of the international borders of the United States.

(G) TRANSIT ZONE.—The term ''transit zone'' means the sea corridors of the western Atlantic Ocean, the Gulf of Mexico, the Caribbean Sea, and the eastern Pacific Ocean through which undocumented migrants and illicit drugs transit, either directly or indirectly, to the United States.

(H) TURN BACK.—The term ''turn back'' means an unlawful border crosser who, after making an unlawful entry into the United States, promptly returns to the country from which such crosser entered.

(I) UNLAWFUL BORDER CROSSING EFFECTIVENESS RATE.—The term ''unlawful border crossing effectiveness rate'' means the percentage that results from dividing—

(i) the number of apprehensions and turn backs; and

(ii) the number of apprehensions, estimated unlawful entries, turn backs, and got aways.

(J) UNLAWFUL ENTRY.—The term ''unlawful entry'' means an unlawful border crosser who enters the United States and is not apprehended by a border security component of the Department.

(2) METRICS FOR SECURING THE BORDER BETWEEN PORTS OF ENTRY.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall develop metrics, informed by situational awareness, to measure the effectiveness of security between ports of entry. The Secretary shall annually implement the metrics developed under this subsection, which shall include—

(i) estimates, using alternative methodologies, including recidivism data, survey data,

known-flow data, and technologically measured data, of—

(I) total attempted unlawful border crossings;

(II) the rate of apprehension of attempted unlawful border crossers; and

(III) the number of unlawful entries;

(ii) a situational awareness achievement metric, which measures situational awareness achieved in each Border Patrol sector;

(iii) an unlawful border crossing effectiveness rate;

(iv) a probability of detection, which compares the estimated total unlawful border crossing attempts not detected by the Border Patrol to the unlawful border crossing effectiveness rate, as informed by clause (i);

(v) an illicit drugs seizure rate for drugs seized by the Border Patrol, which compares the ratio of the amount and type of illicit drugs seized by the Border Patrol in any fiscal year to the average of the amount and type of illicit drugs seized by the Border Patrol in the immediately preceding 5 fiscal years;

(vi) a weight-to-frequency rate, which compares the average weight of marijuana seized per seizure by the Border Patrol in any fiscal year to such weight-to-frequency rate for the immediately preceding 5 fiscal years;

(vii) estimates of the impact of the Consequence Delivery System on the rate of recidivism of unlawful border crossers over multiple fiscal years; and

(viii) an examination of each consequence referred to in clause (vii), including—

(I) voluntary return;

(II) warrant of arrest or notice to appear;

(III) expedited removal;

(IV) reinstatement of removal;

(V) alien transfer exit program;

(VI) Operation Streamline;

(VII) standard prosecution; and

(VIII) Operation Against Smugglers Initiative on Safety and Security.

(B) METRICS CONSULTATION.—In developing the metrics required under subparagraph (A), the Secretary shall—

(i) consult with the appropriate components of the Department; and

(ii) as appropriate, work with other agencies, including the Office of Refugee Resettlement of the Department of Health and Human Services and the Executive Office for Immigration Review of the Department of Justice, to ensure that authoritative data sources are utilized.

(C) MANNER OF COLLECTION.—The data used by the Secretary shall be collected and reported in a consistent and standardized manner across all Border Patrol sectors, informed by situational awareness.

(3) METRICS FOR SECURING THE BORDER AT PORTS OF ENTRY.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall develop metrics, informed by situational awareness, to measure the effectiveness of security at ports of entry. The Secretary shall annually implement the metrics developed under this subsection, which shall include—

(i) estimates, using alternative methodologies, including survey data and randomized secondary screening data, of—

(I) total attempted inadmissible border crossings;

(II) the rate of apprehension of attempted inadmissible border crossings; and

(III) the number of unlawful entries;

(ii) the amount and type of illicit drugs seized by the Office of Field Operations of U.S. Customs and Border Protection at United States land, air, and sea ports during the previous fiscal year;

(iii) an illicit drugs seizure rate for drugs seized by the Office of Field Operations, which compares the ratio of the amount and type of illicit drugs seized by the Office of Field Operations in any fiscal year to the average of the amount and type of illicit drugs seized by the Office of Field Operations in the immediately preceding 5 fiscal years;

(iv) in consultation with the Office of National Drug Control Policy and the United States Southern Command, a cocaine seizure effectiveness rate, which is the percentage resulting from dividing—

(I) the amount of cocaine seized by the Office of Field Operations; and

(II) the total estimated cocaine flow rate at ports of entry along the land border;

(v) the number of infractions related to travelers and cargo committed by major violators who are apprehended by the Office of Field Operations at ports of entry, and the estimated number of such infractions committed by major violators who are not apprehended;

(vi) a measurement of how border security operations affect crossing times, including—

(I) a wait time ratio that compares the average wait times to total commercial and private vehicular traffic volumes at each port of entry;

(II) an infrastructure capacity utilization rate that measures traffic volume against the physical and staffing capacity at each port of entry;

(III) a secondary examination rate that measures the frequency of secondary examinations at each port of entry; and

(IV) an enforcement rate that measures the effectiveness of secondary examinations at detecting major violators; and

(vii) a cargo scanning rate that includes—

(I) a comparison of the number of high-risk cargo containers scanned by the Office of Field Operations at each United States seaport during the fiscal year to the total number of high-risk cargo containers entering the United States at each seaport during the previous fiscal year;

(II) the percentage of all cargo that is considered ''high-risk'' cargo; and

(III) the percentage of high-risk cargo scanned—

(aa) upon arrival at a United States seaport before entering United States commerce; and

(bb) before being laden on a vessel destined for the United States.

(B) METRICS CONSULTATION.—In developing the metrics required under subparagraph (A), the Secretary shall—

(i) consult with the appropriate components of the Department; and

(ii) as appropriate, work with other agencies, including the Office of Refugee Resettlement of the Department of Health and Human Services and the Executive Office for Immigration Review of the Department of Justice, to ensure that authoritative data sources are utilized.

(C) MANNER OF COLLECTION.—The data used by the Secretary shall be collected and reported in a consistent and standardized manner across all field offices, informed by situational awareness.

(4) METRICS FOR SECURING THE MARITIME BORDER.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall develop metrics, informed by situational awareness, to measure the effectiveness of security in the maritime environment. The Secretary shall annually implement the metrics developed under this subsection, which shall include—

(i) situational awareness achieved in the maritime environment;

(ii) an undocumented migrant interdiction rate, which compares the migrants interdicted at sea to the total known migrant flow;

(iii) an illicit drugs removal rate, for drugs removed inside and outside of a transit zone, which compares the amount and type of illicit drugs removed, including drugs abandoned at sea, by the Department's maritime security components in any fiscal year to the average of the amount and type of illicit drugs removed by the Department's maritime components for the immediately preceding 5 fiscal years;

(iv) in consultation with the Office of National Drug Control Policy and the United States Southern Command, a cocaine removal effectiveness rate, for cocaine removed inside a transit zone and outside a transit zone; which compares the amount of cocaine removed by the Department's maritime security components by the total documented cocaine flow rate, as contained in Federal drug databases;

(v) a response rate, which compares the ability of the maritime security components of the Department to respond to and resolve known maritime threats, whether inside and outside a transit zone, by placing assets on-scene, to the total number of events with respect to which the Department has known threat information; and

(vi) an intergovernmental response rate, which compares the ability of the maritime security components of the Department or other United States Government entities to respond to and resolve actionable maritime threats, whether inside or outside the Western Hemisphere transit zone, by targeting maritime threats in order to detect them, and of those threats detected, the total number of maritime threats interdicted or disrupted.

(B) METRICS CONSULTATION.—In developing the metrics required under subparagraph (A), the Secretary shall—

(i) consult with the appropriate components of the Department; and

(ii) as appropriate, work with other agencies, including the Drug Enforcement Agency, the Department of Defense, and the Department of Justice, to ensure that authoritative data sources are utilized.

(C) MANNER OF COLLECTION.—The data used by the Secretary shall be collected and reported in a consistent and standardized manner, informed by situational awareness.

(5) AIR AND MARINE SECURITY METRICS IN THE LAND DOMAIN.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall develop metrics, informed by situational awareness, to measure the effectiveness of the aviation assets and operations of the Office of Air and Marine of U.S. Customs and Border Enforcement. The Secretary shall annually implement the metrics developed under this subsection, which shall include—

(i) an effectiveness rate, which compares Office of Air and Marine flight hours requirements to the number of flight hours flown by such Office;

(ii) a funded flight hour effectiveness rate, which compares the number of funded flight hours appropriated to the Office of Air and Marine to the number of actual flight hours flown by such Office;

(iii) a readiness rate, which compares the number of aviation missions flown by the Office of Air and Marine to the number of aviation missions cancelled by such Office due to maintenance, operations, or other causes;

(iv) the number of missions cancelled by such Office due to weather compared to the total planned missions;

(v) the number of subjects detected by the Office of Air and Marine through the use of unmanned aerial systems and manned aircrafts;

(vi) the number of apprehensions assisted by the Office of Air and Marine through the

use of unmanned aerial systems and manned aircrafts;

(vii) the number and quantity of illicit drug seizures assisted by the Office of Air and Marine through the use of unmanned aerial systems and manned aircrafts; and

(viii) the number of times that usable intelligence related to border security was obtained through the use of unmanned aerial systems and manned aircraft.

(B) METRICS CONSULTATION.—In developing the metrics required under subparagraph (A), the Secretary shall—

(i) consult with the appropriate components of the Department; and

(ii) as appropriate, work with other agencies, including the Department of Justice, to ensure that authoritative data sources are utilized.

(C) MANNER OF COLLECTION.—The data used by the Secretary shall be collected and reported in a consistent and standardized manner, informed by situational awareness.

(d) DATA TRANSPARENCY.—The Secretary shall—

(1) in accordance with applicable privacy laws, make data related to apprehensions, inadmissible aliens, drug seizures, and other enforcement actions available to the public, academic research, and law enforcement communities; and

(2) provide the Office of Immigration Statistics of the Department with unfettered access to the data described in paragraph (1).

(e) EVALUATION BY THE GOVERNMENT ACCOUNTABILITY OFFICE AND THE SECRETARY OF HOMELAND SECURITY.—

(1) METRICS REPORT.—

(A) MANDATORY DISCLOSURES.—The Secretary shall submit an annual report containing the metrics required under paragraphs (2) through (5) of subsection (c) and the data and methodology used to develop such metrics to—

(i) the appropriate congressional committees; and

(ii) the Comptroller General of the United States.

(B) PERMISSIBLE DISCLOSURES.—The Secretary, for the purpose of validation and verification, may submit the annual report described in subparagraph (A) to—

(i) the National Center for Border Security and Immigration;

(ii) the head of a national laboratory within the Department laboratory network with prior expertise in border security; and

(C) a Federally Funded Research and Development Center sponsored by the Department.

(2) GAO REPORT.—Not later than 270 days after receiving the first report under paragraph (1)(A), and biennially thereafter for the following 10 years, the Comptroller General of the United States, shall submit a report to the appropriate congressional committees that—

(A) analyzes the suitability and statistical validity of the data and methodology contained in such report; and

(B) includes recommendations to Congress on—

(i) the feasibility of other suitable metrics that may be used to measure the effectiveness of border security; and

(ii) improvements that need to be made to the metrics being used to measure the effectiveness of border security.

(3) STATE OF THE BORDER REPORT.—Not later than 60 days after the end of each fiscal year through fiscal year 2025, the Secretary shall submit a ''State of the Border'' report to the appropriate congressional committees that—

(A) provides trends for each metric under paragraphs (2) through (5) of subsection (c) for the last 10 years, to the extent possible;

(B) provides selected analysis into related aspects of illegal flow rates, including legal flows and stock estimation techniques; and

(C) includes any other information that the Secretary determines appropriate.

(4) METRICS UPDATE.—

(A) IN GENERAL.—After submitting the final report to the Comptroller General under paragraph (1), the Secretary may reevaluate and update any of the metrics required under paragraphs (2) through (5) of subsection (c) to ensure that such metrics—

(i) meet the Department's performance management needs; and

(ii) are suitable to measure the effectiveness of border security.

(B) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before updating the metrics under subparagraph (A), the Secretary shall notify the appropriate congressional committees of such updates.

SEC. 6302. ANNUAL HOMELAND SECURITY ASSESSMENT.

(a) IN GENERAL.—Title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following:

''SEC. 210G. ANNUAL HOMELAND SECURITY ASSESSMENT.

''(a) DEPARTMENT ANNUAL ASSESSMENT.—

''(1) IN GENERAL.—Not later than March 31 of each year beginning in the year after the date of enactment of this section, and each year thereafter for 7 years, the Under Secretary for Intelligence and Analysis shall prepare and submit to the congressional homeland security committees a report assessing the current threats to homeland security and the capability of the Department to address those threats.

''(2) FORM OF REPORT.—In carrying out paragraph (1), the Under Secretary for Intelligence and Analysis shall submit an unclassified report, and as necessary, a classified annex.

''(b) OFFICE OF INSPECTOR GENERAL ANNUAL ASSESSMENT.—Not later than 90 days after the date on which a report required under subsection (a) is submitted to the congressional homeland security committees, the Inspector General of the Department shall prepare and submit to the congressional homeland security committees a report, which shall include an assessment of the capability of the Department to address the threats identified in the report required under subsection (a) and recommendations for actions to mitigate those threats.

''(c) MITIGATION PLAN.—Not later than 90 days after the date on which a report required under subsection (b) is submitted to the congressional homeland security committees, the Secretary shall submit to the congressional homeland security committees a plan to mitigate the threats to homeland security identified in the report.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by this Act, is amended by inserting after the item relating to section 210F the following:

''Sec. 210G. Annual homeland security assessment.''.

SEC. 6303. DEPARTMENT TRANSPARENCY.

(a) FEASIBILITY STUDY.—The Administrator of the Federal Emergency Management Agency shall initiate a study to determine the feasibility of gathering data and providing information to Congress on the use of Federal grant awards, for expenditures of more than $5,000, by entities that receive a Federal grant award under the Urban Area Security Initiative and the State Homeland Security Grant Program under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605), respectively.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to the congressional homeland security committee a report on the results of the study required under subsection (a).

SEC. 6304. TRANSPARENCY IN RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following:

''SEC. 319. TRANSPARENCY IN RESEARCH AND DEVELOPMENT.

''(a) REQUIREMENT TO PUBLICLY LIST UNCLASSIFIED RESEARCH & DEVELOPMENT PROGRAMS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall maintain a detailed list, accessible on the website of the Department, of—

''(A) each research and development project that is not classified, and all appropriate details for each such project, including the component of the Department responsible for the project;

''(B) each task order for a Federally Funded Research and Development Center not associated with a research and development project; and

''(C) each task order for a University-based center of excellence not associated with a research and development project.

''(2) EXCEPTIONS.—

''(A) OPERATIONAL SECURITY.—The Secretary, or a designee of the Secretary with the rank of Assistant Secretary or above, may exclude a project from the list required under paragraph (1) if the Secretary or such designee provides to the appropriate congressional committees—

''(i) the information that would otherwise be required to be publicly posted under paragraph (1); and

''(ii) a written certification that—

''(I) the information that would otherwise be required to be publicly posted under paragraph (1) is controlled unclassified information, the public dissemination of which would jeopardize operational security; and

''(II) the publicly posted list under paragraph (1) includes as much information about the program as is feasible without jeopardizing operational security.

''(B) COMPLETED PROJECTS.—Paragraph (1) shall not apply to a project completed or otherwise terminated before the date of enactment of this section.

''(3) DEADLINE AND UPDATES.—The list required under paragraph (1) shall be—

''(A) made publicly accessible on the website of the Department not later than 1 year after the date of enactment of this section; and

''(B) updated as frequently as possible, but not less frequently than once per quarter.

''(4) DEFINITION OF RESEARCH AND DEVELOPMENT.—For purposes of the list required under paragraph (1), the Secretary shall publish a definition for the term 'research and development' on the website of the Department.

''(b) REQUIREMENT TO REPORT TO CONGRESS ON CLASSIFIED PROJECTS.—Not later than January 1, 2017, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report that lists each ongoing classified project at the Department, including all appropriate details of each such project.

''(c) INDICATORS OF SUCCESS OF TRANSITIONED PROJECTS.—

''(1) IN GENERAL.—For each project that has been transitioned from research and development to practice, the Under Secretary of Science and Technology shall develop and track indicators to demonstrate the uptake of the technology or project among customers or end-users.

''(2) REQUIREMENT.—To the fullest extent possible, the tracking of a project required under paragraph (1) shall continue for the 3-year period beginning on the date on which the project was transitioned from research and development to practice.

''(3) INDICATORS.—The indicators developed and tracked under this subsection shall be included in the list required under subsection (a).

''(d) DEFINITIONS.—In this section:

''(1) ALL APPROPRIATE DETAILS.—The term 'all appropriate details' means—

''(A) the name of the project, including both classified and unclassified names if applicable;

''(B) the name of the component carrying out the project;

''(C) an abstract or summary of the project;

''(D) funding levels for the project;

''(E) project duration or timeline;

''(F) the name of each contractor, grantee, or cooperative agreement partner involved in the project;

''(G) expected objectives and milestones for the project; and

''(H) to the maximum extent practicable, relevant literature and patents that are associated with the project.

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(B) the Committee on Homeland Security of the House of Representatives; and

''(C) the Committee on Oversight and Government Reform of House of Representatives.

''(3) CLASSIFIED.—The term 'classified' means anything containing—

''(A) classified national security information as defined in section 6.1 of Executive Order 13526 (50 U.S.C. 3161 note) or any successor order;

''(B) Restricted Data or data that was formerly Restricted Data, as defined in section 11y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y));

''(C) material classified at the Sensitive Compartmented Information (SCI) level as defined in section 309 of the Intelligence Authorization Act for Fiscal Year 2001 (50 U.S.C. 3345); or

''(D) information relating to a special access program, as defined in section 6.1 of Executive Order 13526 (50 U.S.C. 3161 note) or any successor order.

''(4) CONTROLLED UNCLASSIFIED INFORMATION.—The term 'controlled unclassified information' means information described as 'Controlled Unclassified Information' under Executive Order 13556 (50 U.S.C. 3501 note) or any successor order.

''(5) PROJECT.—The term 'project' means a research or development project, program, or activity administered by the Department, whether ongoing, completed, or otherwise terminated.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 318 the following:

''Sec. 319. Transparency in research and development.''.

SEC. 6305. REPORTING ON NATIONAL BIO AND AGRO-DEFENSE FACILITY.

(a) IN GENERAL.—Section 310 of the Homeland Security Act of 2002 (6 U.S.C. 190) is amended by adding at the end the following:

''(e) SUCCESSOR FACILITY.—The National Bio and Agro-Defense Facility, the planned successor facility to the Plum Island Animal Disease Center as of the date of enactment of this subsection, shall be subject to the requirements under subsections (b), (c), and (d) in the same manner and to the same extent as the Plum Island Animal Disease Center.

''(f) CONSTRUCTION OF THE NATIONAL BIO AND AGRO-DEFENSE FACILITY.—

''(1) REPORT REQUIRED.—Not later than September 30, 2016, and not less frequently than twice each year thereafter, the Secretary of Homeland Security and the Secretary of Agriculture shall submit to the congressional homeland security committees a report on the National Bio and Agro-Defense Facility that includes—

''(A) a review of the status of the construction of the National Bio and Agro-Defense Facility, including—

''(i) current cost and schedule estimates;

''(ii) any revisions to previous estimates described in clause (i); and

''(iii) total obligations to date;

''(B) a description of activities carried out to prepare for the transfer of research to the facility and the activation of that research; and

''(C) a description of activities that have occurred to decommission the Plum Island Animal Disease Center.

''(2) SUNSET.—The reporting requirement under paragraph (1) shall terminate on the date that is 1 year after the date on which the Secretary of Homeland Security certifies to the congressional homeland security committees that construction of the National Bio and Agro-Defense Facility has been completed.''.

(b) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a review of and submit to Congress a report on the construction and future planning of the National Bio and Agro-Defense Facility, which shall include—

(1) the extent to which cost and schedule estimates for the project conform to capital planning leading practices as determined by the Comptroller General;

(2) the extent to which the project's planning, budgeting, acquisition, and proposed management in use conform to capital planning leading practices as determined by the Comptroller General; and

(3) the extent to which disposal of the Plum Island Animal Disease Center conforms to capital planning leading practices as determined by the Comptroller General.

SEC. 6306. INSPECTOR GENERAL OVERSIGHT OF SUSPENSION AND DEBARMENT.

Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department shall—

(1) audit the award of grants and procurement contracts to identify—

(A) instances in which a grant or contract was improperly awarded to a suspended or debarred entity; and

(B) whether corrective actions were taken following such instances to prevent recurrence; and

(2) review the suspension and debarment program throughout the Department to assess whether—

(A) suspension and debarment criteria are consistently applied throughout the Department; and

(B) disparities exist in the application of the criteria, particularly with respect to business size and category.

SEC. 6307. FUTURE YEARS HOMELAND SECURITY PROGRAM.

(a) IN GENERAL.—Section 874 of the Homeland Security Act of 2002 (6 U.S.C. 454) is amended—

(1) in the section heading, by striking ''**YEAR**'' and inserting ''**YEARS**'';

(2) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—Not later than 60 days after the date on which the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives (referred to in this section as the 'appropriate committees') a Future Years Homeland Security Program that covers the fiscal year for which the budget is submitted and the 4 succeeding fiscal years.''; and

(3) by striking subsection (c) and inserting the following:

''(c) PROJECTION OF ACQUISITION ESTIMATES.—On and after February 1, 2018, each Future Years Homeland Security Program shall project—

''(1) acquisition estimates for the fiscal year for which the budget is submitted and the 4 succeeding fiscal years, with specified estimates for each fiscal year, for all major acquisitions by the Department and each component of the Department; and

''(2) estimated annual deployment schedules for all physical asset major acquisitions over the 5-fiscal-year period described in paragraph (1) and the full operating capability for all information technology major acquisitions.

''(d) SENSITIVE AND CLASSIFIED INFORMATION.—The Secretary may include with each Future Years Homeland Security Program a classified or other appropriately controlled document containing any information required to be submitted under this section that is restricted from public disclosure in accordance with Federal law or any Executive Order.

''(e) AVAILABILITY OF INFORMATION TO THE PUBLIC.—The Secretary shall make available to the public in electronic form the information required to be submitted to the appropriate committees under this section, other than information described in subsection (d).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by this Act, is amended by striking the item relating to section 874 and inserting the following:

''Sec. 874. Future Years Homeland Security Program.''.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to each fiscal year beginning after the date of enactment of this Act.

SEC. 6308. QUADRENNIAL HOMELAND SECURITY REVIEW.

(a) IN GENERAL.—Section 707 of the Homeland Security Act of 2002 (6 U.S.C. 347) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) in paragraph (6), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(7) review available capabilities and capacities across the homeland security enterprise and identify redundant, wasteful, or unnecessary capabilities and capacities from which resources can be redirected to better support other existing capabilities and capacities.''; and

(2) in subsection (c)—

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

''(1) IN GENERAL.—Not later than 60 days after the date on which the budget of the President is submitted to Congress under section 1105 of title 31, United States Code, for the fiscal year after the fiscal year in

which a quadrennial homeland security review is conducted under subsection (a)(1), the Secretary shall submit to Congress a report on the quadrennial homeland security review.''; and

(B) in paragraph (2)—

(i) in subparagraph (H), by striking ''and'' at the end;

(ii) by redesignating subparagraph (I) as subparagraph (L); and

(iii) by inserting after subparagraph (H) the following:

''(I) a description of how the conclusions under the quadrennial homeland security review will inform efforts to develop capabilities and build capacity of States, local governments, Indian tribes, territories, and private entities, and of individuals, families, and communities;

''(J) proposed changes to the authorities, organization, governance structure, or business processes (including acquisition processes) of the Department in order to better fulfil responsibilities of the Department;

''(K) if appropriate, a classified or other appropriately controlled document containing any information required to be submitted under this paragraph that is restricted from public disclosure in accordance with Federal law, including information that is not publicly releasable; and''.

SEC. 6309. REPORTING REDUCTION.

(a) OFFICE OF COUNTERNARCOTICS ANNUAL BUDGET REVIEW AND EVALUATION OF COUNTERNARCOTICS ACTIVITIES REPORT.—Section 878 of the Homeland Security Act of 2002 (6 U.S.C. 458) is amended by striking subsection (f).

(b) OFFICE OF COUNTERNARCOTICS SEIZURE REPORT.—Section 705(a) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1704(a)) is amended by striking paragraph (3).

(c) ANNUAL REPORT ON ACTIVITIES OF THE NATIONAL NUCLEAR DETECTION OFFICE.—Section 1902(a)(13) of the Homeland Security Act of 2002 (6 U.S.C. 592(a)(13)) is amended by striking ''an annual'' and inserting ''a biennial''.

(d) JOINT ANNUAL INTERAGENCY REVIEW OF GLOBAL NUCLEAR DETECTION ARCHITECTURE.—Section 1907 of the Homeland Security Act of 2002 (6 U.S.C. 596a) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''ANNUAL'' and inserting ''BIENNIAL'';

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''once each year—'' and inserting ''once every other year—''; and

(ii) in subparagraph (C)—

(I) in clause (i), by striking ''the previous year'' and inserting ''the previous 2 years''; and

(II) in clause (iii), by striking ''the previous year.'' and inserting ''the previous 2 years.''; and

(C) in paragraph (2), by striking ''once each year,'' and inserting ''once every other year,''; and

(2) in subsection (b)—

(A) in the subsection heading, by striking ''ANNUAL'' and inserting ''BIENNIAL'';

(B) in paragraph (1), by striking ''of each year,'' and inserting ''of every other year,''; and

(C) in paragraph (2), by striking ''annual'' and inserting ''biennial''.

SEC. 6310. ADDITIONAL DEFINITIONS.

Section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended—

(1) by redesignating paragraphs (13) through (18) as paragraphs (17) through (22), respectively;

(2) by redesignating paragraphs (9) through (12) as paragraphs (12) through (15), respectively

(3) by redesignating paragraphs (4) through (8) as paragraphs (6) through (10), respectively;

(4) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively;

(5) by inserting before paragraph (1) the following:

''(1) The term 'acquisition' has the meaning given the term in section 131 of title 41, United States Code.'';

(6) in paragraph (3), as so redesignated—

(A) by inserting ''(A)'' after ''(3)''; and

(B) by adding at the end the following:

''(B) The term 'congressional homeland security committees' means—

''(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(ii) the Committee on Homeland Security of the House of Representatives;

''(iii) the Homeland Security Subcommittee of the Committee on Appropriations of the Senate; and

''(iv) the Homeland Security Subcommittee of the Committee on Appropriations of the House of Representatives.'';

(7) by inserting after paragraph (4), as so redesignated, the following:

''(5) The term 'best practices', with respect to acquisition, means a knowledge-based approach to capability development that includes—

''(A) identifying and validating needs;

''(B) assessing alternatives to select the most appropriate solution;

''(C) clearly establishing well-defined requirements;

''(D) developing realistic cost assessments and schedules;

''(E) planning stable funding that matches resources to requirements;

''(F) demonstrating technology, design, and manufacturing maturity;

''(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

''(H) adopting and executing standardized processes with known success across programs;

''(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

''(J) integrating capabilities into the mission and business operations of the Department.'';

(8) by inserting after paragraph (10), as so redesignated, the following:

''(11) The term 'homeland security enterprise' means all relevant governmental and nongovernmental entities involved in homeland security, including Federal, State, local, tribal, and territorial government officials, private sector representatives, academics, and other policy experts.''; and

(9) by inserting after paragraph (15), as so redesignated, the following:

''(16) The term 'management integration and transformation'—

''(A) means the development of consistent and consolidated functions for information technology, financial management, acquisition management, logistics and material resource management, asset security, and human capital management; and

''(B) includes governing processes and procedures, management systems, personnel activities, budget and resource planning, training, real estate management, and provision of security, as they relate to functions cited in subparagraph (A).''.

TITLE LXXIV—MISCELLANEOUS

SEC. 6401. ADMINISTRATIVE LEAVE.

(a) SHORT TITLE.—This section may be cited as the ''Administrative Leave Act of 2016''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) agency use of administrative leave, and leave that is referred to incorrectly as administrative leave in agency recording practices, has exceeded reasonable amounts—

(A) in contravention of—

(i) established precedent of the Comptroller General of the United States; and

(ii) guidance provided by the Office of Personnel Management; and

(B) resulting in significant cost to the Federal Government;

(2) administrative leave should be used sparingly;

(3) prior to the use of paid leave to address personnel issues, an agency should consider other actions, including—

(A) temporary reassignment;

(B) transfer; and

(C) telework;

(4) an agency should prioritize and expeditiously conclude an investigation in which an employee is placed in administrative leave so that, not later than the conclusion of the leave period—

(A) the employee is returned to duty status; or

(B) an appropriate personnel action is taken with respect to the employee;

(5) data show that there are too many examples of employees placed in administrative leave for 6 months or longer, leaving the employees without any available recourse to—

(A) return to duty status; or

(B) challenge the decision of the agency;

(6) an agency should ensure accurate and consistent recording of the use of administrative leave so that administrative leave can be managed and overseen effectively; and

(7) other forms of excused absence authorized by law should be recorded separately from administrative leave, as defined by the amendments made by this section.

(c) ADMINISTRATIVE LEAVE.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

''§ 6329a. Administrative leave

''(a) DEFINITIONS.—In this section—

''(1) the term 'administrative leave' means leave—

''(A) without loss of or reduction in—

''(i) pay;

''(ii) leave to which an employee is otherwise entitled under law; or

''(iii) credit for time or service; and

''(B) that is not authorized under any other provision of law;

''(2) the term 'agency'—

''(A) means an Executive agency (as defined in section 105 of this title); and

''(B) does not include the Government Accountability Office; and

''(3) the term 'employee'—

''(A) has the meaning given the term in section 2105; and

''(B) does not include an intermittent employee who does not have an established regular tour of duty during the administrative workweek.

''(b) ADMINISTRATIVE LEAVE.—

''(1) IN GENERAL.—An agency may place an employee in administrative leave for a period of not more than 5 consecutive days.

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to limit the use of leave that is—

''(A) specifically authorized under law; and

''(B) not administrative leave.

''(3) RECORDS.—An agency shall record administrative leave separately from leave authorized under any other provision of law.

''(c) REGULATIONS.—

''(1) OPM REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Personnel Management shall—

''(A) prescribe regulations to carry out this section; and

''(B) prescribe regulations that provide guidance to agencies regarding—

''(i) acceptable agency uses of administrative leave; and

''(ii) the proper recording of—

''(I) administrative leave; and

''(II) other leave authorized by law.

''(2) AGENCY ACTION.—Not later than 1 year after the date on which the Director of the Office of Personnel Management prescribes regulations under paragraph (1), each agency shall revise and implement the internal policies of the agency to meet the requirements of this section.

''(d) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.''.

(2) OPM STUDY.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Personnel Management, in consultation with Federal agencies, groups representing Federal employees, and other relevant stakeholders, 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 identifying agency practices, as of the date of enactment of this Act, of placing an employee in administrative leave for more than 5 consecutive days when the placement was not specifically authorized by law.

(3) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329 the following:

''6329a. Administrative leave.''.

(d) INVESTIGATIVE LEAVE AND NOTICE LEAVE.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, as amended by this section, is further amended by adding at the end the following:

''§ 6329b. Investigative leave and notice leave

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency'—

''(A) means an Executive agency (as defined in section 105 of this title); and

''(B) does not include the Government Accountability Office;

''(2) the term 'Chief Human Capital Officer' means—

''(A) the Chief Human Capital Officer of an agency designated or appointed under section 1401; or

''(B) the equivalent;

''(3) the term 'committees of jurisdiction', with respect to an agency, means each committee in the Senate and House of Representatives with jurisdiction over the agency;

''(4) the term 'Director' means the Director of the Office of Personnel Management;

''(5) the term 'employee'—

''(A) has the meaning given the term in section 2105; and

''(B) does not include—

''(i) an intermittent employee who does not have an established regular tour of duty during the administrative workweek; or

''(ii) the Inspector General of an agency;

''(6) the term 'investigative leave' means leave—

''(A) without loss of or reduction in—

''(i) pay;

''(ii) leave to which an employee is otherwise entitled under law; or

''(iii) credit for time or service;

''(B) that is not authorized under any other provision of law; and

''(C) in which an employee who is the subject of an investigation is placed;

''(7) the term 'notice leave' means leave—

''(A) without loss of or reduction in—

''(i) pay;

''(ii) leave to which an employee is otherwise entitled under law; or

''(iii) credit for time or service;

''(B) that is not authorized under any other provision of law; and

''(C) in which an employee who is in a notice period is placed; and

''(8) the term 'notice period' means a period beginning on the date on which an employee is provided notice required under law of a proposed adverse action against the employee and ending on the date on which an agency may take the adverse action.

''(b) LEAVE FOR EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—

''(1) AUTHORITY.—An agency may, in accordance with paragraph (2), place an employee in—

''(A) investigative leave if the employee is the subject of an investigation;

''(B) notice leave if the employee is in a notice period; or

''(C) notice leave following a placement in investigative leave if, not later than the day after the last day of the period of investigative leave—

''(i) the agency proposes or initiates an adverse action against the employee; and

''(ii) the agency determines that the employee continues to meet 1 or more of the criteria described in subsection (c)(1).

''(2) REQUIREMENTS.—An agency may place an employee in leave under paragraph (1) only if the agency has—

''(A) made a determination with respect to the employee under subsection (c)(1);

''(B) considered the available options for the employee under subsection (c)(2); and

''(C) determined that none of the available options under subsection (c)(2) is appropriate.

''(c) EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—

''(1) DETERMINATIONS.—An agency may not place an employee in investigative leave or notice leave under subsection (b) unless the continued presence of the employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may—

''(A) pose a threat to the employee or others;

''(B) result in the destruction of evidence relevant to an investigation;

''(C) result in loss of or damage to Government property; or

''(D) otherwise jeopardize legitimate Government interests.

''(2) AVAILABLE OPTIONS FOR EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—After making a determination under paragraph (1) with respect to an employee, and before placing an employee in investigative leave or notice leave under subsection (b), an agency shall consider taking 1 or more of the following actions:

''(A) Assigning the employee to duties in which the employee is no longer a threat to—

''(i) safety;

''(ii) the mission of the agency;

''(iii) Government property; or

''(iv) evidence relevant to an investigation.

''(B) Allowing the employee to take leave for which the employee is eligible.

''(C) Requiring the employee to telework under section 6502(c).

''(D) If the employee is absent from duty without approved leave, carrying the employee in absence without leave status.

''(E) For an employee subject to a notice period, curtailing the notice period if there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed.

''(3) DURATION OF LEAVE.—

''(A) INVESTIGATIVE LEAVE.—Subject to extensions of a period of investigative leave for which an employee may be eligible under subsections (d) and (e), the initial placement of an employee in investigative leave shall be for a period not longer than 10 days.

''(B) NOTICE LEAVE.—Placement of an employee in notice leave shall be for a period not longer than the duration of the notice period.

''(4) EXPLANATION OF LEAVE.—

''(A) IN GENERAL.—If an agency places an employee in leave under subsection (b), the agency shall provide the employee a written explanation of the leave placement and the reasons for the leave placement.

''(B) EXPLANATION.—The written notice under subparagraph (A) shall describe the limitations of the leave placement, including—

''(i) the applicable limitations under paragraph (3); and

''(ii) in the case of a placement in investigative leave, an explanation that, at the conclusion of the period of leave, the agency shall take an action under paragraph (5).

''(5) AGENCY ACTION.—Not later than the day after the last day of a period of investigative leave for an employee under subsection (b)(1), an agency shall—

''(A) return the employee to regular duty status;

''(B) take 1 or more of the actions authorized under paragraph (2), meaning—

''(i) assigning the employee to duties in which the employee is no longer a threat to—

''(I) safety;

''(II) the mission of the agency;

''(III) Government property; or

''(IV) evidence relevant to an investigation;

''(ii) allowing the employee to take leave for which the employee is eligible;

''(iii) requiring the employee to telework under section 6502(c);

''(iv) if the employee is absent from duty without approved leave, carrying the employee in absence without leave status; or

''(v) for an employee subject to a notice period, curtailing the notice period if there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed;

''(C) propose or initiate an adverse action against the employee as provided under law; or

''(D) extend the period of investigative leave under subsections (d) and (e).

''(6) RULE OF CONSTRUCTION.—Nothing in paragraph (5) shall be construed to prevent the continued investigation of an employee, except that the placement of an employee in investigative leave may not be extended for that purpose except as provided in subsections (d) and (e).

''(d) INITIAL EXTENSION OF INVESTIGATIVE LEAVE.—

''(1) IN GENERAL.—Subject to paragraph (4), if the Chief Human Capital Officer of an agency, or the designee of the Chief Human Capital Officer, approves such an extension after consulting with the investigator responsible for conducting the investigation to which an employee is subject, the agency may extend the period of investigative leave for the employee under subsection (b) for not more than 30 days.

''(2) MAXIMUM NUMBER OF EXTENSIONS.—The total period of additional investigative leave for an employee under paragraph (1) may not exceed 110 days.

''(3) DESIGNATION GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Chief Human Capital Officers Council shall issue guidance to ensure that if the Chief Human Capital Officer of an

agency delegates the authority to approve an extension under paragraph (1) to a designee, the designee is at a sufficiently high level within the agency to make an impartial and independent determination regarding the extension.

''(4) EXTENSIONS FOR OIG EMPLOYEES.—

''(A) APPROVAL.—In the case of an employee of an Office of Inspector General—

''(i) the Inspector General or the designee of the Inspector General, rather than the Chief Human Capital Officer or the designee of the Chief Human Capital Officer, shall approve an extension of a period of investigative leave for the employee under paragraph (1); or

''(ii) at the request of the Inspector General, the head of the agency within which the Office of Inspector General is located shall designate an official of the agency to approve an extension of a period of investigative leave for the employee under paragraph (1).

''(B) GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency shall issue guidance to ensure that if the Inspector General or the head of an agency, at the request of the Inspector General, delegates the authority to approve an extension under subparagraph (A) to a designee, the designee is at a sufficiently high level within the Office of Inspector General or the agency, as applicable, to make an impartial and independent determination regarding the extension.

''(e) FURTHER EXTENSION OF INVESTIGATIVE LEAVE.—

''(1) IN GENERAL.—After reaching the limit under subsection (d)(2), an agency may further extend a period of investigative leave for an employee for a period of not more than 60 days if, before the further extension begins, the head of the agency or, in the case of an employee of an Office of Inspector General, the Inspector General submits a notification that includes the reasons for the further extension to the—

''(A) committees of jurisdiction;

''(B) Committee on Homeland Security and Governmental Affairs of the Senate; and

''(C) Committee on Oversight and Government Reform of the House of Representatives.

''(2) NO LIMIT.—There shall be no limit on the number of further extensions that an agency may grant to an employee under paragraph (1).

''(3) OPM REVIEW.—An agency shall request from the Director, and include with the notification required under paragraph (1), the opinion of the Director—

''(A) with respect to whether to grant a further extension under this subsection, including the reasons for that opinion; and

''(B) which shall not be binding on the agency.

''(4) SUNSET.—The authority provided under this subsection shall expire on the date that is 6 years after the date of enactment of this section.

''(f) CONSULTATION GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency, in consultation with the Attorney General and the Special Counsel, shall issue guidance on best practices for consultation between an investigator and an agency on the need to place an employee in investigative leave during an investigation of the employee, including during a criminal investigation, because the continued presence of the employee in the workplace during the investigation may—

''(1) pose a threat to the employee or others;

''(2) result in the destruction of evidence relevant to an investigation;

''(3) result in loss of or damage to Government property; or

''(4) otherwise jeopardize legitimate Government interests.

''(g) REPORTING AND RECORDS.—

''(1) IN GENERAL.—An agency shall keep a record of the placement of an employee in investigative leave or notice leave by the agency, including—

''(A) the basis for the determination made under subsection (c)(1);

''(B) an explanation of why an action under subsection (c)(2) was not appropriate;

''(C) the length of the period of leave;

''(D) the amount of salary paid to the employee during the period of leave;

''(E) the reasons for authorizing the leave, including, if applicable, the recommendation made by an investigator under subsection (d)(1); and

''(F) the action taken by the agency at the end of the period of leave, including, if applicable, the granting of any extension of a period of investigative leave under subsection (d) or (e).

''(2) AVAILABILITY OF RECORDS.—An agency shall make a record kept under paragraph (1) available—

''(A) to any committee of Congress, upon request;

''(B) to the Office of Personnel Management; and

''(C) as otherwise required by law, including for the purposes of the Administrative Leave Act of 2016 and the amendments made by that Act.

''(h) REGULATIONS.—

''(1) OPM ACTION.—Not later than 1 year after the date of enactment of this section, the Director shall prescribe regulations to carry out this section, including guidance to agencies regarding—

''(A) acceptable purposes for the use of—

''(i) investigative leave; and

''(ii) notice leave;

''(B) the proper recording of—

''(i) the leave categories described in subparagraph (A); and

''(ii) other leave authorized by law;

''(C) baseline factors that an agency shall consider when making a determination that the continued presence of an employee in the workplace may—

''(i) pose a threat to the employee or others;

''(ii) result in the destruction of evidence relevant to an investigation;

''(iii) result in loss or damage to Government property; or

''(iv) otherwise jeopardize legitimate Government interests; and

''(D) procedures and criteria for the approval of an extension of a period of investigative leave under subsection (d) or (e).

''(2) AGENCY ACTION.—Not later than 1 year after the date on which the Director prescribes regulations under paragraph (1), each agency shall revise and implement the internal policies of the agency to meet the requirements of this section.

''(i) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.''.

(2) PERSONNEL ACTION.—Section 2302(a)(2)(A) of title 5, United States Code, is amended—

(A) in clause (xi), by striking ''and'' at the end;

(B) by redesignating clause (xii) as clause (xiii); and

(C) by inserting after clause (xi) the following:

''(xii) a determination made by an agency under section 6329b(c)(1) that the continued presence of an employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may—

''(I) pose a threat to the employee or others;

''(II) result in the destruction of evidence relevant to an investigation;

''(III) result in loss of or damage to Government property; or

''(IV) otherwise jeopardize legitimate Government interests; and''.

(3) GAO REPORT.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall report 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 on the results of an evaluation of the implementation of the authority provided under sections 6329a and 6329b of title 5, United States Code, as added by subsection (c)(1) and paragraph (1) of this subsection, respectively, including—

(A) an assessment of agency use of the authority provided under subsection (e) of such section 6329b, including data regarding—

(i) the number and length of extensions granted under that subsection; and

(ii) the number of times that the Director of the Office of Personnel Management, under paragraph (3) of that subsection—

(I) concurred with the decision of an agency to grant an extension; and

(II) did not concur with the decision of an agency to grant an extension, including the bases for those opinions of the Director;

(B) recommendations to Congress, as appropriate, on the need for extensions beyond the extensions authorized under subsection (d) of such section 6329b; and

(C) a review of the practice of agency placement of an employee in investigative or notice leave under subsection (b) of such section 6329b because of a determination under subsection (c)(1)(D) of that section that the employee jeopardized legitimate Government interests, including the extent to which such determinations were supported by evidence.

(4) TELEWORK.—Section 6502 of title 5, United States Code, is amended by adding at the end the following:

''(c) REQUIRED TELEWORK.—If an agency determines under section 6329b(c)(1) that the continued presence of an employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may pose 1 or more of the threats described in that section and the employee is eligible to telework under subsections (a) and (b) of this section, the agency may require the employee to telework for the duration of the investigation or the notice period, if applicable.''.

(5) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329a, as added by this section, the following:

''6329b. Investigative leave and notice leave.''.

(e) LEAVE FOR WEATHER AND SAFETY ISSUES.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, as amended by this section, is further amended by adding at the end the following:

''§ 6329c. Weather and safety leave

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency'—

''(A) means an Executive agency (as defined in section 105 of this title); and

''(B) does not include the Government Accountability Office; and

''(2) the term 'employee'—

''(A) has the meaning given the term in section 2105; and

''(B) does not include an intermittent employee who does not have an established regular tour of duty during the administrative workweek.

''(b) LEAVE FOR WEATHER AND SAFETY ISSUES.—An agency may approve the provision of leave under this section to an employee or a group of employees without loss of or reduction in the pay of the employee or employees, leave to which the employee or employees are otherwise entitled, or credit to the employee or employees for time or service only if the employee or group of employees is prevented from safely traveling to or performing work at an approved location due to—

''(1) an act of God;

''(2) a terrorist attack; or

''(3) another condition that prevents the employee or group of employees from safely traveling to or performing work at an approved location.

''(c) RECORDS.—An agency shall record leave provided under this section separately from leave authorized under any other provision of law.

''(d) REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Personnel Management shall prescribe regulations to carry out this section, including—

''(1) guidance to agencies regarding the appropriate purposes for providing leave under this section; and

''(2) the proper recording of leave provided under this section.

''(e) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329b, as added by this section, the following:

''6329c. Weather and safety leave.''.

(f) ADDITIONAL OVERSIGHT.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Director of the Office of Personnel Management shall complete a review of agency policies to determine whether agencies have complied with the requirements of this section and the amendments made by this section.

(2) REPORT TO CONGRESS.—Not later than 90 days after completing the review under paragraph (1), the Director shall submit to Congress a report evaluating the results of the review.

SEC. 6402. UNITED STATES GOVERNMENT REVIEW OF CERTAIN FOREIGN FIGHTERS.

(a) REVIEW.—Not later than 30 days after the date of enactment of this Act, the President, acting through the Secretary, shall initiate a review of known instances since 2011 in which a person has traveled or attempted to travel to a conflict zone in Iraq or Syria from the United States to join or provide material support or resources to a terrorist organization.

(b) SCOPE OF REVIEW.—The review under subsection (a) shall—

(1) include relevant unclassified and classified information held by the United States Government related to each instance described in subsection (a);

(2) ascertain which factors, including operational issues, security vulnerabilities, systemic challenges, or other issues, which may have undermined efforts to prevent the travel of persons described in subsection (a) to a conflict zone in Iraq or Syria from the United States, including issues related to the timely identification of suspects, information sharing, intervention, and interdiction; and

(3) identify lessons learned and areas that can be improved to prevent additional travel by persons described in subsection (a) to a conflict zone in Iraq or Syria, or other terrorist safe haven abroad, to join or provide material support or resources to a terrorist organization.

(c) INFORMATION SHARING.—The President shall direct the heads of relevant Federal agencies to provide the appropriate information that may be necessary for the Secretary to complete the review required under this section.

(d) SUBMISSION TO CONGRESS.—Not later than 120 days after the date of enactment of this Act, the Secretary, consistent with the protection of classified information, shall submit a report to the appropriate congressional committees that includes the results of the review required under this section, including information on travel routes of greatest concern, as appropriate.

(e) PROHIBITION ON ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this section.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Foreign Relations of the Senate;

(F) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(G) the Committee on Appropriations of the Senate;

(H) the Committee on Homeland Security of the House of Representatives;

(I) the Permanent Select Committee on Intelligence of the House of Representatives;

(J) the Committee on the Judiciary of the House of Representatives;

(K) the Committee on Armed Services of the House of Representatives;

(L) the Committee on Foreign Affairs of the House of Representatives;

(M) the Committee on Appropriations of the House of Representatives; and

(N) the Committee on Financial Services of the House of Representatives.

(2) MATERIAL SUPPORT OR RESOURCES.—The term ''material support or resources'' has the meaning given such term in section 2339A of title 18, United States Code.

SEC. 6403. NATIONAL STRATEGY TO COMBAT TERRORIST TRAVEL.

(a) SENSE OF CONGRESS.—It is the sense of Congress that it should be the policy of the United States—

(1) to continue to regularly assess the evolving terrorist threat to the United States;

(2) to catalog existing Federal Government efforts to obstruct terrorist and foreign fighter travel into, out of, and within the United States, and overseas;

(3) to identify such efforts that may benefit from reform or consolidation, or require elimination;

(4) to identify potential security vulnerabilities in United States defenses against terrorist travel; and

(5) to prioritize resources to address any such security vulnerabilities in a risk-based manner.

(b) NATIONAL STRATEGY AND UPDATES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the President shall submit a national strategy to combat terrorist travel to the appropriate congressional committees. The strategy shall address efforts to intercept terrorists and foreign fighters and constrain the domestic and international travel of such persons. Consistent with the protection of classified information, the strategy shall be submitted in unclassified form, including, as appropriate, a classified annex.

(2) UPDATED STRATEGIES.—Not later than 180 days after the date on which a new President is inaugurated, the President shall submit an updated version of the strategy described in paragraph (1) to the appropriate congressional committees.

(3) COORDINATION.—The President shall direct—

(A) the Secretary to develop the initial national strategy and updates required under this subsection; and

(B) the heads of other Federal agencies, as appropriate, to coordinate with the Secretary of Homeland Security in the development of such strategy and updates.

(4) CONTENTS.—The strategy required under this subsection shall—

(A) include an accounting and description of all Federal Government programs, projects, and activities designed to constrain domestic and international travel by terrorists and foreign fighters;

(B) identify specific security vulnerabilities within the United States and outside of the United States that may be exploited by terrorists and foreign fighters;

(C) delineate goals for—

(i) closing the security vulnerabilities identified under subparagraph (B); and

(ii) enhancing the ability of the Federal Government to constrain domestic and international travel by terrorists and foreign fighters; and

(D) describe the actions that will be taken to achieve the goals delineated under subparagraph (C) and the means needed to carry out such actions, including—

(i) steps to reform, improve, and streamline existing Federal Government efforts to align with the current threat environment;

(ii) new programs, projects, or activities that are requested, under development, or undergoing implementation;

(iii) new authorities or changes in existing authorities needed from Congress;

(iv) specific budget adjustments being requested to enhance United States security in a risk-based manner; and

(v) the Federal departments and agencies responsible for the specific actions described in this subparagraph.

(5) SUNSET.—The requirement to submit updated national strategies under this subsection shall terminate on the date that is 7 years after the date of enactment of this Act.

(c) DEVELOPMENT OF IMPLEMENTATION PLANS.—For each national strategy required under subsection (b), the President shall—

(1) direct the Secretary to develop an implementation plan for the Department; and

(2) coordinate with the heads of other relevant Federal agencies to ensure the development of implementing plans for each such agency.

(d) IMPLEMENTATION PLANS.—

(1) IN GENERAL.—The President shall submit an implementation plan developed under subsection (c) to the appropriate congressional committees with each national strategy required under subsection (b). Consistent with the protection of classified information, each such implementation plan shall be submitted in unclassified form, but may include a classified annex.

(2) ANNUAL UPDATES.—The President shall submit an annual updated implementation plan to the appropriate congressional committees during the 10-year period beginning on the date of enactment of this Act.

(e) PROHIBITION ON ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this section.

(f) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Select Committee on Intelligence of the Senate;

(4) the Committee on the Judiciary of the Senate;

(5) the Committee on Foreign Relations of the Senate;

(6) the Committee on Appropriations of the Senate;

(7) the Committee on Homeland Security of the House of Representatives;

(8) the Committee on Armed Services of the House of Representatives;

(9) the Permanent Select Committee on Intelligence of the House of Representatives;

(10) the Committee on the Judiciary of the House of Representatives;

(11) the Committee on Foreign Affairs of the House of Representatives; and

(12) the Committee on Appropriations of the House of Representatives.

SEC. 6404. NORTHERN BORDER THREAT ANALYSIS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Homeland Security of the House of Representatives;

(E) the Committee on Appropriations of the House of Representatives; and

(F) the Committee on the Judiciary of the House of Representatives.

(2) NORTHERN BORDER.—The term ''Northern Border'' means the land and maritime borders between the United States and Canada.

(b) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a Northern Border threat analysis that includes—

(1) current and potential terrorism and criminal threats posed by individuals and organized groups seeking—

(A) to enter the United States through the Northern Border; or

(B) to exploit border vulnerabilities on the Northern Border;

(2) improvements needed at and between ports of entry along the Northern Border—

(A) to prevent terrorists and instruments of terrorism from entering the United States; and

(B) to reduce criminal activity, as measured by the total flow of illegal goods, illicit drugs, and smuggled and trafficked persons moved in either direction across to the Northern Border;

(3) gaps in law, policy, cooperation between State, tribal, and local law enforcement, international agreements, or tribal agreements that hinder effective and efficient border security, counter-terrorism, anti-human smuggling and trafficking efforts, and the flow of legitimate trade along the Northern Border; and

(4) whether additional U.S. Customs and Border Protection preclearance and preinspection operations at ports of entry along the Northern Border could help prevent terrorists and instruments of terror from entering the United States.

(c) ANALYSIS REQUIREMENTS.—For the threat analysis required under subsection (b), the Secretary shall consider and examine—

(1) technology needs and challenges;

(2) personnel needs and challenges;

(3) the role of State, tribal, and local law enforcement in general border security activities;

(4) the need for cooperation among Federal, State, tribal, local, and Canadian law enforcement entities relating to border security;

(5) the terrain, population density, and climate along the Northern Border; and

(6) the needs and challenges of Department facilities, including the physical approaches to such facilities.

(d) CLASSIFIED THREAT ANALYSIS.—To the extent possible, the Secretary shall submit the threat analysis required under subsection (b) in unclassified form. The Secretary may submit a portion of the threat analysis in classified form if the Secretary determines that such form is appropriate for that portion.

SA 4368. Mr. CARPER 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 973 and insert the following:

SEC. 973. 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, 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 implementation of the System under subsection (d), the Secretary shall provide a briefing to the appropriate committees of Congress 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 appropriate committees of Congress 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 COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations of the Senate, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Oversight and Government Reform, the Committee on Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 4369. Mr. DURBIN (for himself, Mr. COCHRAN, Mr. REID, Mr. BLUNT, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. FEINSTEIN, Ms. COLLINS, Mrs. MURRAY, Mr. CASEY, and Mr. SHELBY) 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 C of title VII, add the following:

SEC. 764. TREATMENT OF CERTAIN PROVISIONS RELATING TO LIMITATIONS, TRANSPARENCY, AND OVERSIGHT REGARDING MEDICAL RESEARCH CONDUCTED BY THE DEPARTMENT OF DEFENSE.

(a) MEDICAL RESEARCH AND DEVELOPMENT PROJECTS.—Section 756, relating to a prohibition on funding and conduct of certain medical research and development projects by the Department of Defense, shall have no force or effect.

(b) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION EFFORTS AND PROCUREMENT ACTIVITIES RELATED TO MEDICAL RESEARCH.—Section 898, relating to a limitation on authority of the Secretary of Defense to enter into contracts, grants, or cooperative agreements for congressional special interest medical research programs under the congressionally directed medical research program of the Department of Defense, shall have no force or effect.

SA 4370. Mr. KIRK 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 1026, insert the following:

SEC. 1026A. ADDITIONAL COUNTRIES UNDER PROHIBITION ON USE OF FUNDS TO TRANSFER OR RELEASE TO CERTAIN COUNTRIES INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1033 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 968), as amended by section 1026 of this Act, is further amended by adding at the end the following new paragraphs:

''(5) Iran.

''(6) Sudan.''.

SA 4371. Mrs. MCCASKILL 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; as follows:

Strike section 1053(a) and insert the following:

(a) Section 2576a of title 10, United States Code, is amended by adding at the end the following new subsections:

''(g) DETERMINATION OF ELIGIBLE DEFENSE ITEMS.—

''(1) CONTROLLED DEFENSE ITEMS ELIGIBLE FOR TREATMENT.—

''(A) IN GENERAL.—Subject to the provisions of this paragraph, the controlled defense items that may be treated as eligible defense items for purposes of this section shall include items that—

''(i) can be readily put to civilian use by State and local law enforcement agencies; and

''(ii) are suitable for transfer to State and local law enforcement agencies pursuant to this section.

''(B) INITIAL ELIGIBLE DEFENSE ITEMS.—The controlled defense items to be treated as eligible defense items for purposes of this section as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 are the following:

''(i) Camouflage uniforms and clothing.

''(ii) Fixed wing manned aircraft.

''(iii) Rotary wing manned aircraft.

''(iv) Unmanned aerial vehicles.

''(v) Wheeled armored vehicles.

''(vi) Wheeled tactical vehicles.

''(vii) Specialized firearms and ammunition under .50-caliber.

''(viii) Explosives and pyrotechnics, including explosive breaching tools.

''(ix) Breaching apparatus.

''(x) Riot batons.

''(C) INTERPRETATION OF THIS SECTION.—Subparagraph (B) shall supersede the equipment lists issued pursuant to Executive Order 13688.

''(D) LIST OF CONTROLLED DEFENSE ITEMS TREATABLE AS ELIGIBLE DEFENSE ITEMS.—The Secretary of Defense shall, acting through the Director of the Defense Logistics Agency and in consultation with the Working Group established by Executive Order 13688, maintain, and periodically update, a list of controlled defense items that are currently appropriate for treatment as eligible defense items for purposes of this section. The list shall be established and maintained in accordance with the regulations for purposes of this section under subsection (g).

''(2) CONTROLLED DEFENSE ITEMS NOT ELIGIBLE FOR TREATMENT.—

''(A) IN GENERAL.—A controlled defense item may not be treated as an eligible defense item for purposes of this section if—

''(i) the item is made exclusively for the military; and

''(ii) the item, or a substantially similar item, cannot be purchased by State or local law enforcement agencies in the private sector even after the item is demilitarized.

''(B) INITIAL PROHIBITED ITEMS.—Unless and until determined otherwise by the Secretary for purposes of this section, the controlled defense items that may not be treated as eligible defense items for purposes of this section are the following:

''(i) Tracked armored vehicles.

''(ii) Weaponized aircraft, vessels, and vehicles of any kind.

''(iii) Firearms of .50-caliber or higher.

''(iv) Ammunition of .50-caliber or higher.

''(v) Grenades, flash bang grenades, grenade launchers, and grenade launcher attachments.

''(vi) Bayonets.

''(vii) Mine Resistant Ambush Protected (MRAP) vehicles.

''(viii) Tasers developed primarily for use by the military.

''(C) INTERPRETATION OF THIS SECTION.—Subparagraph (B) shall supersede the equipment lists issued pursuant to Executive Order 13688.

''(D) LIST OF CONTROLLED ITEMS NOT TREATABLE AS ELIGIBLE DEFENSE ITEMS.—The Secretary shall, acting through the Director of the Defense Logistics Agency and in consultation with the Working Group established pursuant to Executive Order 13688, maintain, and periodically update, a list of controlled defense items that are currently prohibited from treatment as eligible defense items for purposes of this section.

''(3) RETURN OF ITEMS NOT TREATED AS ELIGIBLE DEFENSE ITEMS NOT IMMEDIATELY REQUIRED.—

''(A) RETURN OF INITIAL PROHIBITED ITEMS NOT GENERALLY REQUIRED.—The regulations for purposes of this section shall provide that a law enforcement agency in possession on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 of a controlled defense item that is not eligible for treatment as an eligible defense item pursuant to paragraph (2)(B) shall not be required to return such item to the Department pursuant to Executive Order 13688.

''(B) RETURN OF ITEMS SUBSEQUENTLY TREATED AS NOT ELIGIBLE NOT REQUIRED.—The regulations for purposes of this section shall provide that a law enforcement agency in possession of a controlled defense item that is no longer eligible for treatment as an eligible defense item pursuant to paragraph (2)(D) shall not be required to return such item to the Department pursuant to Executive Order 13688.

''(C) CONSTRUCTION.—Nothing in this section shall be construed to require a law enforcement agency, pursuant to Executive Order 13688, to return to the Department equipment obtained from the Federal Government, or obtained using Federal funds, if such equipment was obtained by the agency in a manner consistent with all applicable laws and regulations.

''(D) TRANSFER OF OWNERSHIP.—Nothing in this section shall be construed as a transfer of ownership of any equipment obtained from the Federal Government pursuant to this section.

''(h) PROHIBITION ON REQUIREMENT FOR TIMELY USE OF TRANSFERRED ITEMS.—The regulations for purposes of this section may not require the use of an eligible defense item transferred under this section within one year of the receipt of the item by the State or local law enforcement agency concerned.

''(i) NOTICE ON REQUESTS FOR TRANSFERS TO STATE AND LOCAL OFFICIALS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a State or local law enforcement agency may not request transfer of an eligible defense item under this section, including pursuant to interagency transfer under subsection (t), unless the law enforcement agency has provided notice of the request to the head and legislative body of the State or political subdivision of a State of which the law enforcement agency is an agency.

''(2) EXCEPTION.—

''(A) ITEMS FOR UNDERCOVER OPERATIONS.—A State or local law enforcement agency requesting transfer of an eligible defense item is not required to comply with paragraph (1) if the item requested is for an active undercover operation.

''(B) ALTERNATIVE NOTICE REQUIREMENT.—A State or local law enforcement agency receiving an item under this section pursuant to a request covered by subparagraph (A) shall notify the head and legislative body of the State or political subdivision of a State of which the law enforcement agency is an agency of the request not later than 10 business days after operation concerned becomes an open record.

''(j) TRAINING REQUIREMENTS.—

''(1) MINIMUM TRAINING REQUIREMENTS FOR LAW ENFORCEMENT OFFICERS.—

''(A) IN GENERAL.—On and after the date that is three years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, eligible defense items may not be transferred to a State or local law enforcement agency of a State under this section unless the Governor of the State (or the designee of the Governor) certifies to the Director of the Defense Logistics Agency that the State has in place minimum training requirements for all sworn law enforcement officers in the State, including—

''(i) a requirement that anyone that has decision-making authority on the deployment of a SWAT team attends the National Tactical Officers Association unit commanders course or an equivalent within 1 year of commencing the exercise of such authority;

''(ii) specialized leadership training requirements for unit commanders who have—

''(I) decision-making authority on the deployment of SWAT teams and tactical military vehicles; or

''(II) responsibility for drafting policies on the use of force and SWAT team deployment;

''(iii) annual specialized SWAT team training requirements for all SWAT team members, including in law enforcement tactics used in tactical operations;

''(iv) annual training requirements for all law enforcement officers that are members of specialized tactical units other than SWAT teams (including high-risk warrant service teams, hostage rescue teams, and drug enforcement task forces);

''(v) annual training on the general policing standards of the law enforcement agency on equipment such as eligible defense items;

''(vi) annual training on sensitivity, including training on ethnic and racial bias, cultural diversity, and police interaction with the disabled, mentally ill, and new immigrants;

''(vii) annual training in crowd control tactics for any officers that may be called upon to participate in crowd control efforts; and

''(viii) such other training as recommended by the evaluation conducted pursuant to section 1051(d) of the National Defense Authorization Act for Fiscal Year 2016.

''(B) SATISFACTION BY RECENT HIREES.—The requirements under subparagraph (A) shall provide for the first completion of the training concerned by an individual who becomes an officer in a law enforcement agency by not later than one year after the date on which the individual becomes an officer in the law enforcement agency.

''(C) RECORD-KEEPING.—Each law enforcement agency to which eligible defense items are transferred pursuant to this section shall retain training records of each office authorized to use such items, either in the personnel file of the officer or by the training division or equivalent entity of the agency, for not less than three years after the date on which the training occurs, and shall provide a copy of such records to the Director of the Defense Logistics Agency upon request.

''(2) INTERPRETATION OF THIS SECTION.—The training requirements in paragraph (1)(A) shall, for the purpose of obtaining equipment under this section, supersede and override the training requirements issued pursuant to Executive Order 13688.

''(k) CONSTRUCTION WITH OTHER DLA AUTHORITY.—Nothing in this section shall be construed to override, alter, or supersede the authority of the Director of the Defense Logistics Agency to dispose of property of the Department of Defense that is not an eligible defense item to law enforcement agencies under another other provision of law.

''(l) DEFINITIONS.—In this section:

''(1) The term 'bayonet' means a large knife designed to be attached to the muzzle of a rifle, shotgun, or long gun for the purposes of hand-to-hand combat.

''(2) The term 'breaching apparatus' means a tool designed to provide law enforcement rapid entry into a building or through a secured doorway, including battering rams or similar entry devices, ballistic devices, and explosive devices.

''(3) The term 'controlled defense item' means property of the Department of Defense that is subject to the restrictions of the United States Munitions List (22 Code of Federal Regulations Part 121) or the Commerce Control List (15 Code of Federal Regulations Part 774).

''(4) The term 'eligible defense item' means a controlled defense item that is eligible for transfer to a law enforcement agency pursuant to this section.

''(5) The term 'fixed wing manned aircraft' means a powered aircraft with a crew aboard, such as airplanes, that uses a fixed wing for lift.

''(6) The term 'grenade launcher' means a firearm or firearm accessory designed to launch small explosive projectiles.

''(7) The term 'riot baton' means a non-expandable baton of greater length than service-issued types that are intended to protect its wielder during melees by providing distance from assailants. The term does not include a service-issued telescopic or fixed length straight baton.

''(8) The term 'specialized firearm and ammunition under .50-caliber' means a weapon and corresponding ammunition for specialized operations or assignments. The term does not include service-issued handguns, rifles, or shotguns that are issued or approved by an agency to be used during the course of regularly assigned duties.

''(9) The term 'State Coordinator' means an individual appointed by the Governor of a State—

''(A) to manage requests of State and local law enforcement agencies of the State for eligible defense items; and

''(B) to ensure the appropriate use of eligible defense items transferred under this section by such law enforcement agencies.

''(10) The term 'State or local law enforcement agency' means a State or local agency or entity with law enforcement officers that have arrest and apprehension authority and whose primary function is to enforce the laws. The term includes a local educational agency with such officers. The term does not include a firefighting agency or entity.

''(11) The term 'SWAT team' means a Special Weapons and Tactics team or other specialized tactical team composed of State or local sworn law enforcement officers.

''(12) The term 'tactical military vehicle' means an armored vehicle having military characteristics resulting from military research and development processes that is designed primarily for use by forces in the field in direct connection with, or support of, combat or tactical operations.

''(13) The term 'tracked armored vehicle' means a vehicle that provides ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.

''(14) The term 'unmanned aerial vehicle' means a remotely piloted, powered aircraft without a crew aboard.

''(15) The term 'wheeled armored vehicle' means any wheeled vehicle either purpose-built or modified to provide ballistic protection to its occupants, such as an Armored Personnel Carrier.

''(16) The term 'wheeled tactical vehicle' means a vehicle purpose-built to operate onroad and offroad in support of military operations, such as a HMMWV ('Humvee'), 2.5ton truck, 5ton truck, or a vehicle with a breaching or entry apparatus attached.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. RUBIO. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on May 26, 2016, at 10 a.m., in room SH–216 of the Hart Senate Office Building, to conduct a hearing entitled ''A Review of the U.S. Livestock and Poultry Sectors: Marketplace Opportunities and Challenges.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. RUBIO. 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 26, 2016, at 10 a.m., to conduct a hearing entitled ''Protecting America from the Threat of ISIS.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. RUBIO. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 26, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. RUBIO. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 26, 2016, at 10 a.m., in room SR–428A of the Russell Senate Office Building to conduct a hearing entitled ''Oversight of the SBA's 7(a) Loan Guarantee Program.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. RUBIO. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 26, 2016, at 2 p.m., in room SH–219 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WESTERN HEMISPHERE, TRANSNATIONAL CRIME, CIVILIAN SECURITY, DEMOCRACY, HUMAN RIGHTS, AND GLOBAL WOMEN'S ISSUES

Mr. RUBIO. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues be authorized to meet during the session of the Senate on May 26, 2016, at 9 a.m., to conduct a hearing entitled ''Cartels and the U.S. Heroin Epidemic: Combating Drug Violence and Public Health Crisis.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. WICKER. Mr. President, I ask unanimous consent that CDR Andrew Cook, a defense legislative fellow in my office, be granted privileges of the floor during the remainder of this session of Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that Noam Levinson and Andrea Witte, be granted floor privileges through July 15.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, I ask unanimous consent that the following people, Marian Gibson, Debra Prescott, Eric Hanson, and Tim McCrosson, detailees to the Homeland Security and Governmental Affairs Committee, be granted privileges of the floor for the remainder of the second session of the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 94–201, as amended by Public Law 105–275, appoints the following individual as a member of the Board of Trustees of the American Folklife Center of the Library of Congress: John Patrick Rice of Nevada.

SEQUENTIAL REFERRAL—PN1385

Mr. McCONNELL. Mr. President, as in executive session, I ask unanimous consent that upon the reporting out of or discharge of PN1385—which has been referred to the Committee on Commerce, Science, and Transportation—the nomination then be referred to the Committee on Armed Services for a period not to exceed 45 calendar days, after which the nomination, if still in committee, be discharged and placed on the Executive Calendar.

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 for the consideration of Calendar Nos. 574 through 590 and all nominations on the Secretary's desk; that the nominations be confirmed en bloc, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Scott F. Benedict
Col. Jason Q. Bohm
Col. Brian W. Cavanaugh
Col. Daniel B. Conley
Col. Francis L. Donovan
Col. Ryan P. Heritage
Col. Christopher A. McPhillips
Col. William H. Seely, III
Col. Robert B. Sofge, Jr.
Col. Matthew G. Trollinger

IN THE ARMY

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Linda L. Singh

IN THE NAVY

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Jon C. Kreitz

IN THE AIR FORCE

The following named officer for appointment as Chief of the Air Force Reserve and appointment to the grade of lieutenant general in the Reserve of the Air Force while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8038:

To be lieutenant general

Maj. Gen. Maryanne Miller

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Kenneth S. Wilsbach

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Charles Q. Brown, Jr.

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Darryl A. Williams

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael D. Lundy

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Jeffrey S. Buchanan

The following named officer for appointment as the Dean of the Academic Board, United States Military Academy, and for appointment to the grade indicated under title 10, U.S.C., section 4335:

To be brigadier general

Col. Cindy R. Jebb

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Sidney N. Martin

IN THE NAVY

The following named officer for appointment as Vice Chief of Naval Operations and appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5035:

To be admiral

Vice Adm. William F. Moran

The following named officer for appointment as Chief of Naval Personnel and appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5141:

To be vice admiral

Rear Adm. (lh) Robert P. Burke

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Thomas J. Moore

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Jan E. Tighe

IN THE ARMY

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. David G. Bassett
Brig. Gen. Willard M. Burleson, III
Brig. Gen. Christopher G. Cavoli
Brig. Gen. David C. Coburn
Brig. Gen. Stephen E. Farmen
Brig. Gen. Bryan P. Fenton
Brig. Gen. Malcolm B. Frost
Brig. Gen. Patricia A. Frost
Brig. Gen. Douglas M. Gabram
Brig. Gen. Peter A. Gallagher
Brig. Gen. John A. George
Brig. Gen. Randy A. George
Brig. Gen. Michael L. Howard
Brig. Gen. Sean M. Jenkins
Brig. Gen. John P. Johnson
Brig. Gen. Richard G. Kaiser
Brig. Gen. John S. Kern
Brig. Gen. Robert L. Marion
Brig. Gen. Timothy P. McGuire
Brig. Gen. Dennis S. McKean
Brig. Gen. Terrence J. McKenrick
Brig. Gen. Christopher P. McPadden
Brig. Gen. Daniel G. Mitchell
Brig. Gen. Frank M. Muth
Brig. Gen. Erik C. Peterson
Brig. Gen. Leopoldo A. Quintas, Jr.
Brig. Gen. Kurt J. Ryan
Brig. Gen. Mark C. Schwartz
Brig. Gen. Wilson A. Shoffner, Jr.
Brig. Gen. Kurt L. Sonntag
Brig. Gen. Scott A. Spellmon
Brig. Gen. Randy S. Taylor
Brig. Gen. Eric J. Wesley

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Adm. Michelle J. Howard

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1431 AIR FORCE nomination of Christopher R. McNulty, which was received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1467 AIR FORCE nominations (45) beginning ZACHARY P. AUGUSTINE, and ending BRIAN A. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1468 AIR FORCE nominations (14) beginning WILLIAM J. FECKE, and ending JANET K. URBANSKI, which nominations were received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1471 AIR FORCE nominations (61) beginning MICHAEL CHRISTOPHER AHL, and ending LISA MARIE WOTKOWICZ, which nominations were received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1472 AIR FORCE nominations (41) beginning TIMOTHY JAMES ANDERSON, and ending JUSTIN L. WOLTHUIZEN, which nominations were received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1473 AIR FORCE nominations (99) beginning VICTORIA D. ABLES, and ending MATTHEW G. ZINN, which nominations were received by the Senate and appeared in the Congressional Record of May 18, 2016.

IN THE ARMY

PN1273 ARMY nomination of Fany L. Rivera, which was received by the Senate and appeared in the Congressional Record of March 17, 2016.

PN1298 ARMY nomination of Todd E. Schroeder, which was received by the Senate and appeared in the Congressional Record of April 5, 2016.

PN1345 ARMY nomination of Monica J. Milton, which was received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1410 ARMY nominations (284) beginning MICHELLE M. AGPALZA, and ending D012971, which nominations were received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1411 ARMY nominations (327) beginning JACOB I. ABRAMI, and ending G010400, which nominations were received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1412 ARMY nominations (455) beginning RICHARD R. AARON, and ending D012923, which nominations were received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1413 ARMY nomination of Carl J. Wojtaszek, which was received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1414 ARMY nomination of G010339, which was received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1415 ARMY nomination of Michael A. Izzo, which was received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1416 ARMY nomination of Joshua R. Pounders, which was received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1432 ARMY nomination of Ernest C. Lee, Jr., which was received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1433 ARMY nominations (132) beginning TERRANCE W. ADAMS, and ending CYNTHIA M. ZAPOTOCZNY, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1434 ARMY nominations (53) beginning JENNIFER L. ADAMSBUCKHOUSE, and ending MELVIN W. ZIMMER, JR., which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1435 ARMY nominations (184) beginning JEFFREY A. ABELE, and ending JAMES M. ZIEBA, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1436 ARMY nomination of Kathryn A. Katz, which was received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1437 ARMY nomination of Bryan P. Hendren, which was received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1438 ARMY nomination of Weston C. Goring, which was received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1439 ARMY nomination of Srilalitha Donepudi, which was received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1474 ARMY nomination of Daniel P. Fisher, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1475 ARMY nomination of Darin J. Blatt, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1476 ARMY nomination of Zoltan L. Krompecher, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1477 ARMY nomination of John D. Wingeart, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1478 ARMY nomination of Janelle V. Kutter, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1479 ARMY nomination of Kevin T. Reeves, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1481 ARMY nomination of Ankita B. Patel, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1485 ARMY nomination of Marshall H. Smith, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

IN THE FOREIGN SERVICE

PN1370 FOREIGN SERVICE nominations (6) beginning Mariano J. Beillard, and ending William G. Verzani, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

IN THE MARINE CORPS

PN1123 MARINE CORPS nomination of David M. Sousa, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1136 MARINE CORPS nominations (46) beginning JEFFREY J. ABRAMAITYS, and ending ERICH H. WAGNER, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1137 MARINE CORPS nominations (91) beginning RICHARD T. ANDERSON, and ending SETH E. YOST, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1146 MARINE CORPS nominations (323) beginning VICTOR M. ABELSON, and ending MATTHEW P. ZUMMO, which nominations were received by the Senate and appeared in the Congressional Record of February 1, 2016.

IN THE NAVY

PN1199 NAVY nomination of Jason A. Grant, which was received by the Senate and appeared in the Congressional Record of March 3, 2016.

PN1278 NAVY nomination of Darren J. Donley, which was received by the Senate and appeared in the Congressional Record of March 17, 2016.

PN1310 NAVY nomination of Marc D. Boran, which was received by the Senate and appeared in the Congressional Record of April 5, 2016.

PN1311 NAVY nomination of Scott P. Smith, which was received by the Senate and appeared in the Congressional Record of April 5, 2016.

PN1417 NAVY nominations (38) beginning JOSEPH F. ABRUTZ, III, and ending MICHAEL P. WOLCHKO, which nominations were received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1418 NAVY nomination of David H. McAlister, which was received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1449 NAVY nomination of Devin D. Burns, which was received by the Senate and appeared in the Congressional Record of May 11, 2016.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

THE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Nos. 486 through 498 en bloc.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. MCCONNELL. I ask unanimous consent that the bills be read a third time and passed, and the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

BARRY G. MILLER POST OFFICE

The bill (S. 2465) to designate the facility of the United States Postal Service located at 15 Rochester Street in Bergen, New York, as the Barry G. Miller Post Office, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2465

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

SECTION 1. BARRY G. MILLER POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 15 Rochester Street in Bergen, New York, shall be known and designated as the ''Barry G. Miller Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Barry G. Miller Post Office''.

KENNETH M. CHRISTY POST OFFICE BUILDING

The bill (S. 2891) to designate the facility of the United States Postal Service located at 525 North Broadway in

Aurora, Illinois, as the ''Kenneth M. Christy Post Office Building,'' was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2891

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

SECTION 1. KENNETH M. CHRISTY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 525 North Broadway in Aurora, Illinois, shall be known and designated as the ''Kenneth M. Christy Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Kenneth M. Christy Post Office Building''.

CAMP PENDLETON MEDAL OF HONOR POST OFFICE

The bill (H.R. 136) to designate the facility of the United States Postal Service located at 1103 USPS Building 1103 in Camp Pendleton, California, as the ''Camp Pendleton Medal of Honor Post Office,'' was ordered to a third reading, was read the third time, and passed.

W. RONALD COALE MEMORIAL POST OFFICE BUILDING

The bill (H.R. 1132) to designate the facility of the United States Postal Service located at 1048 West Robinhood Drive in Stockton, California, as the ''W. Ronald Coale Memorial Post Office Building,'' was ordered to a third reading, was read the third time, and passed.

LIONEL R. COLLINS, SR. POST OFFICE BUILDING

The bill (H.R. 2458) to designate the facility of the United States Postal Service located at 5351 Lapalco Boulevard in Marrero, Louisiana, as the ''Lionel R. Collins, Sr. Post Office Building,'' was ordered to a third reading, was read the third time, and passed.

HAROLD GEORGE BENNETT POST OFFICE

The bill (H.R. 2928) to designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the ''Harold George Bennett Post Office,'' was ordered to a third reading, was read the third time, and passed.

DARYLE HOLLOWAY POST OFFICE BUILDING

The bill (H.R. 3082) to designate the facility of the United States Postal Service located at 5919 Chef Menteur Highway in New Orleans, Louisiana, as the ''Daryle Holloway Post Office Building,'' was ordered to a third reading, was read the third time, and passed.

FRANCIS MANUEL ORTEGA POST OFFICE

The bill (H.R. 3274) to designate the facility of the United States Postal Service located at 4567 Rockbridge Road in Pine Lake, Georgia, as the ''Francis Manuel Ortega Post Office,'' was ordered to a third reading, was read the third time, and passed.

MELVOID J. BENSON POST OFFICE BUILDING

The bill (H.R. 3601) to designate the facility of the United States Postal Service located at 7715 Post Road, North Kingstown, Rhode Island, as the ''Melvoid J. Benson Post Office Building,'' was ordered to a third reading, was read the third time, and passed.

MAYA ANGELOU MEMORIAL POST OFFICE

The bill (H.R. 3735) to designate the facility of the United States Postal Service located at 200 Town Run Lane in Winston Salem, North Carolina, as the ''Maya Angelou Memorial Post Office,'' was ordered to a third reading, was read the third time, and passed.

FIRST LIEUTENANT SALVATORE S. CORMA II POST OFFICE BUILDING

The bill (H.R. 3866) to designate the facility of the United States Postal Service located at 1265 Hurffville Road in Deptford Township, New Jersey, as the ''First Lieutenant Salvatore S. Corma II Post Office Building,'' was ordered to a third reading, was read the third time, and passed.

SECOND LT. ELLEN AINSWORTH MEMORIAL POST OFFICE

The bill (H.R. 4046) to designate the facility of the United States Postal Service located at 220 East Oak Street, Glenwood City, Wisconsin, as the Second Lt. Ellen Ainsworth Memorial Post Office, was ordered to a third reading, was read the third time, and passed.

SGT. 1ST CLASS TERRYL L. PASKER POST OFFICE BUILDING

The bill (H.R. 4605) to designate the facility of the United States Postal Service located at 615 6th Avenue SE in Cedar Rapids, Iowa as the ''Sgt. 1st Class Terryl L. Pasker Post Office Building,'' was ordered to a third reading, was read the third time, and passed.

SPECIALIST ROSS A. MCGINNIS MEMORIAL POST OFFICE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of H.R. 433 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (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.''

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (H.R. 433) was ordered to a third reading, was read the third time, and passed.

PATENTS FOR HUMANITY PROGRAM IMPROVEMENT ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1402 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1402) to allow acceleration certificates awarded under the Patents for Humanity Program to be transferable.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, today the Senate is passing legislation to strengthen an important humanitarian innovation prize created by the U.S. Patent and Trademark Office, PTO. Since 2012, the Patents for Humanity Award has recognized selected patent holders who use their inventions to address humanitarian needs. The legislation the Senate passed today will strengthen the award program and encourage innovators to continue using their work for humanitarian goals.

The innovations that are recognized by the Patents for Humanity Award program help underserved people throughout the world. Award winners have worked to improve nutrition, provide clean drinking water, fix broken bones in remote hospitals that lack x-ray technology, bring solar-powered energy to villages that are off the power grid, and combat the problem of dangerous counterfeit drugs, among other achievements. Winners of the Patents for Humanity Award demonstrate that our patent system does more than drive economic gain for individual companies; it can incentivize research and discoveries that promote humanitarian good.

Winners of the Patents for Humanity Award receive a one-time certificate to accelerate a process or application at the PTO, as described in the program rules. For several years, small businesses and global health groups have told me that the prize would be more usable, particularly for small business innovators, if the acceleration certificates awarded were transferable to a third party. Award winners who are not able to use the acceleration certificate themselves will be able to transfer the certificate to another inventor, including through sale, allowing the winner to receive a cash benefit. By making the certificates transferable, we are increasing the value of this humanitarian innovation prize without using a single taxpayer dollar.

The thoughtful structure of the Patents for Humanity Award program, set forth in its founding documents in the Federal Register, will ensure that this program remains sustainable and does not unduly burden the PTO or other patent applicants whose applications are pending before the Office. The award is granted to only a select number of patent holders per year—approximately 10 or fewer, with a further 20 applications receiving honorable mentions—and the PTO has provided clear guidance on the types of processes for which the certificates may be used. Program judges are selected based on recognized subject matter expertise, with clear competition criteria, and rules in place to prevent conflicts of interest. These practices and safeguards, which are described in detail in the Federal Register at 79 Fed. Reg. 18670 and 77 Fed. Reg. 6544, will ensure that the program continues to operate appropriately and well.

The Patents for Humanity Program Improvement Act is a straightforward and bipartisan bill that will strengthen this valuable innovation program and encourage inventions to be used for humanitarian good. I thank other Senators for supporting this bill and urge the House to pass it without delay.

Mr. MCCONNELL. I further ask unanimous consent that the bill be read a third time and passed, and the motion 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 bill (S. 1402) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1402

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 ''Patents for Humanity Program Improvement Act''.

SEC. 2. TRANSFERABILITY OF ACCELERATION CERTIFICATES.

(a) IN GENERAL.—A holder of an acceleration certificate issued pursuant to the Patents for Humanity Program (established in the notice entitled ''Humanitarian Awards Pilot Program'', published at 77 Fed. Reg. 6544 (February 8, 2012)), or any successor thereto, of the United States Patent and Trademark Office, may transfer (including by sale) the entitlement to such acceleration certificate to another person.

(b) REQUIREMENT.—An acceleration certificate transferred under subsection (a) shall be subject to any other applicable limitations under the notice entitled ''Humanitarian Awards Pilot Program'', published at 77 Fed. Reg. 6544 (February 8, 2012), or any successor thereto.

RECOGNIZING NATIONAL FOSTER CARE MONTH AS AN OPPORTUNITY TO RAISE AWARENESS ABOUT THE CHALLENGES OF CHILDREN IN THE FOSTER-CARE SYSTEM

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of and the Senate proceed to the consideration of S. Res. 466.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 466) 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.

There being no objection, the Senate proceeded to consider the resolution.

Mr. GRASSLEY. Mr. President, the month of May gives us the chance to raise awareness about the challenges of children in the foster care system and to consider ways to improve policies and practices to ensure that children are in safe, loving, and permanent homes. There are nearly 415,000 children living in foster care; more than 255,000 entered the foster care system in 2014 alone.

According to the Adoption and Foster Care Analysis and Reporting System, AFCARS, data for fiscal year 2014, the vast majority of foster children reside with a foster parent: 29 percent live in the foster family home of a relative, and 46 percent live in the foster family home of a non-relative. The rest live in institutions, 8 percent; groups homes, 6 percent; pre-adoptive homes, 4 percent; trial home visits, 5 percent; supervised independent living, 1 percent; or are runaways, 1 percent.

As co-founder and co-chair of the Senate Caucus on Foster Youth, I led a bipartisan and bicameral group of colleagues in introducing legislation recognizing May as National Foster Care Month. The resolution aims to bring foster care issues to the forefront and recognize the essential role that foster parents, social workers, and advocates have in the lives of children in foster care.

While there have been vast improvements over the years, there are many challenges still facing our Nation's youth. These children have experienced abuse or neglect, often both. They can be moved from home to home, transferred from one school to the next, and endure trauma and mental health challenges. Older foster youth face difficult challenges as well. They deal with separation from their parents, educational instability, separation disorders, and depression, as well as challenge of transitioning to adulthood on their own. Whereas youth in foster care are much more likely to face educational instability with 65 percent of former foster children experiencing at least seven school changes while in care. The number of youth who age out of foster care has steadily increased for the past decade as well.

The resolution encourages Congress to implement policy that further the goals of safety and permanency. The resolution currently has 24 co-sponsors.

Because there are so many issues that affect youth in the foster care system, it is important that members of Congress understand the realities beyond the beltway. That is why I helped form the Senate Caucus on Foster Youth. Our caucus was created to be a clearinghouse for members in the Senate to discuss policy issues that cross many committee jurisdictions. Our caucus was also created to help generate better ideas and best practices. We want people to learn from both youth and experts. And we want these ideas to be put into practice. Today, 21 Senators are committed members of the Foster Youth Caucus. It is a bipartisan caucus that focuses on understanding the challenges that foster youth face and finding solutions that can improve their lives.

Because of the challenges facing older youth, I held a hearing as chairman of the Judiciary Committee to examine the interplay between the foster care system and the juvenile justice system when children are involved with both systems. The hearing focused on what data, or lack thereof, currently exists about children involved in both systems, the risk factors associated with foster children who become exposed to the juvenile justice system, and how to improve on current best practices implemented by the foster care and juvenile justice systems.

My goal for holding this hearing was to spark innovative solutions and to forge relationships between two distinct groups—the juvenile justice system and child welfare system. The experts in these fields must come together to help dually involved youth who are in need of services.

It was also a renewed call for Congress to pass the Juvenile Justice and Delinquency Prevention Reauthorization Act, which I helped author. If this measure is enacted, States participating in the juvenile justice formula grants program couldn't lock up foster care children merely for running away from a foster home. Some of these runaways are fleeing abusive situations and detention isn't the right place for them. Our bill, which awaits action by the full Senate, also encourages States

receiving juvenile justice formula grants to screen children with mental illness or substance abuse issues. Finally, our bill would encourage States to rely on policies and practices that reflect the most recent research on what works best with troubled youth.

Also during May, the Senate Caucus on Foster Youth held several forums to allow foster youth to share their experiences and to hear from experts about how policies can be improved for children and families.

The caucus hosted a three-part series of panel discussions on the impact of substance abuse and mental health disorders on children and families involved in the child welfare system. We heard directly from youth, learned more about how the opioid epidemic is impacting families, how to prevent foster care by working with families, and how to better achieve positive outcomes through in-home services. We were fortunate to have Iowa's Judge William Owens from the Wapello County Family Drug Court. Judge Owens highlighted how professionals working with child welfare-involved families have changed their practice and policies in his county leading to improved outcomes for families.

On the same topic, I co-hosted Dr. Phil who shared his expertise with policymakers in helping families in crisis dealing with substance abuse issues. He focused on the link between the current opioid epidemic and the rising number of children placed in foster care.

The caucus also partnered with other child welfare organizations on a briefing about foster parent recruitment and retention. The frontline caregivers for hundreds of thousands of children in foster care are foster parents. They provide physical care, emotional support, education advocacy, and, many times, a permanent home and future for these kids. Sometimes they are relatives; sometimes they are complete strangers. But no matter who they are, they are opening their hearts and homes to children in need. Because more children are coming into care, we need to do all we can to recruit quality foster parents to keep these kids safe, healthy, in school, and thriving in society.

At the end of the month, I helped cosponsor a briefing to discuss effective practices for youth transitioning out of foster care. Because 26,000 young people leave foster care without a forever family and with limited resources and little support, we need to do better to guide and help this population successfully navigate the real world of adulthood. It was an opportunity to learn about intensive, individualized and clinically focused case management and counseling, which has proven results for long-term success.

Finally, I participated in a Senate Finance Committee hearing titled, ''Can Evidence Based Practices Improve Outcomes for Vulnerable Individuals and Families?'' As a senior member of the Finance Committee and the author of many child welfare laws that have gone through that committee, I was able to listen and ask questions of experts about how we can move to more evidenced-based programs and learn from programs that are successful.

The hope for panel discussions and briefings is to find innovative solutions—whether through legislation or awareness and shifts in practice.

This year, I also urged the Department of Education to work with States to implement a provision I helped pass in the Every Student Succeeds Act. This education bill includes new data collection and reporting provisions to shine a light on achievement gaps for students who have long been overlooked in federally funded education, including homeless and foster youth.

I have also worked on several bills this year to improve foster care policies.

The Modernizing the Interstate Placement of Children in Foster Care Act would reduce the amount of time it takes to place children by incentivizing more States to implement the National Electronic Interstate Compact Enterprise, or NEICE system. Six pilot States that utilized NEICE, on average, reduced wait times for children by 30 percent and anticipate savings of $1.6 million per year in reduced copying, mailing, and administrative costs. Throughout the country, caseworkers often avoid exploring out-of-state placements because of the long delays in processing the paperwork. Our bill gives incentives to States to join the NEICE system and streamline the paperwork to make foster care placements and eventual adoption happen faster. The more we can do to give children safe, stable homes, the better. The increased displacement of kids due to parental substance abuse, including opioid abuse, makes this cause especially important.

The Protecting Families Affected by Substance Abuse Act would reauthorize for 5 years the regional partnership grants that were created in 2006 when I was chairman of the Finance Committee. While the original intent of the 2006 grants was to address methamphetamine abuse, the scope expanded to other substances as new problems emerged. Opioid addiction is a key focus of the new bill, as we have seen the havoc prescription painkillers and heroin continue to have on families and communities around the nation. The grants support regional partnerships for services including early intervention and preventive services; child and family counseling; mental health services; parenting skills training; and replication of successful models for providing family-based, comprehensive long-term substance abuse treatment services.

Supporting Foster Youth Who Age Out—this bill would allow States to use these Federal dollars for foster youth services up to age 23 and further help those who age out of care with more opportunities to transition to adulthood. It also would allow greater flexibility for States to use their funds in a manner that best benefits the youth population they serve. The legislation builds on the Chafee Foster Care Independence Program, created by then-Senator John Chafee in 1999 to better support youth who age out of the foster care system at the age of 18. The program provides financial support for youth who are transitioning to adulthood with the goal to make them self-sufficient.

For years, I have tried to call attention to the issues facing foster care youth, which consists of more than 415,000 children nationwide, more than 6,000 of whom live with one of Iowa's approximately 2,700 foster families. As founder and co-chair of the Senate Caucus on Foster Youth, I often have the opportunity to hear firsthand from kids growing up in foster care. Foster youth long to be heard. These children need permanency and a loving family, not to be shuffled around from home to home. They tell me that important improvements have recently been made, but there are still gaps in services that could be solved with a combination of policy changes and citizen involvement.

While this population of youth deserves year-round attention, we honor them this month. This is an especially important time to have discussions about how we can improve their lives and strengthen their families. It is important, too, that we remember all of the other individuals involved in helping children who are in the foster care system—including caseworkers, social workers, guardians, child welfare advocates, and foster families.

Our work on this issue will continue.

Mr. MCCONNELL. 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.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 466) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 16, 2016, under ''Submitted Resolutions.'')

SUPPORTING THE DESIGNATION OF MAY 2016 AS ''MENTAL HEALTH MONTH''

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 480, 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. 480) supporting the designation of May 2016 as ''Mental Health Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. 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. 480) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

RECOGNIZING THE SIGNIFICANCE OF MAY 2016 AS ASIAN/PACIFIC AMERICAN HERITAGE MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res 481, 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. 481) recognizing the significance of May 2016 as Asian/Pacific American Heritage Month and as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CARDIN. Mr. President, I rise today to join in the recognition and celebration of the month of May as Asian Pacific American Heritage Month. This month, we celebrate the many contributions Asian American and Pacific Islanders, AAPI, have made to the United States and their cultures, traditions, and history. In 1978, Congress passed a joint congressional resolution to commemorate Asian/Pacific American Heritage Week during the first week of May in 1979, and in 1992, Congress passed legislation that annually designated May as Asian Pacific American Heritage Month.

Congress chose May because two important anniversaries occurred during this month. On May 7, 1843, the first Japanese immigrants arrived in America. May 10 is the anniversary of the transcontinental railroad's completion in 1869. Many of the workers who laid the tracks for this railroad were Chinese immigrants. These two dates only begin to describe the innumerable contributions that Asian Americans and Pacific Islanders have made to this country. The AAPI community of over 18 million draws from a variety of distinct cultures, each of which has enriched American society and challenged our Nation to aspire to be better. This community comprises 45 distinct ethnicities and more than 100 different languages. Through hard work and a steadfast commitment to American ideals, Asian Americans, Native Hawaiians, and Pacific Islanders have strengthened this country as leaders, laborers, activists, artists, and trailblazers.

I remember our beloved former colleague, Senator Daniel K. Inouye, who lost an arm defending America during World War II as part of the ''Go for Broke'' 442nd Regiment, which was composed almost entirely of American soldiers of Japanese ancestry and became the most decorated unit for its size and length of service in the history of American warfare. In Maryland, Asian Americans and Pacific Islanders have made significant contributions and serve our Nation with distinction. The Honorable Theodore D. Chuang of Bethesda, for example, is a U.S. District Judge of the U.S. District Court for the District of Maryland and is the first Asian American judge in history to sit on the Federal bench in Maryland or the Fourth Circuit, which includes Maryland and four other States.

As the former chairman and current ranking member of the Senate Foreign Relations Subcommittee on East Asia and the Pacific, I have been closely engaged on issues affecting the Asia-Pacific American community and their families abroad. I will continue to work on behalf of this community, especially on issues such as human rights, security, and peace. I have, therefore, cosponsored two resolutions related to Asian Pacific Heritage Month. One resolution—the one the Senate is currently considering—recognizes the accomplishments of Asian American and Pacific Islanders and May 2016 as Asian Pacific American Heritage Month. The other resolution notes the historical significance of Japanese internment and its end. I support this resolution, too, because as we honor Asian Americans, we must remember and acknowledge that dark stain on our history as we redouble our efforts to ensure that the United States of America remains a beacon of tolerance and inclusion. Discrimination based on the actual or perceived race, ethnicity, national origin, religion, gender, or sexual orientation of people is anathema to the values we cherish as Americans.

Once again, I would like to thank Asian Americans, Native Hawaiians, and Pacific Islander Americans in Maryland and all around the country for their tremendous contributions to and sacrifices for our Nation.

Mr. MCCONNELL. 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. 481) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—S. 3011

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 3011) to improve the accountability, efficiency, transparency, and overall effectiveness of the Federal Government.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

APPOINTMENTS AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR FRIDAY, MAY 27, 2016, THROUGH MONDAY, JUNE 6, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn, to then convene for pro forma sessions only, with no business being conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, May 27, at 12:30 p.m.; Tuesday, May 31, at 8:30 a.m.; Friday, June 3, at 1 p.m.; I further ask that when the Senate adjourns on Friday, June 3, it next convene at 2 p.m. on Monday, June 6; 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; I ask that following leader remarks, the Senate be in a period of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 12:30 P.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:31 p.m., adjourned until Friday, May 27, 2016, at 12:30 p.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS

MARGUERITE SALAZAR, OF COLORADO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS FOR A TERM OF TWO YEARS. (NEW POSITION)

DEPARTMENT OF DEFENSE

THOMAS ATKIN, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE ERIC ROSENBACH, RESIGNED.

DANIEL P. FEEHAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE FREDERICK VOLLRATH, RESIGNED.

FEDERAL MARITIME COMMISSION

REBECCA F. DYE, OF NORTH CAROLINA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2020. (REAPPOINTMENT)

DEPARTMENT OF STATE

PETER MICHAEL MCKINLEY, 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 FEDERATIVE REPUBLIC OF BRAZIL.

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. TIMOTHY P. WILLIAMS

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOSEPH J. STREFF

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. ROBERT A. CRISOSTOMO
COL. ANTHONY P. DIGIACOMO II
COL. DANIEL J. HILL
COL. KENNETH A. NAVA

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DAVID H. BERGER

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOSEPH H. IMWALLE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

DOUGLAS MAURER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DANIEL L. CHRISTENSEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

HOWARD D. WATT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DANIEL MORALES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

STEFAN M. GROETSCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JEFFREY M. BIERLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MICHAEL G. ZAKAROFF

CONFIRMATIONS

Executive nominations confirmed by the Senate May 26, 2016:

UNITED NATIONS

LAURA S. H. HOLGATE, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE VIENNA OFFICE OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

INTERNATIONAL ATOMIC ENERGY AGENCY

LAURA S. H. HOLGATE, OF VIRGINIA, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE INTERNATIONAL ATOMIC ENERGY AGENCY, WITH THE RANK OF AMBASSADOR.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. SCOTT F. BENEDICT
COL. JASON Q. BOHM
COL. BRIAN W. CAVANAUGH
COL. DANIEL B. CONLEY
COL. FRANCIS L. DONOVAN
COL. RYAN P. HERITAGE
COL. CHRISTOPHER A. MCPHILLIPS
COL. WILLIAM H. SEELY III
COL. ROBERT B. SOFGE, JR.
COL. MATTHEW G. TROLLINGER

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. LINDA L. SINGH

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JON C. KREITZ

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF THE AIR FORCE RESERVE AND APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE RESERVE OF THE AIR FORCE WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8038:

To be lieutenant general

MAJ. GEN. MARYANNE MILLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KENNETH S. WILSBACH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. CHARLES Q. BROWN, JR.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DARRYL A. WILLIAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL D. LUNDY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JEFFREY S. BUCHANAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE DEAN OF THE ACADEMIC BOARD, UNITED STATES MILITARY ACADEMY, AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 4335:

To be brigadier general

COL. CINDY R. JEBB

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. SIDNEY N. MARTIN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF NAVAL OPERATIONS AND APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5035:

To be admiral

VICE ADM. WILLIAM F. MORAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF NAVAL PERSONNEL AND APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5141:

To be vice admiral

REAR ADM. (LH) ROBERT P. BURKE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. THOMAS J. MOORE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. JAN E. TIGHE

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. DAVID G. BASSETT
BRIG. GEN. WILLARD M. BURLESON III
BRIG. GEN. CHRISTOPHER G. CAVOLI
BRIG. GEN. DAVID C. COBURN
BRIG. GEN. STEPHEN E. FARMEN
BRIG. GEN. BRYAN P. FENTON
BRIG. GEN. MALCOLM B. FROST
BRIG. GEN. PATRICIA A. FROST
BRIG. GEN. DOUGLAS M. GABRAM
BRIG. GEN. PETER A. GALLAGHER
BRIG. GEN. JOHN A. GEORGE
BRIG. GEN. RANDY A. GEORGE
BRIG. GEN. MICHAEL L. HOWARD
BRIG. GEN. SEAN M. JENKINS
BRIG. GEN. JOHN P. JOHNSON
BRIG. GEN. RICHARD G. KAISER
BRIG. GEN. JOHN S. KEM
BRIG. GEN. ROBERT L. MARION
BRIG. GEN. TIMOTHY P. MCGUIRE
BRIG. GEN. DENNIS S. MCKEAN
BRIG. GEN. TERRENCE J. MCKENRICK
BRIG. GEN. CHRISTOPHER P. MCPADDEN
BRIG. GEN. DANIEL G. MITCHELL
BRIG. GEN. FRANK M. MUTH
BRIG. GEN. ERIK C. PETERSON
BRIG. GEN. LEOPOLDO A. QUINTAS, JR.
BRIG. GEN. KURT J. RYAN
BRIG. GEN. MARK C. SCHWARTZ
BRIG. GEN. WILSON A. SHOFFNER, JR.
BRIG. GEN. KURT L. SONNTAG
BRIG. GEN. SCOTT A. SPELLMON
BRIG. GEN. RANDY S. TAYLOR
BRIG. GEN. ERIC J. WESLEY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. MICHELLE J. HOWARD

IN THE AIR FORCE

AIR FORCE NOMINATION OF CHRISTOPHER R. MCNULTY, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH ZACHARY P. AUGUSTINE AND ENDING WITH BRIAN A. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 18, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH WILLIAM J. FECKE AND ENDING WITH JANET K. URBANSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 18, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL CHRISTOPHER AHL AND ENDING WITH LISA MARIE WOTKOWICZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 18, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH TIMOTHY JAMES ANDERSON AND ENDING WITH JUSTIN L. WOLTHUIZEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 18, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH VICTORIA D. ABLES AND ENDING WITH MATTHEW G. ZINN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 18, 2016.

IN THE ARMY

ARMY NOMINATION OF FANY L. RIVERA, TO BE MAJOR.

ARMY NOMINATION OF TODD E. SCHROEDER, TO BE COLONEL.

ARMY NOMINATION OF MONICA J. MILTON, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH MICHELLE M. AGPALZA AND ENDING WITH D012971, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 28, 2016.

ARMY NOMINATIONS BEGINNING WITH JACOB I. ABRAMI AND ENDING WITH G010400, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 28, 2016.

ARMY NOMINATIONS BEGINNING WITH RICHARD R. AARON AND ENDING WITH D012923, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 28, 2016.

ARMY NOMINATION OF CARL J. WOJTASZEK, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF G010339, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MICHAEL A. IZZO, TO BE COLONEL.

ARMY NOMINATION OF JOSHUA R. POUNDERS, TO BE MAJOR.

ARMY NOMINATION OF ERNEST C. LEE, JR., TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH TERRANCE W. ADAMS AND ENDING WITH CYNTHIA M. ZAPOTOCZNY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

ARMY NOMINATIONS BEGINNING WITH JENNIFER L. ADAMSBUCKHOUSE AND ENDING WITH MELVIN W. ZIMMER, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

ARMY NOMINATIONS BEGINNING WITH JEFFREY A. ABELE AND ENDING WITH JAMES M. ZIEBA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

ARMY NOMINATION OF KATHRYN A. KATZ, TO BE MAJOR.

ARMY NOMINATION OF BRYAN P. HENDREN, TO BE MAJOR.

ARMY NOMINATION OF WESTON C. GORING, TO BE MAJOR.

ARMY NOMINATION OF SRILALITHA DONEPUDI, TO BE MAJOR.

ARMY NOMINATION OF DANIEL P. FISHER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF DARIN J. BLATT, TO BE COLONEL.

ARMY NOMINATION OF ZOLTAN L. KROMPECHER, TO BE COLONEL.

ARMY NOMINATION OF JOHN D. WINGEART, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JANELLE V. KUTTER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF KEVIN T. REEVES, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF ANKITA B. PATEL, TO BE MAJOR.

ARMY NOMINATION OF MARSHALL H. SMITH, TO BE COLONEL.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF DAVID M. SOUSA, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATIONS BEGINNING WITH JEFFREY J. ABRAMAITYS AND ENDING WITH ERICH H. WAGNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 28, 2016.

MARINE CORPS NOMINATIONS BEGINNING WITH RICHARD T. ANDERSON AND ENDING WITH SETH E. YOST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 28, 2016.

MARINE CORPS NOMINATIONS BEGINNING WITH VICTOR M. ABELSON AND ENDING WITH MATTHEW P. ZUMMO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 1, 2016.

IN THE NAVY

NAVY NOMINATION OF JASON A. GRANT, TO BE COMMANDER.

NAVY NOMINATION OF DARREN J. DONLEY, TO BE CAPTAIN.

NAVY NOMINATION OF MARC D. BORAN, TO BE CAPTAIN.

NAVY NOMINATION OF SCOTT P. SMITH, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH JOSEPH F. ABRUTZ III AND ENDING WITH MICHAEL P. WOLCHKO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 28, 2016.

NAVY NOMINATION OF DAVID H. MCALISTER, TO BE CAPTAIN.

NAVY NOMINATION OF DEVIN D. BURNS, TO BE LIEUTENANT COMMANDER.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MARIANO J. BEILLARD AND ENDING WITH WILLIAM G. VERZANI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.