United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162 WASHINGTON, MONDAY, JULY 11, 2016 No. 111

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. MEADOWS).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 11, 2016.

I hereby appoint the Honorable MARK MEADOWS to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

GUN VIOLENCE

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

Mr. BEYER. Mr. Speaker, I rise to express my constituents' demand that Congress act to prevent gun violence.

Following yet another devastating shooting, the House has spent more than its share of moments engaged in contemplation. We have had plenty of times to pause and reflect. We have had more than enough moments of silence. The time to be silent has passed. Now it is time to act.

My colleagues and I held a sit-in here on this House floor 3 weeks ago to demand a vote on solutions to gun violence. We were not engaging in some kind of stunt. We were not seeking publicity. We were speaking for the American people who have simply had enough. They have had enough gun violence, they have had enough moments of silence, and they have had enough carnage and devastation.

The Orlando shooting was the latest in a seemingly endless series of horrific mass shootings that have shocked us all, all of which we agree in hindsight were committed by people who should not have had access to a gun. The individual in Orlando had committed horrible acts of violence against his ex-wife. He exhibited such derangement and rage that he frightened classmates and coworkers. He was even investigated as a potential terrorist by the FBI. He was, in nearly every respect, the very last person we would want to be able to have a gun, walk into a gun store and legally purchase an assault weapon, a Glock, and a massive amount of ammunition.

He did not violate any laws in the purchase of these weapons because the laws we have are not good enough. Doing nothing is not rational. It is madness, it is folly, and it is wrong.

Mr. Speaker, the American people expect and deserve real action, not toothless half measures engineered to silence the people trying to solve this problem. Please, no more games and no more inaction. Just give us a vote on real reform.

Last night, in the middle of the night, I found myself wondering why doesn't the Republican leadership let us have the vote on no fly, no buy and on expanded background checks?

After all, House Republicans have 247 votes; House Democrats, only 188; and not every Democrat might even vote for these bills. With the 59-Member majority, the Republican pro-gun position would certainly prevail.

Or would it? How many moderate Republicans in swing districts might actually vote against their constituents' desires or vote for their constituents' desires?

We cited polls again and again that 85 percent of Americans don't want people on the terrorist watch list to be able to buy guns, and 90 percent of U.S. citizens want to close the background check loopholes.

This is what political scientists call a tough vote. Vote for your constituents and you are in trouble with the NRA. Vote your conscience and you are in big trouble with the Republican leadership. And if you toe the NRA line, the most extreme position, you can be sure your Democratic proponent will let all voters know this fall that you voted with the terrorists.

Yes, a tough vote. Do what is right and moral and sensible and just, and you are in political trouble. Do what PAUL RYAN and the NRA want you to do and you are in political trouble. This is why the Republican leadership will do anything they can to keep from having a House vote on these issues.

But isn't this why we are here? To make the tough votes? To follow our conscience? To do what is right, damn the political consequences? At the very end of our careers, will the poets write verses about the thousands of easy votes we cast?

Neither party has a monopoly on wisdom or truth, but let's have the debate. Let our people argue and persuade and vote and be brave enough to live with the choices we make.

GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. MAXINE WATERS) for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Speaker, I take the floor today to continue the discussion that we started in this House about gun violence.

Something extraordinary took place here in the House of Representatives.

Printed on recycled paper.

We had Members on this side of the aisle, Democrats, who came to the floor and who sat on the floor in the well of the House. That was extraordinary. No one has ever seen this happen before.

Why did this take place? How is it you can get every group in the Democratic Party to basically join in an action that had never taken place before?

What am I talking about?

I am talking about the Women's Caucus, the Black Caucus, the Progressive Caucus. I am talking about New Democrats. I am talking about all of those in our Democratic Party who do not always agree with each other. We work at it, but we have serious and credible disagreements. However, you did not hear any denouncement from any of our Democrats about what we were doing.

Why did we do this, and why did we have basically so much support for what we did?

When I say ''support,'' I am not simply talking about Democrats. I am talking about people who left their homes, their businesses, and their workplaces and joined us outside. They even stayed for hours in the rain to say to us: Thank you for finally giving voice to this problem that we have in this country on gun violence.

The Members of the Democratic Party and those people who were outside basically said: We are sick and tired of the influence that is exerted by the gun lobby.

You have the NRA that owns too many Members of Congress and who can tell them what to do. There are Members who are intimidated by the gun lobby and the NRA. So what they do is they hide behind the Constitution and they will tell you that they are defending their constitutional rights.

None of us, in what we sat in about, talked about taking away anybody's guns. What we said was we have got to make sure that guns are not in the hands of people who should not have them; people who have committed crimes; people who have committed murder; people who have shown that perhaps something is wrong with them psychologically or emotionally. We should not make it easy for these people to have guns.

What should we do about it?

We have two very simple bills, and we begged the Speaker of this House to allow us to take up those bills, to debate those bills, to have them voted up or down.

Well, the Speaker won't do it. The Speaker won't do it because, as it has been described, he, too, is a handmaiden of the gun lobby, along with all of the other Members afraid to come and represent and to deal with the tough issues that confront us.

What were those bills all about?

One is very easy to explain: no fly, no buy.

What does that mean?

It simply means that if you are on a list that says you can't get on an airplane because you are dangerous, we know something about you that will not allow us to allow you to get on an airplane where you may commit an action that could endanger the lives of everybody on that plane and others even on the ground, no fly, no buy.

Why should we sell guns to somebody who we have said are too dangerous to fly on the airplane?

That is all we wanted on that bill, was a vote to say: Yeah, that makes good sense. If you cannot fly, you should not be able to buy.

What is wrong with that?

That is very simple.

Why can't they take up that bill? Aren't they concerned about who gets on the airplane?

Yes. But if you are concerned about who gets on the airplane, you should be concerned about who is able to buy a gun.

The other bill is just as clear, just as simple: universal background checks. We need to know who is buying these guns. Somebody will say: Don't we have something about background checks in the law?

Ladies and gentlemen, we are not covering what is on the Internet. We are not covering the fact that these gun shows are selling guns out of the back of their cars. They don't know who the people are. They don't care who they are, and they walk away with guns, and they go out and they kill people with them.

GUN VIOLENCE

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

Mr. MCNERNEY. Mr. Speaker, our Nation has endured a harrowing week, which has affected each and every one of us.

Senseless and tragic violence, mass shootings, and shootings of those who have sworn to protect us have become part of our daily dialogue. We are forced to cope with the loss of family members, friends, our neighbors, and the fracturing of our communities as a result of gun violence in our country.

My district is no different. Stockton, California, endured the Nation's first mass school shooting in 1989. A man opened fire at Cleveland Elementary School, killing 5 children and injuring 30 students and teachers. It was a senseless act of violence that prompted the California State Legislature to ban assault weapons.

This law helped pave the way for a Federal ban on assault weapons. Unfortunately, Congress gave in to pressure from the gun lobby and let the law expire in 2004. Today there are only six other States and the District of Columbia that have such a ban.

This past Saturday, a man gunned down in central Stockton became the city's 25th homicide of 2016. In the U.S., more than 10,000 Americans will likely be killed by gun murders this year. Another 20,000 lives will likely be lost to suicide. The total number of gun deaths and violent injuries will be close to 100,000. The victims who make these headlines are just as important as the ones that don't.

But there is a brighter side to this story. In my congressional district, as well as in others around the country, there has been a real concerted effort to unite community services, law enforcement, neighborhood leaders, and others to work together to address acts of violence. Although this effort has brought people together and helped focus the community to reduce violence, constant vigilance and peaceful involvement remains needed.

Are there achievable changes to our gun laws within the Constitution that would make a difference?

Absolutely.

Should we, as Congress and the U.S. House of Representatives, work on behalf of our people we represent to take actions?

Yes. Absolutely.

America's poor and minority populations are disproportionately impacted by gun violence. A November 2015 ProPublica article noted that half of American gun death victims are men of color in poor, segregated neighborhoods.

If we really care about our citizens, we should be taking concrete steps to curb gun violence with responsible legislation, such as expanded background checks, a ban on assault weapons, a ban on felons and domestic abusers from owning guns, and gun safety features and safety training.

No one solution will completely solve the problem, but if something like expanding background checks to all gun sales will help keep guns away from dangerous people and save lives, wouldn't it be worth it?

Many Members of this body have heard the call of action from our constituents and took to the House floor in a peaceful, yet meaningful way. We have taken the call to action and joined our constituents at events in our districts. We speak each day, and we will continue to speak about what is needed to change the cycle of violence plaguing our Nation.

It is my hope that just as many folks in our communities strive to reduce all acts of violence that Congress will learn from them. We need a real dialogue about the challenges we face and what it will take to reduce violence in our communities. While such actions might seem difficult or impossible to achieve, we must join together in that pursuit and work toward a peaceful Nation.

Mr. Speaker, not only do we have a responsibility here in Congress, but the citizens and the residents of this country have a responsibility, too. To those contemplating violence, you are hurting yourselves and the people you care about. Nonviolence takes more courage and achieves so much more.

□ 1215

WE NEED TO CLOSE THE LOOPHOLE

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

Mr. THOMPSON of California. Mr. Speaker, I rise today with a heavy heart. Our country is grieving. Innocent lives have been lost. Some of those were the brave public servants, public safety servants who were sworn to protect us. Families have been forever changed by the loss of a loved one, and concern and frustration have visited every corner of our country.

As we move forward from last week's tragedies and work together to build a better nation and a brighter future for every citizen, let us remember that, as Members of Congress, each of us has a unique opportunity to effect meaningful change. We have the opportunity to pass legislation that can help put an end to gun violence that claims the lives of more than 30 Americans every day.

We can't continue to stand by and allow this epidemic of gun violence to continue devastating our communities. Whether it is in a movie theater, on a college campus, at an elementary school, in a church, in a nightclub, or on the streets of our cities, far too many innocent lives have been cut short by someone using a gun.

Let me give you some numbers:

3½—the number of years since the tragedy at Sandy Hook Elementary School;

34,000-plus—the number of people killed by someone using a gun since Sandy Hook;

1,196—the number of mass shootings in our country since Sandy Hook;

31—the number of moments of silence observed by this House for victims of gun violence since Sandy Hook;

525—the number of days the House has been in session since Sandy Hook; and, most sadly

Zero—that is the number of times we have voted on gun violence prevention legislation on this floor.

Think about that; 34,000 people killed by someone using a gun, and the lives of their loved ones forever changed.

One of the 34,000 people killed by someone using a gun since the tragedy at Sandy Hook was a 10-year-old girl named Samantha. Her mother, Catherine, was brave enough to share her story last week on the steps of our Capitol. Catherine and her 10-year-old daughter were shot by a man who couldn't pass a background check, but because of a glaring loophole, he was able to buy a gun online without having to pass a background check. He used that gun to shoot Catherine and to kill Samantha.

My bipartisan, pro-Second Amendment bill, H.R. 1217, would close this loophole and require a background check for all commercial gun sales, including those online, at gun shows, and through classified ads.

Background checks are our first line of defense when it comes to stopping dangerous people from getting firearms. We know that they work. Every day, 170 felons are stopped from buying a gun because of a background check, and 50 domestic abusers are stopped from buying a gun because of background checks.

Everyone says they want to keep guns away from dangerous people, but the only way to know if someone is dangerous is to conduct a background check. Without background checks, how do you know if a person buying a gun is a criminal or dangerously mentally ill? If the man who killed Catherine's daughter hadn't been able to easily bypass the background check by going online, Catherine's tragic story may have been different. It is long past time for the Republican leadership in this House to give us a vote on H.R. 1217.

Just as important for the safety and security of our country and fellow Americans is H.R. 1076, bipartisan, pro-Second Amendment legislation to prohibit those on the FBI's terrorist watch list from being able to legally purchase firearms.

This debate isn't a choice between respecting the Second Amendment or reducing gun violence; it is about this Congress doing both.

Mr. Speaker, give us a vote.

CONGRESS MUST STEP UP AND DO ITS JOB

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

Mr. KILDEE. Mr. Speaker, last week we all woke up to the horrific news of violence in Baton Rouge, in Falcon Heights, and then the terrible events that unfolded in Dallas, where members of their police department were gunned down protecting individuals who were actually standing up to protest. The police officers stood between them and a dangerous person with a dangerous weapon, and many—five members—lost their lives.

This week we mark 1 month since the worst mass shooting in the history of our country. An act of hate, an act of terror that ended 49 lives. That is 49 friends, mothers, fathers, sisters, brothers, sons, and daughters. They left behind communities of people who will never be the same without them.

One of those 49 was Tevin Crosby of Saginaw, Michigan, in my district. Tevin was just 25 years old. He was on a trip visiting family in North Carolina and then went to Florida to see some friends and colleagues. He was a young businessowner, a rising star, according to his friends. An employee at his company told the Saginaw News that Tevin was always smiling, always positive.

This pattern of violence can't be ignored. It demands change. We are better than this. We can do better than this. In this body, in this House of Representatives, we must do better. No one piece of legislation would prevent every shooting, but if it could prevent one, we should act.

Three weeks ago, I joined my colleagues on the floor of this House as we sat down to stand up and say that we had had enough. We demanded, and continue to demand, a vote on commonsense legislation to prevent gun violence.

When the majority adjourned in the middle of the night and went home, we didn't stop. We took our message to every corner of the country. At home in Michigan, I joined with my congressional delegation, my Democratic colleagues, to meet with our constituents and talk with them about what more we can do in Washington to prevent gun violence.

I heard Michiganders talk about what that sort of violence means in their own neighborhoods. Gun violence happens in mass shootings like we saw in Orlando, but it also occurs every single day across our country. In cities like my hometown of Flint, we see gun violence every single week on our streets, in our neighborhoods.

It is our duty in Congress to keep Americans safe and to work toward decreasing gun violence back home. Our constituents are literally dying because it is too easy for dangerous people to get their hands on a gun, and we have a moral responsibility to act.

I have been inspired by the people back in Michigan. I met with moms and dads, sons and daughters, sisters and brothers, faith leaders, elected officials, law enforcement officials, and community activists. They have all come together, joined their voices, calling for a vote on commonsense legislation to prevent gun violence.

When we go home, people are asking: Why aren't you voting to make sure suspected terrorists and dangerous criminals can't buy a gun? Well, the reason is simple. It is because the Republican majority is held captive by the gun lobby. It is that simple. The fact that they are petrified of a single organization keeps them from acting. We are sick of it, and we are not going to stand for it.

What we are asking for, what we are demanding, is a vote on just two commonsense pieces of legislation that have the support of more than 80 percent of Americans. People in Michigan have made it clear they want Congress to act, and I am sure this is true all across the country: act to prevent suspected terrorists from buying deadly weapons; act to make sure that, if a person purchases a gun, they should have to go through a background check no matter how they purchase that weapon.

We can't just express our grief on the floor of this House and then not act on real, meaningful action to prevent gun violence. We must step up as a Congress and do our job and pass strong, smart legislation that will keep our country safe.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 24 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PITTENGER) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Merciful God, we give You thanks for giving us another day.

As our Nation continues to mourn the deaths of the past days, send Your spirit of consolation upon us.

Bless the Members of this people's House with wisdom and the courage to address the pressing difficulties of our time. As they continue the work of this assembly, guide them to grow in understanding in attaining solutions to our Nation's needs.

Continue to bless those, as well, charged with protecting and serving our country. They, too, need wisdom and insight into the pressure points of insecurity among our citizens. Lord, have mercy.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. THOMPSON of California 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 WALKING VETERAN

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

Mr. HILL. Mr. Speaker, earlier this month, I had the pleasure of meeting Thomas Wayne Hudson. Known on Facebook as The Walking Veteran, Mr. Hudson is walking across the country to raise awareness for the issues facing veterans as they transition from military life to civilian status.

Mr. Hudson, who is a disabled veteran, started his journey in Las Vegas on May 2, and plans to finish on Veterans Day here in the Nation's Capital.

While walking with him, I quickly became inspired by his dedication to his fellow veterans. Despite returning to civilian life, Mr. Hudson has dedicated his time, energy, and resources to help fellow veterans, and his mission is a testament to the never-ending spirit and selflessness of our Nation's veterans.

Mr. Hudson told me that a big part of the reason for the walk is to catch the attention of our Nation's elected officials. The Walking Veteran deserves our attention and support, and I am pleased to share his story with my colleagues in the House. I encourage all to follow Mr. Hudson's journey.

CONGRESS MUST ACT

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

Mr. KILDEE. Mr. Speaker, I rise today to join my colleagues in demanding votes on two commonsense, bipartisan pieces of legislation that are overwhelmingly supported by the American people.

First, without a completed background check, we cannot identify criminals, domestic abusers, and other individuals too dangerous to own a gun. Right now, Federal law only requires criminal background checks at federally licensed gun dealers. Criminals can bypass the background check system altogether by going online or to a gun show. H.R. 1217, the bipartisan King-Thompson bill, closes this loophole, requiring background checks for all commercial gun sales regardless of where the sale is made.

Second, if you are too dangerous to fly, you are too dangerous to buy a gun in America. When it is easier for a suspected terrorist to buy a gun than board a plane, something is wrong. H.R. 1076, the bipartisan no fly, no buy legislation, authored in part by Congressman PETER KING, would prevent suspected terrorists from purchasing guns.

Congress must act on these very simple, straightforward, bipartisan bills.

REMEMBERING MARIAN BERGESON

(Mrs. MIMI WALTERS of California asked and was given permission to address the House for 1 minute.)

Mrs. MIMI WALTERS of California. Mr. Speaker, last Wednesday, Marian Bergeson passed away at the age of 90.

Marian was a true pioneer. She was the first woman to serve in both the California State Assembly and State Senate, and she paved the way for so many women in California to pursue public service. Marian herself was a tireless public servant who advocated for education, small business, and transportation.

My friend State Senator Pat Bates summed it up when she said: ''Few people have influenced Orange County and California politics more effectively than Marian did.''

Marian also had a real zest for life. She celebrated her 90th birthday by jumping out of an airplane for the sixth time.

The entire Orange County community joins her husband, Garth, and their three children in mourning, but I hope they will find comfort in knowing her legacy will live on for years to come.

AN URGENT REQUEST FOR THE LEADERSHIP

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

Mr. THOMPSON of California. Mr. Speaker, I didn't come to the floor with prepared remarks today. I just came with a very urgent request.

I ask that the Republican leadership hold a vote on our commonsense, bipartisan, pro-Second Amendment background check legislation and no fly, no buy legislation. Ninety percent of the American people support it. It is pro-Second Amendment. It is bipartisan. The background check now has 187 coauthors. But more important, most important, it works.

Every day, 170 felons are stopped from buying firearms because of the background check. You don't know if a person who is trying to buy a firearm is a criminal, a domestic abuser, or is dangerously mentally ill unless you do a background check.

Please, Mr. Speaker, please Republican leadership, bring these two bills to the floor. Criminals, domestic abusers, potential terrorists, and the dangerously mentally ill should not be able to legally and easily purchase firearms.

HONORING REPRESENTATIVE CARL ROGERS ON HIS RETIREMENT

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

Mr. COLLINS of Georgia. Mr. Speaker, it is my honor today to rise and to make notice of Representative Carl Rogers, State representative from Georgia, who is ending his 22-year career in the State legislature. I want to congratulate him on his retirement. He has served the Gainesville, Hall County area for 22 years. He has served under four Governors, including the last being under his friend, Governor Nathan Deal.

Carl was the epitome of a citizen legislator. He knew his people, and he knew what was best; and sometimes,

whether he was making calls that people understood or even calls that people were critical of, Carl was always the same.

Carl's wife, Linda, has stood by him all these years. They have been married 49 years. Now she is getting him home. For those of us who know Carl, sometimes we think that will be good or bad, but Linda has had Carl for that many years, and she is wonderful.

On one special note, Mr. Speaker, Carl's public service transcends, but it is what the man does in private that means a lot. When I was in Iraq in 2008, separated from my family at Christmas, one night I got a text from my wife. When my family was celebrating Christmas without me, Carl showed up on my front doorstep with Christmas presents for my children.

Carl Rogers, you will be missed sorely in the Georgia Legislature, but I still count you as one of my dearest friends.

RECENT TRAGEDIES ARE TIED TOGETHER

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

Mr. LOWENTHAL. Mr. Speaker, Dallas, Texas; Falcon Heights, Minnesota; Baton Rouge, Louisiana—these are not individual incidents occurring in a vacuum outside the orbits of each other. These tragedies are tied together by the threads of anger and fear. They filled me with horror, with sadness, and grief.

I know that we as a nation cannot allow ourselves to grow numb to this. Each of these deaths, each of these innocent lives lost, should cause each of us great sorrow and pain. They should pain us not just for the simple loss of human life, but also for the realization that their deaths—and the more than 90 people who die from gunfire each day in this Nation—are the painful signs that something is profoundly wrong in our society.

Let us begin the healing and let us unite by passing no fly, no buy and universal background checks. As the President has said, ''We are better than this.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

U.S. TERRITORIES INVESTOR PROTECTION ACT OF 2016

Mr. HURT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5322) to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5322

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 ''U.S. Territories Investor Protection Act of 2016''.

SEC. 2. TERMINATION OF EXEMPTION.

(a) IN GENERAL.—Section 6(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–6(a)) is amended by striking paragraph (1).

(b) EFFECTIVE DATE AND SAFE HARBOR.—

(1) EFFECTIVE DATE.—Except as provided in paragraph (2), the amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) SAFE HARBOR.—With respect to a company that is exempt under section 6(a)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a–6(a)(1)) on the day before the date of the enactment of this Act, the amendment made by subsection (a) shall take effect on the date that is three years after the date of the enactment of this Act.

(3) EXTENSION OF SAFE HARBOR.—The Securities and Exchange Commission, by rule and regulation upon its own motion, or by order upon application, may conditionally or unconditionally, under section 6(c) of the Investment Company Act of 1940 (15 U.S.C. 80a–6(c)), further delay the effective date for a company described in paragraph (2) for a maximum of three years following the initial three-year period if, before the end of the initial three-year period, the Commission determines that such a rule, regulation, motion, or order is necessary or appropriate in the public interest and for the protection of investors.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. HURT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. HURT of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

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

There was no objection.

Mr. HURT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5322, the U.S. Territories Investor Protection Act, and thank the gentlewoman from New York (Ms. VELÁZQUEZ) for her leadership on this issue.

This measure would amend the Investment Company Act of 1940 to terminate an exemption for investment companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States. Under current law, such companies are exempt from registration under the Investment Company Act if their shares are sold exclusively to residents of the territory in which they are located.

This bill is about leveling the playing field, and it ensures that investment companies in Puerto Rico, Guam, and elsewhere are subject to the same rules as their mainland counterparts. Moreover, when the Investment Company Act was enacted, it was difficult and cost prohibitive for the SEC to travel to, inspect, and provide oversight for these companies. Now modern technologies allow the SEC to seamlessly gather information, and it is time that we update this law.

When this measure was considered during the recent Committee on Financial Services markup, it received unanimous support, passing out of the committee by a vote of 59–0. Mr. Speaker, I ask that my colleagues support this bill.

I reserve the balance of my time.

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

The Investment Company Act of 1940 governs investment companies such as mutual funds, closed-end funds, unit investment trusts, and exchange-traded funds. Its purpose is to protect investors in such funds and to provide for impartial oversight of these companies.

Among other things, the 1940 act regulates the type of activities that such companies can undertake and establishes standards for their conduct. In doing so, it describes investment companies' functions and their structure; regulates various transactions among affiliated persons; limits the amount of leverage they can undertake; outlines accounting, recordkeeping, and auditing requirements of funds; and describes how securities may be redeemed and repurchased. These matters sound technical, but they provide fundamental protections for investors in U.S. investment companies.

Due to a historical artifact, however, all funds that are located and organized in and sold only to residents of U.S. territories are exempted from the 1940 act. The reason for such an exemption was that, at the time the act was being considered in 1940, the U.S. territories were deemed to be too distant from Washington, D.C., thus making travel to them cost prohibitive. Obviously, the cost of air travel is no longer cost prohibitive and not a reason to exempt territories from the 1940 act.

As a result of this exemption, investment companies located in U.S. territories can sell products to the residents and not be subject to the oversight, disclosure, and conflict-of-interest requirements that such companies located in the mainland U.S. are subject to.

□ 1415

The outcome is that those located in the U.S. territories have been subject

to investment losses, some resulting from behavior that likely would have been prohibited if the act applied to the island's investment companies.

To address this matter, H.R. 5322, the U.S. Territories Investor Protection Act, applies the 1940 act to currently exempt investment companies that are located, organized in, and sold to residents of these territories.

In order to permit investment companies to comply with the legislation, it provides for a 3-year compliance period with an option at the approval of the SEC for an additional 3 years. This time period balances the need to bring the investor protections of the 1940 act to the territories with enough time for affected entities to fully understand and comply with the 1940 act.

It is important to note that if investment companies need further relief from any specific requirement of the 1940 act, they are able to request such relief through the SEC under existing law.

I want to thank Chairman HENSARLING for working with me throughout the last 9 months in a productive manner. Such cooperation was critical to developing an approach that would apply the act in a manner sensitive to investors and investment companies.

As a result, I believe the framework of this bill, when combined with current statutory mechanisms, will provide a sufficient time period for adjustment and compliance.

I urge Members to support this legislation. This legislation will dramatically benefit investors in Puerto Rico. Those that call Puerto Rico home will now be subject to the same investor protection laws that those on the mainland are subject to. This is not only fair, but it is right, as many Puerto Ricans have lost their life savings in investment products offered only on the island.

When it comes to Puerto Rico, it is important to realize that what we are doing is not creating a new law or imposing a Federal mandate on the island. We are simply closing the loophole that has prevented Puerto Ricans from enjoying the same protections as the rest of Americans.

With the enactment of this bill, the 1940 act will be applied to Puerto Rico and other U.S. territories in the same exact manner it is applied to all 50 States. Investors and consumers in Puerto Rico deserve this, and this bill is long overdue.

Not only will the 1940 act provide Puerto Rico's investors with much-needed safeguards, but the current fiscal crisis on the island is creating budgetary challenges for the local government. Having additional Federal oversight of investment activity is now especially critical for the island's residents.

In closing, I want to thank Chairman HENSARLING again for his cooperation and bringing this important bill forward to the floor. I ask Members to support this bill.

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

Mr. HURT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just like to reiterate what Ms. VELÁZQUEZ has said and recognize her hard work on this issue. Clearly, the time is right that we recognize that Puerto Rico, Guam, other territories, and possessions of the United States must be afforded the same protections that the Securities and Exchange Commission provides through the laws of the United States.

I also want to commend our chairman, Chairman HENSARLING, for his leadership on this issue, recognizing that, in this instance and in many instances, he looks for opportunities for us to work together in a bipartisan way.

So I commend this to my colleagues. I certainly want to remind the body that this passed out of committee with a unanimous 59–0 strong bipartisan vote. You can't get any stronger than that. I ask that my colleagues support this measure.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. HURT) that the House suspend the rules and pass the bill, H.R. 5322.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SUPPORT FOR CAPACITY OF THE INTERNATIONAL MONETARY FUND TO PREVENT MONEY LAUNDERING AND FINANCING OF TERRORISM

Mr. FITZPATRICK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5469) to require the Secretary of the Treasury to direct the United States Executive Director at the International Monetary Fund to support the capacity of the International Monetary Fund to prevent money laundering and financing of terrorism.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5469

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SUPPORT FOR CAPACITY OF THE INTERNATIONAL MONETARY FUND TO PREVENT MONEY LAUNDERING AND FINANCING OF TERRORISM.

(a) IN GENERAL.—Title XVI of the International Financial Institutions Act (22 U.S.C. 262p—262p–12) is amended by adding at the end the following:

"SEC. 1629. SUPPORT FOR CAPACITY OF THE INTERNATIONAL MONETARY FUND TO PREVENT MONEY LAUNDERING AND FINANCING OF TERRORISM.

''The Secretary of the Treasury shall instruct the United States Executive Director at the International Monetary Fund to support the use of the administrative budget of the Fund for technical assistance that strengthens the capacity of Fund members to prevent money laundering and the financing of terrorism.''.

(b) REPORT TO THE CONGRESS.—Within 1 year after the date of the enactment of this Act, the Secretary of the Treasury shall report to the Committee on Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate on—

(1) the activities of the Fund in the most recently completed fiscal year to provide technical assistance that strengthens the capacity of Fund members to prevent money laundering and the financing of terrorism, and the effectiveness of the assistance; and

(2) the efficacy of efforts by the United States to achieve the policy goal described in this section and any further actions that need to be taken to implement this goal.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. FITZPATRICK) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. FITZPATRICK. Mr. Speaker, I unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill.

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

There was no objection.

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

Mr. Speaker, the IMF provides consultations to improve the economic governance of member countries. Traditional areas of focus have included fiscal administration, monetary policy, and financial statistics. More recently, however, the Fund has had to respond to increased demand for technical assistance devoted to anti-money laundering and countering the finance of terrorism, AML/CFT.

While other international financial institutions also provide such assistance, it is commonly agreed that the IMF's role is preeminent, given its ongoing specialized work with fiscal authorities and other central banks.

The IMF bases its AML/CFT work on the international standards, with its technical assistance including activities such as risk assessments, national AML/CFT strategies, legal and regulatory reforms, and the development of financial intelligence units. These FIUs are particularly important for countries that need to process reports of suspicious transactions that may be related to criminal and terrorism activity.

H.R. 5469 will help the IMF continue and expand these programs by making AML/CFT technical assistance a priority and by reasserting its importance to the U.S. Treasury.

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

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

This commonsense legislation is aimed at expanding the resources the International Monetary Fund can tap in order to provide member countries with technical assistance for anti-money laundering and counterterrorist financing efforts.

Through the IMF's legal department, experts provide assistance to countries that want to put in place effective AML/CFT frameworks in compliance with international standards. Unfortunately, demand is outpacing supply.

Currently, the IMF provides only about $7 million dollars in AML/CFT technical assistance a year. It is funded almost entirely through volunteer donor trust fund contributions. The U.S. does not contribute to the trust fund. This bill will require the U.S. Executive Director at the IMF to advocate for additional AML/CFT technical assistance financing through the IMF's administrative budget.

The provision of AML/CFT technical assistance should be a top priority, and I think many of us would support a slightly larger transfer of the IMF's annual net profits into the budget to accommodate this important work.

This bill represents an important goal, one that the U.S. should pursue at the IMF, and I urge my colleagues to support this measure.

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

Mr. FITZPATRICK. Mr. Speaker, I yield 3 minutes to the gentleman from New Mexico (Mr. PEARCE), the author of the bill.

Mr. PEARCE. Mr. Speaker, I thank the gentleman for yielding, and I appreciate my colleague for her support on the bill.

The IMF plays a very significant role in global economic stability. Since they work with the world's central banks and financial institutions, it is only appropriate that we would be extending technical assistance to this organization and make it more permanent that they would finance and back up the plans of all countries to combat money laundering and terrorism. That is the simple precept of the bill.

So as we look at the possibilities, the global rise of terrorism is causing instability in every corner of the world. The world should be now standing up saying that we all join hands, we join arms, link arms to fight this global scourge. One of the most important fights is the ability to choke off the financing, to interrupt the financing of the operations.

This will not do completely what we need to do to stop the threats of global terrorism, but it will go a long way. But, more importantly, it will get buy-in from countries right now are reticent to take part. That is one of the essential things. Some nations are allowed to sit on the sidelines, and all we are saying is that should be up to all of us, not one country here, not the countries that are being affected, but the entire world should be standing together.

This is just a commonsense, pragmatic approach to the situation of money laundering and terrorism. Again, it is not a partisan issue. So I appreciate the input of my colleagues on the other side of the aisle.

With that, I recommend that all vote ''yes'' on H.R. 5469.

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

I thank my colleague from New Mexico (Mr. PEARCE), for his important work on the anti-financing of terrorism issue. It is a very patriotic effort on his part. It's an important bill. We thank our colleagues across the aisle for their support of the bill as well, and I ask our colleagues as well to support the passage of H.R. 5469.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill, H.R. 5469.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NATIONAL STRATEGY FOR COMBATING TERRORIST, UNDERGROUND, AND OTHER ILLICIT FINANCING ACT

Mr. FITZPATRICK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5594) to require the establishment of a national strategy for combating the financing of terrorism and related financial crimes, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5594

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Strategy for Combating Terrorist, Underground, and Other Illicit Financing Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The financing of terrorism and related forms of illicit finance present a direct threat to national security and a threat to global stability.

(2) New terrorist groups or threats can form quickly, and other groups change tactics to adapt, creating a constantly changing terrorist environment, presenting ever-changing risks and challenges to programs to disrupt the financing of terrorism and related forms of illicit finance.

(3) As demonstrated in hearings before the Task Force to Investigate Terrorism Financing, terrorists in some instances have formed symbiotic relationships with, or are taking over, transnational crime syndicates, so that funding for both terrorism and profits from crime flow in the same fashion and often are indistinguishable.

(4) Methods of concealing the movement of illicit funding change quickly in a globalized economy, and rapid technological changes and financial innovation pose new risks that may be increasingly difficult for governments to stay abreast of without an agile, constantly adjusted strategy to spot, disrupt, and prevent the financing of terrorism and related forms of illicit finance.

(5) A bipartisan requirement to create a national anti-money laundering strategy enacted in 1998 expired in 2007. Given the rapid globalization and rapid technology changes of the financial sector, an updated strategy focused on the financing of terrorism is necessary.

(6) It is important for the Government to have a unified strategy to fight financial crime and to update it annually, both to accommodate new and developing threats and to help Congress develop legislative and funding priorities.

(7) An effective strategy to counter terrorism financing is a critical component of the broader counter terrorism strategy of the United States.

SEC. 3. DEVELOPMENT OF NATIONAL STRATEGY.

(a) IN GENERAL.—The President, acting through the Secretary of the Treasury (the ''Secretary'') shall, in consultation with the Attorney General, the Secretaries of State, Defense, and Homeland Security, the Director of National Intelligence and the appropriate Federal banking agencies, develop a national strategy for combating the financing of terrorism and related forms of illicit finance.

(b) TRANSMITTAL TO CONGRESS.—By June 1 each year following the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a national strategy developed in accordance with subsection (a)

(c) EVALUATION OF EXISTING EFFORTS AND BROADER STRATEGY.—The President shall accompany each strategy submitted under subsection (b) with a report that—

(1) describes the effectiveness of efforts to enforce existing prohibitions against illicit finance;

(2) describes how the United States is addressing the highest levels of risk identified in the National Money Laundering Risk Assessment and the National Terrorist Financing Risk Assessment published by the Department of the Treasury;

(3) evaluates the effectiveness of United States efforts to fight illicit finance at actually preventing, discovering, and countering terrorist financing and other forms of illicit finance (and the effectiveness of those efforts that the United States coordinates with foreign nations); and

(4) describes how the strategy submitted under subsection (b) is integrated into, and supports, the broader counter terrorism strategy of the United States.

(d) SEPARATE PRESENTATION OF CLASSIFIED MATERIAL.—Any part of the national strategy that involves information which is properly classified under criteria established by the President shall be submitted to the Congress separately in a classified annex and, if requested by the chairman or ranking Member of one of the appropriate congressional committees, as a briefing at an appropriate level of security.

SEC. 4. CONTENTS.

(a) IN GENERAL.—The strategy described under section 3 shall contain, at a minimum, the following:

(1) THREATS, GOALS, OBJECTIVES, AND PRIORITIES.—A comprehensive, research-based, long-range, quantifiable discussion of threats, goals, objectives, and priorities for disrupting, preventing and reducing the number, dollar value, and effects of illicit finance in the United States and foreign countries that impact the security of the United States.

(2) COORDINATION.—A discussion of methods to best coordinate such efforts with international, State, and local officials, law enforcement, regulators, and financial institutions.

(3) REVIEWS AND PROPOSED CHANGES.—Reviews of enforcement efforts, relevant regulations and relevant provisions of law and, when appropriate, discussions of proposed changes determined to be appropriate to ensure that the United States pursues coordinated and effective efforts at all levels of government in the fight against illicit finance and with international partners.

(4) DETECTION AND PROSECUTION INITIATIVES.—A description of efforts to improve detection and prosecution of illicit finance, including efforts to ensure that—

(A) subject to legal restrictions, all appropriate data collected by the Government that is relevant to the efforts described in this Act be available in a timely fashion to all appropriate Federal departments and agencies and, as appropriate and consistent with section 314 of the USA PATRIOT Act, to financial institutions to assist them in efforts to comply with laws aimed at curbing illicit finance; and

(B) appropriate efforts are undertaken to ensure that Federal departments and agencies charged with reducing and preventing illicit finance make thorough use of publicly available data in furtherance of this effort.

(5) THE ROLE OF THE PRIVATE FINANCIAL SECTOR IN PREVENTION OF ILLICIT FINANCE.—A discussion of ways to enhance partnerships between the private financial sector and Federal departments and agencies with regard to the prevention and detection of illicit money laundering finance, including—

(A) efforts to facilitate compliance with laws aimed at stopping such illicit finance while maintaining the effectiveness of such efforts; and

(B) providing incentives to strengthen internal controls and to adopt on an industry-wide basis more effective policies.

(6) ENHANCEMENT OF INTERGOVERNMENTAL COOPERATION.—A discussion of ways to combat illicit finance by enhancing—

(A) cooperative efforts between Federal, State, and local officials, including State and local prosecutors and other law enforcement officials;

(B) to the extent possible, cooperative efforts among States and between State and local officials, including State and local regulators, prosecutors, and law enforcement officials; and

(C) cooperative efforts with and between governments of countries and with and between multinational institutions with expertise in fighting illicit finance.

(7) PROJECT AND BUDGET PRIORITIES.—A 3-year projection for program and budget priorities and achievable projects for reductions in illicit finance.

(8) ASSESSMENT OF FUNDING.—A complete assessment of how the proposed budget described under paragraph (7) is intended to implement the strategy described in this Act and whether the funding levels contained in the proposed budget are sufficient to implement the strategy, including a discussion of the extent to which funding for such efforts is or should be funded from fines, settlements, seizures or forfeitures related to illicit finance.

(9) TREND ANALYSIS.—Data regarding trends in illicit finance, with a special focus on the funding of terrorism.

(10) ENFORCEMENT REPORT.—A report containing an evaluation of the enforcement of policies to combat illicit finance.

(11) ENFORCEMENT.—A discussion of the current policies of the United States to enforce the provisions of the Bank Secrecy Act and related laws regarding the financing of terrorism and other forms of illicit finance, together with recommendations for improving enforcement.

(12) TREASURY ATTACHÉS.—A discussion of the Department of the Treasury attachés, including—

(A) a list of embassies where Department of the Treasury attachés are posted and a discussion of their effectiveness in the fight against illicit finance;

(B) a list of the United States embassies at which a Department of the Treasury attaché is assigned for temporary duty, the length of such assignments, and the reason why such assignments are not considered to be permanent assignments;

(C) how the Department of the Treasury's interests relating to economic and anti-terror finance issues are handled at other embassies, including a discussion of the reporting structure by which such issues are brought to the direct attention of the ambassador; and

(D) the effect of not having more attachés in embassies that are most vulnerable to illicit finance threats and a discussion of whether the Department of the Treasury's economic or anti-illicit finance issues are thought to be under-represented in some embassies or regions.

(13) ILLICIT FINANCE AND CYBER CRIME.—A discussion of terrorist financing and other forms of illicit finance that involve cyber attacks, evolving forms of value transfer, including so-called ''crypto currencies'', and other methods that are computer, telecommunications, or internet-based.

(14) TECHNOLOGY.—An analysis of current and developing ways to leverage technology to improve the effectiveness of the fight against the financing of terror and other forms of illicit finance, including the use of ''big data'' analytics, the merging of publicly sourced data with Bank Secrecy Act data and with other forms of secure Government data to increase such effectiveness, and ways to enhance the role of the private sector in combating illicit finance.

SEC. 5. DEFINITIONS.

For purposes of this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Financial Services, Committee on Foreign Affairs, Committee on Armed Services, Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs, Committee on Foreign Relations, Committee on Armed Services, Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate.

(2) APPROPRIATE FEDERAL BANKING AGENCIES.—The term ''appropriate Federal banking agencies'' has the meaning given that term under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(3) BANK SECRECY ACT.—The term ''Bank Secrecy Act'' means—

(A) section 21 of the Federal Deposit Insurance Act;

(B) chapter 2 of title I of Public Law 91–508; and

(C) subchapter II of chapter 53 of title 31, United States Code.

(4) ILLICIT FINANCE.—The term ''illicit finance'' means the financing of terrorism, money laundering, and other forms of illicit or underground financing or other illicit finance domestically and internationally, as defined by the President.

(5) STATE.—The term ''State'' means each of the several States, the District of Columbia, and each territory or possession of the United States.

The SPEAKER pro tempore (Mr. COLLINS of New York). Pursuant to the rule, the gentleman from Pennsylvania (Mr. FITZPATRICK) and the gentleman from Massachusetts (Mr. LYNCH) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. FITZPATRICK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill.

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

There was no objection.

□ 1430

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

Mr. Speaker, during my 2-year appointment on the House Financial Services Committee's Task Force to Investigate Terrorism Financing, I joined with Ranking Member STEPHEN LYNCH, Vice Chair ROBERT PITTENGER, and a dedicated, bipartisan body to investigate and evaluate the efforts made by the United States to counter and dismantle the financial networks funding terrorist organizations. During this time, our task force heard repeated testimony that information sharing is not as efficient as it ought to be and that, in some instances, agencies or departments are not coordinating their efforts well enough.

During a hearing held by our task force, Juan Zarate, senior adviser at the Center for Strategic and International Studies, stated that, and this is a quote: ''The U.S. Government's approach to its economic vulnerabilities is scattered—with strategies to protect supply chain security, combat transnational organized crime, secure the cyber domain, protect critical infrastructure, and promote U.S. private sector interests abroad to compete with state-owned enterprises . . . the U.S. should craft a deliberate strategy that aligns economic strength with national security interests more explicitly and more completely.''

This, Mr. Speaker, is exactly what this bill aims to address. H.R. 5594 requires the President, acting through the Treasury, to develop and publish an annual whole-of-government strategy to combat money laundering and terrorist financing.

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

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

I am very pleased to rise, along with my colleagues Chairman MICHAEL FITZPATRICK from Pennsylvania; our vice chair, the gentleman from North Carolina (Mr. PITTENGER); the gentlewoman from New York (Ms. VELÁZQUEZ); and also the gentlewoman from Arizona (Ms. SINEMA), in support of H.R. 5594, a bill that will build on the administration's commendable efforts to counter the financing of terrorism.

I would note that the proposal before us today, of which I am a cosponsor, also builds off of previous bipartisan legislation, led by the gentlewoman from New York (Ms. VELÁZQUEZ), and former Financial Services Committee Chairman, Spencer Bachus. Together, their legislation, enacted in 1998, called for the creation of a national anti-money laundering strategy and laid the groundwork for the legislation that we present here today.

Thanks to the continued leadership of Representative VELÁZQUEZ and the work of members of the Financial Services Committee's Task Force to Investigate Terrorism Financing, which was created by the full committee chairman, Mr. HENSARLING of Texas, and joined by the gentlewoman from California (Ms. MAXINE WATERS), our government will be required to continue its efforts to stay ahead of the evolving methods that terrorists and other bad actors use to conceal the movement of illicit funds.

Specifically, the national strategy that will be developed as part of this legislation will require a comprehensive assessment of the threats, goals, objectives, and priorities for preventing and disrupting illicit finance, and it will promote efforts to detect and prosecute the financing of terrorism.

Moreover, this legislation includes a requirement to assess the ways in which we can strengthen the role of the private sector, enhance public-private partnerships to disrupt illicit finance, and most effectively enhance intergovernmental coordination.

Our legislation also calls on the administration to assess the adequacy of funding dedicated to meeting anti-money laundering/counterterrorist financing challenges, and assess how best to leverage technology and other data to fight against the financing of terror.

As the Islamic State and other terrorist groups continue to demonstrate their capacity and willingness to export heinous acts of violence to every corner of the globe and inspire attacks here in the United States, the need to have an effective strategy to counter the financing of these activities is now more important than ever.

In closing, I would like to thank House Financial Services Committee Chair JEB HENSARLING and Ranking Member MAXINE WATERS for the creation of the Financial Services Committee's Task Force to Investigate Terrorism Financing.

I would also like to again thank the gentleman from Pennsylvania, Chairman MIKE FITZPATRICK; the gentleman from North Carolina, Vice Chair ROBERT PITTENGER; and the rest of my colleagues on the Financial Services Committee for the enthusiasm and energy with which they have carried out the mandate of the task force. Our work has been a truly bipartisan effort, and I look forward to the opportunity to build on these efforts in the future.

I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. FITZPATRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL), an important and valued member of the task force.

Mr. HILL. I thank the chairman for yielding. I thank Mr. LYNCH for his important legislation, H.R. 5594, which I stand in support of and as a cosponsor of today.

I want to thank Chairman FITZPATRICK and Chairman HENSARLING for the opportunity to serve on this critical task force on terror financing. It is an important but less-discussed part of the war on terror.

This war on terror requires a more nuanced approach to achieve victory than previous U.S. conflicts. It requires the full coordination and collaboration of allied financial, cyber, diplomatic, and military capabilities. And one of the most underreported aspects of winning this war has been infiltrating and cutting off sources of funding for terrorist groups.

Like its occasional intermittent engagement, accompanied by long periods of lack of resolve, lack of clear rules of engagement that would produce victory, occasionally, this administration has not been consistent in pressing for victory in the war on terror finance. But since San Bernardino and Paris, we see the administration aggressively targeting ISIS' funding sources.

Instead of intermittent, we need a coordinated strategy to combat terror finance between all of our government agencies and with our allies to make sure it is the most effective in countering this menace.

The Financial Crimes Enforcement Network, or FinCEN, is our Nation's front line at the Treasury for government-to-government and enhanced government-to-private sector coordination that this national strategy puts in full force.

I was pleased to cosponsor Mr. LYNCH's amendment that was passed in last week's Financial Services appropriations legislation that includes an increase for FinCEN's budget.

I am proud to join my colleague, Mr. FITZPATRICK, and our committee on this important bill to require a national strategy to combat terrorism, underground, and other forms of illicit finance. I urge my colleagues to support this important bill.

Mr. LYNCH. Mr. Speaker, I thank the gentleman from Arkansas, and I yield 3 minutes to the gentlewoman from Arizona (Ms. SINEMA), one of our lead cosponsors on this legislation.

Ms. SINEMA. Mr. Speaker, I thank Chairman FITZPATRICK and Ranking Member LYNCH.

Over the course of the past year, the Task Force to Investigate Terrorism Financing has found that U.S. Government efforts to counter the financing of terrorism lack sufficient coordination and that the United States has no unified national strategy to guide our counterfinancing efforts.

The Federal Government must change its approach and mindset to counter the financing of terrorism, and this is why Chairman FITZPATRICK and I introduced this bipartisan legislation to direct the Secretary of the Treasury, in coordination with relevant Federal agencies, to establish a whole-of-government strategy to combat the financing of terrorism and related forms of illicit finance.

This strategy must include: a critical assessment of the effectiveness of U.S. efforts to fight terrorist financing; ways to improve coordination with international, State, and local law enforcement and the private sector; and a comprehensive discussion of threats, goals, objectives, and priorities for disrupting and preventing terrorist financing. The strategy should enhance detection, deterrence, prosecution, and ultimately strengthen our broader national security goals.

Our legislation forces the Federal Government to create a whole-of-government strategy to counter terrorism financing that improves the effectiveness of our efforts and better aligns these efforts with our broader national interests.

Terrorism is an undeniable threat to our country's security and global stability. Terrorist networks constantly develop new ways to finance their deadly operations and threaten America.

The Islamic State is one of the world's most violent, dangerous, and well-financed terrorist groups. To keep our country safe, we must be one step ahead of ISIS, cutting off its funding and stopping its efforts.

I thank Chairman FITZPATRICK and Congresswoman VELÁZQUEZ for allowing me to join and work with them on this important legislation.

I thank Chairman HENSARLING and Ranking Member WATERS for establishing this important task force, and I thank Chairman FITZPATRICK and Ranking Member LYNCH for their leadership on the Task Force to Investigate Terrorism Financing.

I look forward to working with my colleagues on both sides of the aisle to keep money out of terrorists' hands and build on our progress to strengthen America's security.

Mr. FITZPATRICK. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Mrs. WAGNER), a trusted member of the Task Force to Investigate Terrorism Financing.

Mrs. WAGNER. Mr. Speaker, I thank my colleague, Representative FITZPATRICK, the chair of our terrorism task force here, along with Representative LYNCH, Representative SINEMA, and others, for moving forward on this issue and legislation.

I stand today in support, and I am proud to have been a cosponsor of this important legislation that would require the President to develop an all-encompassing government strategy to

combat money laundering and terrorist financing.

The National Strategy for Combating Terrorist, Underground, and Other Illicit Financing Act addresses this important problem by developing a comprehensive strategy that includes many different components and capabilities of our Federal Government and allies.

From my time working on the terrorism finance task force, we have heard testimony from members of various government agencies and from the private sector who play a role in fighting this issue abroad. As a former United States Ambassador who has worked to stop international terrorist financing, it is clear that coordination and communication between these agencies can be improved to block terrorist financing.

ISIS, along with other terrorist groups, continues to find creative and new ways to obtain financing, oftentimes using our regulated financial system as a means to launder that money. This legislation, H.R. 5594, ensures our government is taking all actions necessary to stop this growing terrorist threat, and I urge its passage.

Mr. LYNCH. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

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

In closing, I just want to again thank Chairman HENSARLING and Ranking Member WATERS for entrusting to myself and my colleague, Mr. LYNCH, the important work of investigating terrorism finance, how these terrorist organizations are achieving their resources, what we can do to sort of choke off their financing, which, to terrorism, is sort of like oxygen. Without oxygen, you can't live. Without financing, terrorists can't achieve their goals.

So I want to thank Mr. LYNCH because, during the course of the 2 years we worked together, he worked very closely with me to make sure, in each of the hearings that we had and all the work in putting the bills together, that no politics seeped into this important work, and so we continue to work together.

I also want to thank the staff of the Financial Services Committee, Mr. Joe Pinder, Mr. Chris Matarangas of my staff, and Jackie Cahan of Representative LYNCH's staff, who helped us craft the legislation that is on the floor today. I ask all of my colleagues to support this bill to adopt H.R. 5594.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill, H.R. 5594.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANTI-TERRORISM INFORMATION SHARING IS STRENGTH ACT

Mr. FITZPATRICK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5606) to facilitate better information sharing to assist in the fight against the funding of terrorist activities, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5606

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 ''Anti-terrorism Information Sharing Is Strength Act''.

SEC. 2. INFORMATION SHARING.

(a) IN GENERAL.—Section 314 of the USA PATRIOT Act (31 U.S.C. 5311 note) is amended—

(1) in subsection (b)—

(A) by striking ''terrorist or money laundering activities'' and inserting ''terrorist acts, money laundering activities, or a specified unlawful activity (as defined under section 1956(c)(7) of title 18, United States Code)''; and

(B) by striking ''activities that may involve terrorist acts or money laundering activities'' and inserting ''activities that may involve terrorist acts, money laundering activities, or a specified unlawful activity''; and

(2) in subsection (c), by inserting ''or a specified unlawful activity (as defined under section 1956(c)(7) of title 18, United States Code)'' after ''terrorist acts or money laundering activities''.

(b) UPDATE TO REGULATIONS.—Section 314(a) of the USA PATRIOT Act (31 U.S.C. 5311 note) is amended by striking ''or money laundering activities'' each place such term appears and inserting '', money laundering activities, or a specified unlawful activity (as defined under section 1956(c)(7) of title 18, United States Code)''.

(c) SENSE OF CONGRESS.—Section 314 of the USA PATRIOT Act (31 U.S.C. 5311 note) is amended by adding at the end the following:

''(e) SENSE OF CONGRESS.—It is the sense of the Congress that, in furtherance of efforts to stop the financing of terror and other forms of illicit financing through increased sharing of information, and consistent with the need to prevent inappropriate dissemination of such information—

''(1) Federal law enforcement agencies and regulators should share information about terrorist activities, money laundering activities, and other specified unlawful activities (as defined under section 1956(c)(7) of title 18, United States Code) to the fullest extent possible and in a timely fashion; and

''(2) financial institutions, including nonbank financial institutions, should share information about such acts and activities with each other to the fullest extent possible and in a timely fashion.''.

SEC. 3. DISCLOSURE LIABILITY.

Section 5318(g)(3)(B) of title 31, United States Code, is amended—

(1) in clause (i), by striking ''or'' at the end;

(2) in clause (ii), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(iii) any duty or requirement of a financial institution or any director, officer, employee, or agent of such institution to demonstrate to any person, as used in such subparagraph, that a disclosure referenced in such subparagraph is made in good faith.''.

SEC. 4. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than the end of the 120-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury shall report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate regarding—

(1) the Department of the Treasury's assessment of the risks and benefits of allowing sharing of information, consistent with appropriate privacy protections—

(A) between United States financial institutions and foreign financial institutions;

(B) between United States financial institutions and their foreign subsidiaries; and

(C) between United States subsidiaries of foreign financial institutions and their parent financial institutions; and

(2) whether a financial institution defined under section 5312(a)(2) of title 31, United States Code, that is not required under Treasury regulations on the date of the enactment of this Act to maintain an anti-money laundering program, should be authorized to appropriately share information pursuant to subsection (b) of section 314 of the USA PATRIOT Act, if—

(A) the financial institution voluntarily establishes and maintains such an anti-money laundering program;

(B) such program is subject to examination, and has been examined, by the appropriate regulator; and

(C) the Secretary determines such program to be adequately operating.

(b) SEPARATE PRESENTATION OF CLASSIFIED MATERIAL.—Any part of the report described under subsection (a) that involves information which is properly classified under criteria established by the President shall be submitted to the committees described under subsection (a) separately in a classified annex and, if requested by the chairman or ranking Member of one of such committees, as a briefing at an appropriate level of security.

SEC. 5. RULEMAKING.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury shall issue regulations to be consistent with the amendments made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. FITZPATRICK) and the gentleman from Massachusetts (Mr. LYNCH) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. FITZPATRICK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill.

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

There was no objection.

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

Mr. Speaker, in the opaque world of counter-threat finance, information sharing is critical for both the private and also the public sectors.

The PATRIOT Act created a safe harbor provision allowing for limited information sharing to combat money

laundering and terrorist financing. However, this provision has not been widely used, and some recent court decisions have called into question banks' liability for complying with requirements to report suspected money laundering, necessitating minor changes in law to clarify congressional intent.

□ 1445

While subsection 314(b) of the PATRIOT Act encourages government agencies to share appropriate information with banks, and banks to share information with each other, banks have complained that the government does an inadequate job of sharing information that could help banks more easily identify suspicious activities.

Throughout the task force hearings, banks and other experts have stated that more and better information sharing would reduce the compliance burden on banks and make their efforts more effective.

H.R. 5606 aims to enhance safe harbor provisions for information sharing by broadening the range of suspected illegal activities abroad, but requires a study to determine the appropriate level of sharing with information subsidiaries or headquarters of U.S. banking operations, and then requires new rulemaking to clarify congressional intent. This proposed change would ensure that financial institutions file SARs without fear of civil litigation simply for complying with Federal law and would, thus, facilitate the continued flow of critically important suspicious activity reporting.

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

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

I would like to just clarify that it was really the task force chairman, the gentleman from the State of Pennsylvania (Mr. FITZPATRICK), who set the tone for the bipartisan work between Members on both sides of the aisle. That has really carried the day and, I think, resulted in some very strong and effective legislation that came as a result of the work that many of the Members on both sides of the aisle here—Mr. PITTENGER especially, and Mr. FITZPATRICK as well, and Members on our side—in dealing with a lot of the governments in the Middle East, some of the financial intelligence units that operate in Lebanon, but also in Jordan, in Turkey, in various countries in Africa, as well as some of the countries that my colleagues visited in South and Central America. So this is a global effort and, like I say, it is a bipartisan effort.

I rise today in support of H.R. 5606, legislation offered by my colleagues, Representatives PITTENGER of North Carolina and Ms. MAXINE WATERS of California, that will enhance and promote the timely sharing of information among financial institutions and government agencies in order to more effectively thwart illicit finance.

In recent years, government officials have repeatedly emphasized the importance of strengthening and clarifying the information sharing provisions under current law. Expert witnesses before our committee have also echoed these sentiments over the course of the Financial Services Committee's Task Force to Investigate Terrorism Financing hearings.

The legislation before us today that I am proud to cosponsor will facilitate more effective information sharing in a number of ways.

First, the legislation provides assurances to financial institutions that they may report suspicious transactions without risking being exposed to civil litigation for simply complying with their obligations under Federal law. Although FinCEN, the Financial Crimes Enforcement Network, which is our FIU in the United States, has already specified that financial institutions have complete protection from civil liability for all reports of suspicious transactions made to appropriate authorities. Some court rulings have cast doubt on the level of certainty a financial institution must have before reporting suspect transactions. H.R. 5606 eliminates this uncertainty in an effort to ensure the continued reporting of suspicious transactions.

Secondly, the bill seeks to enhance cooperation among financial institutions, also regulatory authorities and law enforcement, by expanding the range of counter-illicit financing information shared with financial institutions for the sole purpose of allowing such financial institutions to identify and report specified illicit activity.

Thirdly, H.R. 5606 expands the existing safe harbor for sharing information related to terrorist acts and money laundering to include a broader range of information related to illicit activity that is connected to money laundering and terrorist financing. In doing so, financial institutions and the government can more effectively connect the dots that are involved in mapping illicit financing networks.

Finally, the bill includes a study to assess the appropriate levels of information sharing between U.S. and foreign financial institutions, between U.S. financial institutions and their foreign subsidiaries, and between U.S. subsidiaries of foreign financial institutions and their parent institutions. This cooperation is ultimately necessary.

Given the central role of the U.S. financial system within the global economy and the sheer volume and diversity of transactions that pass through U.S. institutions, it is increasingly clear how essential it is to have a strong, coordinated U.S. Government and private sector response in the fight against terror finance.

H.R. 5606 will help promote the type of enhanced coordination that is needed to stay ahead of illicit behavior through the exploitation of our financial system.

Mr. Speaker, I urge all of our Members on both sides of the aisle to support this legislation.

I reserve the balance of my time.

Mr. FITZPATRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. PITTENGER), the author of the bill.

Mr. PITTENGER. Mr. Speaker, I thank the chairman for yielding, and I thank the gentleman for the leadership he has shown this past year on the issue of terrorist group financing. I would also like to pay recognition and gratitude to Chairman HENSARLING for his leadership on this, and Ranking Member MAXINE WATERS of California for her leadership. Particularly, I would like to make note of the ranking member of our Task Force to Investigate Terrorism Financing, the gentleman from Massachusetts (Mr. LYNCH), and thank the gentleman for his great efforts and work.

Our task force bills on the floor today are the result of a bipartisan, year-long series of hearings that focused on ways to improve and tailor our laws to better address the evolving threats posed by terrorist groups within our financial sector.

My bill, the Anti-Terrorism Information Sharing Is Strength Act, cosponsored with Ms. MAXINE WATERS of California, helps clarify our current illicit financial laws with Mr. LYNCH and provides much-needed technical corrections to ensure that our current laws work as originally intended by Congress. We must work to ensure that private financial institutions are not penalized for working with the Federal Government to combat terrorism financing.

Mr. Speaker, some Members of this body have been spreading some misinformation about our efforts, specifically regarding section 314 of the PATRIOT Act. Section 314 plays a vital role in enabling our law enforcement the ability to share information and intelligence about terrorist financiers with private financial institutions in an effort to put an end to illicit financing. Terrorist organizations, much like criminal enterprises, are becoming more sophisticated in terms of the methods they use to evade American and international laws to combat money laundering and illicit financing.

As the U.S. Government considers initiatives to counter ISIS and other terror organizations, we must include financial components to ensure that these groups do not receive the funding necessary to conduct operations and to further promote fear, extremism, and violence.

Mr. LYNCH. Mr. Speaker, let me again thank Mr. PITTENGER for his great work and also Ms. MAXINE WATERS' tremendous work. I thank Mr. FITZPATRICK again for his leadership.

I yield back the balance of my time.

Mr. FITZPATRICK. Mr. Speaker, I ask all Members to vote in favor of H.R. 5606.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill, H.R. 5606.

The question was taken.

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

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

The yeas and nays were ordered.

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

ENHANCING TREASURY'S ANTI-TERROR TOOLS ACT

Mr. FITZPATRICK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5607) to enhance the Department of the Treasury's role in protecting national security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5607

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 ''Enhancing Treasury's Anti-Terror Tools Act''.

SEC. 2. EXAMINING THE DEPARTMENT OF THE TREASURY'S COUNTER-TERROR FINANCING ROLE IN EMBASSIES.

Within 180 days of the enactment of this Act, the Secretary of the Treasury shall issue a report to the Committees on Financial Services and Foreign Affairs of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Foreign Relations of the Senate containing—

(1) a list of the United States embassies in which a full-time Department of the Treasury attaché is stationed;

(2) a list of the United States embassies at which a Department of the Treasury attaché is assigned for temporary duty, the length of such assignments, and the reason why such assignments are not considered to be a permanent assignments;

(3) how the Department of the Treasury's interests relating to anti-terror finance, money laundering, and related illicit finance issues are handled at other embassies, including a discussion of the reporting structure by which such issues are brought to the direct attention of the ambassador;

(4) a description of the role the Department of the Treasury attachés play in advancing America's anti-terrorism financing interests;

(5) a discussion of patterns, trends, or other issues identified by Department of the Treasury attachés in the previous year concerning anti-terror finance, money laundering, and related illicit finance;

(6) recommendations to improve coordination between the Department of the Treasury and foreign financial ministries of efforts to block the financing of terror, money laundering, and related illicit finance; and

(7) a discussion of whether the Department of the Treasury's interests relating to anti-terror finance, money laundering, or related illicit finance issues are thought to be underrepresented in some embassies or regions.

SEC. 3. CLARIFYING REQUIREMENTS FOR RECORDKEEPING.

(a) IN GENERAL.—Section 5326 of title 31, United States Code, is amended—

(1) in the heading of such section, by striking ''**coin and currency**'';

(2) in subsection (a)—

(A) by striking ''subtitle and'' and inserting ''subtitle or to''; and

(B) in paragraph (1)(A), by striking ''United States coins or currency (or such other monetary instruments as the Secretary may describe in such order)'' and inserting ''funds (as the Secretary may describe in such order),''; and

(3) in subsection (b)—

(A) in paragraph (1)(A), by striking ''coins or currency (or monetary instruments)'' and inserting ''funds''; and

(B) in paragraph (2), by striking ''coins or currency (or such other monetary instruments as the Secretary may describe in the regulation or order)'' and inserting ''funds (as the Secretary may describe in the regulation or order)''.

(b) CLERICAL AMENDMENT.—The table of contents for chapter 53 of title 31, United States Code, is amended in the item relating to section 5326 by striking ''coin and currency''.

SEC. 4. STUDY OF BUREAU STATUS.

(a) STUDY.—The Secretary of the Treasury shall carry out a study on the advisability and implications of transforming the Office of Terrorism and Financial Intelligence into a standalone bureau of the Department of the Treasury, and the effects such a move would have on the Department of the Treasury's efforts to stop money laundering, the financing of terror, and related illicit finance.

(b) REPORT.—Within 270 days of the date of the enactment of this Act, the Secretary of the Treasury shall issue a report to the Committee on Financial Services and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Select Committee on Intelligence of the Senate containing all findings and determinations made in carrying out the study required under subsection (a).

SEC. 5. IMPROVING ANTI-TERROR FINANCE MONITORING OF FUNDS TRANSFERS.

(a) STUDY.—To improve the Department of the Treasury's ability to better track cross-border fund transfers and identify potential financing of terror or other illicit finance, the Secretary of the Treasury shall carry out a study to assess—

(1) the potential efficacy of requiring banking regulators to establish a pilot program to provide technical assistance to depository institutions and credit unions that wish to provide account services to money services businesses serving individuals in Somalia;

(2) whether such a pilot program could be a model for improving the ability of Americans to legitimately send funds to their loved ones through transparent and easily monitored channels; and

(3) the potential impact of allowing money services businesses to share their State examinations with depository institutions and credit unions, or if another mechanism could be found to allow a similar exchange of information that would give such depository institutions and credit unions a better understanding of whether an individual money services business is adequately meeting its anti-money laundering and counter terror financing obligations to combat money laundering, the financing of terror, or related illicit finance.

(b) REPORT.—Within 270 days of the date of the enactment of this Act, the Secretary of the Treasury shall issue a report to the Committees on Financial Services and Foreign Affairs of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Foreign Relations of the Senate containing all findings and determinations made in carrying out the study required under subsection (a).

(c) MONEY SERVICES BUSINESS DEFINED.—For purposes of this section, the term ''money services business'' has the meaning given that term under section 1010.100 of title 31, Code of Federal Regulations.

SEC. 6. SENSE OF CONGRESS.

It is the sense of the Congress that the Secretary of the Treasury, acting in the Secretary's own capacity and through the Under Secretary for Terrorism and Financial Crimes, should work with finance ministry counterparts worldwide to spur the development within such ministries of entities similar to the Department of the Treasury's Office of Intelligence and Analysis to more solidly integrate the intelligence community with anti-money laundering and counter-terrorist financing efforts.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. FITZPATRICK) and the gentleman from Massachusetts (Mr. LYNCH) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. FITZPATRICK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on this bill.

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

There was no objection.

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

Mr. Speaker, the Department of the Treasury has done excellent work in its endeavor to curb money laundering and assist Federal law enforcement in its mission to combat terrorism. However, we cannot take its successes for granted.

Throughout the task force, we heard time and time again that organized criminal and terrorist groups are constantly changing; adapting their techniques in an effort to expose and utilize the international financial system and that of the United States. As a result, it is imperative that we continue to improve the tools we use to combat these threats. H.R. 5607 aims to do just that.

This bill enhances a number of tools that the Department of the Treasury uses in its efforts to combat the financing of terror and money laundering, which includes providing a greater emphasis on Treasury attachés stationed in embassies overseas, strengthening the requirements for temporary enhanced reporting, and adding the Secretary of the Treasury as a full-time member of the National Security Council.

Our adversaries are constantly adapting. We must adapt as well. The policies implemented by this bill will prove to strengthen the Treasury's weapons as it continues to carry out its important work.

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

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

July 6, 2016.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN HENSARLING: On June 28, 2016, the Permanent Select Committee on Intelligence (''the Committee'') received a referral for H.R. 5607, ''To Enhance the Department of the Treasury's role in protecting national security, and for other purposes.''

In order to expedite the House's consideration of this important legislation, the Committee will forego consideration of the measure. This waiver is, however, conditioned on our mutual understanding that it does not diminish or otherwise affect any future jurisdictional claim over the subject matter contained in the bill or any similar legislation.

Please place a copy of this letter and your response acknowledging the Committee's jurisdictional interest into any committee report on H.R. 5607 and into the Congressional Record during its floor consideration. I would also appreciate your support for the appointment of Committee members to any House-Senate conference on this legislation. Thank you in advance for your cooperation.

Sincerely,

DEVIN NUNES,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, July 7, 2016.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, Washington, DC.

DEAR CHAIRMAN NUNES: Thank you for your July 6th letter regarding H.R. 5607, the ''Enhancing Treasury's Anti-Terror Tools Act.''

I am most appreciative of your decision to forego action on H.R. 5607 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving action on the bill, the Permanent Select Committee on Intelligence is in no way waiving its jurisdictional interest in this or similar legislation. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in the Congressional Record during floor consideration of H.R. 5607.

Sincerely,

JEB HENSARLING,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, July 7, 2016.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, Washington, DC.

DEAR CHAIRMAN HENSARLING: Thank you for consulting with the Committee on Foreign Affairs on H.R. 5607, the Enhancing Treasury's Anti-Terror Tools Act, and for agreeing to add the Foreign Affairs Committee as a recipient of the reporting required by that bill.

I agree that the Foreign Affairs Committee may be discharged from further action on this bill so that it may proceed expeditiously to the Floor, subject to the understanding that this waiver does not in any way diminish or alter the jurisdiction of the Foreign Affairs Committee, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. The Committee also reserves the right to seek an appropriate number of conferees to any House-Senate conference involving this bill, and would appreciate your support for any such request.

I ask that you place our exchange of letters into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

COMMITTEE ON FINANCIAL SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 7, 2016.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: Thank you for your July 7 letter regarding H.R. 5607, the ''Enhancing Treasury's Anti-Terror Tools Act.''

I am most appreciative of your decision to forgo action on H.R. 5607 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving action on the bill, the Committee on Foreign Affairs is in no way waiving its jurisdictional interest in this or similar legislation. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in the Congressional Record during floor consideration of H.R. 5607.

Sincerely,

JEB HENSARLING,
Chairman.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2016.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, Washington, DC

DEAR CHAIRMAN HENSARLING: I am writing concerning H.R. 5607, the ''Enhancing Treasury's Anti-Terror Tools Act,'' on which the Committee on Ways and Means was granted an additional referral.

I appreciate your willingness to work with me on the provisions in my Committee's jurisdiction. In order to allow H.R. 5607 to move expeditiously to the House floor, I agree to waive formal consideration of this bill. The Committee on Ways and Means takes this action with our mutual understanding that by foregoing consideration on H.R. 5607 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

KEVIN BRADY,
CHAIRMAN.

COMMITTEE ON FINANCIAL SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2016.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR CHAIRMAN BRADY: Thank you for your July 8th letter regarding H.R. 5607, the ''Enhancing Treasury's Anti-Terror Tools Act.''

I am most appreciative of your decision to forgo action on H.R. 5607 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving action on the bill, the Committee on Ways and Means is in no way waiving its jurisdictional interest in this or similar legislation. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in the Congressional Record during floor consideration of H.R. 5607.

Sincerely,

JEB HENSARLING,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 8, 2016.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the bill H.R. 5607, the Enhancing Treasury's Anti-Terror Tools Act. This legislation was referred to the Committee on Armed Services as certain provisions in the legislation fall within the Rule X jurisdiction of the Committee on Armed Services.

Because the Committee on Financial Services has agreed to remove Section 8 from the bill relating to the National Security Council, and in the interest of permitting your committee to proceed expeditiously to floor consideration of this important legislation, I am willing to waive this committee's further consideration of H.R. 5607. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider this legislation.

Please place this letter into any committee report on H.R. 5607 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

COMMITTEE ON FINANCIAL SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 11, 2016.

Hon. MAC THORNBERRY,
Chairman, Committee on Armed Services, Washington, DC.

DEAR CHAIRMAN THORNBERRY: Thank you for your July 11th letter regarding H.R. 5607, the ''Enhancing Treasury's Anti-Terror Tools Act.''

I am most appreciative of your decision to forego action on H.R. 5607 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving action on the bill, the Committee on Armed Services is in no way waiving its jurisdictional interest in this or similar legislation. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in the Congressional

Record during floor consideration of H.R. 5607.

Sincerely,

JEB HENSARLING,
Chairman.

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

Mr. Speaker, I rise to speak in support of H.R. 5607, entitled, Enhancing Treasury's Anti-Terror Tools Act.

Again, I would like to thank my colleague and the vice chair of our task force, the gentleman from North Carolina (Mr. PITTENGER), for his great work on this and for introducing this bill. I am proud to serve as the lead Democratic cosponsor on this most important legislation.

This bill will enhance tools available to the Department of the Treasury in its efforts to combat the financing of terror, money laundering, and related illicit finance.

This legislation is one of a package of bills that reflects the culmination of 11 hearings in the Financial Services Committee's Task Force to Investigate Terrorism Financing, which explored a wide range of vulnerabilities in the global financial system.

Over the course of the task force hearings, Members learned that there are relatively few full-time Treasury attaches at our embassies. At one point I know that members of the task force met with our Treasury attaches in the Middle East, and they are so thin on representation there that several of them have multi-country responsibilities requiring them to hop around and deal with several high-risk locations and countries. So we obviously need to get them some more help. They do a tremendous job. Don't get me wrong. I am extremely pleased and proud of the work that Treasury does, but I think they could use some more resources, and this bill aims at that vulnerability.

Over the course of the task force hearings, Members learned that there are relatively few full-time Treasury attaches at our embassies around the globe to lend their expertise and to help them eliminate terrorism and money laundering vulnerabilities in the global financial system. The bill before us today takes welcome steps to help us better understand how to improve coordination between the Department of the Treasury, foreign financial ministries, and foreign central banks in an effort to block the financing of terror, money laundering, and related illicit finance.

The legislation also addresses gaps that the Treasury Department has identified in its efforts to compel reporting of information on transactions that present elevated anti-money laundering risks, which may not be captured by broad-based anti-money laundering program requirements.

Additionally, the legislation takes steps to address longstanding humanitarian concerns resulting from the private sector's increased unwillingness to serve higher-risk areas like Somalia. With few global banks willing to keep remittance channels open, diaspora communities here in the U.S. have been left with few safe and legitimate channels to get critical funds to their families back home.

The bill seeks to address this growing concern by directing the Treasury Department to review and report on the viability of creating a pilot program aimed at helping banks and credit unions become more comfortable offering account services to countries that facilitate remittances to high-risk locations.

□ 1500

Finally, the bill would promote the importance of America's international engagement by encouraging the Secretary of the Treasury to work with finance ministries around the world to spur the integration of intelligence authorities with ani-money laundering and counterterrorism finance efforts.

I am extremely pleased with this legislation, and I would like to commend all of my colleagues on the task force for their efforts to help counter the financing available to terrorist groups. Our work on the task force has been a truly bipartisan effort, it has been a pleasure, and I look forward to the opportunities to build on this good work in the future.

I reserve the balance of my time.

Mr. FITZPATRICK. Mr. Speaker, I thank my colleague, Mr. LYNCH, for his hard work on this important bill.

This bill contains seven sections, and each of those sections was the subject of extensive testimony and work in the 11 hearings of the task force over the course of the past 1½ to 2 years.

I yield such time as he may consume to the gentleman from North Carolina (Mr. PITTENGER), the author of the bill.

Mr. PITTENGER. Mr. Speaker, I thank Chairman FITZPATRICK for yielding and for his leadership. I thank the gentleman from Massachusetts (Mr. LYNCH) for his extraordinary support and skills and knowledge in these areas. It has really been an honor to work with him.

Our proposal seeks to enhance a number of the tools the Treasury Department uses in its efforts to combat the financing of terror, money laundering, and the related illicit finance.

Specifically, our bill helps specify the roles the Treasury Department plays, both domestically and abroad, to assist in the fight against terror finance. Over the past year, our Task Force to Investigate Terrorism Financing has received ample testimony supporting the role of Treasury in our larger strategic efforts to defeat ISIS and other global terrorist networks.

Many individuals are not aware of the substantial role our Treasury Department plays in our embassies abroad. Treasury has several attaches abroad that are used to supplement foreign efforts to enforce financial laws and combat terror financing. This bill is an effort to support Treasury's role in our larger strategic efforts to defeat terrorist organizations and put an end to their operations.

Mr. Speaker, the longer groups like ISIS remain on the battlefield, the more effective their messaging and recruitment efforts become. Congress must fully support our government's efforts to stop the flow of dollars and resources from funding terror. This bill will allow Treasury to report to Congress on its role in various countries throughout the world and, subsequently, the need to expand that role. It also will provide to Congress its advisability and the implications of turning the Treasury's Office of Terrorism and Financial Intelligence—which includes FinCEN and OFAC—sanctions enforcement unit into a stand-alone bureau, similar to the FBI.

Mr. Speaker, I commit this bill to our body, and I seek the full support in this truly bipartisan effort that we have had on our task force.

Mr. LYNCH. Mr. Speaker, I don't have any further speakers.

I yield back the balance of my time.

Mr. FITZPATRICK. Mr. Speaker, I have no further speakers.

We ask our colleagues to support and adopt H.R. 5607.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill, H.R. 5607, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

INCLUSION OF ALL FUNDS WHEN ISSUING CERTAIN GEOGRAPHIC TARGETING ORDERS

Mr. FITZPATRICK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5602) to amend title 31, United States Code, to authorize the Secretary of the Treasury to include all funds when issuing certain geographic targeting orders, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INCLUSION OF ALL FUNDS.

(a) IN GENERAL.—Section 5326 of title 31, United States Code, is amended—

(1) in the heading of such section, by striking "**coin and currency**";

(2) in subsection (a)—

(A) by striking "subtitle and" and inserting "subtitle or to"; and

(B) in paragraph (1)(A), by striking "United States coins or currency (or such

other monetary instruments as the Secretary may describe in such order)'' and inserting ''funds (as the Secretary may describe in such order),''; and

(3) in subsection (b)—

(A) in paragraph (1)(A), by striking ''coins or currency (or monetary instruments)'' and inserting ''funds''; and

(B) in paragraph (2), by striking ''coins or currency (or such other monetary instruments as the Secretary may describe in the regulation or order)'' and inserting ''funds (as the Secretary may describe in the regulation or order)''.

(b) CLERICAL AMENDMENT.—The table of contents for chapter 53 of title 31, United States Code, is amended in the item relating to section 5326 by striking ''coin and currency''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. FITZPATRICK) and the gentleman from Massachusetts (Mr. LYNCH) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. FITZPATRICK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill.

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

There was no objection.

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

Mr. Speaker, H.R. 5602 amends the section of the United States Code that allows the Treasury Secretary to issue ''geographical targeting orders,'' requiring more detailed information to be reported to the Treasury Department regarding certain types of transactions in a specific area for a limited amount of time.

These geographical targeting orders, or GTOs, allow the Treasury to seek more granular detail on a type of activity in a specific area believed to be used for some form of illicit finance. GTOs in the past have been used to identify trade-based money laundering in counterfeit electronics or garments, or to identify repatriation of drug sales proceeds to drug traffickers.

During a February task force hearing, former U.S. intelligence officer and Treasury special agent cited trade-based money laundering as an area of concern when dealing with illicit financing, stating that such techniques are allowing our adversaries to transfer value to one another right under our noses.

Current language allows the Secretary to seek more detailed reporting of coins, currency, or monetary instruments. But Treasury believes that language does not, in some instances, allow for requiring, or compelling the reporting of, information on some sorts of noncash transactions.

As illicit finance increasingly seeks to elude detection in the legal banking system, a slightly broader of what sorts of transfers of value should be reported would make such GTOs more effective, in Treasury's view.

I reserve the balance of my time.

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

Mr. Speaker, I would like to start by thanking House Financial Services Committee Chairman HENSARLING of Texas and Ranking Member MAXINE WATERS of California for creating the Financial Services Committee's Task Force to Investigate Terrorism Financing, which is a 21-member bipartisan group charged with ensuring that our government is using every tool at its disposal to deprive groups like the Islamic State, Boko Haram, and other terrorist organizations of the funds they rely on to advance their destructive ideology.

I would also like to thank our chairman, the gentleman from Pennsylvania (Mr. FITZPATRICK); our vice chair, the gentleman from North Carolina (Mr. PITTENGER); and the rest of my colleagues on the Financial Services Committee for their work to improve our efforts to halt terrorist financing.

The bill I introduced that is before us today expands the Financial Crimes Enforcement Network's ability to collect information under geographic targeting orders. My colleagues on both sides of the aisle, including Mr. PETER KING of New York, Ms. MAXINE WATERS of California, Mr. MICHAEL FITZPATRICK of Pennsylvania, Mr. GREGORY MEEKS of New York, Mr. STEVE STIVERS of Ohio, Mr. BRUCE POLIQUIN of Maine, Mr. ROBERT PITTENGER of North Carolina, Mr. KEITH ELLISON of Minnesota, Mr. ANDY BARR of Kentucky, Mr. BILL FOSTER of Illinois, Mr. BRAD SHERMAN of California, Mr. FRENCH HILL of Arkansas, and Mr. AL GREEN of Texas, joined me in cosponsoring this important legislation.

During congressional delegations to foreign countries to deal with the central banks in other countries and also financial intelligence units from very difficult locations, we made it a priority to meet with regional financial intelligence units to get updates on efforts to combat terrorist financing. Witnessing the important work of the FIUs around the globe demonstrates the need for the United States to continue to support efforts to develop robust legal, regulatory, and operational frameworks to combat terrorist financing and money laundering.

In line with that, it is crucial that we work to strengthen the Financial Crimes Enforcement Network, FinCEN, the U.S. financial intelligence unit. By sharing financial intelligence with law enforcement, private industry, and its foreign counterparts, FinCEN supports financial crime investigations throughout the world. Terrorists' proven ability to move money through innovative means necessitates continued progress in this critical counterterrorism area.

The smart, brave Americans who serve at FinCEN work tirelessly every day to track and stop the flow of proceeds of crime and funds that would otherwise be used to aid terrorism in order to safeguard our financial system from evolving money laundering and national security threats.

FinCEN's critical role is evidenced through its recent support to the Paris and Belgium terrorist attack investigations, where FinCEN's expertise assisted in quickly identifying links between those two attacks. FinCEN published 51 intelligence reports related to the Paris attacks and two intelligence reports related to the Brussels attack. Moreover, FinCEN's financial intelligence played an important role in identifying potential Islamic State foreign terrorist fighters.

With increasingly complex and rapidly evolving terrorist networks, we need to ensure that we provide FinCEN with all of the tools and resources it needs to fight evolving terrorist threats.

The geographic targeting order expansion is a new device in the counterterrorism financing toolkit to catch bad actors that are adapting to our countermeasures. If enacted into law, this legislation will allow us to identify wider networks of terrorist financiers and their enablers. We introduced this legislation because the experts at FinCEN told us they need it to stop bad actors.

So on behalf of Representatives PETER KING, MAXINE WATERS, MIKE FITZPATRICK, GREG MEEKS, STEVE STIVERS, BRUCE POLIQUIN, BOB PITTENGER, KEITH ELLISON, ANDY BARR, BILL FOSTER, BRAD SHERMAN, FRENCH HILL, and AL GREEN, I urge my colleagues to support this important legislation.

I yield back the balance of my time.

Mr. FITZPATRICK. Mr. Speaker, I just want to, again, thank my colleague, Mr. LYNCH, for bringing this bill to the task force's attention and for authoring the bill. The bill is smart. It is targeted. It will help the United States Treasury Department do its job of rooting out those who finance terrorism so that we can all remain safe.

With that, I ask my colleagues to support and adopt H.R. 5602.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill, H.R. 5602.

The question was taken.

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

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

The yeas and nays were ordered.

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

DHS STOP ASSET AND VEHICLE EXCESS ACT

Mr. PERRY. Mr. Speaker, I move to suspend the rules and pass the bill (HR.

4785) to amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department's vehicle fleet, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4785

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 ''DHS Stop Asset and Vehicle Excess Act'' or the ''DHS SAVE Act''.

SEC. 2. DHS VEHICLE FLEETS.

Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended—

(1) in subsection (a)(5), by inserting ''vehicle fleets (under subsection (c)),'' after ''equipment,'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following new subsection:

''(c) VEHICLE FLEETS.—

''(1) IN GENERAL.—In carrying out responsibilities regarding vehicle fleets pursuant to subsection (a)(5), the Under Secretary for Management shall be responsible for overseeing and managing vehicle fleets throughout the Department. The Under Secretary shall also be responsible for the following:

''(A) Ensuring that components are in compliance with Federal law, Federal regulations, executive branch guidance, and Department policy (including issuing guidance relating to such) relating to fleet management and use of vehicles from home to work.

''(B) Developing and distributing a standardized vehicle allocation methodology and fleet management plan for components to use to determine optimal fleet size in accordance with paragraph (4).

''(C) Ensuring that components formally document fleet management decisions.

''(D) Approving component fleet management plans, vehicle leases, and vehicle acquisitions.

''(2) COMPONENT RESPONSIBILITIES.—

''(A) IN GENERAL.—Component heads—

''(i) shall—

''(I) comply with Federal law, Federal regulations, executive branch guidance, and Department policy (including guidance relating to such) relating to fleet management and use of vehicles from home to work;

''(II) ensure that data related to fleet management is accurate and reliable;

''(III) use such data to develop a vehicle allocation tool derived by using the standardized vehicle allocation methodology provided by the Under Secretary for Management to determine the optimal fleet size for the next fiscal year and a fleet management plan; and

''(IV) use vehicle allocation methodologies and fleet management plans to develop annual requests for funding to support vehicle fleets pursuant to paragraph (6); and

''(ii) may not, except as provided in subparagraph (B), lease or acquire new vehicles or replace existing vehicles without prior approval from the Under Secretary for Management pursuant to paragraph (5)(B).

''(B) EXCEPTION REGARDING CERTAIN LEASING AND ACQUISITIONS.—If exigent circumstances warrant such, a component head may lease or acquire a new vehicle or replace an existing vehicle without prior approval from the Under Secretary for Management. If under exigent circumstances a component head so leases, acquires, or replaces a vehicle, such component head shall provide to the Under Secretary an explanation of such circumstances.

''(3) ONGOING OVERSIGHT.—

''(A) QUARTERLY MONITORING.—In accordance with paragraph (4), the Under Secretary for Management shall collect, on a quarterly basis, information regarding component vehicle fleets, including information on fleet size, composition, cost, and vehicle utilization.

''(B) AUTOMATED INFORMATION.—The Under Secretary for Management shall seek to achieve a capability to collect, on a quarterly basis, automated information regarding component vehicle fleets, including the number of trips, miles driven, hours and days used, and the associated costs of such mileage for leased vehicles.

''(C) MONITORING.—The Under Secretary for Management shall track and monitor component information provided pursuant to subparagraph (A) and, as appropriate, subparagraph (B), to ensure that component vehicle fleets are the optimal fleet size and cost effective. The Under Secretary shall use such information to inform the annual component fleet analyses referred to in paragraph (4).

''(4) ANNUAL REVIEW OF COMPONENT FLEET ANALYSES.—

''(A) IN GENERAL.—To determine the optimal fleet size and associated resources needed for each fiscal year beginning with fiscal year 2018, component heads shall annually submit to the Under Secretary for Management a vehicle allocation tool and fleet management plan using information described in paragraph (3)(A). Such tools and plans may be submitted in classified form if a component head determines that such is necessary to protect operations or mission requirements.

''(B) VEHICLE ALLOCATION TOOL.—Component heads develop a vehicle allocation tool in accordance with subclause (III) of paragraph (2)(A)(i) that includes an analysis of the following:

''(i) Vehicle utilization data, including the number of trips, miles driven, hours and days used, and the associated costs of such mileage for leased vehicles, in accordance with such paragraph.

''(ii) The role of vehicle fleets in supporting mission requirements for each component.

''(iii) Any other information determined relevant by such component heads.

''(C) FLEET MANAGEMENT PLANS.—Component heads shall use information described in subparagraph (B) to develop a fleet management plan for each such component. Such fleet management plans shall include the following:

''(i) A plan for how each such component may achieve optimal fleet size determined by the vehicle allocation tool required under such subparagraph, including the elimination of excess vehicles in accordance with paragraph (5), if applicable.

''(ii) A cost benefit analysis supporting such plan.

''(iii) A schedule each such component will follow to obtain optimal fleet size.

''(iv) Any other information determined relevant by component heads.

''(D) REVIEW.—The Under Secretary for Management shall review and make a determination on the results of each component's vehicle allocation tool and fleet management plan under this paragraph to ensure each such component's vehicle fleets are the optimal fleet size and that components are in compliance with applicable Federal law, Federal regulations, executive branch guidance, and Department policy pursuant to paragraph (2) relating to fleet management and use of vehicles from home to work. The Under Secretary shall use such tools and plans when reviewing annual component requests for vehicle fleet funding in accordance with paragraph (6).

''(5) GUIDANCE TO DEVELOP FLEET MANAGEMENT PLANS.—The Under Secretary for Management shall provide guidance, pursuant to paragraph (1)(B) on how component heads may achieve optimal fleet size in accordance with paragraph (4), including processes for the following:

''(A) Leasing or acquiring additional vehicles or replacing existing vehicles, if determined necessary.

''(B) Disposing of excess vehicles that the Under Secretary determines should not be reallocated under subparagraph (C).

''(C) Reallocating excess vehicles to other components that may need temporary or long-term use of additional vehicles.

''(6) ANNUAL REVIEW OF VEHICLE FLEET FUNDING REQUESTS.—As part of the annual budget process, the Under Secretary for Management shall review and make determinations regarding annual component requests for funding for vehicle fleets. If component heads have not taken steps in furtherance of achieving optimal fleet size in the prior fiscal year pursuant to paragraphs (4) and (5), the Under Secretary shall provide rescission recommendations to the Committee on Appropriations and the Committee on Homeland Security of the House of Representatives and the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate regarding such component vehicle fleets.

''(7) ACCOUNTABILITY FOR VEHICLE FLEET MANAGEMENT.—

''(A) PROHIBITION ON CERTAIN NEW VEHICLE LEASES AND ACQUISITIONS.—The Under Secretary for Management and component heads may not approve in any fiscal year beginning with fiscal year 2019 a vehicle lease, acquisition, or replacement request if such component heads did not comply in the prior fiscal year with paragraph (4).

''(B) PROHIBITION ON CERTAIN PERFORMANCE COMPENSATION.—No Department official with vehicle fleet management responsibilities may receive annual performance compensation in pay in any fiscal year beginning with fiscal year 2019 if such official did not comply in the prior fiscal year with paragraph (4).

''(C) PROHIBITION ON CERTAIN CAR SERVICES.—Notwithstanding any other provision of law, no senior executive service official of the Department whose office has a vehicle fleet may receive access to a car service in any fiscal year beginning with fiscal year 2019 if such official did not comply in the prior fiscal year with paragraph (4).

''(8) MOTOR POOL.—

''(A) IN GENERAL.—The Under Secretary for Management may determine the feasibility of operating a vehicle motor pool to permit components to share vehicles as necessary to support mission requirements to reduce the number of excess vehicles in the Department.

''(B) REQUIREMENTS.—The determination of feasibility of operating a vehicle motor pool under subparagraph (A) shall—

''(i) include—

''(I) regions in the United States in which multiple components with vehicle fleets are located in proximity to one another, or a significant number of employees with authorization to use vehicles are located; and

''(II) law enforcement vehicles;

''(ii) cover the National Capital Region; and

''(iii) take into account different mission requirements.

''(C) REPORT.—The Secretary shall include in the Department's next annual performance report required under current law the results of the determination under this paragraph.

''(9) DEFINITIONS.—In this subsection:

''(A) COMPONENT HEAD.—The term 'component head' means the head of any component of the Department with a vehicle fleet.

''(B) EXCESS VEHICLE.—The term 'excess vehicle' means any vehicle that is not essential to support mission requirements of a component.

''(C) OPTIMAL FLEET SIZE.—The term 'optimal fleet size' means, with respect to a particular component, the appropriate number of vehicles to support mission requirements of such component.

''(D) VEHICLE FLEET.—The term 'vehicle fleet' means all owned, commercially leased, or Government-leased vehicles of the Department or of

a component of the Department, as the case may be, including vehicles used for law enforcement and other purposes.''.

SEC. 3. GAO REPORT AND INSPECTOR GENERAL REVIEW.

(a) GAO REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs a report on the following:

(1) The status of efforts at achieving a capability to collect automated information as required under subsection (c)(3) of section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341), as added by section 2 of this Act, and any challenges that remain with respect to achieving the capability to collect, assess, and report vehicle fleet (as such term in defined in subsection (c)(9) of such section 701) data for the purpose of determining vehicle utilization.

(2) The extent to which the Under Secretary for Management has identified and addressed any relevant security concerns, including cybersecurity risks, related to such automation.

(3) The extent to which the Under Secretary collects, assesses, and reports on vehicle fleet event data recorder data.

(b) INSPECTOR GENERAL REVIEW.—The Inspector General of the Department of Homeland Security shall—

(1) review implementation of subsection (c)(4) of section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341), as added by section 2 of this Act, for fiscal years 2018 and 2020, and shall provide, upon request, to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information regarding any such review; and

(2) submit to the committees specified in paragraph (1) a report, not later than six months after completion of the second review required under such paragraph, regarding the effectiveness of such subsection with respect to cost avoidance, savings realized, and component operations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PERRY) and the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PERRY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 4785, the DHS Stop Asset and Vehicle Excess Act, or the DHS SAVE Act, of 2016.

□ 1515

In October of 2015, the DHS inspector general released a scathing report of the Federal Protective Service's management of its vehicle fleet, a report that reads like a laundry list of poor management decisions. The IG found that the Federal Protective Service had more vehicles than officers, and officers were authorized to drive from home to work with government-owned vehicles, the bigger problem being that that was where they got the bulk of the mileage on the vehicles—from home to work and back—and not actually on the job. Additionally, the report stated that the FPS was not in compliance with Federal and departmental requirements, which is why I introduced the DHS SAVE Act.

This bill improves the management of DHS' vehicle fleets by authorizing the Under Secretary for Management at the headquarters level to oversee the components' vehicle fleets; it requires the components to evaluate their fleets on an ongoing basis; it includes penalties for the mismanagement of component fleets; and it requires the DHS to identify alternative methods for the management of component fleets. With the second largest civilian vehicle fleet in the Federal Government, the DHS must absolutely have stricter controls in place at the headquarters level in order to rein in rogue components.

I urge all Members to join me in supporting this important bipartisan legislation.

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

Mrs. WATSON COLEMAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4785, the DHS Stop Asset and Vehicle Excess Act.

H.R. 4785 seeks to bolster how the Department of Homeland Security acquires, manages, and oversees its fleet of, roughly, 53,000 vehicles.

In 2014, the Department's inspector general found that the DHS did not adequately manage or have the enforcement authority to ensure that the composition of its motor vehicle fleet was right-sized. The inspector general observed that each DHS component managed decisionmaking about its own fleet, thereby making it difficult for the DHS fleet manager to provide adequate oversight and ensure compliance with Federal laws, regulations, policies, and directives.

One major issue that the inspector general identified is that, while the DHS fleet manager had decisionmaking authority regarding vehicle leases, it did not oversee and approve the acquisition of component-owned vehicles. Last year, the inspector general amplified concerns about how the DHS manages its vehicle fleet in a report that was focused on operations with the Federal Protective Service. In a review issued in October of 2015, the inspector general found that, among other things, the DHS was unable to oversee policies related to home-to-work vehicle use by FPS employees and that vehicle acquisition decisions by the FPS leadership were ad hoc.

H.R. 4785 seeks to improve the management of the DHS vehicle fleet by strengthening the oversight and management of the Department's fleet by the Under Secretary for Management by requiring the Under Secretary to issue a standardized vehicle allocation methodology for use throughout the Department, to oversee vehicle acquisition and lease decisionmaking, and to ensure components compliance with Federal laws and Department policies that relate to fleet management.

The DHS has the second largest civilian vehicle fleet in the Federal Government at an operating cost of about $462 million. As such, enhancing oversight and management should help the Department to more effectively spend limited taxpayer dollars on what the Department actually needs to carry out its missions.

I would note that H.R. 4785 includes language I authored to ensure that the inspector general's oversight of the DHS' management of its vehicle fleet continues by reviewing the development, use, and submission of vehicle allocation tools and fleet management plans as required. It requires the inspector general to specifically report to Congress on the effectiveness of the submission requirements with respect to cost avoidance, savings realized, and component operations.

As the IG has reported, the DHS' inability to adequately monitor and oversee the Department-wide vehicle fleet limits its ability to detect waste and abuse. Therefore, it is imperative that the DHS continue to work to develop proper processes for fleet management and to ensure that components heads utilize the appropriate procedures to inform efforts at achieving an optimal fleet size.

I commend my colleague from Pennsylvania (Mr. PERRY) for introducing this legislation and for working in a bipartisan fashion to advance it. I urge the passage of H.R. 4785.

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

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

Anecdotally, it has been some time since we had the hearing on this subject, but, as I recall, the vast majority of these vehicles in the Federal Protective Service were SUVs, including the ones that travel around Washington, D.C. Of those, the vast majority of them had an average of about 15,000 miles on them, and the fleet was generally turned over about 30 percent at a time almost on an annual basis. I just recall what 15,000 miles is to most people in America. That is a new vehicle, and it is an SUV. Do you really need an SUV? I understand it in parts of, maybe, the Midwest or in mountainous terrain or in swampy terrain or something—but, really, in Washington, D.C.? Folks at the FPS had absolutely no issue with the program, which is what prompted me to further this legislation and offer it.

I thank the gentlewoman from New Jersey for her collaborative help and for her willingness to work with me on this and for her support on this.

Once again, I urge my colleagues to support H.R. 4785.

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

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 4785, the Department of Homeland Security Stop Asset and Vehicle Excess (SAVE) Act.

H.R. 4785 will amend the Homeland Security Act of 2002 and direct the Under Security of Management for the Department of Homeland Security to oversee and manage vehicle fleets throughout the department.

As a senior member of the House Committee on Homeland Security and a senior member of the Committee on Homeland Security Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies, I believe that authorizing the Under Secretary is important in ensuring that DHS is well-managed.

This bill improves the management of DHS fleets by authorizing the Under Secretary to impose penalties for the mismanagement of fleets and requires the DHS to identify alternative methods for management.

The Under Secretary shall also be responsible for ensuring that components are in compliance with federal law, federal regulations, executive branch guidance, and department policy.

This legislation also requires the DHS Under Security to monitor compliance with federal laws and regulations related to the use of government vehicles, develop a methodology to determine optimal fleet size, and approve vehicle leases and acquisitions.

In addition, H.R. 4785 requires DHS agencies to report data on vehicle use quarterly and submit fleet management plans, including cost-benefit analyses, annually to the Under Secretary.

Mr. Speaker, I am pleased that H.R. 4785 includes an amendment I offered during full committee markup that addresses the management of the fleet vehicles used by protective services under the purview of DHS.

The Jackson Lee Amendment requires a GAO report on the status of efforts to achieve capability to collect automated information as required by the bill, and to assess the ability of Under Secretary for Management to identify and address any relevant security concerns regarding vehicles used by protective services.

It is of the utmost importance that DHS have stricter controls in place in order to reign in the cost of fleet management.

H.R. 4785 will provide better management and oversight of the second largest civilian vehicle fleet in the federal government, and thus save millions of taxpayer dollars.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PERRY) that the House suspend the rules and pass the bill, H.R. 4785, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

QUADRENNIAL HOMELAND SECURITY REVIEW TECHNICAL CORRECTION ACT OF 2016

Mr. PERRY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5385) to amend the Homeland Security Act of 2002 to make technical corrections to the requirement that the Secretary of Homeland Security submit quadrennial homeland security reviews, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5385

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 ''Quadrennial Homeland Security Review Technical Correction Act of 2016''.

SEC. 2. TECHNICAL CORRECTIONS TO 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 (a)(3)—

(A) in subparagraph (B), by striking ''and'';

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph (C):

''(C) representatives from appropriate advisory committees established pursuant to section 871 of this Act, including the Homeland Security Advisory Council and the Homeland Security Science and Technology Advisory Committee, or otherwise established, including the Aviation Security Advisory Committee established pursuant to section 44946 of title 49, United States Code; and'';

(2) in subsection (b)—

(A) in paragraph (2), by inserting before the semicolon at the end the following: ''based on the risk assessment required pursuant to subsection (c)(2)(B)'';

(B) in paragraph (3)—

(i) by inserting '', to the extent practicable,'' after ''describe''; and

(ii) by striking ''budget plan'' and inserting ''resources required'';

(C) in paragraph (4)—

(i) by inserting '', to the extent practicable,'' after ''identify'';

(ii) by striking ''budget plan required to provide sufficient resources to successfully'' and inserting ''resources required to''; and

(iii) by striking the semicolan after ''paragraph (2)'' and inserting '', including any resources identified from redundant, wasteful, or unnecessary capabilities and capacities that can be redirected to better support other existing capabilities and capacities; and'';

(D) in paragraph (5), by striking ''; and'' and inserting a period; and

(E) by striking paragraph (6);

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''December 31 of the year'' and inserting ''60 days after the date of the submittal of the President's budget for the fiscal year after the fiscal year''; and

(ii) by striking ''conducted'' and inserting ''required under subsection (a)(1)'';

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''description of the threats to'' and inserting ''risk assessment of'';

(ii) in subparagraph (C), by inserting '', as required under subsection (b)(2)'' before the semicolon at the end;

(iii) in subparagraph (D), by inserting ''to the extent practicable,'' before ''a description'';

(iv) in subparagraph (F)—

(I) by inserting ''to the extent practicable,'' before ''a discussion''; and

(II) by striking ''the status of'';

(v) in subparagraph (G)—

(I) by inserting ''to the extent practicable,'' before ''a discussion'';

(II) by striking ''the status of'';

(III) by inserting ''and risks'' before ''to national homeland''; and

(IV) by inserting ''and'' after the semicolon;

(vi) by striking subparagraph (H); and

(vii) by redesignating subparagraph (I) as subparagraph (H);

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following new paragraph (3):

''(3) DOCUMENTATION.—The Secretary shall retain and, upon request, provide to Congress the following documentation regarding the quadrennial homeland security review:

''(A) Records regarding the consultation carried out the pursuant to subsection (a)(3), including—

''(i) all written communications, including communications sent out by the Secretary and feedback submitted to the Secretary through technology, online communications tools, in-person discussions, and the interagency process; and

''(ii) information on how feedback received by the Secretary informed the quadrennial homeland security review.

''(B) Information regarding the risk assessment, as required under subsection (c)(2)(B), including—

''(i) the risk model utilized to generate the risk assessment;

''(ii) information, including data used in the risk model, utilized to generate the risk assessment;

''(iii) sources of information, including other risk assessments, utilized to generate the risk assessment; and

''(iv) information on assumptions, weighing factors, and subjective judgments utilized to generate the risk assessment, together with information on the rationale or basis thereof.''; and

(4) by adding at the end the following new subsection:

''(e) REVIEW.—Not later than 90 days after the submission of the report pursuant to subsection (c)(1), the Secretary shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information on the degree to which the findings and recommendations developed in the review were integrated into the acquisition strategy and expenditure plans for the Department.''.

(b) EFFECTIVE DATE.—The amendments made by this Act shall apply with respect to a quadrennial homeland security review required to be submitted after December 31, 2017.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PERRY) and the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous materials on the bill under consideration.

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

There was no objection.

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

I rise in strong support of H.R. 5385, the Quadrennial Homeland Security Review Technical Correction Act of 2016.

Congress mandated through the Implementing Recommendations of the 9/11 Commission Act of 2007 that the Department of Homeland Security conduct a quadrennial homeland security review, or a QHSR, every 4 years. This review is intended to outline the DHS' vision and strategy to effectively implement its mission to protect the homeland. Given the threats we face from radical Islamist terrorists, it is vital that the DHS has a sound strategy to keep the American public safe.

Earlier this year, the Government Accountability Office reported on opportunities for the DHS to improve the QHSR process. The GAO made four recommendations for executive action, and this legislation leverages the GAO's findings to make the QHSR better. Specifically, this legislation requires the DHS to conduct a risk assessment to better inform the QHSR. The bill also mandates that the DHS maintain a paper trail of communications related to the QHSR. This should allow Congress and watchdogs to conduct more effective oversight of the DHS.

I thank the gentlewoman from New Jersey for introducing this legislation.

I absolutely urge all Members to join me in supporting this commonsense legislation.

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

Mrs. WATSON COLEMAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5385, the Quadrennial Homeland Security Review Technical Correction Act of 2016. It would require the Department of Homeland Security to improve the quadrennial homeland security review that is conducted every 4 years.

Pursuant to the Implementing Recommendations of the 9/11 Commission, the QHSR should be a unified, strategic framework for homeland security missions and goals. The review was intended to be modeled after the Quadrennial Defense Review that the Pentagon undertakes to review the Defense Department's strategy and priorities. To date, there have been two QHSRs issued by the Department, in 2010 and 2014. While, by all accounts, the 2014 QHSR was an improvement from the first QHSR, the Comptroller General found that the 2014 review fell short in several areas.

I introduced H.R. 5385 to specifically address the Comptroller General's findings about weaknesses with respect to stakeholder engagement, risk analysis, and documentation.

To help improve the quality of future QHSRs, my legislation requires the DHS to utilize and document a risk assessment to help determine homeland security missions and threats. H.R. 5385 also requires more robust stakeholder engagement and better documentation of the factors that inform the review's findings.

H.R. 5385 places a major emphasis on stakeholder engagement by requiring documentation regarding communications with stakeholders and information on how feedback from stakeholders influences the review. It also seeks to enhance stakeholder engagement by specifying certain key stakeholders to be consulted.

To ensure that the risk assessment undertaken to produce the QHSR is repeatable in future years, H.R. 5385 requires the DHS to retain all information regarding the risk assessment, including data used to generate the risk results and the sources of information to generate the risk assessment.

As our Nation faces an ever-evolving threat, it is imperative that the Department of Homeland Security effectively analyzes and defines future threats facing the country. With the use of a defined, repeatable risk assessment, as required in H.R. 5385, the DHS will be better able to outline specific threats to the homeland and offer tactical strategies for handling these threats.

The DHS will also be able to gain insight from the entire homeland security enterprise and valuable stakeholders through more documented communications. Improving stakeholder engagement is important not only for the quality of the QHSR, but for ensuring buy-in from critical homeland security enterprise partners who operate outside the Department. The improvements provided in H.R. 5385 will make the QHSR the impactful document it was designed to be.

I urge my colleagues to support H.R. 5385, which was approved unanimously by the Committee on Homeland Security.

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

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

H.R. 5385 is a great move forward in the QHSR. Mrs. WATSON COLEMAN and I believe in transparency and also believe in being on the same page when it comes to security and the safety of our Nation and in making sure that we can follow the metrics that the DHS is using to evaluate that so we can do better in the future. I applaud her for her efforts on this legislation as well as for her ability to get it passed through the committee on a bipartisan basis.

Once again, I urge my colleagues to support H.R. 5385.

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

Ms. JACKSON LEE. I rise in support of in support of H.R 5385, the "Quadrennial Homeland Security Review Technical Correction Act of 2016" and thank my good friend Congresswoman WATSON COLEMAN for her leadership on this important bill.

This bill provides a simple but yet crucial purpose: to improve the quality and timeliness of the review that DHS carries out by including more stakeholder engagement, conducting a regular risk assessment, and maintaining all documents regarding the Quadrennial Review.

In 2007, the Committee on Homeland Security passed Public Law 110–53, the Implementing Recommendations of the 9/11 Commission Act.

Under this Act, the Department of Homeland Security is required to produce every four years a unified, strategic framework for homeland security missions and goals, known as the Quadrennial Homeland Security Review (QHSR).

The goal of the QHSR is to provide a comprehensive assessment and analysis of the threats facing the homeland.

Thus far, the Department has produced two reviews, in 2010 and 2014.

The Government Accountability Office assessed each review extensively and determined that stakeholder engagement and documentation were among the areas for improvement in future QHSRs.

Among the key provisions are more specificity on outreach to stakeholders and requirements for supporting documentation on stakeholder engagement and risk assessments.

In addition, this legislation enhances stakeholder engagement, by further specifying appropriate stakeholders to consult with during the preparation of the QHSR including the Homeland Security Advisory Council, the Homeland Security Science and Technology Advisory Committee, and the Aviation Security Advisory Committee.

Additionally, this bill requires the Department to use a risk assessment when determining the homeland security missions and threats.

When interacting with outside agencies to gather information on sources and strategies, the Department must do so to the extent practical for the Department to gather the information needed.

Finally, the Quadrennial Homeland Security Review Technical Correction Act of 2016 requires DHS to retain all written communications through technology, online communication, in-person discussions and the interagency process and all information on how the communications and feedback informed the development of the review.

I urge support of this legislation to ensure that future Quadrennial Homeland Security Reviews provide homeland security decision-makers inside Department of Homeland Security and across the country with the analysis they need to help protect the United States.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PERRY) that the House suspend the rules and pass the bill, H.R. 5385, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1530

AIRPORT PERIMETER AND ACCESS CONTROL SECURITY ACT OF 2016

Mr. PERRY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5056) to modernize and enhance airport perimeter and access control security by requiring updated risk assessments and the development of security strategies, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5056

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 ''Airport Perimeter and Access Control Security Act of 2016''.

SEC. 2. RISK ASSESSMENTS OF AIRPORT SECURITY.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration (TSA) shall—

(1) not later than 60 days after the date of the enactment of this Act, update the Transportation Sector Security Risk Assessment (TSSRA) for the aviation sector; and

(2) not later than 90 days after such date—

(A) update with the latest and most currently available intelligence information the Comprehensive Risk Assessment of Perimeter and Access Control Security (in this Act referred to as the ''Risk Assessment of Airport Security'') and determine a regular timeframe and schedule for further updates to such Risk Assessment of Airport Security; and

(B) conduct a system-wide assessment of airport access control points and airport perimeter security.

(b) CONTENTS.—The security risk assessments required under subsection (a)(2) shall—

(1) include updates reflected in the TSSRA and Joint Vulnerability Assessment (JVA) findings;

(2) reflect changes to the risk environment relating to airport access control points and airport perimeters;

(3) use security event data for specific analysis of system-wide trends related to airport access control points and airport perimeter security to better inform risk management decisions; and

(4) take into consideration the unique geography of and current best practices used by airports to mitigate potential vulnerabilities.

(c) REPORT.—The Administrator of the Transportation Security Administration shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate, relevant Federal departments and agencies, and airport operators on the results of the security risk assessments required under subsection (a).

SEC. 3. AIRPORT SECURITY STRATEGY DEVELOPMENT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall update the 2012 National Strategy for Airport Perimeter and Access Control Security (in this section referred to as the ''National Strategy'').

(b) CONTENTS.—The update to the National Strategy required under subsection (a) shall include—

(1) information from the Risk Assessment of Airport Security; and

(2) information on—

(A) airport security-related activities;

(B) the status of TSA efforts to address the goals and objectives referred to in subsection (a);

(C) finalized outcome-based performance measures and performance levels for each relevant activity and goal and objective under subparagraphs (A) and (B); and

(D) input from airport operators.

(c) UPDATES.—Not later than 90 days after the update is completed under subsection (a), the Administrator of the Transportation Security Administration shall implement a process for determining when additional updates to the strategy referred to in such subsection are needed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PERRY) and the gentleman from Massachusetts (Mr. KEATING) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill under consideration.

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

There was no objection.

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

I rise today in strong support of H.R. 5056, the Airport Perimeter and Access Control Security Act, sponsored by Congressman BILL KEATING.

In recent months, we have seen attacks at airports and aircraft overseas and, in every instance, the integrity and effectiveness of the airport security infrastructure and the insider threat has been concerning. For this reason, we must scrutinize the security of our Nation's airports and ensure that the public has confidence that their travels will be safe and secure in this high-threat environment.

Specifically, H.R. 5056 directs the TSA to update its official risk assessment for the aviation sector to reflect the latest available threat intelligence. Moreover, the bill mandates that TSA's comprehensive risk assessment of perimeter and access control security is more regularly updated and that TSA conducts a sectorwide assessment of airport access control vulnerabilities and mitigation efforts.

All of this information is required for an updated national strategy for airport perimeter and access control security, which TSA has failed to update since 2012, despite multiple access controls and perimeter security breaches at airports across the country.

As this bill demonstrates, we cannot focus solely on the effectiveness of our passenger screening checkpoints while allowing lax security around the airport perimeter and within the sterile areas of airports.

Mr. Speaker, I thank Congressman KEATING for introducing this critical legislation, and I urge my colleagues to support this bipartisan bill.

I reserve the balance of my time.

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

I rise today in strong support of my legislation, H.R. 5056, the Airport Perimeter and Access Control Security Act.

I want to thank the gentleman from Pennsylvania (Mr. PERRY) for his hard work in the Committee on Homeland Security where we are colleagues, as well as his work trying to keep our Nation's security and our airport security at its highest level.

Mr. Speaker, this bill was a long time coming. Since I was first elected to Congress in 2010, I have worked hard to secure our Nation's airports.

The last case I had when I was a district attorney before entering Congress was the case of a young 16-year-old who had secreted himself on a commercial airliner penetrating the perimeter of the Charlotte-Douglas International Airport and, undetected, stowed himself away in the wheel well. Tragically, he went from North Carolina, and his body was found in Massachusetts in the district I represented.

As we investigated the cause of that death, we found out what the circumstances were that he had penetrated all the security. In fact, I sent my investigators down from Massachusetts to look at that. Even knowing that this had occurred, there was no record, videowise or otherwise, of what he had done. So even looking backwards, we couldn't even find out where the security was breached until we made the conclusions at the end of our investigation and looked at the perimeter of that airport and how vulnerable that was.

Since that time, I have demanded information on areas of perimeter and access security in our airports. Frankly, not satisfied with the progress in addressing these security issues, I requested an independent review in 2014 of all airports with a Transportation Security Administration presence.

Released this spring, this independent report by the GAO found that while TSA has made some progress in assessing risks to airport perimeter and access control security, the agency had not taken new or emerging threats into consideration, as well as the unique makeup of individual airports, the points of access at those individual airports, and the unique perimeters surrounding those airports.

Updating the risk to our airports with information that reflects the current threat ensures that the TSA bases its risk management decisions on current information and focuses its limited resources on the highest priority risks to each airport.

Further, GAO found that TSA has not comprehensively assessed the vulnerability of commercial airports systemwide. In fact, from 2009 to 2015, TSA conducted these comprehensive assessments at only 81 of the 437 commercial airports nationwide or 19 percent. And that is cumulatively. Some years, that assessment only occurred in 3 percent of the airports. This legislation will make permanent the recommendations from this independent report.

Specifically, the bill requires TSA to update transportation security sector risk assessments for the entire aviation sector. It requires it to update the

comprehensive risk assessment perimeter access control with the most currently available intelligence. It requires that it conduct a thorough assessment of airport perimeters and access control points, such as the unique geography each individual airport entails. And it determines a future strategy of regular updates.

Further, the bill incorporates the input of major airport operators, which we met with here in D.C. with the Committee on Homeland Security. We heard firsthand their concern of the lack of an individualized security strategy.

A recent report of the Associated Press investigation found that intruders breach airport fences approximately every 10 days. Altogether, there were at least 39 breaches nationwide in 2015, which was also the annual average from 2012 to 2015. TSA's own calculation over a 10-year period ending in 2011 showed 1,300 perimeter breaches in the 450 domestic airports, but that figure does not account for continued perimeter security breaches since 2011, including stowaways, trespassing across tarmacs, scaling of perimeter fences, and driving vehicles through barriers across airport property.

The landscape in which terrorists operate is constantly changing and it is challenging. We have to stay ahead of it. We have to look no further than the recent attacks in Paris, Brussels, and Istanbul to see what the threats are within access points and perimeters of airports. We were lucky here in the U.S. that the individuals that breach these access points and perimeters did not have the same nefarious intentions, but that doesn't mitigate the risk. It doesn't mitigate the fact that these people pose dangerous behavior potentially to our airports, to our employees and, of course, the passengers and travelers who rely on TSA officers and airport operators for their security.

I urge my colleagues to support H.R. 5056.

I reserve the balance of my time.

Mr. PERRY. Mr. Speaker, I have no other speakers, and I reserve the balance of my time.

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

Mr. Speaker, as I said, the attacks on airports currently in Europe show the challenging terrorist attack efforts that are currently a threat here in the United States. This bipartisan legislation will close loopholes in our airport security practices and procedures and bring us closer to ensuring that access control points and perimeters of all design are as secure as possible.

Passage of this bill is an important step in the safety for passengers, pilots, and airport employees as well.

I thank the chairman of the Committee on Homeland Security's Transportation Security Subcommittee, Mr. KATKO; our ranking member, Miss RICE; full committee ranking member, Mr. THOMPSON of Mississippi; Mr. KING; Mr. RICHMOND; Mr. SWALWELL; and Mrs. TORRES for joining me and supporting this legislation.

I urge my colleagues to support H.R. 5056.

I yield back the balance of my time.

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

I thank my colleague from Massachusetts for his well-thought-out, well-placed, and long-overdue legislation. It makes me think of my time serving in the United States military as an airfield commander charged with many things, including the security of the airfield.

Knowing that our adversaries, at any level, whether it is on the civilian side or the military side, continuously probe and look for ways to thwart us in our efforts to maintain our security, ever changing their tactics, techniques, and procedures—you can see from the recent attacks where they figured they could not get their device or their activities onto the plane. They just simply attacked prior to getting on the plane and actually attacking prior to going through security—so it is in that spirit that we know that we must be right every single bit of the time. There is no margin for error, which is why this legislation is so well placed and so timely.

I urge my colleagues to support H.R. 5056.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 5056, the Airport Perimeter and Access Control Security Act of 2016, which amends the Homeland Security Act of 2002 to reform programs of the Transportation Security Administration, and streamline transportation security regulations.

As a senior member of the House Homeland Security Committee and the Former Ranking Member of the Subcommittee on Transportation Security, I believe that this bill is of the utmost importance in securing safe airports in our country.

The objective of the bill is to establish a risk-based, intelligence-driven model for the screening of employees at airports based on level of access and employment positions at domestic airports.

The purpose of H.R. 5056 is to modernize and enhance airport perimeter and access control security by requiring updated risk assessments and the development of security strategies.

An important part of keeping our airports safe from attacks is to make sure that the perimeters and the security check points are safeguarded and secure.

TSA has kept American citizens safe by conducting incredibly thorough airport searches.

The same detailed precautions need to be taken for people commuting around and near airport perimeters.

This legislation seeks to bolster perimeter security and access controls at domestic airports by requiring the Transportation Security Administration to update relevant risk assessments and leveraging system-wide incident reporting to analyze trends contributing to the threat environment.

This bill would require the Department of Homeland Security to develop and conduct an exercise related to the terrorist and foreign fighter threat in order to enhance domestic preparedness for and the collective response to terrorism, promote the dissemination of homeland security information, and test the U.S. security posture.

H.R. 5056 would also test the security posture of the United States and the Secretary of Homeland Security through appropriate offices and components of the Department of Homeland Security.

The Department of Homeland Security should immediately engage the local and state law enforcement agencies to ensure that city and state governments have the funds to increase the utilization of the local law enforcement to provide that added protection.

Mr. Speaker, the state of access controls at domestic airports is in need of direct and thorough scrutiny in order to mitigate perimeter breaches and insider threats to aviation security.

H.R. 5056 ensures that scrutiny will take place.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PERRY) that the House suspend the rules and pass the bill, H.R. 5056.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TERRORIST AND FOREIGN FIGHTER TRAVEL EXERCISE ACT OF 2016

Ms. MCSALLY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4404) to require an exercise related to terrorist and foreign fighter travel, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4404

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 ''Terrorist and Foreign Fighter Travel Exercise Act of 2016''.

SEC. 2. EXERCISE ON TERRORIST AND FOREIGN FIGHTER TRAVEL.

(a) IN GENERAL.—In addition to, or as part of exercise programs currently carried out by the Department of Homeland Security, to enhance domestic preparedness for and collective response to terrorism, promote the dissemination of homeland security information, and test the security posture of the United States, the Secretary of Homeland Security, through appropriate offices and components of the Department and in coordination with the relevant Federal departments and agencies, shall, not later than one year after the date of the enactment of this Act, develop and conduct an exercise related to the terrorist and foreign fighter threat.

(b) EXERCISE REQUIREMENTS.—The exercise required under subsection (a) shall include—

(1) a scenario involving—

(A) persons traveling from the United States to join or provide material support or resources to a terrorist organization abroad; and

(B) terrorist infiltration into the United States, including United States citizens and foreign nationals; and

(2) coordination with appropriate Federal departments and agencies, foreign governments, and State, local, tribal, territorial, and private sector stakeholders.

(c) REPORT.—Not later than 60 days after the completion of the exercise required under subsection (a), the Secretary of Homeland Security shall, consistent with the protection of classified information, submit an after-action report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate presenting the initial findings of such exercise, including any identified or potential vulnerabilities in United States defenses and any legislative changes requested in light of the findings. The report shall be submitted in unclassified form, but may include a classified annex.

(d) PROHIBITION ON ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this section.

(e) DEFINITION.—In this section, the term ''material support or resources'' has the meaning given such term in section 2339A of title 18, United States Code.

SEC. 3. EMERGING THREATS IN THE NATIONAL EXERCISE PROGRAM.

Subparagraph (A) of section 648(b)(2) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 748(b)(2)) is amended—

(1) in clause (v), by striking ''and'' at the end; and

(2) by adding after clause (vi) the following new clause:

''(vii) designed, to the extent practicable, to include exercises addressing emerging terrorist threats, such as scenarios involving United States citizens departing the United States to enlist with or provide material support or resources to terrorist organizations abroad or terrorist infiltration into the United States, including United States citizens and foreign nationals; and''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Arizona (Ms. MCSALLY) and the gentleman from Massachusetts (Mr. KEATING) each will control 20 minutes.

The Chair recognizes the gentlewoman from Arizona.

GENERAL LEAVE

Ms. MCSALLY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arizona?

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 4404, the Terrorist and Foreign Fighter Travel Exercise Act. This legislation furthers the efforts that I and several of my colleagues on the House Homeland Security Committee have been engaged in for much of the 114th Congress as members of the bipartisan Task Force on Combating Terrorist and Foreign Fighter Travel.

For 6 months, our task force investigated our security vulnerabilities and the threat posed by ISIS. Our work produced 32 key findings and over 50 recommendations to make Americans safer.

In our findings, the task force found that the growing complexity and changing nature of the foreign fighter phenomenon may be creating unseen gaps in our defenses. Yet, it has been years since any large-scale stress test has been conducted on U.S. Government protection and prevention programs against terrorist travel.

The last major government exercise on terrorist travel occurred in 2009 when the Federal Emergency Management Agency, or FEMA, conducted an exercise focused on the ''aftermath of a notional terrorist event outside of the United States'' and how to prevent subsequent efforts by the terrorists to enter the United States and carry out additional attacks. The objective of that exercise was to determine how government agencies at all levels would respond in such an environment. However, the threat environment in 2016 has changed considerably, and relying on information gathered during an exercise that took place 7 years ago is simply unacceptable and puts American lives at risk.

The exercise conducted in 2009 also focused primarily on terrorists attempting to infiltrate the United States from overseas. However, our task force found that officials today should be just as concerned about Americans leaving the country to train overseas with terrorist groups as foreign fighters.

The ability of these hardened fighters to then return to the United States is a legitimate security threat to the homeland. Catching individuals who are looking to join the ranks and train with ISIS and other terrorist organizations prior to their initial departure is equally important, and it should be a goal for law enforcement as well.

□ 1545

As such, H.R. 4404 would require that the Obama administration conduct an exercise to evaluate the Nation's preparedness against all phases of foreign fighter planning and travel. Carrying out such a test would be beneficial in understanding how partners at all levels of government—and abroad—are currently responding to these scenarios.

The feeble response to ISIS by this administration is irresponsible, and we must take decisive action to defeat this threat that they and other terrorist organizations pose to us.

The findings of the exercise required by this legislation will identify weaknesses at home and abroad that might be exploited by terrorists and foreign fighters, particularly to infiltrate the United States to conduct attacks. These findings will also be provided to Congress and Federal law enforcement and intelligence officials and provide information on how we can best address these weaknesses.

I am pleased that over the last several months, the House has passed numerous pieces of legislation that were products of this bipartisan task force's work, including some recommendations that are now law. Passage of the Terrorist and Foreign Fighter Travel Exercise Act today represents continued action by this body to fight against ISIS and ensure we keep Americans safe.

I want to thank Chairman MCCAUL and Ranking Member THOMPSON for establishing the Task Force on Combating Terrorist and Foreign Fighter Travel. I would also like to thank the chairman of the task force, Congressman KATKO, for his leadership and the other Members who served on the task force for their continued dedication to seeing our recommendations through.

I look forward to implementation of many more of the task force's findings. I urge all Members to join me in supporting this commonsense, bipartisan bill.

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

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, March 9, 2016.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN MCCAUL: I write concerning H.R. 4404, the ''Terrorist and Foreign Fighter Travel Exercise Act of 2016''. This legislation, as amended by the Committee on homeland Security, includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 4404, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the Committee report for H.R. 4404, as well as in the Congressional Record dining House Floor consideration of the bill. I look forward to working with the Committee on Homeland Security as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, March 11, 2016.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 4404, the ''Terrorist and Foreign Fighter Travel Exercise Act of 2016.'' I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Transportation and Infrastructure will forego consideration of the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing consideration on this bill at this time, the Committee on Transportation and Infrastructure does not waive any jurisdiction over the subject matter contained in

this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support a request by the Committee on Transportation and Infrastructure for conferees on those provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

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

Mr. Speaker, I rise today in strong support of H.R. 4404, the Terrorist and Foreign Fighter Travel Exercise Act, sponsored by the gentlewoman from Arizona (Ms. MCSALLY), a colleague on the Committee on Homeland Security.

Mr. Speaker, the threats our communities face are evolving rapidly, and we need to make sure our communities are prepared to respond. My community knows all too well the benefit exercises have on the ability of first responders to do their jobs safely and effectively.

The year before the Boston Marathon bombings, through the UASI grant, Boston participated in Urban Shield, a 24-hour exercise during which responders were rotated through various training scenarios. More than 1,800 emergency response personnel from over 50 Federal, State, and local agencies participated. The goal of Urban Shield was to assess capabilities achieved through grant investments, improve proficiency at core capabilities, and identify capability gaps.

Prior to that, the city of Boston participated in a Joint Counterterrorism Awareness Workshop, where more than 200 participants from Federal, State, and local governments took part in a 24-hour-long integrated response exercise in which multiple coordinated assaults were simulated, much like the terrorist attacks in India in November of 2008.

Regarding that 2011 exercise, then-Police Commissioner Ed Davis said: ''This workshop is like no other terrorism training exercise in which I've participated. The diversity of voices provides for robust and honest discussion about the common challenges we face—and new solutions necessary to address them.''

These and other exercises supported by the Urban Areas Security Initiative grant funds are what prepared our first responders to respond so bravely and heroically and effectively to the Boston Marathon bombings.

As we are learning through events in San Bernardino, Orlando, and abroad, the tactics of our adversaries are constantly changing, and we must ensure our first responders have the training they need to address them.

H.R. 4404 requires the DHS Secretary to carry out an exercise related to terrorist and foreign fighter travel. Additionally, the bill ensures that FEMA and FEMA's National Exercise Program includes scenarios designed, to the extent practicable, to include emerging terrorist threats.

To be clear, this language would not require FEMA's National Exercise Program to focus exclusively on terrorist threats but, rather, seeks to ensure that FEMA continues to develop exercises that are responsive to threats as they emerge.

In light of recent events, it is critical that we emphasize preparedness to evolving terrorist threats. I urge my colleagues to support H.R. 4404.

Mr. Speaker, one thing we learned in the aftermath of the Boston Marathon bombings is that training and preparatory exercises contribute to preparedness. The lessons learned from the first responder exercise that occurred in Boston prior to the bombings saved lives.

I urge my colleagues to support H.R. 4404 so that our first responders will continue to benefit from exercises that are responsive to the evolving threat environment.

I thank the gentlewoman from Arizona (Ms. MCSALLY) for her work in this regard. I am proud to be a cosponsor and proud to have the bipartisan effort that we do, as a whole, in the Committee on Homeland Security to try to work hard together to make our country safer.

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

Ms. MCSALLY. Mr. Speaker, I once again urge my colleagues to support H.R. 4404.

I thank the gentleman from Massachusetts and our other colleagues for their cosponsorship of this.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 4404, the Terrorist and Fighter Travel Exercise Act of 2016, which requires the Department of Homeland Security to develop and conduct an exercise related to the terrorist and foreign fighter threat in order to enhance domestic preparedness for the collective response to terrorism.

As a senior member of the House Committee on Homeland Security and Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, I understand that threats to homeland security are increasing and being prepared to defeat them is of the utmost importance.

It is estimated that 250 U.S. citizens are among the number of foreign recruits who have traveled to Syria since the beginning of the conflict.

In 2014, the total number of foreign fighters entering Syria was estimated to be 14,000.

This disturbing news coupled with the massive migration of people seeking to flee from war torn Syria now entering Europe by the thousands raises important concerns regarding security.

H.R. 4404 requires the Federal Emergency Management Agency (FEMA) to develop and carry out national exercises to evaluate the nation's preparedness against the threat of foreign fighters and terrorists.

Under this legislation, FEMA would develop and conduct an exercise to test the ability to respond to the threat of persons leaving the United States to provide material or support to terrorist organizations or of foreign fighters attempting to enter the United States.

I have on several prior occasions outlined several areas of particular concern regarding Worldwide Threats and Homeland Security Challenges.

The United States has seen several instances of domestic terrorism at the hands of U.S. citizens within our borders, such as the tragedies in San Bernardino, Orlando, and most recently, Dallas.

In response to these tragedies, it is our duty to address issues surrounding domestic violence at the hands of extremists and the availability of assault weapons.

H.R. 4404 is a positive step in the right direction and I urge its support by all members.

Mr. DEFAZIO. Mr. Speaker, I rise to express concern with a provision of H.R. 4404, the ''Terrorist and Foreign Fighter Travel Exercise Act of 2016'', as amended.

Although I appreciate the intent of this legislation, I believe section 3 of the bill should be clarified to avoid unintended consequences.

The Federal Emergency Management Agency's (FEMA) National Exercise Program (Program) tests and evaluates the Nation's preparedness goal, systems, plans and strategies for all hazards. The main objective of the Program is to examine and validate core capabilities to perform missions and functions that prevent, protect against, respond to, recover from, and mitigate all hazards. All hazards include terrorist attacks. From the outcome of the exercises, we are able to determine the progress made in reaching the National Preparedness Goal.

I am concerned because H.R. 4404 may be interpreted to mandate that the Program focus on emerging terrorist threats. On its face, the provision mandating that FEMA shall, to the extent practicable, design the Program to include emerging terrorist threats could be interpreted to limit FEMA's ability to design exercises for all hazards, instead requiring a specific scenario for Program exercises. I do not believe that this is Congress' intent and urge FEMA to interpret the bill broadly.

Natural disasters cause devastating impacts to our citizens, communities, and the Nation as a whole. Each year, the Federal Government spends hundreds of millions of dollars (if not billions of dollars) responding to and recovering from weather-related events. The amount that the Federal Government spends on natural disasters is increasing as a percentage of our gross domestic product and as a percentage of the Federal budget.

Being prepared for these events helps the Nation reduce injury, death, and property damage. We need to ensure that the National Exercise Program continues to test our preparedness for natural events.

Similarly, testing our capabilities for emerging terrorist threats is a worthy endeavor. It should and already does occur. I do not believe that the intent of section 3 of the bill is that all Program exercises must include emerging terrorist threats. Rather, the bill provides that our capabilities to handle emerging terrorist threats can and should be tested within the Program. Any other interpretation would undermine the progress that the Nation has made to prepare for all hazards, including natural disasters and terrorist attacks.

In addition, it should be noted that FEMA is already required, at least once every two years, to perform a national level exercise to test and evaluate the Nation's capability to detect, disrupt, and prevent threatened or actual

catastrophic acts of terrorism, or to test and evaluate the readiness of governments to respond to and recover from catastrophic incidents. Both of these requirements can include exercises for emerging terrorist threats.

As this bill moves to the other body, I hope that we can work together to clarify the purpose and intent of section 3 of this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Arizona (Ms. MCSALLY) that the House suspend the rules and pass the bill, H.R. 4404, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

VETERANS' COMPENSATION COLA ACT OF 2016

Mr. ABRAHAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5588) to increase, effective as of December 1, 2016, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5588

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 ''Veterans' Compensation COLA Act of 2016''.

SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—Effective on December 1, 2016, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2016, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts under section 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount under section 1162 of such title.

(4) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—Each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2016, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(d) SPECIAL RULE.—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85–857 (72 Stat. 1263) who have not received compensation under chapter 11 of title 38, United States Code.

SEC. 3. PUBLICATION OF ADJUSTED RATES.

The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in section 2(b), as increased under that section, not later than the date on which the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2017.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. ABRAHAM) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.

GENERAL LEAVE

Mr. ABRAHAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous materials on H.R. 5588.

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

There was no objection.

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

Mr. Speaker, I am honored to have introduced H.R. 5588, the Veterans' Compensation COLA Act of 2016. This bill would provide a cost-of-living increase for wartime disability compensation, additional compensation for dependents, clothing allowance, dependency and indemnity compensation to surviving spouses, and dependency and indemnity compensation to children paid to our wounded warriors and their families for injuries they suffered while serving in uniform for our Nation.

Many of these veterans are suffering from serious conditions, such as traumatic brain injury, that may make it difficult for them to find gainful employment and provide for their families, and this clean cost-of-living increase will help them keep pace with inflation. Benefits are also paid to the spouses and children of those who have tragically made the ultimate sacrifice in defense of this great Nation.

H.R. 5588 would give veterans and their families the same cost-of-living increase that Social Security recipients receive. The men and women who were disabled as a result of their military service should not have to struggle to put food on the table and pay for housing and other necessities.

Members on both sides of the aisle have historically supported legislation that provides an annual COLA for disabled veterans because we know it is the right thing to do. I urge my colleagues to support H.R. 5588.

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

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

I rise in support of H.R. 5588, the Veterans' Compensation COLA Act of 2016. This bill is our annual veterans cost-of-living adjustment. It would ensure that, beginning on December 1, 2016, our disabled veterans receive the same increases as those receiving Social Security benefits.

Specifically, H.R. 5588 directs the Secretary of Veterans Affairs to increase the rates of basic compensation for disabled veterans and the rates of dependency and indemnity compensation, or DIC, to their survivors and dependents. It also increases other benefits, such as clothing allowance and wartime disability, to keep pace with the rising cost of living.

This bill sends a strong and important message that we are going to honor our commitment to supporting our veterans. This is the least we can do to repay their service.

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

Mr. ABRAHAM. Mr. Speaker, I thank the gentleman from California (Mr. TAKANO) for his kind words and his support. I have no speakers, so once again, I just encourage all Members to support H.R. 5588.

I yield back the balance of my time.

Mr. TAKANO. Mr. Speaker, I, too, have no additional speakers. I thank the gentleman from Louisiana for his work on this issue. It is a pleasure working with him in committee.

I once again ask all of my colleagues to join me in supporting H.R. 5588 and the Veterans' Compensation COLA Act of 2016.

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

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 5588, the ''Veterans' Compensation COLA Act of 2016,'' which authorizes for the Department of Veterans Affairs to increase the rates of compensation for veterans.

As the friends, family, co-workers and neighbors to veterans, we have an obligation to ensure that they feel their service to this country is appreciated by their fellow Americans.

These honorable men and women are major contributors to our military presence and many have given their lives to keep our nation safe.

In the State of Texas we have 1,099,141 veterans under the age of 65 and 590,618 who are over the age of 65—there are over 1,689,759 veterans living in our state.

The 18th Congressional District has 20,607 under age 65 and 9,844 veterans over the age of 65.

H.R. 5588 increases the rates of compensation for veterans with service-connected disabilities.

Additionally, the bill provides for an increase in the rates of dependency and indemnity compensation for the survivors of certain disabled veterans and surviving spouses and children.

The increase will be the same percentage as that provided under title II (Old Age, Survivors and Disability Insurance) of the Social Security Act.

Mr. Speaker, I urge all of my colleagues on both sides of the aisle to support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. ABRAHAM) that the House suspend the rules and pass the bill, H.R. 5588.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MARCELINO SERNA PORT OF ENTRY

Mr. SAM JOHNSON of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5252) to designate the United States Customs and Border Protection Port of Entry located at 1400 Lower Island Road in Tornillo, Texas, as the ''Marcelino Serna Port of Entry.''

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5252

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MARCELINO SERNA PORT OF ENTRY.

(a) DESIGNATION.—The United States Customs and Border Protection Port of Entry located at 1400 Lower Island Road in Tornillo, Texas, shall be known and designated as the ''Marcelino Serna Port of Entry''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the port of entry referred to in subsection (a) shall be deemed to be a reference to the ''Marcelino Serna Port of Entry''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5252, currently under consideration.

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

There was no objection.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5252, to designate the U.S. Customs and Border Protection Port of Entry located at 1400 Lower Island Road in Tornillo, Texas, as the Marcelino Serna Port of Entry.

Private Serna was a brave veteran who selflessly honored his country. He demonstrated courage, bravery, and heroism in battle, risking his life to save his fellow soldiers, and became the most decorated World War I veteran from the State of Texas.

I am honored to stand here today, as a veteran and a fellow Texan, to pay tribute to this brave American. I congratulate my colleague, Mr. HURD of Texas, for his leadership in introducing this legislation.

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

□ 1600

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

Mr. Speaker, I rise in support of H.R. 5252.

Private Marcelino Serna was an undocumented Mexican immigrant who became the most decorated soldier from Texas in World War I, and the first Hispanic to be awarded the Distinguished Service Cross, the highest military decoration of the United States Army after the Medal of Honor. By designating this port in his name, his exemplary service to our country is fully recognized.

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I urge my colleagues to support this bill to honor this great American.

I yield back the balance of my time.

Mr. HURD of Texas. Mr. Speaker, our nation was founded by and built upon the blood, sweat, and tears of immigrants.

Today, I want to honor one particular immigrant, U.S. Army Private Marcelino Serna, the most decorated World War I Veteran from Texas.

The heroic story of Private Serna, an immigrant from Mexico, began when he volunteered for the U.S. Army during World War I.

After a brief training, Serna was sent overseas to join the Allied Powers in Europe. Upon arrival, it came to light that he was not a U.S. citizen. Serna had the option of withdrawing from the fight. Instead, he decided to stay and fight together with his fellow soldiers.

During his time abroad, Serna's dedication and bravery stood out with acts worthy of a Medal of Honor. While he did not receive the Medal of Honor during his lifetime, he is currently being reviewed to receive it now.

During the war, Serna was injured in a confrontation that left twelve of his companions dead. He continued to fight, chasing those who had attacked them, managing to capture eight German soldiers.

In another confrontation, Serna managed to capture twenty-four enemy soldiers alone. Upon discovering a sniper's position, Serna shot and wounded him. As the soldier fled to his base, Serna decided to follow him. After discovering the base, Serna attacked, killed 26 enemy soldiers, and forced another 24 to surrender.

Without a doubt, these two examples of heroism demonstrated his dedication and commitment to the fight, but there is more to Serna's story.

As he led the prisoners back to the Allied base, some of his fellow soldiers suggested that they should be executed. Serna refused to allow this. Alongside his courage, he possessed a remarkable sense of honor.

For his extraordinary acts of valor, Serna was awarded two Purple Hearts and the Distinguished Service Cross, the second highest military honor after the Medal of Honor.

This bill serves to commend his bravery by renaming the Tornillo Port of Entry in honor of Pvt. Marcelino Serna, who lived in the area and is buried with full military honors at Fort Bliss National Cemetery in El Paso.

The Tornillo-Marcelino Serna Port of Entry will not only honor this extraordinary man's service to our nation, it will serve as a reminder of the countless Mexican-American immigrants who have fought valiantly to keep our nation safe.

Their contributions and sacrifices will not be ignored or forgotten.

I urge my colleagues to support the legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SAM JOHNSON) that the House suspend the rules and pass the bill, H.R. 5252.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NATIONAL GEORGE C. MARSHALL MUSEUM AND LIBRARY

Mr. BRAT. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 138) designating the George C. Marshall Museum and George C. Marshall Research Library in Lexington, Virginia, as the National George C. Marshall Museum and Library.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 138

Whereas General George C. Marshall served as Army Chief of Staff during World War II, Special Ambassador to China, Secretary of State, and Secretary of Defense;

Whereas General George C. Marshall was promoted to General of the Army in 1944, one of only five Army five-star generals in the history of the United States;

Whereas General George C. Marshall was awarded the Congressional Gold Medal in 1946 for his military strategy and vital role during World War II;

Whereas General George C. Marshall was awarded the Nobel Peace Prize in 1953 for developing the European economic recovery strategy known as the Marshall Plan;

Whereas the George C. Marshall Foundation was established in 1953 and is devoted to preserving the legacy of General George C. Marshall through educational scholarship programs and facilities;

Whereas the George C. Marshall Foundation opened the George C. Marshall Museum and George C. Marshall Research Library in 1964 in Lexington, Virginia, on the post of the Virginia Military Institute, which is the alma mater of General George C. Marshall;

Whereas the George C. Marshall Museum educates the public about the military and diplomatic contributions of General George C. Marshall through extensive exhibits; and

Whereas the George C. Marshall Research Library maintains the most comprehensive collection of records documenting the life and leadership of General George C. Marshall: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress designates the George C. Marshall Museum and George C. Marshall Research Library in Lexington, Virginia, as the National George C. Marshall Museum and Library.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. BRAT) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. BRAT).

GENERAL LEAVE

Mr. BRAT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 138.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H. Con. Res. 138, a resolution that designates the George C. Marshall Museum and the George C. Marshall Research Library in Lexington, Virginia, as the National George C. Marshall Museum and Library.

General George C. Marshall was a soldier, a statesman, and a peacemaker. General Marshall served as Army Chief of Staff during World War II, Special Ambassador to China, Secretary of State, and Secretary of Defense. He was promoted to General of the Army in 1944.

He was one of only five individuals in our Nation's history to rise to the rank of a five-star general in the United States Army. He was also awarded the Congressional Gold Medal in 1946 for his military strategy and vital role during World War II. He was awarded the Nobel Peace Prize in 1953 for developing the European economic recovery strategy, known as the Marshall Plan, which was absolutely essential to bringing peace to the European continent.

The George C. Marshall Foundation was created in 1953 to honor the legacy of George C. Marshall and his contributions to our Nation and the world during many of the key events of the 20th century. The Foundation preserves this legacy through educational scholarship programs and facilities.

The George C. Marshall Foundation opened the George C. Marshall Museum and George C. Marshall Research Library in 1964, in Lexington, Virginia, on the post of the Virginia Military Institute, which is the alma mater of General Marshall.

The library provides scholars with a documented record of the life of General Marshall and his public service, and the museum shares his inspiring story with visitors through exhibitions, artifacts, and educational programming.

General Marshall's contributions to our Nation cannot be overstated, and I hope to see this resolution adopted to designate the George C. Marshall Museum and George C. Marshall Research Library, which works so hard to highlight and share these contributions, as the National George C. Marshall Museum and Library. It is a small, yet fitting, tribute to a man who spent a lifetime faithfully and courageously serving his country.

I urge my colleagues to support this resolution.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Con. Res. 138, a resolution designating the George C. Marshall Museum and the George C. Marshall Research Library in Lexington as the National George C. Marshall Museum and Library. This concurrent resolution was introduced by my friend and colleague, BOB GOODLATTE, and is cosponsored by the entire Virginia delegation.

General George C. Marshall is a national hero and a distinguished public servant. The George C. Marshall Museum and Library is located in Lexington, Virginia, on the post of the Virginia Military Institute, the alma matter of General Marshall.

General Marshall served our country with distinction as the Army Chief of Staff during World War II, Special Ambassador to China, Secretary of State, president of the American Red Cross, and Secretary of Defense. He is one of only five Army five-star generals in United States history.

After World War II, General Marshall was awarded the Nobel Peace Prize in 1953 for his role in developing the European Recovery Program, which is now widely known as the Marshall Plan. The Marshall Plan contributed to European integration and growth in the aftermath of World War II.

Mr. Speaker, as the holder of the George C. Marshall Papers and with a mission to collect, preserve, and share information regarding the life and career of General Marshall, it is appropriate to designate the George C. Marshall Museum as the National George C. Marshall Museum and Library.

I urge my colleagues to support the concurrent resolution.

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

Mr. BRAT. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I want to thank both gentlemen from Virginia for their support of this legislation.

I rise today to urge passage of H. Con. Res. 138. This resolution would designate the George C. Marshall Museum and the George C. Marshall Research Library in Lexington, Virginia, as the National George C. Marshall Museum and Library.

General George Catlett Marshall dedicated his life to public service, serving honorably in the United States Army as Army Chief of Staff during World War II, Special Ambassador to China, Secretary of State, and Secretary of Defense.

From his allied plan to storm the beaches of Normandy to his European economic recovery strategy known as the Marshall Plan, his leadership changed the world. The history of the United States and the global community would be a different place if not for the contributions of General Marshall.

At the recommendation of former President Harry Truman, the Marshall Foundation was established in 1953. On May 23, 1964, the Marshall Museum and Library was dedicated on the post of the Virginia Military Institute, General Marshall's alma mater.

For over 50 years, the Marshall Foundation has devoted its mission to educating the public about the important contributions of General Marshall. The museum has five extensive exhibits and houses General Marshall's 1953 Nobel Peace Prize. The research library collects, preserves, and shares the largest collection of documents pertaining to General Marshall's life.

Just this year, the Marshall Foundation reached a huge milestone with the completion of the Papers of George Catlett Marshall. This project began in 1977, with the goal to create a published record of every document that General Marshall produced. The final project consists of seven volumes and includes 4,260 documents spanning over 5,666 pages.

In addition to its extensive research work, the Marshall Foundation provides educational opportunities for college students and future military leaders. The Marshall Undergraduate Scholars Program sends college history students to the Marshall Foundation to conduct primary research in the library's archives.

The Marshall Army ROTC Award Seminar also provides the top ROTC cadet at each college in the United States the opportunity to participate in a national security conference with fellow award recipients and current Army leaders. The Marshall-Arnold Air Force ROTC Award Seminar provides a similar opportunity to top senior cadets at each college with an Air Force ROTC program.

Last year, the Marshall Foundation began the Marshall Legacy Series. This is a 3-year series of exhibits, lectures, and events to showcase General Marshall's contributions during the 20th century and connect those contributions to today's world.

This is just a snapshot of the important work the Marshall Foundation conducts to honor and preserve the legacy of General Marshall. I am honored to have such an important facility in my district, the Sixth Congressional District of Virginia.

General Marshall once said: ''Sincerity, integrity, and tolerance are, to my mind, the first requirements of many to a fine, strong character.''

I applaud the Marshall Foundation's work in sharing Marshall's vision and character with a new generation of Americans. I urge passage of this resolution to honor one of America's most sincere and distinguished public servants by congressionally designating

the museum and library in Lexington, Virginia, as the National George C. Marshall Museum and Library.

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

Mr. Speaker, I want to thank our colleague from Roanoke for his leadership and the entire Virginia delegation for supporting the resolution. I urge support.

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

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

I am pleased we are advancing a bipartisan proposal today, one that means a great deal to the people in my home State of Virginia and to my fellow Members from Virginia here with us today, to designate the George C. Marshall Museum and the George C. Marshall Library as the National George C. Marshall Museum and Library. We do this to honor a great American hero and his enduring legacy. I urge my colleagues to support this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. BRAT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 138.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

STRENGTHENING TRANSPARENCY IN HIGHER EDUCATION ACT

Mr. MESSER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3178) to simplify and streamline the information regarding institutions of higher education made publicly available by the Secretary of Education, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3178

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 ''Strengthening Transparency in Higher Education Act''.

SEC. 2. COLLEGE DASHBOARD WEBSITE.

(a) ESTABLISHMENT.—Section 132 of the Higher Education Act of 1965 (20 U.S.C. 1015a) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''first-time,'';

(B) in paragraph (3) in the matter preceding subparagraph (A), by striking ''first-time,''; and

(C) in paragraph (4), by striking ''first-time,'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''first-time,''; and

(B) in paragraph (2), by striking ''first-time,'';

(3) by striking subsections (c) through (g), (j), and (l);

(4) by redesignating subsections (h), (i), and (k) as subsections (c), (d), and (e), respectively; and

(5) by striking subsection (d) (as so redesignated) and inserting the following new subsection:

''(d) CONSUMER INFORMATION.—

''(1) AVAILABILITY OF TITLE IV INSTITUTION INFORMATION.—The Secretary shall develop and make publicly available a website to be known as the 'College Dashboard website' in accordance with this section and prominently display on such website, in simple, understandable, and unbiased terms for the most recent academic year for which satisfactory data are available, the following information with respect to each institution of higher education that participates in a program under title IV:

''(A) A link to the website of the institution.

''(B) An identification of the type of institution as one of the following:

''(i) A four-year public institution of higher education.

''(ii) A four-year private, nonprofit institution of higher education.

''(iii) A four-year private, for-profit institution of higher education.

''(iv) A two-year public institution of higher education.

''(v) A two-year private, nonprofit institution of higher education.

''(vi) A two-year private, for-profit institution of higher education.

''(vii) A less than two-year public institution of higher education.

''(viii) A less than two-year private, nonprofit institution of higher education.

''(ix) A less than two-year private, for-profit institution of higher education.

''(C) The number of students enrolled at the institution—

''(i) as undergraduate students; and

''(ii) as graduate students, if applicable.

''(D) The student-faculty ratio.

''(E) The percentage of degree-seeking or certificate-seeking undergraduate students enrolled at the institution who obtain a degree or certificate within—

''(i) 100 percent of the normal time for completion of, or graduation from, the program in which the student is enrolled;

''(ii) 150 percent of the normal time for completion of, or graduation from, the program in which the student is enrolled; and

''(iii) 200 percent of the normal time for completion of, or graduation from, the program in which the student is enrolled.

''(F) The average net price per year for undergraduate students receiving Federal student financial aid under title IV based on an income category selected by the user from a list containing the following income categories:

''(i) $0 to $30,000.

''(ii) $30,001 to $48,000.

''(iii) $48,001 to $75,000.

''(iv) $75,001 to $110,000.

''(v) $110,001 to $150,000.

''(vi) Over $150,000.

''(G) A link to the net price calculator for such institution.

''(H) The percentage of undergraduate students who obtained a certificate or degree from the institution who borrowed Federal student loans under title IV, and the average Federal student loan debt incurred by an undergraduate student who obtained a certificate or degree from the institution and borrowed Federal student loans under title IV in the course of obtaining such certificate or degree.

''(I) A link to national and regional data from the Bureau of Labor Statistics on starting salaries in all major occupations.

''(J) A link to the webpage of the institution containing campus safety data with respect to such institution.

''(2) OTHER INFORMATION.—The Secretary shall publish on Internet webpages that are linked to through the College Dashboard website for the most recent academic year for which satisfactory data is available the following information with respect to each institution of higher education that participates in a program under title IV:

''(A) ENROLLMENT.—

''(i) The percentages of male and female undergraduate students enrolled at the institution.

''(ii) The percentages of undergraduate students enrolled at the institution—

''(I) full-time; and

''(II) less than full-time.

''(iii) In the case of an institution other than an institution that provides all courses and programs through distance education, of the undergraduate students enrolled at the institution—

''(I) the percentage of such students who are from the State in which the institution is located;

''(II) the percentage of such students who are from other States; and

''(III) the percentage of such students who are international students.

''(iv) The percentages of undergraduate students enrolled at the institution, disaggregated by—

''(I) race and ethnic background;

''(II) classification as a student with a disability;

''(III) recipients of a Federal Pell Grant;

''(IV) recipients of assistance under a tuition assistance program conducted by the Department of Defense under section 1784a or 2007 of title 10, United States Code, or other authorities available to the Department of Defense or veterans' education benefits (as defined in section 480); and

''(V) recipients of a Federal student loan under title IV.

''(B) COMPLETION.—The information required under paragraph (1)(E), disaggregated by—

''(i) recipients of a Federal Pell Grant;

''(ii) recipients of a loan made under part D of title IV (other than a Federal Direct Unsubsidized Stafford Loan) who did not receive a Federal Pell Grant;

''(iii) individuals who did not receive a Federal Pell Grant or a loan made under part D of title IV (other than a Federal Direct Unsubsidized Stafford Loan);

''(iv) race and ethnic background;

''(v) classification as a student with a disability;

''(vi) recipients of assistance under a tuition assistance program conducted by the Department of Defense under section 1784a or 2007 of title 10, United States Code, or other authorities available to the Department of Defense or veterans' education benefits (as defined in section 480); and

''(vii) male and female.

''(C) COSTS.—

''(i) The cost of attendance for full-time undergraduate students enrolled in the institution who live on campus.

''(ii) The cost of attendance for full-time undergraduate students enrolled in the institution who live off campus.

''(iii) The cost of tuition and fees for full-time undergraduate students enrolled in the institution.

''(iv) The cost of tuition and fees per credit hour or credit hour equivalency for undergraduate students enrolled in the institution less than full time.

''(v) In the case of a public institution of higher education (other than an institution described in clause (vi)) and notwithstanding

subsection (b)(1), the costs described in clauses (i) and (ii) for—

''(I) full-time students enrolled in the institution who are residents of the State in which the institution is located; and

''(II) full-time students enrolled in the institution who are not residents of such State.

''(vi) In the case of a public institution of higher education that offers different tuition rates for students who are residents of a geographic subdivision smaller than a State and students not located in such geographic subdivision and notwithstanding subsection (b)(1), the costs described in clauses (i) and (ii) for—

''(I) full-time students enrolled at the institution who are residents of such geographic subdivision;

''(II) full-time students enrolled at the institution who are residents of the State in which the institution is located but not residents of such geographic subdivision; and

''(III) full-time students enrolled at the institution who are not residents of such State.

''(D) FINANCIAL AID.—

''(i) The average annual grant amount (including Federal, State, and institutional aid) awarded to an undergraduate student enrolled at the institution who receives financial aid.

''(ii) The percentage of undergraduate students enrolled at the institution receiving Federal, State, and institutional grants, student loans, and any other type of student financial assistance known by the institution, provided publicly or through the institution, such as Federal work-study funds.

''(iii) The cohort default rate (as defined in section 435(m)) for such institution.

''(E) FACULTY INFORMATION.—

''(i) The ratio of the number of course sections taught by part-time instructors to the number of course sections taught by full-time faculty, disaggregated by course sections intended primarily for undergraduate students and course sections intended primarily for graduate students.

''(ii) The mean and median years of employment for part-time instructors.

''(3) OTHER DATA MATTERS.—

''(A) COMPLETION DATA.—The Commissioner of Education Statistics shall ensure that the information required under paragraph (1)(E) includes information with respect to all students at an institution, including students other than first-time, full-time students and students who transfer to another institution, in a manner that the Commissioner considers appropriate.

''(B) ADJUSTMENT OF INCOME CATEGORIES.—The Secretary may annually adjust the range of each of the income categories described in paragraph (1)(F) to account for a change in the Consumer Price Index for All Urban Consumers as determined by the Bureau of Labor Statistics if the Secretary determines an adjustment is necessary.

''(4) INSTITUTIONAL COMPARISON.—The Secretary shall include on the College Dashboard website a method for users to easily compare the information required under paragraphs (1) and (2) between institutions.

''(5) UPDATES.—

''(A) DATA.—The Secretary shall update the College Dashboard website not less than annually.

''(B) TECHNOLOGY AND FORMAT.—The Secretary shall regularly assess the format and technology of the College Dashboard website and make any changes or updates that the Secretary considers appropriate.

''(6) CONSUMER TESTING.—

''(A) IN GENERAL.—In developing and maintaining the College Dashboard website, the Secretary, in consultation with appropriate departments and agencies of the Federal Government, shall conduct consumer testing with appropriate persons, including current and prospective college students, family members of such students, institutions of higher education, and experts, to ensure that the College Dashboard website is usable and easily understandable and provides useful and relevant information to students and families.

''(B) RECOMMENDATIONS FOR CHANGES.—The Secretary shall submit to the authorizing committees any recommendations that the Secretary considers appropriate for changing the information required to be provided on the College Dashboard website under paragraphs (1) and (2) based on the results of the consumer testing conducted under subparagraph (A).

''(7) PROVISION OF APPROPRIATE LINKS TO PROSPECTIVE STUDENTS AFTER SUBMISSION OF FAFSA.—The Secretary shall provide to each student who submits a Free Application for Federal Student Aid described in section 483 a link to the webpage of the College Dashboard website that contains the information required under paragraph (1) for each institution of higher education such student includes on such Application.

''(8) INTERAGENCY COORDINATION.—The Secretary, in consultation with each appropriate head of a department or agency of the Federal Government, shall ensure to the greatest extent practicable that any information related to higher education that is published by such department or agency is consistent with the information published on the College Dashboard website.

''(9) REFERENCES TO COLLEGE NAVIGATOR WEBSITE.—Any reference in this Act to the College Navigator website shall be considered a reference to the College Dashboard website.''.

(b) CONFORMING AMENDMENTS.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), as amended by subsection (a) of this section, is further amended—

(1) in section 131(h) (20 U.S.C. 1015(h)), by striking ''College Navigator'' and inserting ''College Dashboard''; and

(2) in section 132(a) (20 U.S.C. 1015a(a)), by striking paragraph (1) and inserting the following new paragraph:

''(1) COLLEGE DASHBOARD WEBSITE.—The term 'College Dashboard website' means the College Dashboard website required under subsection (d).''.

(c) DEVELOPMENT.—The Secretary of Education shall develop and publish the College Dashboard website required under section 132 of the Higher Education Act of 1965 (20 U.S.C. 1015a), as amended by subsections (a) and (b) of this section, not later than one year after the date of the enactment of this Act.

(d) COLLEGE NAVIGATOR WEBSITE MAINTENANCE.—The Secretary shall maintain the College Navigator website required under section 132 of the Higher Education Act of 1965 (20 U.S.C. 1015a), as in effect the day before the date of the enactment of this Act, in the manner required under the Higher Education Act of 1965, as in effect on such day, until the College Dashboard website referred to in subsection (c) is complete and publicly available on the Internet.

SEC. 3. NET PRICE CALCULATORS.

Subsection (c) of section 132 of the Higher Education Act of 1965 (20 U.S.C. 1015a), as redesignated by section 2(a)(4) of this Act, is amended—

(1) by redesignating paragraph (4) as paragraph (6); and

(2) by inserting after paragraph (3) the following new paragraphs:

''(4) MINIMUM REQUIREMENTS FOR NET PRICE CALCULATORS.—Not later than 1 year after the date of the enactment of the Strengthening Transparency in Higher Education Act, a net price calculator for an institution of higher education shall meet the following requirements:

''(A) The link for the calculator shall—

''(i) be clearly labeled as a net price calculator and prominently, clearly, and conspicuously posted in locations on the website of such institution where information on costs and aid is provided and any other location that the institution considers appropriate; and

''(ii) match in size and font to the other prominent links on the webpage where the link for the calculator is displayed.

''(B) The webpage displaying the results for the calculator shall specify at least the following information:

''(i) The net price (as calculated under subsection (a)(2)) for such institution, which shall be the most visually prominent figure on the results screen.

''(ii) Cost of attendance, including—

''(I) tuition and fees;

''(II) average annual cost of room and board for the institution for a full-time undergraduate student enrolled in the institution;

''(III) average annual cost of books and supplies for a full-time undergraduate student enrolled in the institution; and

''(IV) estimated cost of other expenses (including personal expenses and transportation) for a full-time undergraduate student enrolled in the institution.

''(iii) Estimated total need-based grant aid and merit-based grant aid from Federal, State, and institutional sources that may be available to a full-time undergraduate student.

''(iv) Percentage of the full-time undergraduate students enrolled in the institution that received any type of grant aid described in clause (iii).

''(v) The disclaimer described in paragraph (6).

''(vi) In the case of a calculator that—

''(I) includes questions to estimate the eligibility of a student or prospective student for veterans' education benefits (as defined in section 480) or educational benefits for active duty service members, such benefits are displayed on the results screen in a manner that clearly distinguishes such benefits from the grant aid described in clause (iii); or

''(II) does not include questions to estimate eligibility for the benefits described in subclause (I), the results screen indicates that certain students (or prospective students) may qualify for such benefits and includes a link to information about such benefits.

''(C) The institution shall populate the calculator with data from an academic year that is not more than 2 academic years prior to the most recent academic year.

''(5) PROHIBITION ON USE OF DATA COLLECTED BY THE NET PRICE CALCULATOR.—A net price calculator for an institution of higher education shall—

''(A) clearly indicate which questions are required to be completed for an estimate of the net price from the calculator;

''(B) in the case of a calculator that requests contact information from users, clearly mark such requests as optional and provide for an estimate of the net price from the calculator without requiring users to enter such information; and

''(C) prohibit any personally identifiable information provided by users from being sold or made available to third parties.''.

SEC. 4. FUNDING.

(a) USE OF EXISTING FUNDS.—Of the amount authorized to be appropriated to the Department of Education to maintain the College Navigator website, $1,000,000 shall be available to carry out this Act and the amendments made by this Act.

(b) NO ADDITIONAL FUNDS AUTHORIZED.—No funds are authorized by this Act to be appropriated to carry out this Act or the amendments made by this Act.

The SPEAKER pro tempore (Mr. RIGELL). Pursuant to the rule, the gentleman from Indiana (Mr. MESSER) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

□ 1615

GENERAL LEAVE

Mr. MESSER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3178.

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

There was no objection.

Mr. MESSER. Mr. Speaker, I rise today in strong support of H.R. 3178, the Strengthening Transparency in Higher Education Act, and I yield myself such time as I may consume.

For many Americans, access to higher education is a critical step in achieving the American Dream. However, as young men and women enter into the college selection process, they are too often faced with a complex maze of options, a lack of clear and consistent information, and a complicated and burdensome financial aid system.

Congress made a number of reforms in 2008 to provide students and their families with more information on colleges and universities. Students are now better equipped to make informed decisions about where they choose to pursue a postsecondary education. But, unfortunately, some of these initiatives have only added to confusion faced by students and families as they make their higher education decisions, so more needs to be done.

Too often, information that is available does not take into account the number of current students who enroll in higher education and lacks other important crucial information that may impact the decisions being made by students and their families. That is why Representative FOXX and I, along with many of our colleagues on both sides of the aisle, have introduced this important legislation.

The Strengthening Transparency in Higher Education Act makes significant improvements to the transparency gaps that currently exist within our current higher education system, including completion rates for Pell grant recipients. It will help ensure all available data is straightforward, useful, and relevant for today's students.

By streamlining the maze of information into a consumer-tested College Dashboard, we can provide better information on enrollment, completion rates, and average student loan debt. Students can more easily form side-by-side comparisons of the colleges and universities that they are considering.

Currently, the Secretary of Education is only required to publish information on first-time students who attend class full-time, ignoring a large part of the current college population. This legislation will ensure available information is better reflective of all students, both traditional and contemporary, and new and prospective students have a clearer picture of all options that are available to them.

The Strengthening Transparency in Higher Education Act takes steps to improve coordination among Federal agencies by requiring the Secretary of Education to work with other departments and agencies to ensure that any information related to higher education that they publish is consistent with the College Dashboard. This will help to avoid duplicative efforts and reduce confusion for students.

With these reforms, we can ensure that students have all the information they need to make the best decisions for their futures. By working together, we can help make the dream of obtaining a college degree a reality for more Americans.

I urge my colleagues to support this bipartisan legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 3178, the Strengthening Transparency in Higher Education Act, and I want to thank the gentleman from Indiana for joining me today in managing the bill. I want to also thank Ms. FOXX, chair of the Subcommittee on Higher Education and Workforce Training, for her hard work on this bill. I also want to thank our chairman, JOHN KLINE, and ranking member, BOBBY SCOTT, for their leadership.

No matter which side of the aisle we are on, we can all agree that, by helping people get an education, we are benefiting both the individual and the American economy. In today's world, getting an education means more than grade school and high school; it means higher education as well.

H.R. 3178 will help more Americans get a college education, and it does so by helping college students and potential college students and their families get more of the information they need to make the tough financial decision that go along with a college education.

With more than 7,000 colleges and universities nationwide to choose from, the college application process can be quite overwhelming for students and their families. H.R. 3178 helps to bridge the information gap by creating a new online tool for students and families called the College Dashboard, to be managed by the U.S. Department of Education. This Web site will replace the cumbersome College Navigator and compile information submitted by institutions on enrollment, graduation rates, costs, financial aid, and faculty status. The bill will also streamline existing efforts at the Federal level to reduce confusion, and require better coordination by Federal agencies to avoid duplication.

A bill like H.R. 3178 is particularly important for students in America who come from areas like the one I represent, the Northern Mariana Islands, that are geographically remote. Students from my district cannot hop in the car with their parents and drive around the country looking at colleges. It costs thousands of dollars to fly off island, as we say; and for families who come from some of the poorer areas of our Nation, like the one I represent, those thousands of dollars that would be spent to look at colleges would be better spent paying tuition, buying books, or covering the cost of room and board.

Having more information readily available about the cost of any particular college and the return on investment that graduates of that college can expect is also critically important for students and families who often are investing in a college education for the first time. Making an investment like that for families that have never sent anyone to college is a leap of faith, a huge risk, and if we can help reduce the risk, or give those families a better sense of the value of the financial sacrifices they will have to make to pay for college, then we should do so.

By supplying key information about the colleges online on the College Dashboard, as this measure does, it would help bridge the geographic and socioeconomic gaps that can be a barrier for bright, hardworking, and ambitious students everywhere in America to get a college degree. When we can do that, we are helping these individuals have a more productive, satisfying life, and we are helping our Nation remain productive and competitive in our world economy.

Again, I want to thank Chairwoman FOXX for the opportunity to work with her on this important and meaningful legislation. I urge my colleagues to support H.R. 3178, the Strengthening Transparency in Higher Education Act.

I yield back the balance of my time.

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

Mr. Speaker, in closing, I want to thank the gentleman from the Northern Mariana Islands for his leadership on this important bill and all my colleagues on both sides of the aisle for their hard work on this bipartisan legislation.

Going through the college decision application process should be an experience students look forward to as they plan the next stage of their lives. The Strengthening Transparency in Higher Education Act makes the reforms necessary to ensure the information available to students is more accessible, relevant, and helpful as they go through that process.

I am pleased with the good work we have been able to do here on Capitol Hill.

I want to thank Chairwoman FOXX for her leadership on this bill as well.

I urge my colleagues to support the legislation.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 3178, the "Strengthening Transparency in Higher Education Act," which streamlines and simplifies information regarding institutions of higher education.

At a time when American innovation and intellectual growth is critical to maintaining our country's global economic leadership, higher education is an indispensable means of ensuring the next generation can uphold the exceptionally high standards of American innovation.

As the founder and chair of the Children's Caucus, and a longtime advocate for education opportunities for students at every stage, I know this nation can do better.

In order to ensure tomorrow's economic, academic, and political leaders are the best our nation has to offer, higher education opportunities must be available and accessible to all.

I support the "Strengthening Transparency in Higher Education Act" because it makes an important contribution in ensuring higher education remains accessible and possible for all students.

In particular, H.R. 3178 simplifies available information on higher education opportunities by developing and making publicly available a website known as the "College Dashboard Website" that will streamline available information about participating institutions in a readily-accessible manner.

The information on this website will include:

(1) A link to the website of the institution, as well as an identification of the type of institution;

(2) Information about the institution including its attendance, student-faculty ratio, and percentage of degree-seeking or certificate-seeking undergraduate students enrolled at the institution who obtain their degree or certificate within a particular time frame;

(3) Financial information including average net price per year and availability of financial aid; and

(4) Data about campus safety, as well as regional and national data regarding starting salaries in all major occupations.

The "College Dashboard Website," moreover, will include links to more exhaustive data regarding enrollment, completion, costs, financial aid, faculty, and institutional comparison.

Finally, the "College Dashboard Website" will include links that provide net price calculators for participating institutions of higher education.

These resources being made available to the education marketplace will provide important information to students and their families in their search for the best education value possible.

As an effort to simplify the public's access to institutions of higher education, H.R. 3178 represents a crucial step in bolstering the accessibility of education in America.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. MESSER) that the House suspend the rules and pass the bill, H.R. 3178, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HBCU CAPITAL FINANCING IMPROVEMENT ACT

Mr. BYRNE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5530) to amend the Higher Education Act of 1965 to modify certain provisions relating to the capital financing of historically Black colleges and universities, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5530

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 ''HBCU Capital Financing Improvement Act''.

SEC. 2. BOND INSURANCE.

Section 343 of the Higher Education Act of 1965 (20 U.S.C. 1066b) is amended—

(1) by striking ''escrow account'' each place it appears and inserting ''bond insurance fund''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking ''an'' and inserting ''a''; and

(B) in paragraph (8), in the matter preceding subparagraph (A), by striking ''an'' and inserting ''a''.

SEC. 3. STRENGTHENING TECHNICAL ASSISTANCE.

Paragraph (9) of section 345 of the Higher Education Act of 1965 (20 U.S.C. 1066d) is amended to read as follows:

''(9) may, directly or by grant or contract, provide financial counseling and technical assistance to eligible institutions to prepare the institutions to qualify, apply for, and maintain a capital improvement loan, including a loan under this part; and''.

SEC. 4. HBCU CAPITAL FINANCING ADVISORY BOARD.

Paragraph (2) of section 347(c) of the Higher Education Act of 1965 (20 U.S.C. 1066f(c)) is amended to read as follows:

''(2) REPORT.—On an annual basis, the Advisory Board shall prepare and submit to the authorizing committees a report on the status of the historically Black colleges and universities described in paragraph (1)(A). That report shall also include—

''(A) an overview of all loans in the capital financing program, including the most recent loans awarded in the fiscal year in which the report is submitted; and

''(B) administrative and legislative recommendations, as needed, for addressing the issues related to construction financing facing historically Black colleges and universities.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. BYRNE) and the gentlewoman from North Carolina (Ms. ADAMS) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5530.

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

There was no objection.

Mr. BYRNE. Mr. Speaker, I rise today in strong support of H.R. 5530, the HBCU Capital Financing Improvement Act, and I yield myself such time as I may consume.

Mr. Speaker, H.R. 5530 is one of a number of bills on the floor today with a common purpose: improving our country's higher education system—something that has been a priority of mine for a very long time.

As a member of the Alabama State Board of Education and as chancellor of the Alabama Department of Postsecondary Education, I worked to ensure that schools in our State were preparing students to succeed. As a member of the House Education and the Workforce Committee, I have continued that focus and worked to deliver solutions that will provide all students with the quality education they deserve, and that is why I stand here today.

An important part of helping students succeed is making sure schools and institutions have what they need to serve them well. That is exactly what H.R. 5530 will do.

The bill reforms a program known as the HBCU Capital Financing Program. Congress created this program to provide Historically Black Colleges and Universities with low-cost capital they can use to make infrastructure improvements. It acts as a loan guarantee program so that these institutions can finance or refinance repairs, renovations, and construction on their campuses.

The program also includes an advisory board that is intended to inform the Department of Education on the capital needs of HBCUs, how those needs can be met through the program, and how the program can be improved.

H.R. 5530 will improve access to the HBCU Capital Financing Program by helping schools better understand the resources available to them. It will also strengthen the oversight program, reinforcing the duties of its advisory board by requiring it to report annually to Congress on the program's financial health. These are simple reforms that will help HBCUs better serve their students and ensure taxpayer dollars are being well-spent.

I urge my colleagues to support this bipartisan legislation, and I reserve the balance of my time.

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

I thank the gentleman from Alabama also for serving as co-chair of the bipartisan HBCU Caucus and cosponsoring this bill.

I am here today to encourage all of my colleagues to support the HBCU Capital Financing Improvement Act. This bipartisan legislation seeks to offset inequities faced by Historically Black Colleges and Universities in the private bond market by making improvements to the HBCU Capital Financing Program, a program that provides low-cost capital to finance infrastructure improvements at HBCUs.

This bill also makes technical changes to the program, such as changing the name of an account to more adequately describe the purpose of the fund. The simple change in name may increase participation by public HBCUs which otherwise may have been discouraged from participating.

The HBCU Capital Financing Improvement Act also provides additional support to institutions interested in participating but unable to meet the program's financial requirements. This bill allows the Department of Education to offer financial counseling to interested HBCUs, in addition to the technical assistance already provided by the agency through the program.

The HBCU Capital Financing Program provides integral investments to HBCUs, allowing them to provide students with enhanced learning and living environments, rebuild and restructure historic buildings, and provide jobs in communities.

□ 1630

Without this important program, many HBCUs would be unable to maintain their campuses and make the improvements necessary to serve their student populations. Additionally, this financing program has been an effective tool, and it has exhibited very limited risk to the Federal Government and taxpayers.

I hope these changes will encourage and help more HBCUs take advantage of the capital financing program, and I encourage all of my colleagues to support this legislation.

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

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

Mr. Speaker, as I hope the public is seeing as they watch this and all our colleagues are learning, all of these higher education bills are moving with bipartisan support. Either you have a Democratic sponsor and a Republican cosponsor or a Republican sponsor and a Democratic cosponsor. As they passed through our committee, they passed unanimously, which just goes to show that there are things that we in this Congress can work on together in a bipartisan fashion to make improvements for the American people.

I hope that we will build on what we are doing today on these very important pieces of higher education legislation not just in our committee, but throughout the Congress because the American people sent us here to work together to get their problems solved and help them improve their lives. I think it is a very important idea we advance in this bill.

Mr. Speaker, I have no further speakers. I am prepared to close, and I reserve the balance of my time.

Ms. ADAMS. Mr. Speaker, I would like to simply close by saying that I want to thank Congressman BYRNE and all the committee for their support of this important legislation and to all of our bipartisan cosponsors as well because what we have here, this legislation will definitely make improvements to the HBCU capital financing program which ultimately supports our HBCUs.

Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

Mr. BYRNE. Mr. Speaker, in closing, I want to thank Representative ADAMS for her leadership on the issue of HBCUs in general, for her leadership in the bipartisan caucus, and for advancing this particular piece of legislation. I want to thank all of our colleagues that worked with us not just on this legislation, but through the other work of the caucus.

HBCUs are an integral part of our higher education system in America, and I am proud of the work we have done to address the unique challenges they face. I look forward to continuing that work as we advance legislation like the HBCU Capital Financing Improvement Act. By enhancing an existing program, H.R. 5530, will help these institutions make worthwhile investments that will benefit their students and the United States of America for years to come.

Mr. Speaker, I urge my colleagues to support this legislation.

I yield back the balance of my time.

Ms. JACKSON LEE. I rise in support of H.R. 5530, "HBCU Capital Financing Improvement Act" and thank my good friend Congresswoman ADAMS for her leadership on this important bill.

In particular, this bill strengthens and streamlines capital financing of historically Black colleges and universities, and bolsters the welfare of these institutions by providing financial counseling and technical assistance to qualified schools.

This legislation will help lay the foundation needed to develop critical solutions to meet current and emerging needs, like student retention and improving graduation rates.

As the founder and chair of the Children's Caucus and Member of the Congressional Black Caucus, I am particularly concerned about the events of the last few days and weeks that highlight a national problem that involves the health and well-being of young African American boys and young men.

One important solution must be access to affordable quality education for every person in this nation.

HBCUs graduate far more than their share of African American professionals.

While the 105 HBCUs represent just 3 percent of the nation's institutions of higher learning, they graduate nearly one quarter of African Americans who earn undergraduate degrees.

I am proud that Texas Southern University one of the nation's great HBCU is a constituent in my home city of Houston.

I routinely partner with Texas Southern University to promote education opportunities and collaborate on community projects routinely.

H.R. 5530 will help facilitate my work with Texas Southern University and other HBCUs by expanding the financial opportunities they need.

America's HBCUs have a proud and solid tradition.

Scattered throughout the nation, many of these institutions of higher learning have fostered the academic development of African-Americans for over a century.

Since their inception, HBCUs have furthered the development of African Americans who have become leaders in science, health, government, business, and education, the military, law, and world affairs including:

Booker T. Washington, Founder of Tuskegee Institute

Rev. Dr. Martin Luther King;

Supreme Court Justice Thurgood Marshall;

World renowned opera singer Leontyne Price;

Media mogul Oprah Winfrey;

And Congresswoman Barbara Jordan of Texas

Mr. Speaker, we must continue to provide our strong support to HBCUs so that every citizen can enjoy a future of hope and opportunity.

We commend these great institutions as they build on a foundation of continued success for every college student.

Graduates of HBCUs have made great contributions to our society, and America, and they continue to serve as role models for all Americans.

Most Americans agree that education provides the best chance of preparing today's youth to lead the Nation throughout the next century.

Mr. Speaker, I urge my colleagues to join me in recognizing the importance of National Historically Black Colleges and Universities and help strengthening them by continued funding these critical institutions and ensuring our nation's youth have access to quality education.

The SPEAKER pro tempore. The question on the motion offered by the gentleman from Alabama (Mr. BYRNE) that the House suspend the rules and pass the bill, H.R. 5530, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EMPOWERING STUDENTS THROUGH ENHANCED FINANCIAL COUNSELING ACT

Mr. GUTHRIE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3179) to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3179

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 "Empowering Students Through Enhanced Financial Counseling Act".

SEC. 2. ANNUAL COUNSELING.

Section 485(l) of the Higher Education Act of 1965 (20 U.S.C. 1092(l)) is amended to read as follows:

"(l) ANNUAL FINANCIAL AID COUNSELING.—

"(1) ANNUAL DISCLOSURE REQUIRED.—

''(A) IN GENERAL.—Each eligible institution shall ensure that each individual who receives a Federal Pell Grant or a loan made under part D (other than a Federal Direct Consolidation Loan) receives comprehensive information on the terms and conditions of such Federal Pell Grant or loan and the responsibilities the individual has with respect to such Federal Pell Grant or loan. Such information shall be provided, for each award year for which the individual receives such Federal Pell Grant or loan, in a simple and understandable manner—

''(i) during a counseling session conducted in person;

''(ii) online, with the individual acknowledging receipt of the information; or

''(iii) through the use of the online counseling tool described in subsection (n)(1)(B).

''(B) USE OF INTERACTIVE PROGRAMS.—In the case of institutions not using the online counseling tool described in subsection (n)(1)(B), the Secretary shall require such institutions to carry out the requirements of subparagraph (A) through the use of interactive programs, during an annual counseling session that is in-person or online, that test the individual's understanding of the terms and conditions of the Federal Pell Grant or loan awarded to the individual, using simple and understandable language and clear formatting.

''(2) ALL INDIVIDUALS.—The information to be provided under paragraph (1)(A) to each individual receiving counseling under this subsection shall include the following:

''(A) An explanation of how the individual may budget for typical educational expenses and a sample budget based on the cost of attendance for the institution.

''(B) An explanation that an individual has a right to annually request a disclosure of information collected by a consumer reporting agency pursuant to section 612(a) of the Fair Credit Reporting Act (15 U.S.C. 1681j(a)).

''(C) Based on the most recent data available from the American Community Survey available from the Department of Commerce, the estimated average income and percentage of employment in the State of domicile of the individual for individuals with—

''(i) a high school diploma or equivalent;

''(ii) some post-secondary education without completion of a degree or certificate; and

''(iii) a bachelor's degree.

''(D) An introduction to the financial management resources provided by the Financial Literacy and Education Commission.

''(3) STUDENTS RECEIVING FEDERAL PELL GRANTS.—The information to be provided under paragraph (1)(A) to each student receiving a Federal Pell Grant shall include the following:

''(A) An explanation of the terms and conditions of the Federal Pell Grant.

''(B) An explanation of approved educational expenses for which the student may use the Federal Pell Grant.

''(C) An explanation of why the student may have to repay the Federal Pell Grant.

''(D) An explanation of the maximum number of semesters or equivalent for which the student may be eligible to receive a Federal Pell Grant, and a statement of the amount of time remaining for which the student may be eligible to receive a Federal Pell Grant.

''(E) An explanation that if the student transfers to another institution not all of the student's courses may be acceptable in transfer toward meeting specific degree or program requirements at such institution, but the amount of time remaining for which a student may be eligible to receive a Federal Pell Grant, as provided under subparagraph (D), will not change.

''(F) An explanation of how the student may seek additional financial assistance from the institution's financial aid office due to a change in the student's financial circumstances, and the contact information for such office.

''(4) BORROWERS RECEIVING LOANS MADE UNDER PART D (OTHER THAN PARENT PLUS LOANS).—The information to be provided under paragraph (1)(A) to a borrower of a loan made under part D (other than a Federal Direct PLUS Loan made on behalf of a dependent student) shall include the following:

''(A) To the extent practicable, the effect of accepting the loan to be disbursed on the eligibility of the borrower for other forms of student financial assistance.

''(B) An explanation of the use of the master promissory note.

''(C) An explanation that the borrower is not required to accept the full amount of the loan offered to the borrower.

''(D) An explanation that the borrower should consider accepting any grant, scholarship, or State or Federal work-study jobs for which the borrower is eligible prior to accepting Federal student loans.

''(E) A recommendation to the borrower to exhaust the borrower's Federal student loan options prior to taking out private education loans, an explanation that Federal student loans typically offer better terms and conditions than private education loans, an explanation of treatment of loans made under part D and private education loans in bankruptcy, and an explanation that if a borrower decides to take out a private education loan—

''(i) the borrower has the ability to select a private educational lender of the borrower's choice;

''(ii) the proposed private education loan may impact the borrower's potential eligibility for other financial assistance, including Federal financial assistance under this title; and

''(iii) the borrower has a right—

''(I) to accept the terms of the private education loan within 30 calendar days following the date on which the application for such loan is approved and the borrower receives the required disclosure documents, pursuant to section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)); and

''(II) to cancel such loan within 3 business days of the date on which the loan is consummated, pursuant to section 128(e)(7) of such Act (15 U.S.C. 1638(e)(7)).

''(F) An explanation of the approved educational expenses for which the borrower may use a loan made under part D.

''(G) Information on the annual and aggregate loan limits for Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans.

''(H) Information on how interest accrues and is capitalized during periods when the interest is not paid by either the borrower or the Secretary.

''(I) In the case of a Federal Direct PLUS Loan or a Federal Direct Unsubsidized Stafford Loan, the option of the borrower to pay the interest while the borrower is in school.

''(J) The definition of half-time enrollment at the institution, during regular terms and summer school, if applicable, and the consequences of not maintaining at least half-time enrollment.

''(K) An explanation of the importance of contacting the appropriate offices at the institution of higher education if the borrower withdraws prior to completing the borrower's program of study so that the institution can provide exit counseling, including information regarding the borrower's repayment options and loan consolidation.

''(L) For a first-time borrower—

''(i) a statement of the anticipated balance on the loan for which the borrower is receiving counseling under this subsection;

''(ii) based on such anticipated balance, the anticipated monthly payment amount under, at minimum—

''(I) the standard repayment plan; and

''(II) an income-based repayment plan under section 493C, as determined using regionally available data from the Bureau of Labor Statistics of the average starting salary for the occupation in which the borrower has an interest in or intends to be employed; and

''(iii) an estimate of the projected monthly payment amount under each repayment plan described in clause (ii), based on the average cumulative indebtedness at graduation for borrowers of loans made under part D who are in the same program of study as the borrower.

''(M) For a borrower with an outstanding balance of principal or interest due on a loan made under this title—

''(i) a current statement of the amount of such outstanding balance and interest accrued;

''(ii) based on such outstanding balance, the anticipated monthly payment amount under, at minimum, the standard repayment plan and, using regionally available data from the Bureau of Labor Statistics of the average starting salary for the occupation the borrower intends to be employed, an income-based repayment plan under section 493C; and

''(iii) an estimate of the projected monthly payment amount under each repayment plan described in clause (ii), based on—

''(I) the outstanding balance described in clause (i);

''(II) the anticipated outstanding balance on the loan for which the student is receiving counseling under this subsection; and

''(III) a projection for any other loans made under part D that the borrower is reasonably expected to accept during the borrower's program of study based on at least the expected increase in the cost of attendance of such program.

''(N) The obligation of the borrower to repay the full amount of the loan, regardless of whether the borrower completes or does not complete the program in which the borrower is enrolled within the regular time for program completion.

''(O) The likely consequences of default on the loan, including adverse credit reports, delinquent debt collection procedures under Federal law, and litigation, and a notice of the institution's most recent cohort default rate (defined in section 435(m)), an explanation of the cohort default rate, the most recent national average cohort default rate, and the most recent national average cohort default rate for the category of institution described in section 435(m)(4) to which the institution belongs.

''(P) Information on the National Student Loan Data System and how the borrower can access the borrower's records.

''(Q) The contact information for the institution's financial aid office or other appropriate office at the institution the borrower may contact if the borrower has any questions about the borrower's rights and responsibilities or the terms and conditions of the loan.

''(5) BORROWERS RECEIVING PARENT PLUS LOANS FOR DEPENDENT STUDENTS.—The information to be provided under paragraph (1)(A) to a borrower of a Federal Direct PLUS Loan made on behalf of a dependent student shall include the following:

''(A) The information described in subparagraphs (A) through (C) and (N) through (Q) of paragraph (4).

''(B) The option of the borrower to pay the interest on the loan while the loan is in deferment.

''(C) For a first-time borrower of such loan—

''(i) a statement of the anticipated balance on the loan for which the borrower is receiving counseling under this subsection;

''(ii) based on such anticipated balance, the anticipated monthly payment amount under the standard repayment plan; and

''(iii) an estimate of the projected monthly payment amount under the standard repayment plan, based on the average cumulative indebtedness of other borrowers of Federal Direct PLUS Loans made on behalf of dependent students who are in the same program of study as the student on whose behalf the borrower borrowed the loan.

''(D) For a borrower with an outstanding balance of principal or interest due on such loan—

''(i) a statement of the amount of such outstanding balance;

''(ii) based on such outstanding balance, the anticipated monthly payment amount under the standard repayment plan; and

''(iii) an estimate of the projected monthly payment amount under the standard repayment plan, based on—

''(I) the outstanding balance described in clause (i);

''(II) the anticipated outstanding balance on the loan for which the borrower is receiving counseling under this subsection; and

''(III) a projection for any other Federal Direct PLUS Loan made on behalf of the dependent student that the borrower is reasonably expected to accept during the program of study of such student based on at least the expected increase in the cost of attendance of such program.

''(E) Debt management strategies that are designed to facilitate the repayment of such indebtedness.

''(F) An explanation that the borrower has the options to prepay each loan, pay each loan on a shorter schedule, and change repayment plans.

''(G) For each Federal Direct PLUS Loan made on behalf of a dependent student for which the borrower is receiving counseling under this subsection, the contact information for the loan servicer of the loan and a link to such servicer's Website.

''(6) ANNUAL LOAN ACCEPTANCE.—Prior to making the first disbursement of a loan made under part D (other than a Federal Direct Consolidation Loan) to a borrower for an award year, an eligible institution, shall, as part of carrying out the counseling requirements of this subsection for the loan, ensure that after receiving the applicable counseling under paragraphs (2), (4), and (5) for the loan the borrower accepts the loan for such award year by—

''(A) signing the master promissory note for the loan;

''(B) signing and returning to the institution a separate written statement that affirmatively states that the borrower accepts the loan; or

''(C) electronically signing an electronic version of the statement described in subparagraph (B).''.

SEC. 3. EXIT COUNSELING.

Section 485(b) of the Higher Education Act of 1965 (20 U.S.C. 1092(b)) is amended—

(1) in paragraph (1)(A)—

(A) in the matter preceding clause (i), by striking ''through financial aid offices or otherwise'' and inserting ''through the use of an interactive program, during an exit counseling session that is in-person or online, or through the use of the online counseling tool described in subsection (n)(1)(A)'';

(B) by redesignating clauses (i) through (ix) as clauses (iv) through (xii), respectively;

(C) by inserting before clause (iv), as so redesignated, the following:

''(i) a summary of the outstanding balance of principal and interest due on the loans made to the borrower under part B, D, or E;

''(ii) an explanation of the grace period preceding repayment and the expected date that the borrower will enter repayment;

''(iii) an explanation that the borrower has the option to pay any interest that has accrued while the borrower was in school or that may accrue during the grace period preceding repayment or during an authorized period of deferment or forbearance, prior to the capitalization of the interest;'';

(D) in clause (iv), as so redesignated—

(i) by striking ''sample information showing the average'' and inserting ''information, based on the borrower's outstanding balance described in clause (i), showing the borrower's''; and

(ii) by striking ''of each plan'' and inserting ''of at least the standard repayment plan and the income-based repayment plan under section 493C'';

(E) in clause (ix), as so redesignated—

(i) by inserting ''decreased credit score,'' after ''credit reports,''; and

(ii) by inserting ''reduced ability to rent or purchase a home or car, potential difficulty in securing employment,'' after ''Federal law,'';

(F) in clause (x), as so redesignated, by striking ''consolidation loan under section 428C or a'';

(G) in clauses (xi) and (xii), as so redesignated, by striking ''and'' at the end; and

(H) by adding at the end the following:

''(xiii) for each of the borrower's loans made under part B, D, or E for which the borrower is receiving counseling under this subsection, the contact information for the loan servicer of the loan and a link to such servicer's Website; and

''(xiv) an explanation that an individual has a right to annually request a disclosure of information collected by a consumer reporting agency pursuant to section 612(a) of the Fair Credit Reporting Act (15 U.S.C. 1681j(a)).'';

(2) in paragraph (1)(B)—

(A) by inserting ''online or'' before ''in writing''; and

(B) by adding before the period at the end the following: '', except that in the case of an institution using the online counseling tool described in subsection (n)(1)(A), the Secretary shall attempt to provide such information to the student in the manner described in subsection (n)(3)(C)''; and

(3) in paragraph (2)(C), by inserting '', such as the online counseling tool described in subsection (n)(1)(A),'' after ''electronic means''.

SEC. 4. ONLINE COUNSELING TOOLS.

Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092) is further amended by adding at the end the following:

''(n) ONLINE COUNSELING TOOLS.—

''(1) IN GENERAL.—Beginning not later than 1 year after the date of enactment of the Empowering Students Through Enhanced Financial Counseling Act, the Secretary shall maintain—

''(A) an online counseling tool that provides the exit counseling required under subsection (b) and meets the applicable requirements of this subsection; and

''(B) an online counseling tool that provides the annual counseling required under subsection (l) and meets the applicable requirements of this subsection.

''(2) REQUIREMENTS OF TOOLS.—In maintaining the online counseling tools described in paragraph (1), the Secretary shall ensure that each such tool is—

''(A) consumer tested, in consultation with other relevant Federal agencies, to ensure that the tool is effective in helping individuals understand their rights and obligations with respect to borrowing a loan made under part D or receiving a Federal Pell Grant;

''(B) understandable to students receiving Federal Pell Grants and borrowers of loans made under part D; and

''(C) freely available to all eligible institutions.

''(3) RECORD OF COUNSELING COMPLETION.—The Secretary shall—

''(A) use each online counseling tool described in paragraph (1) to keep a record of which individuals have received counseling using the tool, and notify the applicable institutions of the individual's completion of such counseling;

''(B) in the case of a borrower who receives annual counseling for a loan made under part D using the tool described in paragraph (1)(B), notify the borrower by when the borrower should accept, in a manner described in subsection (l)(6), the loan for which the borrower has received such counseling; and

''(C) in the case of a borrower described in subsection (b)(1)(B) at an institution that uses the online counseling tool described in paragraph (1)(A) of this subsection, the Secretary shall attempt to provide the information described in subsection (b)(1)(A) to the borrower through such tool.''.

SEC. 5. LONGITUDINAL STUDY ON THE EFFECTIVENESS OF STUDENT LOAN COUNSELING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Education, acting through the Director of the Institute of Education Sciences, shall begin conducting a rigorous, longitudinal study of the impact and effectiveness of the student loan counseling—

(1) provided under subsections (b), (l), and (n) of section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092), as amended by this Act; and

(2) provided through such other means as the Secretary of Education may determine.

(b) CONTENTS.—

(1) BORROWER INFORMATION.—The longitudinal study carried out under subsection (a) shall include borrower information, in the aggregate and disaggregated by race, ethnicity, gender, income, and status as an individual with a disability, on—

(A) student persistence;

(B) degree attainment;

(C) program completion;

(D) successful entry into student loan repayment;

(E) cumulative borrowing levels; and

(F) such other factors as the Secretary of Education may determine.

(2) EXCEPTION.—The disaggregation under paragraph (1) shall not be required in a case in which the number of borrowers in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual borrower.

(c) INTERIM REPORTS.—Not later than 18 months after the commencement of the study under subsection (a), and annually thereafter, the Secretary of Education shall evaluate the progress of the study and report any short-term findings to the appropriate committees of Congress.

SEC. 6. AVAILABILITY OF FUNDS.

(a) USE OF EXISTING FUNDS.—Of the amount authorized to be appropriated for maintaining the Department of Education's Financial Awareness Counseling Tool, $2,000,000 shall be available to carry out this Act and the amendments made by this Act.

(b) NO ADDITIONAL FUNDS AUTHORIZED.—No funds are authorized to be appropriated by this Act to carry out this Act or the amendments made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. GUTHRIE) and the gentleman from Wisconsin (Mr. POCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. GUTHRIE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3179.

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

There was no objection.

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

I rise today in strong support of H.R. 3179, the Empowering Students Through Enhanced Financial Counseling Act.

Mr. Speaker, as a member on the Committee on Education and the Workforce, I was pleased to introduce a bipartisan bill that will help address a number of challenges Americans face

as they pursue their dream of higher education.

As students and families explore all of the available options when trying to choose the right college or university, they face a daunting number of difficult choices, especially when it comes to financing their education.

Deciding how to pay for college is an important decision that could have a lasting impact on a student's finances—long after he or she graduates and enters the workforce. Unfortunately, current policies that are supposed to promote the financial literacy of aid recipients often leave students and their families in the dark.

Here is a troubling statistic: in a survey of current students and recent graduates who are carrying a high level of student loan debt, more than 40 percent couldn't remember ever receiving financial counseling—even though it was required before receiving their first loan.

With college costs on the rise, we need to do more to help students and their families make informed, responsible decisions when it comes to financing a postsecondary education. That is why I, along with Representatives ALLEN and BONAMICI, introduced H.R. 3179.

This bipartisan legislation will provide Americans with the tools they need to better understand their financial aid options and obligations. By improving the timing and frequency of financial counseling, the bill will empower students and parents to make smart decisions about how to pay for their education and avoid unnecessary financial hardship down the road.

The bill will require student and parent borrowers to receive financial counseling before even agreeing to a loan, helping them understand the responsibilities they are taking on before they sign on the dotted line. The bill also enhances the quality of the counseling, ensuring it is tailored to a borrower's unique needs and circumstances.

The same is true for certain students who rely on Pell grants to finance their education. Under this legislation, students who receive a Pell grant but never receive a Federal student loan would also have to receive annual counseling to ensure they are aware of the grant's terms and conditions.

Just as importantly, this bill will bolster exit counseling to help student borrowers understand their responsibilities as they leave school. This legislation will help ensure students understand their options and obligations when they begin their college careers and when they graduate.

While it is important for students and parents to understand their functional obligations, it is important for them to understand their financial options as well. For example, while Federal loans have a number of benefits for borrowers, certain State, nonprofit, and private loans may actually have more beneficial annual percentage rates, particularly at the graduate and parent levels. An accurate comparison is important because it will allow students and parents to make the decision that is best for them.

Together, these and other reforms in the bill will empower students and their families to make informed, responsible decisions when deciding how to finance their higher education. I urge my colleagues to vote ''yes'' on this bipartisan legislation.

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

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

I rise today in support of H.R. 3179, the Empowering Students Through Enhanced Financial Counseling Act, a bill my colleague, Representative BONAMICI, has been a leader on.

A college degree remains one of the best investments a person can make to improve their skills and widen economic opportunities. At the same time, the decision to go to college also represents one of the most expensive decisions families can make. Many students and their families go into this process without the proper information to make this choice. The student debt crisis is, in part, a crisis in financial literacy where students lack knowledge about repayment plans that can help them affordably manage their student debt.

Through legislation passed by Congress and regulations implemented by President Obama, most students taking out loans today can already cap their loan payments at an affordable 10 percent of their discretionary income. Yet students are often unaware of these repayment options.

H.R. 3179 is a critical step in the right direction, filling a financial literacy gap faced by too many student aid recipients. This act provides better upfront, ongoing, and exit counseling information on financial aid and student debt so that students can make more informed choices of how to finance their education and always know how much they will owe.

This legislation also allows borrowers to receive important counseling that private loans are not as generous as Federal loans and are informed of their rights as a consumer when taking out a private loan.

There are many steps which need to be taken to address college affordability, and I am pleased to support this commonsense measure. I appreciate the leadership of my colleague from Kentucky.

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

Mr. GUTHRIE. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. KLINE), the chairman of the full committee.

Mr. KLINE. Mr. Speaker, I thank the gentleman for yielding and for his hard work on this and so many other bills in the Education and the Workforce Committee.

Mr. Speaker, today I rise in strong support of this package of legislation.

This bill is one of several bipartisan reforms the House is considering today that will help strengthen higher education and put more Americans on a path to success.

A quality education is crucial to succeeding in today's workforce. Unfortunately, our costly, bureaucratic, and outdated higher education system leaves too many Americans behind.

We all know the tough challenges that exist. College costs continue to rise. A dizzying maze of student aid programs discourages students from pursuing a degree or credential. Complex Federal rules impede innovation and make it harder for students to pursue a degree more quickly and at less cost.

The net result is that it has become harder and harder for Americans to realize the dream of a higher education. Without the skills and knowledge they need to succeed in the workforce, many men and women struggle to find good-paying jobs and earn a living that provides for their families.

Those who are fortunate enough to earn a degree are often saddled with student debt they can't afford and unprepared to start their careers in an increasingly competitive and changing economy.

We have to do better, Mr. Speaker. We have to open more doors to opportunity and help more Americans reach their full potential.

The bipartisan package of higher education reforms we are considering is a positive step toward achieving that goal. Together, these reforms will empower students and their parents to make informed decisions, simplify and improve the student aid process, enhance existing support for institutions serving minority students, and ensure strong accountability for taxpayer dollars.

We have more work to do to strengthen higher education, but today we are making important progress.

I want to thank my Republican and Democratic colleagues for putting their differences aside and working together to help more Americans pursue their dream of a college degree.

Mr. Speaker, I urge Members to support these important proposals.

Mr. POCAN. Mr. Speaker, I don't have any other speakers, and I yield back the balance of my time.

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

In closing, I want to remind my colleagues about the importance of this legislation.

With today's struggling economy and the cost of college rising, it is more important than ever for students and their families to make decisions that will help them succeed, not set them up for failure. That includes decisions on how to pay for college.

The Empowering Students Through Enhanced Financial Counseling Act will provide students and parents with the tools and information they need to make financially responsible decisions every step of the way.

This is a bipartisan piece of legislation with my good friends, Mr. ALLEN and Ms. BONAMICI. I am glad to be on the floor with my friend, Mr. POCAN, who I believe has a very big university in his district. He is from Madison. I thank him for doing that.

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

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 3179, "Empowering Students through Enhanced Financial Counseling Act," which amends the Higher Education Act of 1965 to authorize $2 million allocated for activities related to student loan counseling.

Financial literacy and consumer awareness is very crucial for all loan borrowers, especially for our youth.

The loan will provide counseling of federal Pell Grant recipients with comprehensive information on the loan terms and conditions, as well as testing these students on their knowledge of this information before accepting the grant.

Students receiving any Federal Loans would be notified of the loan conditions, informing them on the amount, eligibility, exhaustion, and consequences of borrowing the loan.

An important aspect of this procedure includes a requirement for the borrowers to receive the contact information for the institution's financial aid office.

I have college students interning in my office, who have taken out loans for their education and these are the largest sums they have borrowed in their lifetime.

One student did not know that completing the FAFSA would automatically grant her a Federal Stafford Loan, and she did not find out about her loan until she received a job at her institution's financial aid office.

Mr. Speaker, taking this example into account, educated students across the nation are not as familiar with the process and terms of Financial Aid and loans as they should be or as we ought to think they are.

Through H.R. 3179, first-time borrowers will receive statements with interest rates and repayment plan options.

This legislation will educate the individuals seeking an education on how to finance their studies.

This legislation will also create jobs in underserved areas as well.

Mr. Speaker, I urge all of my colleagues on both sides of the aisle to support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. GUTHRIE) that the House suspend the rules and pass the bill, H.R. 3179, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

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

Accordingly (at 4 o'clock and 45 minutes p.m.), the House stood in recess.

□ 1716

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RIGELL) at 5 o'clock and 16 minutes p.m.

SIMPLIFYING THE APPLICATION FOR STUDENT AID ACT

Mr. HECK of Nevada. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5528) to amend the Higher Education Act of 1965 to simplify the FAFSA, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5528

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 "Simplifying the Application for Student Aid Act".

SEC. 2. USING DATA FROM SECOND PRECEDING YEAR.

Section 480(a)(1)(B) of the Higher Education Act of 1965 (20 U.S.C. 1087vv(a)(1)(B)) is amended by striking "may" in both places it appears and inserting "shall".

SEC. 3. CALCULATION OF ANNUAL ADJUSTMENT PERCENTAGE FOR FEDERAL PELL GRANTS.

Section 401(b)(7)(C)(iv)(I) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(7)(C)(iv)(I)) is amended by striking "calendar year" and inserting "fiscal year".

SEC. 4. FAFSA SIMPLIFICATION.

(a) FAFSA SIMPLIFICATION.—Section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090) is amended—

(1) in subsection (a)(3), by adding at the end the following:

"(I) FORMAT.—Not later than 180 days after the date of the enactment of the Simplifying the Application for Student Aid Act, the Secretary shall make the electronic version of the forms under this paragraph available through a technology tool that can be used on mobile devices. Such technology tool shall, at minimum, enable applicants to—

"(i) save data; and

"(ii) submit their FAFSA to the Secretary through such tool.

"(J) CONSUMER TESTING.—In developing and maintaining the electronic version of the forms under this paragraph and the technology tool for mobile devices under subparagraph (I), the Secretary shall conduct consumer testing with appropriate persons to ensure the forms and technology tool are designed to be easily usable and understandable by students and families. Such consumer testing shall include—

"(i) current and prospective college students, family members of such students, and other individuals with expertise in student financial assistance application processes;

"(ii) dependent students and independent students meeting the requirements under subsection (b) or (c) of section 479; and

"(iii) dependent students and independent students who do not meet the requirements under subsection (b) or (c) of section 479."; and

(2) by amending subsection (f) to read as follows:

"(f) USE OF INTERNAL REVENUE SERVICE DATA RETRIEVAL TOOL TO POPULATE FAFSA.—

"(1) SIMPLIFICATION EFFORTS.—The Secretary shall—

"(A) make every effort to allow applicants to utilize the current data retrieval tool to transfer data available from the Internal Revenue Service to reduce the amount of original data entry by applicants and strengthen the reliability of data used to calculate expected family contributions, including through the use of technology to—

"(i) allow an applicant to automatically populate the electronic version of the forms under this paragraph with data available from the Internal Revenue Service; and

"(ii) direct an applicant to appropriate questions on such forms based on the applicant's answers to previous questions; and

"(B) allow single taxpayers, married taxpayers filing jointly, and married taxpayers filing separately to utilize the current data retrieval tool to its full capacity.

"(2) USE OF TAX RETURN IN APPLICATION PROCESS.—The Secretary shall continue to examine whether data provided by the Internal Revenue Service can be used to generate an expected family contribution without additional action on the part of the student and taxpayer.

"(3) REPORTS ON FAFSA SIMPLIFICATION EFFORTS.—Not less than once every other year, the Secretary shall report to the authorizing committees on the progress of the simplification efforts under this subsection.

"(4) REPORTS ON FAFSA ACCESS.—Not less than once every 10 years, the Secretary shall report to the authorizing committees on the needs of limited English proficient students using the FAFSA.".

(b) FUNDING.—

(1) USE OF EXISTING FUNDS.—Of the amount authorized to be appropriated to the Department of Education to maintain the Free Application for Federal Student Aid, $3,000,000 shall be available to carry out this Act and the amendments made by this Act.

(2) NO ADDITIONAL FUNDS AUTHORIZED.—No funds are authorized by this Act to be appropriated to carry out this Act or the amendments made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. HECK) and the gentleman from Wisconsin (Mr. POCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

GENERAL LEAVE

Mr. HECK of Nevada. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on H.R. 5528.

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

There was no objection.

Mr. HECK of Nevada. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of H.R. 5528, the Simplifying the Application for Student Aid Act.

Early last year, I held a roundtable on higher education in my district to help better understand the issues facing students, teachers, and higher ed administrators in Nevada. Nearly everyone in attendance raised the issue of the overly complicated student aid process and, specifically, problems with the Free Application for Federal Student Aid, better known as the FAFSA.

Like many aspects of the student aid system, the application for aid can be

confusing and too complex for many students and families to complete. The FAFSA includes 108 questions, requesting information on everything from the net worth of investments to complicated tax information. Many of these questions rely on data that students do not yet have or are so complicated they deter applicants from even completing the form.

It is critically important that students have the information they need to make timely, informed decisions about higher education; that includes information on what aid might be available to help them pursue a college degree and the responsibilities that come with accepting assistance.

If the current process deters them from even completing the application for aid, how can students possibly get the help they need? That is why, based on the recommendation of higher ed leaders in Nevada, I began working with some of my colleagues on the committee to reform the FAFSA and improve the student aid application process.

The Simplifying the Application for Student Aid Act, which I am proud to sponsor with Representatives ROE of Tennessee, POLIS, and POCAN, is the fruit of that labor and does exactly what the title suggests. It will streamline and improve the application process through a number of commonsense measures, all of which will help students and parents access the financial aid information they need in a timely manner to better understand their higher education payment options.

First, it will allow students to use income tax data from 2 years prior to the date of application. Traditionally, the FAFSA has relied on income tax data from the previous year, but that data is not readily available when students should begin filling out their applications. While the Department of Education currently has the authority to allow students to use prior-prior year data, the Department only recently began taking advantage of this authority, and only after the introduction of the original legislation on this issue.

This bill will ensure students are able to use prior-prior year data in the future, allowing them to complete the FAFSA earlier and receive information about their aid options sooner. It will also provide aid administrators more time to verify the income of applicants, both strengthening the integrity of the Federal Student Aid system and enabling administrators to provide students with accurate aid information as soon as possible.

Additionally, the legislation will require the Department of Education to allow more applicants to easily import their available income data through the IRS, helping them automatically populate answers to many FAFSA questions with information from their tax returns, making it easier on students and parents to accurately complete the form. The bill will also require that FAFSA be available on a mobile app and require the online and paper versions to be consumer tested. Both of these measures will make the application process easier and more user friendly and will work to ensure that data is protected.

By improving the application for student aid, we can help more students make smart decisions about college and realize that a college degree is within reach.

I urge my colleagues to support this bipartisan legislation.

I reserve the balance of my time.

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

I rise today in support of H.R. 5528, the Simplifying the Application for Student Aid Act.

Last year, Representative DOGGETT of Texas and I led a letter to then-Secretary Duncan regarding the importance of prior-prior year FAFSA.

Allowing students to use prior years' tax data means a student can apply for financial aid at the same time they apply for college. This means that students will get information about financial aid, which will help them make their college choice much earlier. This is especially helpful for first-generation and at-risk college students who need an accurate picture of a college's price tag well in advance in order to make their decision.

In September, I was happy to see President Obama take executive action to allow for the use of prior-prior year tax data for students. The bipartisan bill before us would make this executive action permanent and is an important step toward making college more affordable, ensuring future students are afforded the opportunity to use prior year tax data when filling out the FAFSA form.

Additionally, the Simplifying the Application for Student Aid Act will also direct the Department of Education to develop a mobile app for using FAFSA. This will allow millions of Americans who do not have broadband access but do have Internet connectivity on their phones to have access to an electronic version of FAFSA.

Finally, this bill will also encourage the Department of Education to study how the Department of Education can better reach out to students with limited English language proficiency when filling out the FAFSA. These are commonsense reforms which need to be made in order to streamline the process for students applying to college.

While there is a lot more we can do to tackle college affordability, I am pleased we are moving forward with this important, bipartisan legislation today.

I thank the financial aid office at the University of Wisconsin-Madison for first raising this issue to us, and I also thank the gentleman from Nevada (Mr. HECK) for his leadership on this issue.

I reserve the balance of my time.

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

Mr. POCAN. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I rise in support of H.R. 5528, the Simplifying the Application for Student Aid Act, and I encourage my fellow Members to support it as well.

Under this bill, students and parents will be able to apply for financial aid when filling out college applications and will no longer have to wait until they have filed the current year's tax returns in order to complete the Free Application for Federal Student Aid, or FAFSA, form. Prior to this change, some families could not fill out the FAFSA form until they had filled out their taxes in April—or even later, with an extension—and, therefore, many students could not receive financial aid in a timely manner.

In a 2013 report from the National Association of Student Financial Aid Administrators report on using what is called using prior-prior year FAFSA data, they found that the expected family contribution of low-income students does not change much over time and concluded that the potential benefits of using prior-prior year data outweighed the potential cost. So last year, President Obama directed the Department of Education to switch to prior-prior year on the FAFSA form through executive action. Now, this bill will make that change permanent.

Another important provision of the bill will require the Secretary to periodically report to Congress on the needs of limited English-proficient students. To make sure that a college education is within reach for all students, the Department should make the FAFSA form more accessible to students and families with limited English proficiency.

Mr. Speaker, research has unfortunately shown us that too many students fail to attend college simply because of the complexity of the FAFSA form. This simplification will make it possible for them to fill out the form and to achieve their dream of achieving higher education.

We know how important higher education is, and I am pleased that we could come together in a bipartisan fashion to make these important changes.

I urge my colleagues to support this bill.

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

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

Mr. POLIS. Mr. Speaker, I rise today in strong support of H.R. 5528, the Simplifying the Application for Student Aid Act.

I have the great privilege of representing Colorado's major research universities: Colorado State University in Fort Collins, and the University of Colorado flagship campus in Boulder, Colorado. When I speak with financial aid offices and students who receive financial aid at both institutions, one of the first priorities and issues I hear about is how we can allow students to

complete the FAFSA and hear back earlier.

The FAFSA was initially created to help open the doors and make college within reach for more students; but unfortunately, too often, it has grown unwieldy, and students are forced to make decisions about where they go and whether they go to college before even knowing how much aid they are scheduled to receive.

Under this legislation, students will be able to complete the FAFSA several months earlier than they do now—very important. And the bill also links data with the IRS data retrieval tool, so information can populate automatically in the FAFSA form. These changes alone will go a long way toward making the process for completing the FAFSA simpler and easier.

I am proud to have worked with Representatives POCAN, ROE of Tennessee, and HECK of Nevada to have introduced this bill, and I am very excited it is coming before the floor for a vote.

Now, this bill is important. It is a good, bipartisan first step, but it is one of many things that Congress needs to do to improve college access and the completion rate for students.

For example, allowing students to take college courses in high school could significantly reduce the overall price they pay for college. When a student takes dual enrollment courses, they are more likely to attend college and less likely to need remedial courses. We have high schools in my home State and in my district where students graduate high school with an associate's degree at essentially no cost to them, thanks to dual enrollment.

We also need to look at innovative learning models, like competency-based education, which allows students to progress through their degree based on what they know instead of seat time. This model provides a more flexible path to a degree. It could be higher quality, less expensive, and more challenging than a traditional program.

Another key part of reducing the cost of college is confronting the cost of materials. A student in Colorado spends an average of $1,200 a year on textbooks alone. Open source textbooks, which are openly licensed and free to use, can eliminate that cost.

In order to address these ideas, reforms, and more, we need a comprehensive reauthorization of the Higher Education Act. A reauthorization will take Democrats and Republicans working together, just like we did on this bill, which is an important first step.

I am hopeful that, in the coming months, members of the Education and the Workforce Committee can begin to lay the groundwork for a reauthorization of the HEA that truly helps make college more affordable and meets the changing needs of a global economy.

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

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

In closing, I thank, again, Representatives ROE of Tennessee, POLIS, and POCAN for their leadership in bringing this commonsense bill to the floor today. I thank all of our colleagues on the Education and the Workforce Committee for their work to strengthen the country's higher education system.

Too many individuals already think the dream of a higher education could never become a reality for them. Too many others are discouraged by a system that is too confusing, too bureaucratic, and too outdated. The Simplifying the Application for Student Aid Act and the other higher education bills on the floor today will deliver important reforms that Americans need. This bill will help students and parents better understand their postsecondary options and empower them to make timely financial decisions about their education.

I urge my colleagues to support this education.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 5528 the "Simplifying the Application for Student Aid Act" which aims to strengthen, improve, and streamline student aid process.

Access to quality education is a key factor in securing a successful and bright future.

For many students and families, federal financial aid is the only means of making post-secondary education possible.

In times of economic adversity and uncertainty across the United States, the Simplifying the Application for Student Aid Act ensures that students and families are supported in realizing their education goals.

A student's application process starts when he or she submits the Free Application for Federal Student Aid (FAFSA).

Students who wish to enroll in fall classes are encouraged to begin applying for aid in January.

However, the FAFSA relies on income tax data from the previous year that is not readily available at the time students should start filling out their applications.

This flawed process results in significant delays in the submission of FAFSA forms, which leaves financial aid administrators little time to put together aid packages for incoming students.

More importantly, students do not learn in a timely manner what their financial aid packages will ultimately be, which makes it more difficult to plan for the cost of their education.

The current application runs 10 pages long and includes 108 questions on topics such as income, expenses, family size, and assets.

As part of an effort to reauthorize the Higher Education Act, the bipartisan legislation will help students make timely financial decisions about their education.

In addition this bill will allow students to use family income data from two years prior to the date of the FAFSA application.

Establishes a link between the online FAFSA form and income tax data stored by the Internal Revenue Service to automatically input income data into the FAFSA form, reducing the need to manually input information that often prevents low-income students from applying for aid.

And most importantly, strengthens the integrity of federal financial aid by providing institutions more time to verify the income of their students.

As the country continues to work through some of the most difficult economic conditions in a generation, it is imperative that we increase our investment in education.

If we are truly going to compete against emerging nations like China and India, we must continue to invest in our education system.

I am proud to represent Houston, Texas which is home to several prestigious universities and dozens of community and technical colleges.

With such an emphasis on higher education, we have long been working to become a leader in producing workers for the 21st century economy.

This crucial legislation will build on the infrastructure already available in Houston and make higher education more affordable and accessible for everyone.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HECK) that the House suspend the rules and pass the bill, H.R. 5528, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1730

ACCESSING HIGHER EDUCATION OPPORTUNITIES ACT

Mr. HECK of Nevada. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5529) to amend the Higher Education Act of 1965 to authorize additional grant activities for Hispanic-serving institutions, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5529

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 "Accessing Higher Education Opportunities Act".

SEC. 2. AUTHORIZED GRANT ACTIVITIES.

Subsection (b) of section 503 of the Higher Education Act of 1965 (20 U.S.C. 1101b(b)) is amended—

(1) by redesignating paragraphs (7) through (16) as paragraphs (9) through (18), respectively; and

(2) by inserting after paragraph (6) the following:

"(7) Student support programs, which may include counseling, mentoring, and other support services, designed to facilitate the successful advancement of students from four-year institutions to postbaccalaureate doctoral degree granting programs that prepare students for health care occupations as such occupations are described in the most recent edition of the Occupational Outlook Handbook published by the Bureau of Labor Statistics.

"(8) Developing or expanding access to dual or concurrent enrollment programs and early college high school programs.".

SEC. 3. FUNDING.

(a) AUTHORIZATIONS OF APPROPRIATIONS.—There are authorized to be appropriated to carry out part A of title V of the Higher Education Act of 1965 (20 U.S.C. 1101 et seq.), as amended by this Act, $107,795,000 for fiscal year 2016.

(b) ADDITIONAL EXTENSIONS NOT PERMITTED.—Section 422 of the General Education Provisions Act (20 U.S.C. 1226a) shall not apply to further extend the duration of the authority under subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. HECK) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

GENERAL LEAVE

Mr. HECK of Nevada. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5529.

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

There was no objection.

Mr. HECK of Nevada. I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 5529, the Accessing Higher Education Opportunities Act.

Like many States, Nevada has a severe doctor shortage. While the number of patients is steadily increasing, there continues to be too few qualified healthcare providers to meet this growing demand for care. Additionally, according to the National Hispanic Medical Association, despite a continued rise in our country's Hispanic population, the number of physicians that identify as Hispanic is only 5 percent.

In an effort to help close this diversity gap, prepare more culturally competent healthcare providers, and address our Nation's doctor shortage, last year I joined with Congressman Dr. RAUL RUIZ from California to introduce H.R. 2927. That bill allowed Hispanic-Serving Institutions to utilize existing grant funds to create programs that support, encourage, and mentor prospective physicians as they navigate the necessary requirements to be accepted into medical school.

Congress originally created the Developing Hispanic-Serving Institutions program in 1992. This program helps promote education opportunities for Hispanic students and allows the institutions serving them to make improvements that increase the quality of the education they offer.

Today there are more than 400 HSIs across the country, and many other institutions are on the verge of becoming HSIs. In my State of Nevada, the College of Southern Nevada; University of Nevada, Las Vegas; and Nevada State College are among many other schools that either are or are on the verge of becoming an HSI. Additionally, the number of young Hispanic undergraduates enrolled full-time at a 2- or 4-year college has more than tripled in the past 23 years.

It is clear Hispanic students have greater access to education opportunities than they did before the Developing HSIs program was created. Still, as I mentioned before, the Hispanic population remains underrepresented in various parts of the workforce, particularly in healthcare positions that require a doctoral-level degree.

After meeting with local healthcare and education leaders in Nevada and working with the chairman and other members of the committee to address this issue, I am happy to offer H.R. 5529, as amended, the Accessing Higher Education Opportunities Act, with Congressman HINOJOSA and Dr. RUIZ. H.R. 5529 expands on the bipartisan work of H.R. 2927 by allowing HSIs to use funds to support students to prepare them for healthcare-related doctoral programs.

Additionally, I want to thank Congressman HINOJOSA for joining me and Dr. RUIZ on this bill and adding an important provision that allows HSIs to work with local school districts to start or enhance dual enrollment opportunities in early college programs at high schools. These programs not only help students get into college, but they also enable students to earn college credits earlier in their academic career. As a strong supporter of dual enrollment programs, I want to thank Congressman HINOJOSA for strengthening the bill with this important provision.

Ultimately, this bill will help us address a growing doctor shortage and close the diversity gap among physicians by helping students at HSIs achieve the dream of a higher education. I urge my colleagues to support this bipartisan legislation.

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

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

I rise in support of H.R. 5529, the Accessing Higher Education Opportunities Act. I would like to thank the gentleman from Nevada (Mr. HECK) for bringing this bill forward.

Mr. Speaker, over the last 20 years, we have seen great growth in the number of Hispanic students attending institutions of higher education, particularly Hispanic-Serving Institutions, or HSIs.

In 1990, there were only 135 colleges and universities with a Hispanic population over 25 percent. Today there are more than 400. From 2012 to 2013, nearly 60 percent of Hispanic college students attended an HSI, and these institutions were responsible for graduating 40 percent of all Hispanics in the country. My district is home to two large Hispanic-Serving Institutions: The University of California-Riverside and Riverside City College.

Title V of the Higher Education Act supports critical resources for HSIs like these, improving their ability to promote student success. The bill we are considering today, H.R. 5529, allows title V grant funds to be used to expand access to dual or concurrent enrollment programs offered through HSIs. Dual and concurrent enrollment models, programs that allow high school students to take postsecondary level courses for credit, can produce a number of benefits for students, particularly those from low-income backgrounds and first-generation college students.

Research shows that these programs increase high school completion, college enrollment, college persistence, and degree attainment. Furthermore, roughly 30 percent of dual and concurrent enrollment programs are career and technical education focused, which offers students the opportunity to earn credit toward a certificate or credential that prepares them for college and career success.

Unfortunately, tuition and classroom material costs remain a barrier to enrollment in these successful models for many low-income students. It is my hope that H.R. 5529 will expand access to these programs at Hispanic-Serving Institutions in my district and across the country. I urge my colleagues to support H.R. 5529.

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

Mr. HECK of Nevada. Mr. Speaker, I continue to reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), who is also the ranking member of the Committee on Education and the Workforce.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the bill, and I would like to say a few brief words about the package of higher education bills being considered today.

These bills will simplify the financial aid application process; they will help students make well-informed decisions when selecting a college and determining how to finance the education; and they will financially strengthen Historically Black Colleges and Universities. This bill expands access for high school students to dual and concurrent enrollment programs at Hispanic-Serving Institutions. Taken together, this package represents a step in the right direction for students and families.

A college degree remains the surest path out of poverty and into the middle class. Census data shows that earnings increase as the level of education increases. In other words, the more you learn, the more you earn. In addition to increased earnings, individuals with higher levels of education are less likely to be unemployed, less likely to receive public assistance, less likely to work in unskilled jobs with little upward mobility, and less likely to become involved in the criminal justice system.

The ability to attend college for many students is due in large part to the significant investment we have made in higher education through the Higher Education Act of 1965. As President Johnson said when he signed the HEA into law over 50 years ago: ''It means that a high school senior, anywhere in this great land of ours, can

apply to any college or any university in any of the 50 States and not be turned away because his family is poor.''

HEA's goal was, and still is, to provide a pathway to the middle class for millions of working families around the country by making college affordable and accessible to everyone. Unfortunately, the initial promise of HEA has eroded. For far too many of our students, the principles of access and economic opportunity are in jeopardy. The bills considered today take a major step in restoring the original purpose of the Higher Education Act so that no child will be denied access to the opportunities afforded by higher education because his family is poor.

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

Mr. TAKANO. Mr. Speaker, I have no additional speakers, and I yield myself the balance of my time.

In closing, I would like to again thank the gentleman from Nevada (Mr. HECK), my friend, for bringing this bill forward. I would like to thank Chairman KLINE, Ranking Member SCOTT, and Mr. HINOJOSA, the ranking member of the Subcommittee on Higher Education and Workforce Training, for their work on this bill.

I urge all of my colleagues to support H.R. 5529.

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

Mr. HECK of Nevada. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, in closing, I want to underscore the purpose of this legislation. Yes, this bill will help us address a growing doctor shortage, and, yes, it will also help us close the diversity gap among physicians. But the Accessing Higher Education Opportunities Act, like a number of the bills on the floor today, is also about opportunity and helping students realize what they can achieve through higher education. This bipartisan bill will help more students obtain the knowledge and the skills they need to accomplish their goals and succeed in the workforce.

I want to thank both Dr. RUIZ and Representative HINOJOSA for their work in advancing these important reforms and for their continued leadership in helping more Americans pursue the dream of a higher education. I urge my colleagues to support this legislation.

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

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 5529, the ''Accessing Higher Education Opportunities Act,'' which amends the Higher Education Act of 1965 to authorize additional grant activities for Hispanic-serving institutions.

At a time when American innovation and intellectual growth fundamentally depend on education, the accessibility of institutions of higher education is a critical concern in the struggle to maintain America's role at the forefront of global innovation.

As a lifelong advocate of equal education opportunities for all students, I know the importance of making higher education accessible across all demographics, and I know we can do better.

Without an honest effort to even the playing field for all students by ensuring that all students have the opportunity to extend their education as long as they can, America, as a country, stands to lose out on the brightest economic, academic, and political leaders of the future.

To that end, this measure emphasizes the importance of equality of opportunity for all students pursuing higher level education by urging the expansion of grant programs for Hispanic-serving educational institutions.

In particular, this measure amends the Higher Education Act of 1965 to specifically:

Support programs (which may include counseling, mentoring, and other support services) designed to facilitate the successful advancement of students from four-year institutions to post baccalaureate doctoral degree granting programs; and

Develop or expand access to dual or concurrent enrollment programs and early college high school programs.

Without this concrete measure to bolster support for Hispanic-serving institutions, institutions of higher education will fail to fulfill the American promise of equality of opportunity.

In particular, I am proud to represent institutions such as the Lone Star College and the University of Houston Downtown, institutions that will directly benefit from increased efforts to further support Hispanic-serving educational institutions.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HECK) that the House suspend the rules and pass the bill, H.R. 5529, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SEPARATION OF POWERS RESTORATION ACT OF 2016

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4768.

The SPEAKER pro tempore (Mr. HECK of Nevada). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 796 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4768.

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

□ 1742

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4768) to amend title 5, United States Code, with respect to the judicial review of agency interpretations of statutory and regulatory provisions, with Mr. RIGELL in the chair.

The Clerk read the title of the bill.

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

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Georgia (Mr. JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

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

The need for the Separation of Powers Restoration Act of 2016 to restore balance in our Federal system is clear. The modern Federal administrative state is an institution unforeseen by the Framers of our Constitution and rapidly mushrooming out of control.

This legislation takes square aim at one of the biggest roots of this problem, the Chevron Doctrine, under which Federal courts regularly defer to regulatory agencies' self-serving and often politicized interpretations of the statutes they administer. This includes interpretations like those that underlie the EPA's Clean Power Plan and waters of the United States rules. These are just a few examples of rules consciously designed by regulatory agencies to violate Congress' intent. They threaten to wipe out the Nation's key fuel for electric power generation and extend the EPA's permitting tentacles into every puddle in every American backyard.

This bill also takes on the related Auer doctrine, under which courts defer to agencies' self-serving interpretations of their own regulations. Auer and Chevron deference work hand in hand to expand the power of Federal bureaucrats to impose whatever decision they want as often as they can, escaping, whenever possible, meaningful checks and balances from the courts.

□ 1745

In perhaps the most famous of the Supreme Court's earlier decisions, Marbury v. Madison, Chief Justice Marshall declared for a unanimous Court that ''it is emphatically the province and duty of the Judicial Department to say what the law is.''

Since the Chevron doctrine allows judges to evade interpreting the law, and instead to defer to agencies' interpretations, one must ask: Is Chevron faithful to Marbury and the separation of powers?

In the Administrative Procedure Act of 1946, often called the constitution of administrative law, Congress provided for judicial review of agency action in terms that were plain and direct. It stated that ''the reviewing court shall decide all relevant questions of law and interpret constitutional and statutory provisions.''

That standard is consistent with Marbury and the separation of powers.

But since Chevron allows judges to escape interpreting statutory provisions themselves, one must ask: Is Chevron unfaithful not only to Marbury and the separation of powers, but also to the Administrative Procedure Act?

These are not just academic questions. They are fundamental questions that go to the heart of how our government works and whether the American people can still control it.

Judicial deference under Chevron weakens the separation of powers, threatening liberty. It bleeds out of the judicial branch power to interpret the law, transfusing that power into the executive branch. And it tempts Congress to let the hardest work of legislating bleed out of Congress and into the executive branch since Congress knows judges will defer to agency interpretations of ambiguities and gaps in statutes Congress did not truly finish.

This leads us down the dangerous slope James Madison warned against in Federalist 47: ''The accumulation of all powers, legislative, executive, and judiciary, in the same hands,'' that ''may justly be pronounced the very definition of tyranny.''

The Separation of Powers Restoration Act of 2016 is timely, bold legislation directed straight at stopping our slide down that dangerous slope. In one fell swoop, it restores the separation of powers by legislatively overturning the Chevron doctrine and the related Auer doctrine.

This is reform we must make reality for the good of the American people. I want to thank Representative RATCLIFFE for his introduction of this important legislation, and I urge my colleagues to support the Separation of Powers Restoration Act.

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

Mr. JOHNSON of Georgia. Mr. Chair, I yield myself such time as I may consume.

Judicial review of final agency action is a hallmark of administrative law and is critical to ensuring that agency action does not harm or adversely affect the public. But as the Supreme Court held in Chevron USA, Inc. v. Natural Resources Defense Council, Inc., reviewing courts may only invalidate an agency action when it violates a constitutional provision or when an agency unreasonably exceeds its statutory authority as clearly expressed by Congress.

For the past 30 years, this seminal decision has required deference to the substantive expertise and political accountability of Federal agencies. As the Court explained in Chevron: ''Federal judges—who have no constituency—have a duty to respect legitimate policy choices made by those who do. The responsibilities for assessing the wisdom of such policy choices and resolving the struggle between competing views of the public event are not judicial ones: 'Our Constitution vests such responsibilities in the political branches.'''

H.R. 4768, the Separation of Powers Restoration Act of 2016, would eliminate this longstanding tradition of judicial deference to agencies' interpretation of statutes and rules by requiring courts to review agency action on a de novo basis.

This misguided legislation is not the majority's first attempt to gum-up the rulemaking process through enhanced judicial review. Since the 112th Congress, a number of deregulatory bills we have considered, such as H.R. 185, the Regulatory Accountability Act, would require generalist courts to supplant the expertise and political accountability of agencies in the rulemaking process with their own judgments.

Compare this approach with other deregulatory bills passed by this Congress that would greatly diminish judicial review of deregulatory actions by dramatically shortening the statute of limitations for judicial review, sometimes to just 45 days.

In other words, the majority wants to have it both ways. When it benefits corporate interests, Republican legislation heightens scrutiny of agency rulemaking, like this act does, threatening to impose years of delay and untold costs on taxpayers. When it benefits the public or our environment, Republican legislation slams the courthouse door shut through sweeping restrictions on the court's ability to protect public health or the environment.

These proposals are transparently the design of special interest fat cats to minimize their exposure to legal accountability. H.R. 4768 is more of the same. At a minimum, this bill will delay and possibly derail the ability of agencies to safeguard public health and safety.

Without any constraints on judicial review, the bill will also incentivize judicial activism by allowing a reviewing court to substitute its own policy preferences for those of the agency, which Congress has specifically entrusted with rulemaking authority.

In other words, this bill resolves a perceived imbalance between the branches by granting immense authority to the judicial branch so that it may act as a super regulator through judicial fiat.

In a letter opposing this bill, a group of the Nation's leading administrative law professors underscored this point, arguing that the bill is motivated by policy disagreements, not actual concerns with judicial deference.

I strongly oppose H.R. 4768 and urge my colleagues to do the same.

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

Mr. GOODLATTE. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. RATCLIFFE), the chief sponsor of this legislation and a member of the House Judiciary Committee.

Mr. RATCLIFFE. Mr. Chair, I rise in support of the Separation of Powers Restoration Act of 2016.

I want to thank Chairman GOODLATTE for giving me the opportunity to lead on this issue. I also want to thank the 113 Members of Congress who believe this bill is important enough to cosponsor it.

It is my sincere hope that all 435 Members of this House will vote in support of this incredibly important bill because every Member of this body took an oath to defend the Constitution and none of us should accept the constitutional erosion and infringement that is having a devastating impact on the very constituents that we all swore to represent.

Mr. Chair, I ran for Congress because I wanted the opportunity to address the big issues of our time, to address the real problems that are hurting all Americans, and the Separation of Powers Restoration Act does exactly that. That bill repeals the so-called Chevron doctrine and, in so doing, will restore the constitutional separation of powers that our Founding Fathers intended.

Named for the Supreme Court's 1984 decision in Chevron USA, Inc. v. Natural Resource Defense Council, Inc., the Chevron doctrine has, for three decades, required courts to defer to agency interpretations of ambiguous laws. Said more plainly, Mr. Chair, this means that when American citizens and businesses challenge Federal regulators in court, the deck is stacked in favor of the regulators.

Chevron deference is one of the, if not the primary, driving forces behind an outrageous expansion of a regulatory branch that our Founding Fathers never intended and one that is crippling the American economy and the American people.

Unelected bureaucrats now draft regulations with the Chevron doctrine in mind, knowing that it will give them the ability to regulate, sometimes for political gain, beyond the actual scope of the statutes that we pass as the duly elected representatives of the people.

Mr. Chair, by allowing unelected, unaccountable regulators to effectively grade their own papers, we are circumventing the will of the American people.

Under Chevron, Congress can't prevent agencies from engaging in de facto lawmaking and courts are abdicating their constitutional responsibility to interpret laws. My bill will very simply fix this perversion of our Constitution by ensuring that Congress, not agencies, writes the laws; and that courts, not agencies, interpret the laws.

Mr. Chair, it is vitally important to stress that my bill is entirely agnostic to specific policy issues. It doesn't specifically support or oppose any certain regulatory actions. This bill is simply about defending the Constitution and reestablishing three coequal branches of government. This is not and should not be a partisan issue.

The candid truth, Mr. Chair, is that the Chevron doctrine has been abused by Democrat and Republican administrations alike for three decades. Both have been guilty of abusing the separation of powers for political expedience,

and it is the American people who have been victimized by this. So let's end it. Let's finally fix a problem that plagues all Americans.

Mr. Chair, many of us believe that the American experiment has endured, in large part, because of the wisdom and the thoughtful manner in which our framers crafted our Constitution. I refuse to believe that we can't all at least agree on that. I refuse to believe that restoring three coequal branches of government needs to be controversial.

Today this body has an opportunity to stand up for and with the American people and stand against overreaching bureaucrats that the American people never elected. So, Mr. Chair, when the Constitution is restored, it is the American people who will win.

DEAR MEMBERS OF CONGRESS: We write to express support for the Separation of Powers Act (SOPRA) (H.R. 4768 and S. 2724) which would require courts to check regulatory overreach. As organizations dedicated to a free and open Internet, we believe SOPRA would be especially important in restoring judicial oversight of the FCC—and thus protecting Internet freedom from government overreach.

Two Supreme Court decisions, Chevron v. NRDC (1984) and Auer v. Robbins (1997), mean that courts generally grant broad deference to administrative agencies in interpreting ambiguous statutes and agency regulations. Only because of Chevron deference did two (of three) D.C. Circuit judges recently vote to uphold the FCC's 2015 Open Internet Order.

That decision gave the FCC a blank check to regulate the Internet as it sees fit, even to the point of effectively rewriting the Telecommunications Act of 1996. The Open Internet Order represented a fundamental break from the light-touch, bipartisan approach that had allowed the Internet to flourish for nearly two decades.

Despite the FCC's talk of protecting ''net neutrality,'' the FCC went well beyond that: reclassifying broadband under Title II of the 1934 Communications Act and claiming sweeping power over broadband. Under the panel majority's blind Chevron deference to the FCC, it is hard to see how the courts could stop the FCC from extending such outmoded regulations to ''edge'' companies like Facebook and Google, too. Similarly, while the FCC has promised to ''forebear'' from certain provisions of Title II, the court's decision suggests that the FCC would get deference in unforbearing—which could result in the full weight of Title II being imposed on the Internet. Or, conversely, a deregulatory-minded FCC could use forbearance to gut not just the Order, but much of the existing regulations.

In short, the majority's view of Chevron means Internet regulation will now be a game of political pingpong—with the courts resigned to sitting on the sidelines, watching the ball bounce back and forth. This ongoing uncertainty is particularly damaging to small businesses, who often lack the resources needed to comply with shifting regulatory burdens and litigate against unfavorable regulatory changes.

SOPRA would restore the Judiciary's constitutional role in checking agency overreach and preventing excessive regulations from impeding innovation and economic growth. Specifically, the bill would clarify that the Administrative Procedure Act requires courts to conduct a new review of relevant questions of law when evaluating agency regulations—rather than simply deferring to the agency's judgment.

Sincerely,

TechFreedom, American Commitment, American Consumer Institute, Americans for Tax Reform, Center for Freedom and Prosperity, Civitas Institute, Competitive Enterprise Institute, Digital Liberty, Free the People, Independent Women's Forum, Institute for Liberty, Less Government, Mississippi Center for Public Policy, National Taxpayers Union, Protect Internet Freedom, Rio Grande Foundation, Taxpayers Protection Alliance, Tech Knowledge.

DEAR MEMBERS OF CONGRESS: On behalf of our organizations and the millions of Americans we represent, we are writing to express our strong support for H.R. 4768 and S. 2724, the Separation of Powers Restoration Act (SOPRA). This law would give courts the clarity they need to interpret powers ambiguously delegated to administrative agencies.

Congress has, from time to time, been unclear as to the extent of powers it delegates to agencies. Consequently, the courts have adopted two doctrines, known as Chevron and Auer after the cases Chevron USA Inc. v. NRDC and Auer v. Robins, which grant great deference to agency interpretations of the ambiguities. Chevron represents a general presumption that courts should defer to agency interpretation of statues, while Auer requires that courts defer to agency interpretations of their own regulations.

In Marbury v. Madison, Chief Justice John Marshall wrote, ''It is emphatically the province and duty of the Judicial Department to say what the law is.'' In Chevron v. NRDC, Justice John Paul Stevens said it was the province of executive branch agencies to say what the law is.

While these doctrines reflect a concern for a lack of expertise in the courts, their effect can be to give bureaucrats the power to make new law. For instance, in Babbitt v. Sweet Home Chapters of Communities for a Great Oregon, the Supreme Court used Chevron to defer to the Secretary of the Interior when he redefined long-accepted meanings of ''taking'' wildlife to include unintentional harm to an endangered species, greatly expanding the Secretary's power and control over Americans.

Auer provides a perverse incentive for an agency to issue deliberately vague regulations that it can reinterpret as it chooses, avoiding the notice-and-comment requirements of the Administrative Procedure Act for a change in regulation. A recent court decision may even allow the agency effectively to rewrite the statute by reinterpreting a vague term in a regulation that also appears in the statute.

In our view, this combination of delegation and deference represents an unjust expansion of administrative power at the expense of the legislative and judicial powers, contrary to the ideals of the American founding.

SOPRA would amend the Administrative Procedure Act to require courts to conduct a de novo (from scratch) review of all relevant questions of law and regulation when they are called into question. This represents a vital step in restoring the courts to their proper role as arbiters of statutory interpretation.

Before Chevron, courts relied on agency expertise to guide their decision making, but they did not cede their fundamental responsibility to interpret the meaning of statutes to agencies. SOPRA would restore that discretion.

Millions of Americans are suffering under the weight of burdensome regulation, and often find themselves unable to challenge effectively unjust rules as a result of these judicial doctrines. SOPRA is one of the ways in which we can lift this oppressive burden from their backs.

Thank you for your consideration,

Competitive Enterprise Institute, American Commitment, American Energy Alliance, Americans for Prosperity, Americans for Competitive Enterprise, Americans for Tax Reform, Campaign for Liberty, Frontiers of Freedom, Heritage Action for America, Institute for Liberty, Less Government, National Center for Public Policy Research, National Taxpayers Union, 60 Plus Association, Taxpayers Protection Alliance.

Mr. JOHNSON of Georgia. Mr. Chair, I yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Chair, members of the committee and the House Representatives, I rise in strong opposition to H.R. 4768, the Separation of Powers Restoration Act.

By eliminating judicial deference to agency determinations, the bill would make the already ossified rulemaking process even more time consuming and costly, threatening the ability of Federal regulatory agencies to protect public health and safety. This is true for several reasons.

Ironically, for a bill that purports to restore separation of powers, H.R. 4768 actually raises separation of power concerns. It is ironic, but accurate. Congress makes the laws and agencies implement them while the courts are supposed to interpret the law.

The Supreme Court has long recognized that Congress may constitutionally delegate its authority to agencies through statutes to promulgate rules to implement the law it passes, with democratic accountability stemming from the fact that Congress can always rescind or narrow the scope of that delegation.

We specifically entrust these agencies, not the courts, with broad policymaking authority. Yet, by removing constraints on judicial review of agency action, H.R. 4768 would empower generalist and unelected courts to nullify agency action solely on policy grounds, substituting the administrative record with their own policy preferences.

□ 1800

Such authority would go beyond the traditional bounds of the judicial role, as the Federal courts themselves have thus far recognized through their deference to agencies.

H.R. 4768 would upend the careful and longstanding balance among the three branches of government, all in the name of serving anti-regulatory corporate interests.

In addition, this measure would encourage judicial activism. By eliminating judicial deference, the bill would effectively empower the courts to make public policy from the bench, even though they may lack the specialized expertise and democratic accountability that agencies possess, through delegated authority from and oversight by the American people's elected representatives.

Although the Supreme Court has had numerous opportunities to expand judicial review of rulemaking, thankfully, the Court has rejected this approach in recognition of the fact that generalist courts simply lack the subject-matter expertise of agencies, are politically unaccountable, and should not engage in making substantive determinations from the bench.

It is somewhat ironic that some who have long decried ''judicial activism'' would now support facilitating a greater role for the judiciary in agency rulemaking.

Finally, H.R. 4768 would result in regulatory paralysis and, thereby, undermine public health and safety.

Regulations are the result of years—very often many years—of careful deliberation and expert analysis. Typically, after an agency first proposes a rulemaking, it must solicit public comment. The agency then analyzes this input and, after further deliberation, promulgates a final rule.

Additionally, for certain rules, agencies must undergo further procedures such as conducting a cost-benefit analysis and a separate analysis of the rule's potential impact on small businesses. This is a time-consuming process that some believe is already too inflexible.

Mr. Chair, I rise in strong opposition to H.R. 4768, the Separation of Powers Restoration Act of 2016.

By eliminating judicial deference to agency determinations, the bill would make the already ossified rulemaking process even more time-consuming and costly, threatening the ability of federal regulatory agencies to protect public health and safety.

This is true for several reasons.

Ironically, for a bill that purports to ''restore'' separation of powers, H.R. 4768 actually raises separation of power concerns.

Congress makes the laws and agencies implement them, while the courts are supposed to interpret the law.

The Supreme Court has long recognized that Congress may constitutionally delegate its authority to agencies through statutes to promulgate rules to implement the laws it passes, with democratic accountability stemming from the fact that Congress can always rescind or narrow the scope of that delegation.

We specifically entrust these agencies, not the courts, with broad policymaking authority.

Yet, by removing constraints on judicial review of agency action, H.R. 4768 would empower generalist and unelected courts to nullify agency action solely on policy grounds, substituting the administrative record with their own policy preferences.

Such authority would go beyond the traditional bounds of the judicial role, as the federal courts themselves have thus far recognized through their deference to agencies.

H.R. 4768 would upend the careful and longstanding balance among the three branches of government, all in the name of serving anti-regulatory corporate interests.

In addition, H.R. 4768 would encourage judicial activism.

By eliminating judicial deference, the bill would effectively empower the courts to make public policy from the bench even though they may lack the specialized expertise and democratic accountability that agencies possess, through delegated authority from and oversight by the American people's elected representatives.

Although the Supreme Court has had numerous opportunities to expand judicial review of rulemaking, thankfully the Court has rejected this approach in recognition of the fact that generalist courts simply lack the subject-matter expertise of agencies, are politically unaccountable, and should not engage in making substantive determinations from the bench.

It is somewhat ironic that some who have long decried ''judicial activism'' would now support facilitating a greater role for the judiciary in agency rulemaking.

Finally, H.R. 4768 would result in regulatory paralysis and thereby undermine public health and safety.

Regulations are the result of years—very often many years—of careful deliberation and expert analysis. Typically, after an agency first proposes a rulemaking, it must solicit public comment. The agency then analyzes this input and, after further deliberation, promulgates a final rule. Additionally, for certain rules, agencies must undergo further procedures, such as conducting a cost-benefit analysis and a separate analysis of the rule's potential impact on small businesses. This is a time-consuming process that some believe is already too inflexible.

According to a new report issued just last month by Pubic Citizen, the time it takes for agencies to issue regulations has grown to unprecedented lengths.

So far this year, for example, economically significant regulations have taken an average of 3.8 years to complete, which is nearly an entire presidential term.

In recognition of the fact that agencies spend years formulating rules and have the specialized substantive expertise to do so, the courts have long applied the rule of judicial deference.

Essentially, this means that the court, in reviewing a rulemaking, will not substitute its policy preferences for that of the agency.

Yet, H.R. 4768 would overturn this longstanding practice and, in its stead, require federal courts to review all agency rulemakings and interpretations of statutes on a de novo basis.

In effect, the bill would empower a judge to ignore the determinations of agency experts and to substitute his or her judgment, without regard to the judge's technical knowledge or understanding of the underlying subject matter.

By eliminating judicial deference, the bill will force agencies to adopt even more detailed factual records and explanations, which would further delay the finalization of what might be critical life-saving regulations.

And, worst of all it will further encourage some well-funded corporate interests to engage in dilatory litigation challenging agency action in order to derail regulations.

As it is, large corporate interests—devoted only to maximizing profits—already have an unfair advantage in their ability to weaken regulatory standards by burying an agency with paperwork demands and litigation.

Rather than giving more opportunities for corporate interests to derail rulemakings, we should be evaluating ways to ensure that the voices of the general public have a greater role in the rulemaking process.

We are talking about regulations that protect the quality of the air we breathe, the water we drink, and the food we consume.

Slowing down the rulemaking process means that rules intended to protect the health and safety of American citizens will take longer to promulgate and become effective, thereby putting us all at possible risk.

Given these concerns and others presented by the bill, I accordingly must oppose H.R. 4768 and I urge my colleagues to vote against this seriously flawed measure.

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I rise today in support of the Separation of Powers Restoration Act, legislation that works to scale back the power of the administration's regulatory agencies and, instead, returns the interpretation of laws to the courts.

For too long, unelected Federal bureaucrats have been running rampant on our Constitution, taking interpretations of the law further than Congress intended them.

If you would have told me that 90 percent of my time here in Congress would be spent fighting Federal agencies' overreach, I would have thought you were joking, but that is the truth. It is sad.

Our Founding Fathers never intended for faceless bureaucrats to have this power. The power of lawmaking is in this body.

There are many examples out there as well, not only the coal industry. You know, West Virginia had the tenth best economy in this Nation just 10 years ago. Now it is the worst economy in the Nation.

I have got lots of electric membership corporations in my district and, you know, they spent billions of dollars upgrading their coal-powered plants, but they continue to be harassed by the EPA.

It is time that this agency top-down approach is dealt with. It is not in the best interest of the folks in Georgia, in the 12th District of Georgia, let alone the rest of the country.

It is time to get back to Congress writing the laws and the courts interpreting them, and to dismantle the growing fourth branch of this government. I am proud to support this legislation that gives Federal agencies a reality check.

We wonder why the economy is not growing. Everywhere I go, people say that the biggest restriction on this economy is the regulatory overreach. We must stop this, and that is why I am proud to support the Separation of Powers Restoration Act.

Mr. JOHNSON of Georgia. Mr. Chairman, America is facing so many important issues that need to be addressed that this Congress refuses to address, and so it tenders do-nothing bills like this that are going absolutely nowhere, not going to pass in the Senate, and if it did, it would not be signed by the President. But still this do-nothing Congress persists in acting in this way.

Mr. Chairman, I yield 5 minutes to the gentlewoman from the great State of Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, let me thank the gentleman from Georgia (Mr. JOHNSON) for his leadership of the subcommittee from which this legislation, I believe, has found its journey. Let me also acknowledge my colleague from Texas.

On the Judiciary Committee, we have the benefit of the counsel of nonlawyers. It is a new phenomenon. When I first came on, we had only lawyers on the committee.

But as a lawyer who remembers sitting in an administrative procedure law class by a seasoned senior professor at the University of Virginia Law School, I remember he was embedded for decades, and managed to make the Administrative Procedure Act interesting. And the one thing I knew, even as a younger law student, the APA, for 70 years—at that time it hadn't reached 70—had served and guided administrative agencies and the affected public in a manner that is flexible enough to accommodate the variety of agencies operating under it, inclusive of changes through time.

So what saddens me as a person who enjoyed many aspects of law school and understands and enjoys the deliberation of issues dealing with the question of law is the complete skewing in spite of my friends who view this as remedy. And I would just like to offer them my thoughts as to why this is not: because the legislation would allow Federal courts reviewing an agency action to conduct a de novo review of all relevant questions of law without deferring to the legal interpretation of the agency.

Now, let me be very clear. I am a student of the three branches of government. I appreciate my colleagues'—in this instance, Republicans'—concern about the sanctity of the three branches of government as evidenced by the Constitution. But in that structure, we developed agencies to have expertise; not to not be challenged, but to have expertise. And I want those listening to understand that I respect that expertise, but I respect the challenge.

But what this particular legislation is doing is that de novo, my friends, of course, is starting from scratch. So that means a regulation by the Department of Homeland Security—I am on the Homeland Security Committee, this agency created after 9/11. And in the backdrop of what we have faced, the heinous acts of Dallas, 5 fallen officers, 12 persons shot—now, we can't claim this recent incident. Allow me to offer my sympathy to those in Michigan, two bailiffs, and I don't know how many others may be shot and killed.

But we know that we are in a different framework of dealing with security in this country. Some of these are a regulatory scheme through the Homeland Security Department, Transportation Security Administration. And to take that expertise on behalf of the American people and, as they say, throw the baby out with the bathwater, say to the courts that do not have a discernible expertise—our judges are quite skilled, but they are not the experts in every aspect of how this government runs.

Members of Congress have to brief themselves to be able to assess what is going on in the government, and we have that responsibility. But you are asking the courts now to undo every regulation and become the expert on Federal lands, public lands, on Environmental Protection Agency issues, on Health and Human Services issues, on issues dealing with homeland security, on issues dealing with education.

This is untenable, Mr. Chairman. This will not work. And I just want to cite to you from a number of groups that have come together. The Coalition for Sensible Safeguards says: ''Congress should be looking for ways to strengthen our country's regulatory system by identifying gaps and instituting new safeguards for the public. Unfortunately, this legislation does the opposite by ensuring more delays.''

Let me clarify their language, because I will go a little further. I would be willing to look at filling the holes.

The CHAIR. The time of the gentlewoman has expired.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield an additional 2 minutes to the gentlewoman from Texas.

Ms. JACKSON LEE. I would be willing to look at discussing this further by looking at what are the holes, where do we think we are not being effective on behalf of the American people. That is reasonable legislation and legislative discourse, if you will.

But I can't look at something that tells me that I have got to take something involving the Children's Health Insurance Program or the 1191 waiver that deals with Medicaid, and I have got to untangle it, go into a court because someone challenged it, and I have got people waiting in line for healthcare relief and hospitals that are looking for payment on uncompensated care, and I have got a court that has to now ramp up. And individual courts don't have the vastness of research that agencies have to be experts on health care and to be experts on a variety of issues that are so very important to us.

I would hope that we can send this legislation back. I hope that we could look—what are we trying to fix?

I think the three branches of government are very clear. We legislate, the executive has its powers, and there are agencies. But the citizens have a right to seek a review of a regulatory structure or a regulation. They have judicial review.

Section 702 of the APA, in its current form, subjects agency rulemaking to judicial review for any person suffering legal wrong because of agency action, or adversely affected or aggrieved by agency action within the meaning of a relevant statute. Courts in particular retain an important role in determining whether an agency is permissible, arbitrary, or capricious.

Mr. Chairman, that is within the context of what this Administrative Procedure Act does. It has been effective for 70 years plus. And what we are doing is—we are not detangling. We are tangling, and we are blocking the good government work that these agencies do to help the American people be safe in water, in the environment, in public lands, in security.

I ask my colleagues, let's go back to the drawing board before we move forward on this legislation.

Mr. Chair, I stand in opposition to H.R. 4768, the Separation of Powers Restoration Act of 2016, a bill to address purported constitutional and statutory deficiencies in the judicial review of agency rulemaking.

I am opposed to H.R. 4768 because this bill is unfortunately deeply flawed and harmful to our nation's fundamental and well-established federal rulemaking process.

Specifically, H.R. 4768 would abruptly shift the scope and authority of judicial review of agency actions away from federal agencies by amending Section 706 of the Administrative Procedures Act (APA) to ''require that courts decide all relevant questions of law, including all questions of interpretation of constitutional, statutory, and regulatory provisions, on a de novo basis without deference to the agency that promulgated the final rule''.

Effectively, H.R. 4768 would abolish judicial deference to agencies' statutory interpretations in federal rulemaking and create harmful and costly burdens to the administrative process.

Enacted in 1946, the APA establishes the minimum rulemaking and formal adjudication requirements for all administrative agencies.

And for the past 70 years the APA has served and guided administrative agencies and the affected public in a manner that is flexible enough to accommodate the variety of agencies operating under it inclusive of changes through time.

In addition to the APA, numerous other procedural and analytical requirements have been imposed on the rulemaking process by Congress and various presidents.

Generally, agencies' development of new rules is an extensive process that is fully vetted with appropriate avenues for judicial relief where necessary.

Namely, Section 702 of the APA in its current form subjects agency rulemaking to judicial review for ''any person suffering legal wrong because of agency action, or adversely affected or aggrieved by agency action within the meaning of a relevant statute.''

Courts in particular retain an important role in determining whether an agency action is permissible, arbitrary, or capricious.

And while, the APA requires reviewing courts to decide all relevant questions of law, interpret statutes, and determine the meaning of agency action, it is well-established that courts ''must give substantial deference to an agency's interpretation of its own regulations.''

Indeed, the Supreme Court has routinely observed that the scope of judicial review is narrow and a court is not to substitute its judgment for that of the agency.

Rather, it is well-settled that courts must give considerable weight to an agency's construction of a statute it administers.

Such deference was established as bedrock administrative law in the 1984 Supreme Court case Chevron v. Natural Resources Defense Council, now known as the Chevron deference.

Chevron deference has been upheld by hundreds of federal courts since and has been endorsed by both conservative and liberal Supreme Court justices and federal court judges.

H.R. 4768 would override the Chevron doctrine enabling courts to ignore administrative records and expertise and to substitute their own inexpert views and limited information.

Such a measure would radically transform the judicial review practice and make the rulemaking process more costly and time-consuming by forcing agencies to adopt more detailed factual records and explanations, effectively imposing more procedural requirements on agency rulemaking.

This cumulative burden would have the effect of further ossifying the rulemaking process or dissuading agencies from undertaking rulemakings altogether.

H.R. 4768 marks an unprecedented and dangerous move away from traditional judicial deference towards a system of that would enhance powers for corporate lobbyists and weaken protections for consumers and working families.

Congressional consideration for an enhanced judicial review standard or a legislative override of judicial deference is not one we are unfamiliar with—but it is a matter we have long ago rejected along with our nation's leading administrative law scholars and experts.

H.R. 4768 is an unnecessary and misguided bill that would burden the rulemaking process and not simplify it.

For these reasons, I am opposed to H.R. 4768.

Mr. GOODLATTE. Mr. Chairman, I believe that this side has the right to close, and I have one speaker remaining, so we are prepared to close whenever the gentleman from Georgia is ready.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I include in the RECORD the Statement of Administration Policy, the President's veto threat on this bill, and also a letter from the Coalition for Sensible Safeguards.

STATEMENT OF ADMINISTRATION POLICY

H.R. 4768—SEPARATION OF POWERS RESTORATION ACT OF 2016—(REP. RATCLIFFE, R–TX, AND 113 COSPONSORS)

The Administration strongly opposes House passage of H.R. 4768, the Separation of Powers Restoration Act of 2016, because it would unnecessarily overrule decades of Supreme Court precedent, it is not in the public interest, and it would add needless complexity and delay to judicial review of regulatory actions. This legislation would allow Federal courts reviewing an agency action to conduct de novo review of all relevant questions of law without deferring to the legal interpretation of the agency. Both Federal statutes and case law provide Federal courts with the appropriate tools to review regulatory actions and afford appropriate deference to the expertise of the agencies that promulgated the rules and regulations under review.

If the President were presented with H.R. 4768, his senior advisors would recommend he veto the bill.

Re: Mark-up on Separation of Powers Restoration Act (H.R. 4768)

Hon. ROBERT GOODLATTE,
Chairman, Judiciary Committee, Washington, DC.
Hon. JOHN CONYERS,
Ranking Member, Judiciary Committee, Washington, DC.

DEAR REPRESENTATIVES: The Coalition for Sensible Safeguards (CSS), which includes more than 150 diverse labor, consumer, public health, food safety, financial reform, faith, environmental and scientific integrity groups representing millions of Americans, urges members of this committee to oppose the Separation of Powers Restoration Act (H.R. 4768).

Congress should be looking for ways to strengthen our country's regulatory system by identifying gaps and instituting new safeguards for the public. Unfortunately, this legislation does the opposite by ensuring even more delays in new public health, safety, and financial security protections for the public.

The legislation will make our system of regulatory safeguards weaker by allowing for judicial activism at the expense of agency expertise and congressional authority, thereby resulting in unpredictable outcomes and regulatory uncertainty for all stakeholders. If passed, this legislation would rob the American people of many critical upgrades to public protections, especially those that ensure clean air and water, safe food and consumer products, safe workplaces, and a stable, prosperous economy.

This radical legislation would reverse a fundamental and well-settled legal principle that has long successfully guided our regulatory system. It would abolish judicial deference to agencies' statutory interpretations in rulemaking by requiring a court to decide all relevant questions of law de novo, including all questions concerning the interpretation of constitutional, statutory, and regulatory provisions of final agency actions. Such deference was established as bedrock administrative law by the Supreme Court in the 1984 case Chevron v. Natural Resources Defense Council and came to be referred to as Chevron deference. Chevron deference has been upheld by hundreds of federal courts since and has been endorsed by both conservative and liberal Supreme Court justices and federal court judges.

In practice, abolishing Chevron deference will make the current problems in our country's broken regulatory process much worse in several ways. H.R. 4768 will lead to even more regulatory delays, particularly for those ''economically significant'' or ''major'' new rules that provide the greatest benefits to the public's health, safety, and financial security. The examples of regulatory paralysis are ubiquitous and impossible to ignore.

In the energy sector, offshore drilling safety measures to address the cause of the BP oil spill in the Gulf, new safety standards to prevent oil train derailments and explosions, and new energy efficiency standards to benefit consumers all took far too long to finalize and benefit the public.

In the food safety sector, implementation of the Food Safety Modernization Act was finally completed last week, despite agencies missing every statutory deadline and numerous tainted food scandals in the interim.

In the banking sector, a significant portion of the Dodd-Frank Wall Street Reform Act has yet to be finalized, or in some cases, even proposed, despite the law's enactment almost six years ago.

The delays in new protections for the public are systemic, touching virtually every agency and regulatory sector. A recent study by a conservative think tank found that federal agencies have only been able to meet half of the rulemaking deadlines Congress has set out for them over the last twenty years.

There is substantial academic literature and expert consensus that intrusive judicial scrutiny of agency rulemaking is one of the main drivers of regulatory paralysis. Thus, increasing litigation risk for agency rules, which is exactly what this bill would accomplish by spawning hundreds of new lawsuits per year, will mean many more missed congressional deadlines and a regulatory process this is unable to act efficiently and effectively in protecting the public as Congress requires. This further ''chilling'' of rulemaking will certainly benefit Big Business lobbyists and lawyers who will further pressure regulators to carve out loopholes, weaken safety standards, or otherwise obstruct new rulemakings with the greatly enhanced threat of a lawsuit waiting in the wings.

Additionally, eliminating judicial deference to agency rulemaking would be tantamount to ringing the dinner bell for judicial activism by empowering reviewing courts to substitute their policy preferences for those of the agency. One of the primary policy rationales for Chevron deference is that agencies have considerable and superior expertise in the regulatory sectors they oversee as compared to generalist judges. Thus, H.R. 4768 would make it easier for the courts to overturn an agency's highly technical, resource-intensive, and science-based rulemakings without the expertise needed to make such determinations.

Further, judicial activism would impact Congressional authority, curtailing it rather than enhancing it, an irony given the name of the bill. The de novo review of the scope and nature of Congressional grants of authority to agencies will invite courts to create law, ignore congressional intent, or both. Again, the bill will allow judges to simply replace congressional intent with the judges' own construction of the statute or policy preferences with respect to congressional objectives.

Perhaps the most telling critique of attempts to replace Chevron deference with de novo review comes from former Justice Antonin Scalia, an aggressively vocal supporter of Chevron deference during his career and an indication of just how broad and mainstream the support is for maintaining such deference. Writing for the majority in City of Arlington v. F.C.C., Justice Scalia argued that requiring that ''every agency rule must be subjected to a de novo judicial determination'' without any standards to guide this review would result in an ''open-ended hunt for congressional intent,'' rendering ''the binding effect of agency rules unpredictable and destroy the whole stabilizing purpose of Chevron. The excessive agency power that the dissent fears would be replaced by chaos.''

H.R. 4768 marks an unprecedented and dangerous move away from traditional judicial deference towards a system of enhanced powers for Big Business lobbyists and weakened protections for consumers and working families. CSS urges members of the committee to reject the Separation of Powers Restoration Act, (H.R. 4768).

Sincerely,

ROBERT WEISSMAN,
President, Public Citizen, Chair, Coalition for Sensible Safeguards.

□ 1815

Mr. JOHNSON of Georgia. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Chairman, I thank my friend from Georgia.

Members of the House, I am not alone in opposing H.R. 4768. In recognition of the many serious concerns presented by it, the Coalition for Sensible Safeguards, an alliance of more than 150—150—consumer, labor, research, faith, and other public interest groups, strongly opposes this legislation. These are, in effect, the good guys: Public Citizen, the AFL–CIO, the Service Employees International Union, the United Steelworkers, the Center for Progressive Reform, the Consumers Union, the Consumer Federation of America, the Natural Resources Defense Council, the Sierra Club, and many, many more.

In addition, leading administrative law scholars also oppose H.R. 4768 because it will further delay the rulemaking process and because it presents separation of powers concerns.

Like me, these organizations and scholars know that this bill will weaken the regulatory system by supplanting agency expertise and congressional authority with judicial activism.

In closing, I urge my colleagues to join me in opposing H.R. 4768, a bill that, without a doubt, would undermine public health and safety and undermine our regulatory safety net.

Mr. Chairman, I thank Mr. JOHNSON for the great job he has done here on the floor and ask him to close this debate.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in sum, it is indeed ironic that the so-called Separation of Powers Restoration Act actually raises separation of powers concerns by yielding legislative power over to the judicial branch. This is, in part, why there are so many alliances of labor organizations, consumer organizations, environmental action organizations, and others that strongly oppose this legislation.

I include in the RECORD a July 11, 2016, letter from Consumers Union opposing this legislation, along with a letter from the Natural Resources Defense Council opposing this legislation.

CONSUMERSUNION,
July 11, 2016.

DEAR REPRESENTATIVE: ConsumersUnion, the policy and advocacy division of Consumer Reports, urges you to oppose H.R. 4768 when it comes to the floor. Although titled the ''Separation of Powers Restoration Act,'' we are concerned that the bill would have the opposite effect, upending the well-developed constitutional balance between the legislative, executive, and judicial branches. The bill could severely impair effective and well-considered regulatory agency enforcement of critical safety, health, environmental, and market protections on which consumers depend.

Courts giving appropriate deference to reasonable agency interpretations of their statutes, as reflected in *Chevron U.S.A., Inc., v. NRDC*, 467 U.S. 837 (1984), is a well-settled approach to promote both sound and efficient agency enforcement and effective judicial review. This approach has legal roots going back decades, even to the earliest days of our nation.

The courts have full judicial power to review agency legal interpretations. The Chevron doctrine embodies a judicial recognition, based on experience, that courts do not need to exercise this judicial power de novo on each and every question of law that comes before them. The courts are in no way precluded from doing so when that is warranted. The agency must give a reasoned explanation for its judgment, but Chevron says the court should not simply substitute its judgment for the agency's.

The Chevron doctrine recognizes that, as a general matter, an agency that deals with a statute day in and day out, year in and year out—applying the dedicated efforts and sustained attention of agency personnel with specialized subject matter expertise in all relevant disciplines, and with input from stakeholders and members of the public, received and considered in open rulemakings—develops valuable insight into the law it is entrusted with administering. Chevron recognizes that this insight generally warrants the respect and deference of the reviewing courts of general jurisdiction, which have no such resources, dedicated personnel, specialized expertise, or sustained attention over time.

Again, in situations where the court has sufficient basis to conclude that deference is not warranted, it has full authority to not defer. Likewise, if Congress determines that the agency has acted in a manner inconsistent with congressional intent—or if Congress decides to clarify or even change its intent in light of some agency action—Congress can amend the statute and provide a clearer directive. But Congress cannot realistically be expected to clearly address in advance every conceivable contingency that may arise in the administration and enforcement of the statutes it enacts. The agencies that are specifically tasked with administering and enforcing those statutes are in the best position to ensure that the law functions effectively. Indeed, that has traditionally been regarded as their foremost responsibility—to help the President take care that the laws be faithfully executed.

In *City of Arlington, Tex. v. F.C.C.*, 133 S. Ct. 1863, 1874 (2013), the Supreme Court starkly described the alternative to Chevron: ''Thirteen Courts of Appeals applying a totality-of-the-circumstances test would render the binding effect of agency rules unpredictable and destroy the whole stabilizing purpose of Chevron. The excessive agency power that the dissent fears would be replaced by chaos.''

In addition to injecting this unpredictability into every agency decision, and increasing the complexity of every rulemaking, the change proposed by this legislation would add needless new burdens to our already overworked courts, impeding their important work as well.

In sum, this legislation is unnecessary, could do severe damage to the proper functioning of our government, and could severely weaken a wide range of fundamental protections on which consumers rely.

For these reasons, we urge you to oppose this bill.

Respectfully,

GEORGE P. SLOVER,
Senior Policy Counsel,
ConsumersUnion.

NRDC.

DEAR REPRESENTATIVE: H.R. 4768, the so-called ''Separation of Powers Restoration Act of 2016,'' is a deeply flawed and harmful bill that should not become law. The more appropriate title should be instead ''The More Judicial Activism Act.'' The legislation overthrows a longstanding and well-founded framework for legislation and judicial review—and establishes a framework that would give huge new power to unelected judges to nullify policies of the Executive Branch and the Congress alike.

For decades, Congress has written our laws, and the President has executed them, on a very straightforward platform: When Congress writes a statute in unmistakable terms, reflecting a clear policy intent, executive branch agencies are bound to follow those terms and that intent exactly. When Congress legislates in flexible or ambiguous terms, it does so knowing that it has not addressed every contingency, and it is delegating some measure of decision making to executive agencies. At any time, Congress can always have the last word; whenever Congress agrees that an agency erred, it can adopt new legislation to set things back on course. This common-sense framework allows the political branches to fashion fair and effective laws that keep functioning in a changing world where no Congress can address every contingency in advance or make every detailed decision that has to be made in real time.

This framework is sometimes called the Chevron doctrine after the famous 1984 Supreme Court case at which H.R. 4768 takes aim. But the framework actually goes back many decades farther—indeed to the foundations of our republic. The Supreme Court and lower federal courts have long understood that while they must hold government action to the law, it isn't the job of unelected judges to substitute their policy judgments for those of the political branches—whether Congress or the President.

H.R. 4768 would throw our country's sacred tradition of judicial restraint to the winds. It would permit unelected judges to substitute their own policy preferences, and to overrule scientists, economists, engineers and other experts based on their own inexpert and limited views and information.

Empowering judges to make their decisions ''de novo,'' without regard to experts and without regard to the leaders of either political branch, is the very definition of judicial activism. This should be anathema to conservatives and liberals alike.

Justice Scalia has spoken eloquently on the consequences of ignoring Chevron. In the case City of Arlington, Tex. v. FCC, he described a world where all the courts of appeals undertake de novo reviews of agency interpretations of statutes in a judicial search for congressional intent or what judges consider more ''reasonable.'' Ruling for the majority Justice Scalia wrote:

''Rather, the dissent proposes that even when general rulemaking authority is clear, every agency rule must be subjected to a *de novo* judicial determination of whether the *particular issue* was committed to agency discretion. It offers no standards at all to guide this open-ended hunt for congressional intent (that is to say, for evidence of congressional intent more specific than the conferral of general rulemaking authority). It would simply punt that question back to the Court of Appeals, presumably for application of some sort of totality-of-the-circumstances test—which is really, of course, not a test at all but an invitation to make an *ad hoc* judgment regarding congressional intent. Thirteen Courts of Appeals applying a totality-of-the-circumstances test would render the binding effect of agency rules unpredictable and destroy the whole stabilizing purpose of Chevron. The excessive agency power that the dissent fears would be replaced by chaos.''

City of Arlington, Tex. v. F.C.C., 133 S. Ct. 1863, 1874 (2013) (emphases in original).

The bill envisions allowing a single federal district judge, or a panel of three appellate judges, to simply set aside the product of years of federal rulemaking following rounds of public notices, proposals, stakeholder engagement, public hearings and public comments, and final decisions based on detailed

records and explanations, all conducted by agency officials with subject matter expertise that courts lack in the sciences, medicine, engineering, statistics, accounting, economics and financial markets, and the full gamut of professional disciplines.

Because the policy preferences of individual judges will matter more than ever, litigants will spend even more time and effort forum shopping for their favorite judges. On top of these ills, de novo judicial review of vast administrative records would further slow the wheels of the American legal system, to the detriment of every business or individual trying to get justice from our crowded and overworked courts.

What is most surprising is to see support for this bill from traditional opponents of judicial activism. Some supporters appear to favor the bill because they hope to undo burdens on businesses. In doing so, they are willing to sacrifice food safety; clean air and water; worker protections; safeguards against discrimination; and even the stability and security of our banks and financial institutions.

It should be noted, however, that the bill would also allow unelected judges to overrule the decisions of future conservative administrations. It is worth remembering that NRDC was the losing party in the Chevron decision. If this bill had then been law, the Reagan administration's effort to streamline pollution controls for new factories would likely have been overturned, not upheld as it was by the Supreme Court.

Our Constitution puts elected officials in charge to give political accountability. Turning over the authority to unelected and non-expert judges should not be an option. We urge all members to oppose H.R. 4768.

Mr. JOHNSON of Georgia. Lastly, I would point out that there is a strongly worded veto threat by the President about this legislation should it ever find its way to the Senate and to the President's desk. The President points out that this legislation is not in the public interest and that it would add needless complexity and delay to the judicial review of regulatory actions. For those reasons, among other things, he has issued a veto threat.

So this is a piece of legislation that is a messaging piece. My friends on the other side of the aisle know that it is not going anywhere, but it is promoting their message, which is deregulation. Despite all of the regulation and legislation needed to address pertinent issues that the American people are demanding action on right now—the Zika virus, Puerto Rico, gun violence, and gun reform legislation—there are so many other things that we could and should be working on, but instead we are enthralled here with these messaging bills that are not going anywhere.

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

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

The list of organizations that stand up for separation of powers, that stand up for liberty, and that stand up for common sense is long.

It includes the American Farm Bureau Federation, TechFreedom, the American Consumer Institute, Americans for Tax Reform, the Center for Freedom and Prosperity, Competitive Enterprise Institute, Digital Liberty, Free the People, the Independent Women's Forum, Institute for Liberty, the Mississippi Center for Public Policy, the National Taxpayers Union, Protect Internet Freedom, the Taxpayers Protection Alliance, and Tech Knowledge, just to name some.

Mr. Chairman, this legislation is very important. It will pass this House with a strong vote. It needs to be taken up by the United States Senate. It needs to be signed into law by the President of the United States, but it will also be heard across the street at the United States Supreme Court, where I know there are Justices who know that the Chevron doctrine needs to be reconsidered because it is an abandonment of the responsibility and the power of the judicial branch of our government to cede this kind of power and this kind of authority to the bureaucracy. It is wrong; it needs to be overturned; and I urge my colleagues to vote to do so tonight.

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

Mr. GOODLATTE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. RATCLIFFE) having assumed the chair, Mr. RIGELL, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4768) to amend title 5, United States Code, with respect to the judicial review of agency interpretations of statutory and regulatory provisions, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 6 o'clock and 23 minutes p.m.), the House stood in recess.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RIGELL) at 6 o'clock and 31 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 5602, by the yeas and nays;

H.R. 5607, by the yeas and nays;

H.R. 5606, by the yeas and nays.

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

INCLUSION OF ALL FUNDS WHEN ISSUING CERTAIN GEOGRAPHIC TARGETING ORDERS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5602) to amend title 31, United States Code, to authorize the Secretary of the Treasury to include all funds when issuing certain geographic targeting orders, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 356, nays 47, not voting 30, as follows:

[Roll No. 401]

YEAS—356

Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bost
Boustany
Brady (PA)
Brady (TX)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Guthrie
Hahn
Hanna
Hardy
Harper
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huffman
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer

Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Matsui
McCarthy
McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McNerney
McSally
Meehan
Meeks
Meng
Messer
Mica
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Pingree
Pittenger
Pitts
Pocan
Poliquin
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zinke

NAYS—47

Abraham
Amash
Blum
Brat
Bridenstine
Burgess
Clawson (FL)
Davidson
DesJarlais
Duncan (SC)
Duncan (TN)
Farenthold
Fleming
Garrett
Gohmert
Gosar
Griffith
Grothman
Guinta
Harris
Hice, Jody B.
Huelskamp
Huizenga (MI)
Jones
Jordan
Kelly (MS)
Labrador
Lamborn
Lummis
Massie
McClintock
Meadows
Mulvaney
Palmer
Pearce
Perry
Polis
Posey
Rohrabacher
Russell
Salmon
Sanford
Sensenbrenner
Weber (TX)
Westerman
Yoho
Zeldin

NOT VOTING—30

Beatty
Boyle, Brendan F.
Brooks (AL)
Carter (GA)
Clarke (NY)
Crowley
Davis, Danny
Fincher
Foxx
Fudge
Gutiérrez
Hastings
Hinojosa
King (NY)
Lipinski
Maloney, Carolyn
Marchant
Marino
McMorris Rodgers
Miller (FL)
Miller (MI)
Neal
Nolan
Peterson
Poe (TX)
Pompeo
Sires
Stutzman
Takai
Tsongas

□ 1853

Messrs. LAMBORN, FARENTHOLD, BRIDENSTINE, ABRAHAM, YOHO, HUIZENGA of Michigan, POLIS, PALMER, JODY B. HICE of Georgia, and WESTERMAN changed their vote from ''yea'' to ''nay.''

Mr. CLAY, Mses. PELOSI and SEWELL of Alabama changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CARTER of Georgia. Mr. Speaker, on rollcall No. 401, I was unavoidably detained. Had I been present, I would have voted "yes."

ENHANCING TREASURY'S ANTI-TERROR TOOLS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5607) to enhance the Department of the Treasury's role in protecting national security, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 362, nays 45, not voting 26, as follows:

[Roll No. 402]

YEAS—362

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bost
Boustany
Brady (PA)
Brady (TX)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Guthrie
Hahn
Hanna
Hardy
Harper
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Matsui
McCarthy
McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McNerney
McSally
Meehan
Meeks
Meng
Messer
Mica
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Pingree
Pittenger
Pitts
Pocan
Poliquin
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin

NAYS—45

Amash
Babin
Blum
Brat
Bridenstine
Burgess
Clawson (FL)
DesJarlais
Duncan (SC)
Duncan (TN)
Farenthold
Fleming
Garrett
Gohmert
Gosar
Griffith
Grothman
Guinta
Harris
Hice, Jody B.
Huelskamp
Jones
Jordan
Kelly (MS)
Labrador
Lofgren
Lummis
Massie
McClintock
Meadows
Mulvaney
Pearce
Perry
Polis
Posey
Ribble
Rohrabacher
Russell
Salmon
Sanford
Sensenbrenner
Weber (TX)
Wittman
Yoho
Zinke

NOT VOTING—26

Boyle, Brendan F.
Brooks (AL)
Clarke (NY)
Davis, Danny
Fincher
Foxx
Fudge
Gutiérrez
Hastings
Hinojosa
King (NY)
Lipinski
Maloney, Carolyn
Marchant
Marino
McMorris Rodgers
Miller (FL)
Miller (MI)
Nolan
Peterson
Poe (TX)
Pompeo
Sires
Stutzman
Takai
Tsongas

□ 1901

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANTI-TERRORISM INFORMATION SHARING IS STRENGTH ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5606) to facilitate better information sharing to assist in the fight against the funding of terrorist activities, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 229, nays 177, not voting 27, as follows:

[Roll No. 403]

YEAS—229

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barr
Bass
Beatty
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Blackburn
Boustany
Brady (PA)
Brady (TX)
Brooks (IN)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Carney
Carson (IN)
Carter (TX)
Castor (FL)
Castro (TX)
Chabot
Clay
Cleaver
Clyburn
Coffman
Cole
Collins (NY)
Comstock
Cook
Cooper
Costa
Costello (PA)
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Rodney
Delaney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duckworth
Duffy
Ellison
Ellmers (NC)
Engel
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Garamendi
Goodlatte
Graham
Granger
Graves (MO)
Green, Al
Hanna
Hardy
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Higgins
Hill
Holding
Hoyer
Hudson
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Israel
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kind
King (IA)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lance
Langevin
Latta
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
McCarthy
McCaul
McHenry
McKinley
McNerney
McSally
Meehan
Meeks
Messer
Moolenaar
Mullin
Murphy (FL)
Murphy (PA)
Napolitano
Neugebauer
Newhouse
Noem
Norcross
Nunes
Olson
Palmer
Pascrell
Paulsen
Payne
Pelosi
Peters
Pittenger
Pitts
Poliquin
Price (NC)
Quigley
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Scalise
Schiff
Schrader
Schweikert
Scott, David
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stivers
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Torres
Trott
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Wasserman Schultz
Waters, Maxine
Welch
Westerman
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Womack
Young (AK)
Young (IA)
Young (IN)
Zeldin

NAYS—177

Abraham
Allen
Amash
Babin
Barton
Becerra
Beyer
Black
Blum
Blumenauer
Bonamici
Bost
Brat
Bridenstine
Brown (FL)
Buck
Burgess
Capps
Capuano
Cárdenas
Carter (GA)
Cartwright
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clawson (FL)
Cohen
Collins (GA)
Conaway
Connolly
Conyers
Courtney
Cramer
Crowley
Cummings
Davidson
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
DesJarlais
Deutch
Dingell
Doggett
Doyle, Michael F.
Duncan (SC)
Duncan (TN)
Edwards
Emmer (MN)
Eshoo
Esty
Farenthold
Farr
Fleming
Flores
Gabbard
Gallego
Garrett
Gibbs
Gibson
Gohmert
Gosar
Gowdy
Graves (GA)
Graves (LA)
Grayson
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Harper
Harris
Heck (WA)
Hice, Jody B.
Himes
Honda
Huelskamp
Huffman
Hunter
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Jordan
Kelly (MS)
Kennedy
Kildee
Kilmer
Labrador
Lamborn
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Loudermilk
Love
Lowenthal
Lummis
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
Meadows
Meng
Mica
Mooney (WV)
Moore
Moulton
Mulvaney
Nadler
Neal
Nugent
O'Rourke
Palazzo
Pallone
Pearce
Perlmutter
Perry
Pingree
Pocan
Polis
Posey
Price, Tom
Rangel
Ribble
Rice (SC)
Rohrabacher
Rokita
Russell
Salmon
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Slaughter
Smith (MO)
Smith (WA)
Speier
Stewart
Swalwell (CA)
Takano
Thompson (MS)
Tipton
Titus
Tonko
Velázquez
Visclosky
Walden
Walz
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Wittman
Woodall
Yarmuth
Yoder
Yoho
Zinke

NOT VOTING—27

Bishop (UT)
Boyle, Brendan F.
Brooks (AL)
Clarke (NY)
Davis, Danny
Fincher
Foxx
Fudge
Gutiérrez
Hastings
Hinojosa
King (NY)
Lipinski
Maloney, Carolyn
Marchant
Marino
McMorris Rodgers
Miller (FL)
Miller (MI)
Nolan
Peterson
Poe (TX)
Pompeo
Sires
Stutzman
Takai
Tsongas

□ 1908

Mr. CONAWAY changed his vote from "yea" to "nay."

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MILLER of Florida. Mr. Speaker, due to being unavoidably detained, I missed the following rollcall Votes: Nos. 401, 402, and 403.

If present, I would have voted: Rollcall Vote No. 401—On Motion to Suspend the Rules and Pass H.R. 5602, "nay". Rollcall Vote No. 402—On Motion to Suspend the Rules and Pass, as Amended, H.R. 5607, "nay" and rollcall Vote No. 403—On Motion to Suspend the Rules and Pass H.R. 5606, "nay."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken later.

FAA EXTENSION, SAFETY, AND SECURITY ACT OF 2016

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 818) providing for the concurrence by the House in the Senate amendments to H.R. 636, with amendments.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 818

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill, H.R. 636, with the Senate amendments thereto, and to have concurred in the Senate amendments with the following amendments:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "FAA Extension, Safety, and Security Act of 2016".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Appropriate committees of Congress defined.

TITLE I—FAA EXTENSION

Subtitle A—Airport and Airway Programs

Sec. 1101. Extension of airport improvement program.
Sec. 1102. Extension of expiring authorities.
Sec. 1103. Federal Aviation Administration operations.
Sec. 1104. Air navigation facilities and equipment.
Sec. 1105. Research, engineering, and development.
Sec. 1106. Funding for aviation programs.
Sec. 1107. Essential air service.

Subtitle B—Revenue Provisions

Sec. 1201. Expenditure authority from Airport and Airway Trust Fund.

Sec. 1202. Extension of taxes funding Airport and Airway Trust Fund.

TITLE II—AVIATION SAFETY CRITICAL REFORMS

Subtitle A—Safety

Sec. 2101. Pilot records database deadline.
Sec. 2102. Cockpit automation management.
Sec. 2103. Enhanced mental health screening for pilots.
Sec. 2104. Laser pointer incidents.
Sec. 2105. Crash-resistant fuel systems.
Sec. 2106. Hiring of air traffic controllers.
Sec. 2107. Training policies regarding assistance for persons with disabilities.
Sec. 2108. Air travel accessibility.
Sec. 2109. Additional certification resources.
Sec. 2110. Tower marking.
Sec. 2111. Aviation cybersecurity.
Sec. 2112. Repair stations located outside United States.
Sec. 2113. Enhanced training for flight attendants.

Subtitle B—UAS Safety

Sec. 2201. Definitions.
Sec. 2202. Identification standards.
Sec. 2203. Safety statements.
Sec. 2204. Facilitating interagency cooperation for unmanned aircraft authorization in support of firefighting operations and utility restoration.
Sec. 2205. Interference with wildfire suppression, law enforcement, or emergency response effort by operation of unmanned aircraft.
Sec. 2206. Pilot project for airport safety and airspace hazard mitigation.
Sec. 2207. Emergency exemption process.
Sec. 2208. Unmanned aircraft systems traffic management.
Sec. 2209. Applications for designation.
Sec. 2210. Operations associated with critical infrastructure.
Sec. 2211. Unmanned aircraft systems research and development roadmap.
Sec. 2212. Unmanned aircraft systems-manned aircraft collision research.
Sec. 2213. Probabilistic metrics research and development study.

Subtitle C—Time Sensitive Aviation Reforms

Sec. 2301. Small airport relief for safety projects.
Sec. 2302. Use of revenues at previously associated airport.
Sec. 2303. Working group on improving air service to small communities.
Sec. 2304. Computation of basic annuity for certain air traffic controllers.
Sec. 2305. Refunds for delayed baggage.
Sec. 2306. Contract weather observers.
Sec. 2307. Medical certification of certain small aircraft pilots.
Sec. 2308. Tarmac delays.
Sec. 2309. Family seating.

TITLE III—AVIATION SECURITY

Sec. 3001. Short title.
Sec. 3002. Definitions.

Subtitle A—TSA PreCheck Expansion

Sec. 3101. PreCheck program authorization.
Sec. 3102. PreCheck program enrollment expansion.

Subtitle B—Securing Aviation From Foreign Entry Points and Guarding Airports Through Enhanced Security

Sec. 3201. Last point of departure airport security assessment.
Sec. 3202. Security coordination enhancement plan.
Sec. 3203. Workforce assessment.
Sec. 3204. Donation of screening equipment to protect the United States.
Sec. 3205. National cargo security program.
Sec. 3206. International training and capacity development.

Subtitle C—Checkpoint Optimization and Efficiency

Sec. 3301. Sense of Congress.
Sec. 3302. Enhanced staffing allocation model.
Sec. 3303. Effective utilization of staffing resources.
Sec. 3304. TSA staffing and resource allocation.
Sec. 3305. Aviation security stakeholders defined.
Sec. 3306. Rule of construction.

Subtitle D—Aviation Security Enhancement and Oversight

Sec. 3401. Definitions.
Sec. 3402. Threat assessment.
Sec. 3403. Oversight.
Sec. 3404. Credentials.
Sec. 3405. Vetting.
Sec. 3406. Metrics.
Sec. 3407. Inspections and assessments.
Sec. 3408. Covert testing.
Sec. 3409. Security directives.
Sec. 3410. Implementation report.
Sec. 3411. Miscellaneous amendments.

Subtitle E—Checkpoints of the Future

Sec. 3501. Checkpoints of the future.
Sec. 3502. Pilot program for increased efficiency and security at Category X airports.
Sec. 3503. Pilot program for the development and testing of prototypes for airport security systems.
Sec. 3504. Report required.
Sec. 3505. Funding.
Sec. 3506. Acceptance and provision of resources by the Transportation Security Administration.

Subtitle F—Miscellaneous Provisions

Sec. 3601. Visible deterrent.
Sec. 3602. Law enforcement training for mass casualty and active shooter incidents.
Sec. 3603. Assistance to airports and surface transportation systems.

SEC. 2. APPROPRIATE COMMITTEES OF CONGRESS DEFINED.

In this Act, unless expressly provided otherwise, the term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE I—FAA EXTENSION

Subtitle A—Airport and Airway Programs

SEC. 1101. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 48103(a) of title 49, United States Code, is amended by striking ''fiscal years 2012 through 2015'' and all that follows through the period at the end and inserting ''fiscal years 2012 through 2017.''.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of title 49, United States Code, is amended in the matter preceding paragraph (1) by striking ''July 15, 2016,'' and inserting ''September 30, 2017,''.

SEC. 1102. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 47107(r)(3) of title 49, United States Code, is amended by striking ''July 16, 2016'' and inserting ''October 1, 2017''.

(b) Section 47115(j) of title 49, United States Code, is amended by striking ''fiscal years 2012 through 2015'' and all that follows through ''July 15, 2016,'' and inserting ''fiscal years 2012 through 2017,''.

(c) Section 47124(b)(3)(E) of title 49, United States Code, is amended by striking ''fiscal years 2012 through 2015'' and all that follows through ''July 15, 2016,'' and inserting ''fiscal years 2012 through 2017''.

(d) Section 47141(f) of title 49, United States Code, is amended by striking ''July 15, 2016'' and inserting ''September 30, 2017''.

(e) Section 41743(e)(2) of title 49, United States Code, is amended by striking ''2015'' and inserting ''2017''.

(f) Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (117 Stat. 2518) is amended by striking ''fiscal years 2012 through 2015'' and all that follows through ''July 15, 2016,'' and inserting ''fiscal years 2012 through 2017''.

(g) Section 409(d) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 41731 note) is amended by striking ''July 15, 2016'' and inserting ''September 30, 2017''.

(h) Section 140(c)(1) of the FAA Modernization and Reform Act of 2012 (126 Stat. 28) is amended—

(1) by striking ''fiscal years 2013 through 2016,'' and inserting ''fiscal years 2013 through 2017,''; and

(2) by inserting before the period at the end the following: ''or an extension of this Act''.

(i) Section 332(c)(1) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) is amended by striking ''5 years after the date of enactment of this Act'' and inserting ''on September 30, 2019''.

(j) Section 411(h) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 prec. note) is amended by striking ''July 15, 2016'' and inserting ''September 30, 2017''.

(k) Section 822(k) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47141 note) is amended by striking ''July 15, 2016'' and inserting ''September 30, 2017''.

SEC. 1103. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k) of title 49, United States Code, is amended—

(1) by striking paragraph (1)(E) and inserting the following:

''(E) $9,909,724,000 for each of fiscal years 2016 and 2017.''; and

(2) in paragraph (3) by striking ''fiscal years 2012 through 2015'' and all that follows through ''July 15, 2016,'' and inserting ''fiscal years 2012 through 2017,''.

SEC. 1104. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a)(5) of title 49, United States Code, is amended to read as follows:

''(5) $2,855,000,000 for each of fiscal years 2016 and 2017.''.

SEC. 1105. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a)(9) of title 49, United States Code, is amended to read as follows:

''(9) $166,000,000 for each of fiscal years 2016 and 2017.''.

SEC. 1106. FUNDING FOR AVIATION PROGRAMS.

(a) IN GENERAL.—Section 48114 of title 49, United States Code, is amended—

(1) in subsection (a)(2) by striking ''fiscal year 2016,'' and inserting ''fiscal year 2017,''; and

(2) in subsection (c)(2) by striking ''fiscal year 2016'' and inserting ''fiscal year 2017''.

(b) COMPLIANCE WITH AVIATION FUNDING REQUIREMENT.—The budget authority authorized in this title, including the amendments made by this title, shall be deemed to satisfy the requirements of subsections (a)(1)(B) and (a)(2) of section 48114 of title 49, United States Code, for each of fiscal years 2016 and 2017.

SEC. 1107. ESSENTIAL AIR SERVICE.

Section 41742(a)(2) of title 49, United States Code, is amended by striking ''fiscal year 2014,'' and all that follows through ''July 15, 2016,'' and inserting ''fiscal year 2014, $93,000,000 for fiscal year 2015, and $175,000,000 for each of fiscal years 2016 and 2017''.

Subtitle B—Revenue Provisions

SEC. 1201. EXPENDITURE AUTHORITY FROM AIRPORT AND AIRWAY TRUST FUND.

(a) IN GENERAL.—Section 9502(d)(1) of the Internal Revenue Code of 1986 is amended—

(1) in the matter preceding subparagraph (A), by striking ''July 16, 2016'' and inserting ''October 1, 2017''; and

(2) in subparagraph (A), by striking the semicolon at the end and inserting ''or the FAA Extension, Safety, and Security Act of 2016;''.

(b) CONFORMING AMENDMENT.—Section 9502(e)(2) of such Code is amended by striking ''July 16, 2016'' and inserting ''October 1, 2017''.

SEC. 1202. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Section 4081(d)(2)(B) of the Internal Revenue Code of 1986 is amended by striking ''July 15, 2016'' and inserting ''September 30, 2017''.

(b) TICKET TAXES.—

(1) PERSONS.—Section 4261(k)(1)(A)(ii) of such Code is amended by striking ''July 15, 2016'' and inserting ''September 30, 2017''.

(2) PROPERTY.—Section 4271(d)(1)(A)(ii) of such Code is amended by striking ''July 15, 2016'' and inserting ''September 30, 2017''.

(c) FRACTIONAL OWNERSHIP PROGRAMS.—

(1) TREATMENT AS NONCOMMERCIAL AVIATION.—Section 4083(b) of such Code is amended by striking ''July 16, 2016'' and inserting ''October 1, 2017''.

(2) EXEMPTION FROM TICKET TAXES.—Section 4261(j) of such Code is amended by striking ''July 15, 2016'' and inserting ''September 30, 2017''.

TITLE II—AVIATION SAFETY CRITICAL REFORMS

Subtitle A—Safety

SEC. 2101. PILOT RECORDS DATABASE DEADLINE.

Section 44703(i)(2) of title 49, United States Code, is amended by striking ''The Administrator shall establish'' and inserting ''Not later than April 30, 2017, the Administrator shall establish and make available for use''.

SEC. 2102. COCKPIT AUTOMATION MANAGEMENT.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall—

(1) develop a process to verify that air carrier training programs incorporate measures to train pilots on—

(A) monitoring automation systems; and

(B) controlling the flightpath of aircraft without autopilot or autoflight systems engaged;

(2) develop metrics or measurable tasks that air carriers can use to evaluate pilot monitoring proficiency;

(3) issue guidance to aviation safety inspectors responsible for oversight of the operations of air carriers on tracking and assessing pilots' proficiency in manual flight; and

(4) issue guidance to air carriers and inspectors regarding standards for compliance with the requirements for enhanced pilot training contained in the final rule published in the Federal Register on November 12, 2013 (78 Fed. Reg. 67800).

SEC. 2103. ENHANCED MENTAL HEALTH SCREENING FOR PILOTS.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall consider the recommendations of the Pilot Fitness Aviation Rulemaking Committee in determining whether to implement, as part of a comprehensive medical certification process for pilots with a first- or second-class airman medical certificate, additional screening for mental health conditions, including depression and suicidal thoughts or tendencies, and assess treatments that would address any risk associated with such conditions.

SEC. 2104. LASER POINTER INCIDENTS.

(a) IN GENERAL.—Beginning 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with appropriate Federal law enforcement agencies, shall provide quarterly updates to the appropriate committees of Congress regarding—

(1) the number of incidents involving the beam from a laser pointer (as defined in section 39A of title 18, United States Code) being aimed at, or in the flight path of, an aircraft in the airspace jurisdiction of the United States;

(2) the number of civil or criminal enforcement actions taken by the Federal Aviation Administration, the Department of Transportation, or another Federal agency with regard to the incidents described in paragraph (1), including the amount of the civil or criminal penalties imposed on violators;

(3) the resolution of any incidents described in paragraph (1) that did not result in a civil or criminal enforcement action; and

(4) any actions the Department of Transportation or another Federal agency has taken on its own, or in conjunction with other Federal agencies or local law enforcement agencies, to deter the type of activity described in paragraph (1).

(b) CIVIL PENALTIES.—The Administrator shall revise the maximum civil penalty that may be imposed on an individual who aims the beam of a laser pointer at an aircraft in the airspace jurisdiction of the United States, or at the flight path of such an aircraft, to be $25,000.

SEC. 2105. CRASH-RESISTANT FUEL SYSTEMS.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall evaluate and update, as necessary, standards for crash-resistant fuel systems for civilian rotorcraft.

SEC. 2106. HIRING OF AIR TRAFFIC CONTROLLERS.

(a) IN GENERAL.—Section 44506 of title 49, United States Code, is amended by adding at the end the following:

''(f) HIRING OF CERTAIN AIR TRAFFIC CONTROL SPECIALISTS.—

''(1) CONSIDERATION OF APPLICANTS.—

''(A) ENSURING SELECTION OF MOST QUALIFIED APPLICANTS.—In appointing individuals to the position of air traffic controller, the Administrator shall give preferential consideration to qualified individuals maintaining 52 consecutive weeks of air traffic control experience involving the full-time active separation of air traffic after receipt of an air traffic certification or air traffic control facility rating within 5 years of application while serving at—

''(i) a Federal Aviation Administration air traffic control facility;

''(ii) a civilian or military air traffic control facility of the Department of Defense; or

''(iii) a tower operating under contract with the Federal Aviation Administration under section 47124.

''(B) CONSIDERATION OF ADDITIONAL APPLICANTS.—

''(i) IN GENERAL.—After giving preferential consideration to applicants under subparagraph (A), the Administrator shall consider additional applicants for the position of air traffic controller by referring an approximately equal number of individuals for appointment among the 2 applicant pools described in this subparagraph. The number of individuals referred for consideration from each group shall not differ by more than 10 percent.

''(ii) POOL 1.—Pool 1 applicants are individuals who—

''(I) have successfully completed air traffic controller training and graduated from an institution participating in the Collegiate Training Initiative program maintained under subsection (c)(1) and who have received from the institution—

''(aa) an appropriate recommendation; or

''(bb) an endorsement certifying that the individual would have met the requirements in effect as of December 31, 2013, for an appropriate recommendation;

''(II) are eligible for a veterans recruitment appointment pursuant to section 4214 of title 38 and provide a Certificate of Release or Discharge from Active Duty within 120 days of the announcement closing;

''(III) are eligible veterans (as defined in section 4211 of title 38) maintaining aviation experience obtained in the course of the individual's military experience; or

''(IV) are preference eligible veterans (as defined in section 2108 of title 5).

''(iii) POOL 2.—Pool 2 applicants are individuals who apply under a vacancy announcement recruiting from all United States citizens.

''(2) USE OF BIOGRAPHICAL ASSESSMENTS.—

''(A) BIOGRAPHICAL ASSESSMENTS.—The Administrator shall not use any biographical assessment when hiring under paragraph (1)(A) or paragraph (1)(B)(ii).

''(B) RECONSIDERATION OF APPLICANTS DISQUALIFIED ON BASIS OF BIOGRAPHICAL ASSESSMENTS.—

''(i) IN GENERAL.—If an individual described in paragraph (1)(A) or paragraph (1)(B)(ii), who applied for the position of air traffic controller with the Administration in response to Vacancy Announcement FAA–AMC–14–ALLSRCE–33537 (issued on February 10, 2014), was disqualified from the position as the result of a biographical assessment, the Administrator shall provide the applicant an opportunity to reapply for the position as soon as practicable under the revised hiring practices.

''(ii) WAIVER OF AGE RESTRICTION.—The Administrator shall waive any maximum age restriction for the position of air traffic controller with the Administration that would otherwise disqualify an individual from the position if the individual—

''(I) is reapplying for the position pursuant to clause (i) on or before December 31, 2017; and

''(II) met the maximum age requirement on the date of the individual's previous application for the position during the interim hiring process.

''(3) MAXIMUM ENTRY AGE FOR EXPERIENCED CONTROLLERS.—Notwithstanding section 3307 of title 5, the maximum limit of age for an original appointment to a position as an air traffic controller shall be 35 years of age for those maintaining 52 weeks of air traffic control experience involving the full-time active separation of air traffic after receipt of an air traffic certification or air traffic control facility rating in a civilian or military air traffic control facility.''.

(b) NOTIFICATION OF VACANCIES.—The Administrator of the Federal Aviation Administration shall consider directly notifying secondary schools and institutions of higher learning, including Historically Black Colleges and Universities, Hispanic-serving institutions, Minority Institutions, and Tribal Colleges and Universities, of a vacancy announcement under section 44506(f)(1)(B)(iii) of title 49, United States Code.

SEC. 2107. TRAINING POLICIES REGARDING ASSISTANCE FOR PERSONS WITH DISABILITIES.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report assessing required air carrier personnel and contractor

training programs regarding the assistance of persons with disabilities, including—

(1) variations in training programs between air carriers;

(2) instances since 2005 where the Department of Transportation has requested that an air carrier take corrective action following a review of the air carrier's training programs; and

(3) actions taken by air carriers following requests described in paragraph (2).

(b) BEST PRACTICES.—After the date the report is submitted under subsection (a), the Secretary of Transportation, based on the findings of the report, shall develop, make publicly available, and appropriately disseminate to air carriers such best practices as the Secretary considers necessary to improve the reviewed training programs.

SEC. 2108. AIR TRAVEL ACCESSIBILITY.

Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue the supplemental notice of proposed rulemaking referenced in the Secretary's Report on Significant Rulemakings, dated June 15, 2015, and assigned Regulation Identification Number 2105–AE12.

SEC. 2109. ADDITIONAL CERTIFICATION RESOURCES.

(a) IN GENERAL.—Notwithstanding any other provision of law, and subject to the requirements of subsection (b), the Administrator of the FAA may enter into a reimbursable agreement with an applicant or certificate-holder for the reasonable travel and per diem expenses of the FAA associated with official travel to expedite the acceptance or validation by a foreign authority of an FAA certificate or design approval or the acceptance or validation by the FAA of a foreign authority certificate or design approval.

(b) CONDITIONS.—The Administrator may enter into an agreement under subsection (a) only if—

(1) the travel covered under the agreement is deemed necessary, by both the Administrator and the applicant or certificate-holder, to expedite the acceptance or validation of the relevant certificate or approval;

(2) the travel is conducted at the request of the applicant or certificate-holder;

(3) travel plans and expenses are approved by the applicant or certificate-holder prior to travel; and

(4) the agreement requires payment in advance of FAA services and is consistent with the processes under section 106(l)(6) of title 49, United States Code.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on—

(1) the number of occasions on which the Administrator entered into reimbursable agreements under this section;

(2) the number of occasions on which the Administrator declined a request by an applicant or certificate-holder to enter into a reimbursable agreement under this section;

(3) the amount of reimbursements collected in accordance with agreements under this section; and

(4) the extent to which reimbursable agreements under this section assisted in reducing the amount of time necessary for validations of certificates and design approvals.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) APPLICANT.—The term ''applicant'' means a person that has—

(A) applied to a foreign authority for the acceptance or validation of an FAA certificate or design approval; or

(B) applied to the FAA for the acceptance or validation of a foreign authority certificate or design approval.

(2) CERTIFICATE-HOLDER.—The term ''certificate-holder'' means a person that holds a certificate issued by the Administrator under part 21 of title 14, Code of Federal Regulations.

(3) FAA.—The term ''FAA'' means the Federal Aviation Administration.

SEC. 2110. TOWER MARKING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue regulations to require the marking of covered towers.

(b) MARKING REQUIRED.—The regulations under subsection (a) shall require that a covered tower be clearly marked in a manner that is consistent with applicable guidance under the Federal Aviation Administration Advisory Circular issued December 4, 2015 (AC 70/7460–1L), or other relevant safety guidance, as determined by the Administrator.

(c) APPLICATION.—The regulations issued under subsection (a) shall ensure that—

(1) all covered towers constructed on or after the date on which such regulations take effect are marked in accordance with subsection (b); and

(2) a covered tower constructed before the date on which such regulations take effect is marked in accordance with subsection (b) not later than 1 year after such effective date.

(d) DEFINITIONS.—

(1) IN GENERAL.—In this section, the following definitions apply:

(A) COVERED TOWER.—

(i) IN GENERAL.—The term ''covered tower'' means a structure that—

(I) is self-standing or supported by guy wires and ground anchors;

(II) is 10 feet or less in diameter at the above-ground base, excluding concrete footing;

(III) at the highest point of the structure is at least 50 feet above ground level;

(IV) at the highest point of the structure is not more than 200 feet above ground level;

(V) has accessory facilities on which an antenna, sensor, camera, meteorological instrument, or other equipment is mounted; and

(VI) is located—

(aa) outside the boundaries of an incorporated city or town; or

(bb) on land that is—

(AA) undeveloped; or

(BB) used for agricultural purposes.

(ii) EXCLUSIONS.—The term ''covered tower'' does not include any structure that—

(I) is adjacent to a house, barn, electric utility station, or other building;

(II) is within the curtilage of a farmstead;

(III) supports electric utility transmission or distribution lines;

(IV) is a wind-powered electrical generator with a rotor blade radius that exceeds 6 feet; or

(V) is a street light erected or maintained by a Federal, State, local, or tribal entity.

(B) UNDEVELOPED.—The term ''undeveloped'' means a defined geographic area where the Administrator determines low-flying aircraft are operated on a routine basis, such as low-lying forested areas with predominant tree cover under 200 feet and pasture and range land.

(2) OTHER DEFINITIONS.—The Administrator shall define such other terms as may be necessary to carry out this section.

(e) DATABASE.—The Administrator shall—

(1) develop a database that contains the location and height of each covered tower;

(2) keep the database current to the extent practicable;

(3) ensure that any proprietary information in the database is protected from disclosure in accordance with law; and

(4) ensure that, by virtue of accessing the database, users agree and acknowledge that information in the database—

(A) may only be used for aviation safety purposes; and

(B) may not be disclosed for purposes other than aviation safety, regardless of whether or not the information is marked or labeled as proprietary or with a similar designation.

SEC. 2111. AVIATION CYBERSECURITY.

(a) COMPREHENSIVE AND STRATEGIC AVIATION FRAMEWORK.—

(1) IN GENERAL.—Not later than 240 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall facilitate and support the development of a comprehensive and strategic framework of principles and policies to reduce cybersecurity risks to the national airspace system, civil aviation, and agency information systems using a total systems approach that takes into consideration the interactions and interdependence of different components of aircraft systems and the national airspace system.

(2) SCOPE.—In carrying out paragraph (1), the Administrator shall—

(A) identify and address the cybersecurity risks associated with—

(i) the modernization of the national airspace system;

(ii) the automation of aircraft, equipment, and technology; and

(iii) aircraft systems, including by—

(I) directing the Aircraft Systems Information Security Protection Working Group—

(aa) to assess cybersecurity risks to aircraft systems;

(bb) to review the extent to which existing rulemaking, policy, and guidance to promote safety also promote aircraft systems information security protection; and

(cc) to provide appropriate recommendations to the Administrator if separate or additional rulemaking, policy, or guidance is needed to address cybersecurity risks to aircraft systems; and

(II) identifying and addressing—

(aa) cybersecurity risks associated with in-flight entertainment systems; and

(bb) whether in-flight entertainment systems can and should be isolated and separate, such as through an air gap, under existing rulemaking, policy, and guidance;

(B) clarify cybersecurity roles and responsibilities of offices and employees of the Federal Aviation Administration, as the roles and responsibilities relate to cybersecurity at the Federal Aviation Administration;

(C) identify and implement objectives and actions to reduce cybersecurity risks to air traffic control information systems, including actions to improve implementation of information security standards, such as those of the National Institute of Standards and Technology;

(D) support voluntary efforts by industry, RTCA, Inc., and other standards-setting organizations to develop and identify consensus standards and best practices relating to guidance on aviation systems information security protection, consistent, to the extent appropriate, with the cybersecurity risk management activities described in section 2(e) of the National Institute of Standards and Technology Act (15 U.S.C. 272(e));

(E) establish guidelines for the voluntary exchange of information between and among aviation stakeholders pertaining to aviation-related cybersecurity incidents, threats, and vulnerabilities;

(F) identify short- and long-term objectives and actions that can be taken in response to cybersecurity risks to the national airspace system; and

(G) identify research and development activities to inform actions in response to cybersecurity risks.

(3) IMPLEMENTATION REQUIREMENTS.—In carrying out the activities under this subsection, the Administrator shall—

(A) coordinate with aviation stakeholders, including, at a minimum, representatives of industry, airlines, manufacturers, airports, RTCA, Inc., and unions;

(B) consult with the heads of relevant agencies and with international regulatory authorities;

(C) if determined appropriate, convene an expert panel or working group to identify and address cybersecurity risks; and

(D) evaluate, on a periodic basis, the effectiveness of the principles established under this subsection.

(b) UPDATE ON CYBERSECURITY IMPLEMENTATION PROGRESS.—Not later than 90 days after the date of enactment of this Act, the Administrator shall provide to the appropriate committees of Congress an update on progress made toward the implementation of this section.

(c) CYBERSECURITY THREAT MODEL.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the Director of the National Institute of Standards and Technology, shall implement the open recommendation issued in 2015 by the Government Accountability Office to assess and research the potential cost and timetable of developing and maintaining an agencywide threat model, which shall be updated regularly, to strengthen the cybersecurity of agency systems across the Federal Aviation Administration. The Administrator shall brief the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status, results, and composition of the threat model.

(d) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY INFORMATION SECURITY STANDARDS.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, after consultation with the Director of the National Institute of Standards and Technology, shall transmit to the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(1) a cybersecurity standards plan to improve implementation of the National Institute of Standards and Technology's latest revisions to information security guidance for Federal Aviation Administration information and Federal Aviation Administration information systems within set timeframes; and

(2) an explanation of why any such revisions are not incorporated in the plan or are not incorporated within set timeframes.

(e) CYBERSECURITY RESEARCH AND DEVELOPMENT.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with other agencies as appropriate, shall establish a cybersecurity research and development plan for the national airspace system, including—

(1) any proposal for research and development cooperation with international partners;

(2) an evaluation and determination of research and development needs to determine any cybersecurity risks of cabin communications and cabin information technology systems on board in the passenger domain; and

(3) objectives, proposed tasks, milestones, and a 5-year budgetary profile.

SEC. 2112. REPAIR STATIONS LOCATED OUTSIDE UNITED STATES.

(a) RISK-BASED OVERSIGHT.—Section 44733 of title 49, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g);

(2) by inserting after subsection (e) the following:

''(f) RISK-BASED OVERSIGHT.—

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of the FAA Extension, Safety, and Security Act of 2016, the Administrator shall take measures to ensure that the safety assessment system established under subsection (a)—

''(A) places particular consideration on inspections of part 145 repair stations located outside the United States that conduct scheduled heavy maintenance work on part 121 air carrier aircraft; and

''(B) accounts for the frequency and seriousness of any corrective actions that part 121 air carriers must implement to aircraft following such work at such repair stations.

''(2) INTERNATIONAL AGREEMENTS.—The Administrator shall take the measures required under paragraph (1)—

''(A) in accordance with United States obligations under applicable international agreements; and

''(B) in a manner consistent with the applicable laws of the country in which a repair station is located.

''(3) ACCESS TO DATA.—The Administrator may access and review such information or data in the possession of a part 121 air carrier as the Administrator may require in carrying out paragraph (1)(B).''; and

(3) in subsection (g) (as so redesignated)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(B) by inserting before paragraph (2) (as so redesignated) the following:

''(1) HEAVY MAINTENANCE WORK.—The term 'heavy maintenance work' means a C-check, a D-check, or equivalent maintenance operation with respect to the airframe of a transport-category aircraft.''.

(b) ALCOHOL AND CONTROLLED SUBSTANCES TESTING.—The Administrator of the Federal Aviation Administration shall ensure that—

(1) not later than 90 days after the date of enactment of this Act, a notice of proposed rulemaking required pursuant to section 44733(d)(2) is published in the Federal Register; and

(2) not later than 1 year after the date on which the notice of proposed rulemaking is published in the Federal Register, the rulemaking is finalized.

(c) BACKGROUND INVESTIGATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall ensure that each employee of a repair station certificated under part 145 of title 14, Code of Federal Regulations, who performs a safety-sensitive function on an air carrier aircraft has undergone a pre-employment background investigation sufficient to determine whether the individual presents a threat to aviation safety, in a manner that is—

(1) determined acceptable by the Administrator;

(2) consistent with the applicable laws of the country in which the repair station is located; and

(3) consistent with the United States obligations under international agreements.

SEC. 2113. ENHANCED TRAINING FOR FLIGHT ATTENDANTS.

Section 44734(a) of title 49, United States Code, 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) recognizing and responding to potential human trafficking victims.''.

Subtitle B—UAS Safety

SEC. 2201. DEFINITIONS.

(a) DEFINITIONS APPLIED.—In this subtitle, the terms ''unmanned aircraft'', ''unmanned aircraft system'', and ''small unmanned aircraft'' have the meanings given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note), as amended by this Act.

(b) FAA MODERNIZATION AND REFORM ACT.—Section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) is amended—

(1) in paragraph (6) by inserting '', including everything that is on board or otherwise attached to the aircraft'' after ''55 pounds''; and

(2) by striking paragraph (7) and inserting the following:

''(7) TEST RANGE.—

''(A) IN GENERAL.—The term 'test range' means a defined geographic area where research and development are conducted as authorized by the Administrator of the Federal Aviation Administration.

''(B) INCLUSIONS.—The term 'test range' includes any of the 6 test ranges established by the Administrator of the Federal Aviation Administration under section 332(c), as in effect on the day before the date of enactment of this subparagraph, and any public entity authorized by the Federal Aviation Administration as an unmanned aircraft system flight test center before January 1, 2009.''.

SEC. 2202. IDENTIFICATION STANDARDS.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration, in consultation with the Secretary of Transportation, the President of RTCA, Inc., and the Director of the National Institute of Standards and Technology, shall convene industry stakeholders to facilitate the development of consensus standards for remotely identifying operators and owners of unmanned aircraft systems and associated unmanned aircraft.

(b) CONSIDERATIONS.—As part of any standards developed under subsection (a), the Administrator shall ensure the consideration of—

(1) requirements for remote identification of unmanned aircraft systems;

(2) appropriate requirements for different classifications of unmanned aircraft systems operations, including public and civil; and

(3) the feasibility of the development and operation of a publicly accessible online database of unmanned aircraft and the operators thereof, and any criteria for exclusion from the database.

(c) DEADLINE.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on any standards developed under subsection (a).

(d) GUIDANCE.—Not later than 1 year after the date on which the Administrator submits the report under subsection (c), the Administrator shall issue regulations or guidance, as appropriate, based on any standards developed under subsection (a).

SEC. 2203. SAFETY STATEMENTS.

(a) REQUIRED INFORMATION.—Beginning on the date that is 1 year after the date of publication of the guidance under subsection (b)(1), a manufacturer of a small unmanned aircraft shall make available to the owner at the time of delivery of the small unmanned aircraft the safety statement described in subsection (b)(2).

(b) SAFETY STATEMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue guidance for implementing this section.

(2) REQUIREMENTS.—A safety statement required under subsection (a) shall include—

(A) information about, and sources of, laws and regulations applicable to small unmanned aircraft;

(B) recommendations for using small unmanned aircraft in a manner that promotes the safety of persons and property;

(C) the date that the safety statement was created or last modified; and

(D) language approved by the Administrator regarding the following:

(i) A person may operate the small unmanned aircraft as a model aircraft (as defined in section 336 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note)) or otherwise in accordance with Federal Aviation Administration authorization or regulation, including requirements for the completion of any applicable airman test.

(ii) The definition of a model aircraft under section 336 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(iii) The requirements regarding the operation of a model aircraft under section 336 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(iv) The Administrator may pursue enforcement action against a person operating model aircraft who endangers the safety of the national airspace system.

(c) CIVIL PENALTY.—A person who violates subsection (a) shall be liable for each violation to the United States Government for a civil penalty described in section 46301(a) of title 49, United States Code.

SEC. 2204. FACILITATING INTERAGENCY COOPERATION FOR UNMANNED AIRCRAFT AUTHORIZATION IN SUPPORT OF FIREFIGHTING OPERATIONS AND UTILITY RESTORATION.

(a) FIREFIGHTING OPERATIONS.—The Administrator of the Federal Aviation Administration shall enter into agreements with the Secretary of the Interior and the Secretary of Agriculture, as necessary, to continue the expeditious authorization of safe unmanned aircraft system operations in support of firefighting operations consistent with the requirements of section 334(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(b) UTILITY RESTORATION.—The Administrator shall enter into agreements with the Secretary of Energy and with such other agencies or parties, including the Federal Emergency Management Agency, as are necessary to facilitate the expeditious authorization of safe unmanned aircraft system operations in support of service restoration efforts of utilities.

(c) DEFINITION OF UTILITY.—In this section, the term ''utility'' shall at a minimum include the definition in section 3(4) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2602(4)).

SEC. 2205. INTERFERENCE WITH WILDFIRE SUPPRESSION, LAW ENFORCEMENT, OR EMERGENCY RESPONSE EFFORT BY OPERATION OF UNMANNED AIRCRAFT.

(a) IN GENERAL.—Chapter 463 of title 49, United States Code, is amended by adding at the end the following:

''§ 46320. Interference with wildfire suppression, law enforcement, or emergency response effort by operation of unmanned aircraft

''(a) IN GENERAL.—Except as provided in subsection (b), an individual who operates an unmanned aircraft and in so doing knowingly or recklessly interferes with a wildfire suppression, law enforcement, or emergency response effort is liable to the United States Government for a civil penalty of not more than $20,000.

''(b) EXCEPTIONS.—This section does not apply to the operation of an unmanned aircraft conducted by a unit or agency of the United States Government or of a State, tribal, or local government (including any individual conducting such operation pursuant to a contract or other agreement entered into with the unit or agency) for the purpose of protecting the public safety and welfare, including firefighting, law enforcement, or emergency response.

''(c) COMPROMISE AND SETOFF.—

''(1) COMPROMISE.—The United States Government may compromise the amount of a civil penalty imposed under this section.

''(2) SETOFF.—The United States Government may deduct the amount of a civil penalty imposed or compromised under this section from the amounts the Government owes the person liable for the penalty.

''(d) DEFINITIONS.—In this section, the following definitions apply:

''(1) WILDFIRE.—The term 'wildfire' has the meaning given that term in section 2 of the Emergency Wildfire Suppression Act (42 U.S.C. 1856m).

''(2) WILDFIRE SUPPRESSION.—The term 'wildfire suppression' means an effort to contain, extinguish, or suppress a wildfire.''.

(b) FAA TO IMPOSE CIVIL PENALTY.—Section 46301(d)(2) of title 49, United States Code, is amended by inserting ''section 46320,'' after ''section 46319,''.

(c) CLERICAL AMENDMENT.—The analysis for chapter 463 of title 49, United States Code, is amended by adding at the end the following:

''46320. Interference with wildfire suppression, law enforcement, or emergency response effort by operation of unmanned aircraft.''.

SEC. 2206. PILOT PROJECT FOR AIRPORT SAFETY AND AIRSPACE HAZARD MITIGATION.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall establish a pilot program for airspace hazard mitigation at airports and other critical infrastructure using unmanned aircraft detection systems.

(b) CONSULTATION.—In carrying out the pilot program under subsection (a), the Administrator shall work with the Secretary of Defense, the Secretary of Homeland Security, and the heads of other relevant Federal departments and agencies for the purpose of ensuring that technologies that are developed, tested, or deployed by those departments and agencies to mitigate threats posed by errant or hostile unmanned aircraft system operations do not adversely impact or interfere with safe airport operations, navigation, air traffic services, or the safe and efficient operation of the national airspace system.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the Airport and Airway Trust Fund to carry out this section $6,000,000, to remain available until expended.

(d) AUTHORITY.—After the pilot program established under subsection (a) ceases to be effective pursuant to subsection (g), the Administrator may use unmanned aircraft detection systems to detect and mitigate the unauthorized operation of an unmanned aircraft that poses a risk to aviation safety.

(e) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the pilot program established under subsection (a).

(2) CONTENTS.—The report required under paragraph (1) shall include the following:

(A) The number of unauthorized unmanned aircraft operations detected, together with a description of such operations.

(B) The number of instances in which unauthorized unmanned aircraft were mitigated, together with a description of such instances.

(C) The number of enforcement cases brought by the Federal Aviation Administration for unauthorized operation of unmanned aircraft detected through the pilot program, together with a description of such cases.

(D) The number of any technical failures in the pilot program, together with a description of such failures.

(E) Recommendations for safety and operational standards for unmanned aircraft detection systems.

(F) The feasibility of deployment of the systems at other airports.

(3) FORMAT.—To the extent practicable, the report prepared under paragraph (1) shall be submitted in a classified format. If appropriate, the report may include an unclassified summary.

(f) SUNSET.—The pilot program established under subsection (a) shall cease to be effective on the earlier of—

(1) the date that is 18 months after the date of enactment of this Act; and

(2) the date of the submission of the report under subsection (e).

SEC. 2207. EMERGENCY EXEMPTION PROCESS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish guidance for applications for, and procedures for the processing of, on an emergency basis, exemptions or certificates of authorization or waiver for the use of unmanned aircraft systems by civil or public operators in response to a catastrophe, disaster, or other emergency to facilitate emergency response operations, such as firefighting, search and rescue, and utility and infrastructure restoration efforts. In processing such applications, the Administrator shall give priority to applications for public unmanned aircraft systems engaged in emergency response activities.

(b) REQUIREMENTS.—In providing guidance under subsection (a), the Administrator shall—

(1) make explicit any safety requirements that must be met for the consideration of applications that include requests for beyond visual line of sight or nighttime operations, or the suspension of otherwise applicable operating restrictions, consistent with public interest and safety; and

(2) explicitly state the procedures for coordinating with an incident commander, if any, to ensure operations granted under procedures developed under subsection (a) do not interfere with other emergency response efforts.

(c) REVIEW.—In processing applications on an emergency basis for exemptions or certificates of authorization or waiver for unmanned aircraft systems operations in response to a catastrophe, disaster, or other emergency, the Administrator shall act on such applications as expeditiously as practicable and without requiring public notice and comment.

SEC. 2208. UNMANNED AIRCRAFT SYSTEMS TRAFFIC MANAGEMENT.

(a) RESEARCH PLAN FOR UTM DEVELOPMENT AND DEPLOYMENT.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration (in this section referred to as the ''Administrator''), in coordination with the Administrator of the National Aeronautics and Space Administration, shall continue development of a research plan for unmanned aircraft systems traffic management (in this section referred to as ''UTM'') development and deployment.

(2) REQUIREMENTS.—In developing the research plan, the Administrator shall—

(A) identify research outcomes sought; and

(B) ensure the plan is consistent with existing regulatory and operational frameworks, and considers potential future regulatory and operational frameworks, for unmanned aircraft systems in the national airspace system.

(3) ASSESSMENT.—The research plan shall include an assessment of the interoperability of a UTM system with existing and potential future air traffic management systems and processes.

(4) DEADLINES.—The Administrator shall—

(A) initiate development of the research plan not later than 60 days after the date of enactment of this Act; and

(B) not later than 180 days after the date of enactment of this Act—

(i) complete the research plan;

(ii) submit the research plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives; and

(iii) publish the research plan on the Internet Web site of the Federal Aviation Administration.

(b) PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 90 days after the date of submission of the research plan under subsection (a)(4)(B), the Administrator, in coordination with the Administrator of the National Aeronautics and Space Administration, the Drone Advisory Committee, the research advisory committee established by section 44508(a) of title 49, United States Code, and representatives of the unmanned aircraft industry, shall establish a UTM system pilot program.

(2) SUNSET.—Not later than 2 years after the date of establishment of the pilot program, the Administrator shall conclude the pilot program.

(c) UPDATES.—Not later than 180 days after the date of establishment of the pilot program, and every 180 days thereafter until the date of conclusion of the pilot program, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives an update on the status and progress of the pilot program.

SEC. 2209. APPLICATIONS FOR DESIGNATION.

(a) APPLICATIONS FOR DESIGNATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish a process to allow applicants to petition the Administrator of the Federal Aviation Administration to prohibit or restrict the operation of an unmanned aircraft in close proximity to a fixed site facility.

(b) REVIEW PROCESS.—

(1) APPLICATION PROCEDURES.—

(A) IN GENERAL.—The Administrator shall establish the procedures for the application for designation under subsection (a).

(B) REQUIREMENTS.—The procedures shall allow operators or proprietors of fixed site facilities to apply for designation individually or collectively.

(C) CONSIDERATIONS.—Only the following may be considered fixed site facilities:

(i) Critical infrastructure, such as energy production, transmission, and distribution facilities and equipment.

(ii) Oil refineries and chemical facilities.

(iii) Amusement parks.

(iv) Other locations that warrant such restrictions.

(2) DETERMINATION.—

(A) IN GENERAL.—The Secretary shall provide for a determination under the review process established under subsection (a) not later than 90 days after the date of application, unless the applicant is provided with written notice describing the reason for the delay.

(B) AFFIRMATIVE DESIGNATIONS.—An affirmative designation shall outline—

(i) the boundaries for unmanned aircraft operation near the fixed site facility; and

(ii) such other limitations that the Administrator determines may be appropriate.

(C) CONSIDERATIONS.—In making a determination whether to grant or deny an application for a designation, the Administrator may consider—

(i) aviation safety;

(ii) protection of persons and property on the ground;

(iii) national security; or

(iv) homeland security.

(D) OPPORTUNITY FOR RESUBMISSION.—If an application is denied, and the applicant can reasonably address the reason for the denial, the Administrator may allow the applicant to reapply for designation.

(c) PUBLIC INFORMATION.—Designations under subsection (a) shall be published by the Federal Aviation Administration on a publicly accessible website.

(d) SAVINGS CLAUSE.—Nothing in this section may be construed as prohibiting the Administrator from authorizing operation of an aircraft, including an unmanned aircraft system, over, under, or within a specified distance from that fixed site facility designated under subsection (b).

SEC. 2210. OPERATIONS ASSOCIATED WITH CRITICAL INFRASTRUCTURE.

(a) IN GENERAL.—Any application process established under section 333 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) shall allow for a person to apply to the Administrator of the Federal Aviation Administration to operate an unmanned aircraft system, for purposes of conducting an activity described in subsection (b)—

(1) beyond the visual line of sight of the individual operating the unmanned aircraft system; and

(2) during the day or at night.

(b) ACTIVITIES DESCRIBED.—The activities described in this subsection are—

(1) activities for which manned aircraft may be used to comply with Federal, State, or local laws, including—

(A) activities to ensure compliance with Federal or State regulatory, permit, or other requirements, including to conduct surveys associated with applications for permits for new pipeline or pipeline systems construction or maintenance or rehabilitation of existing pipelines or pipeline systems; and

(B) activities relating to ensuring compliance with—

(i) parts 192 and 195 of title 49, Code of Federal Regulations; and

(ii) the requirements of any Federal, State, or local governmental or regulatory body, or industry best practice, pertaining to the construction, ownership, operation, maintenance, repair, or replacement of covered facilities;

(2) activities to inspect, repair, construct, maintain, or protect covered facilities, including for the purpose of responding to a pipeline, pipeline system, or electric energy infrastructure incident; and

(3) activities in response to or in preparation for a natural disaster, manmade disaster, severe weather event, or other incident beyond the control of the applicant that may cause material damage to a covered facility.

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) COVERED FACILITY.—The term ''covered facility'' means—

(A) a pipeline or pipeline system;

(B) an electric energy generation, transmission, or distribution facility (including a renewable electric energy facility);

(C) an oil or gas production, refining, or processing facility; or

(D) any other critical infrastructure facility.

(2) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given that term in section 2339D of title 18, United States Code.

(d) DEADLINES.—

(1) CERTIFICATION TO CONGRESS.—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a certification that a process has been established to facilitate applications for unmanned aircraft systems operations described in this section.

(2) FAILURE TO MEET CERTIFICATION DEADLINE.—If the Administrator cannot provide a certification under paragraph (1), the Administrator, not later than 180 days after the deadline specified in paragraph (1), shall update the process under section 333 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) to facilitate applications for unmanned aircraft systems operations described in this section.

(e) EXEMPTIONS.—In addition to the operations described in this section, the Administrator may authorize, exempt, or otherwise allow other unmanned aircraft systems operations under section 333 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) that are conducted beyond the visual line of sight of the individual operating the unmanned aircraft system or during the day or at night.

SEC. 2211. UNMANNED AIRCRAFT SYSTEMS RESEARCH AND DEVELOPMENT ROADMAP.

Section 332(a)(5) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) is amended—

(1) by inserting '', in coordination with the Administrator of the National Aeronautics and Space Administration (NASA) and relevant stakeholders, including those in industry and academia,'' after ''update''; and

(2) by inserting after ''annually.'' the following: ''The roadmap shall include, at a minimum—

''(A) cost estimates, planned schedules, and performance benchmarks, including specific tasks, milestones, and timelines, for unmanned aircraft systems integration into the national airspace system, including an identification of—

''(i) the role of the unmanned aircraft systems test ranges established under subsection (c) and the Unmanned Aircraft Systems Center of Excellence;

''(ii) performance objectives for unmanned aircraft systems that operate in the national airspace system; and

''(iii) research and development priorities for tools that could assist air traffic controllers as unmanned aircraft systems are integrated into the national airspace system, as appropriate;

''(B) a description of how the Administration plans to use research and development, including research and development conducted through NASA's Unmanned Aircraft Systems Traffic Management initiatives, to accommodate, integrate, and provide for the evolution of unmanned aircraft systems in the national airspace system;

''(C) an assessment of critical performance abilities necessary to integrate unmanned aircraft systems into the national airspace system, and how these performance abilities can be demonstrated; and

''(D) an update on the advancement of technologies needed to integrate unmanned

aircraft systems into the national airspace system, including decisionmaking by adaptive systems, such as sense-and-avoid capabilities and cyber physical systems security.''.

SEC. 2212. UNMANNED AIRCRAFT SYSTEMS-MANNED AIRCRAFT COLLISION RESEARCH.

(a) RESEARCH.—The Administrator of the Federal Aviation Administration (in this section referred to as the ''Administrator''), in continuation of ongoing work, shall coordinate with the Administrator of the National Aeronautics and Space Administration to develop a program to conduct comprehensive testing or modeling of unmanned aircraft systems colliding with various sized aircraft in various operational settings, as considered appropriate by the Administrator, including—

(1) collisions between unmanned aircraft systems of various sizes, traveling at various speeds, and jet aircraft of various sizes, traveling at various speeds;

(2) collisions between unmanned aircraft systems of various sizes, traveling at various speeds, and propeller-driven aircraft of various sizes, traveling at various speeds;

(3) collisions between unmanned aircraft systems of various sizes, traveling at various speeds, and rotorcraft of various sizes, traveling at various speeds; and

(4) collisions between unmanned aircraft systems and various parts of the aforementioned aircraft, including—

(A) windshields;

(B) noses;

(C) engines;

(D) radomes;

(E) propellers; and

(F) wings.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall transmit to the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report summarizing the costs and results of research under this section.

SEC. 2213. PROBABILISTIC METRICS RESEARCH AND DEVELOPMENT STUDY.

(a) STUDY.—Not later than 30 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into an arrangement with the National Academies to study the potential use of probabilistic assessments of risks by the Administration to streamline the integration of unmanned aircraft systems into the national airspace system, including any research and development necessary.

(b) COMPLETION DATE.—Not later than 1 year after the date of enactment of this Act, the Administrator shall provide the results of the study to the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

Subtitle C—Time Sensitive Aviation Reforms

SEC. 2301. SMALL AIRPORT RELIEF FOR SAFETY PROJECTS.

Section 47114(c)(1)(F) of title 49, United States Code, is amended to read as follows:

''(F) SPECIAL RULE FOR FISCAL YEAR 2017.—Notwithstanding subparagraph (A), the Secretary shall apportion to a sponsor of an airport under that subparagraph for fiscal year 2017 an amount based on the number of passenger boardings at the airport during calendar year 2012 if the airport—

''(i) had 10,000 or more passenger boardings during calendar year 2012;

''(ii) had fewer than 10,000 passenger boardings during the calendar year used to calculate the apportionment for fiscal year 2017 under subparagraph (A); and

''(iii) had scheduled air service at any point during the calendar year used to calculate the apportionment for fiscal year 2017 under subparagraph (A).''.

SEC. 2302. USE OF REVENUES AT 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 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).''.

SEC. 2303. WORKING GROUP ON IMPROVING AIR SERVICE TO SMALL COMMUNITIES.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall establish a working group—

(1) to identify obstacles to attracting and maintaining air transportation service to and from small communities; and

(2) to develop recommendations for maintaining and improving air transportation service to and from small communities.

(b) OUTREACH.—In carrying out subsection (a), the working group shall consult with—

(1) interested Governors;

(2) representatives of State and local agencies, and other officials and groups, representing rural States and other rural areas;

(3) other representatives of relevant State and local agencies; and

(4) members of the public with experience in aviation safety, pilot training, economic development, and related issues.

(c) CONSIDERATIONS.—In carrying out subsection (a), the working group shall—

(1) consider whether funding for, and the terms of, current or potential new programs are sufficient to help ensure continuation of or improvement to air transportation service to small communities, including the essential air service program and the small community air service development program;

(2) identify initiatives to help support pilot training and aviation safety to maintain air transportation service to small communities;

(3) consider whether Federal funding for airports serving small communities, including airports that have lost air transportation services or had decreased enplanements in recent years, is adequate to ensure that small communities have access to quality, affordable air transportation service;

(4) identify innovative State or local efforts that have established public-private partnerships that are successful in attracting and retaining air transportation service in small communities; and

(5) consider such other issues as the Secretary considers appropriate.

(d) COMPOSITION.—

(1) IN GENERAL.—The working group shall be facilitated through the Secretary or the Secretary's designee.

(2) MEMBERSHIP.—Members of the working group shall be appointed by the Secretary and shall include representatives of—

(A) State and local government, including State and local aviation officials;

(B) State Governors;

(C) aviation safety experts;

(D) economic development officials; and

(E) the traveling public from small communities.

(e) REPORT AND RECOMMENDATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report, including—

(1) a summary of the views expressed by the participants in the outreach under subsection (b);

(2) a description of the working group's findings, including the identification of any areas of general consensus among the non-Federal participants in the outreach under subsection (b); and

(3) any recommendations for legislative or regulatory action that would assist in maintaining and improving air transportation service to and from small communities.

SEC. 2304. COMPUTATION OF BASIC ANNUITY FOR CERTAIN AIR TRAFFIC CONTROLLERS.

(a) IN GENERAL.—Section 8415(f) of title 5, United States Code, is amended to read as follows:

''(f) The annuity of an air traffic controller or former air traffic controller retiring under section 8412(a) is computed under subsection (a), except that if the individual has at least 5 years of service in any combination as—

''(1) an air traffic controller as defined by section 2109(1)(A)(i);

''(2) a first level supervisor of an air traffic controller as defined by section 2109(1)(A)(i); or

''(3) a second level supervisor of an air traffic controller as defined by section 2109(1)(A)(i);

so much of the annuity as is computed with respect to such type of service shall be computed by multiplying 1 7/10 percent of the individual's average pay by the years of such service.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be deemed to be effective on December 12, 2003.

(c) PROCEDURES REQUIRED.—The Director of the Office of Personnel Management shall establish such procedures as are necessary to provide for—

(1) notification to each annuitant affected by the amendments made by this section;

(2) recalculation of the benefits of affected annuitants;

(3) an adjustment to applicable monthly benefit amounts pursuant to such recalculation, to begin as soon as is practicable; and

(4) a lump-sum payment to each affected annuitant equal to the additional total benefit amount that such annuitant would have received had the amendment made by subsection (a) been in effect on December 12, 2003.

SEC. 2305. REFUNDS FOR DELAYED BAGGAGE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue final regulations to require an air carrier or foreign air carrier to promptly provide to a passenger an automated refund for any ancillary fees paid by the passenger for checked baggage if—

(1) the air carrier or foreign air carrier fails to deliver the checked baggage to the passenger—

(A) not later than 12 hours after the arrival of a domestic flight; or

(B) not later than 15 hours after the arrival of an international flight; and

(2) the passenger has notified the air carrier or foreign air carrier of the lost or delayed checked baggage.

(b) EXCEPTION.—If, as part of the rulemaking, the Secretary makes a determination on the record that a requirement under

subsection (a) is not feasible and would adversely affect consumers in certain cases, the Secretary may modify 1 or both of the deadlines specified in subsection (a)(1) for such cases, except that—

(1) the deadline relating to a domestic flight may not exceed 18 hours after the arrival of the domestic flight; and

(2) the deadline relating to an international flight may not exceed 30 hours after the arrival of the international flight.

SEC. 2306. CONTRACT WEATHER OBSERVERS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the appropriate committees of Congress a report, which includes public and stakeholder input—

(1) examining the safety risks, hazard effects, and efficiency and operational effects for airports, airlines, and other stakeholders that could result from a loss of contract weather observer service at the 57 airports targeted for the loss of the service;

(2) detailing how the Federal Aviation Administration will accurately report rapidly changing severe weather conditions at the airports, including thunderstorms, lightning, fog, visibility, smoke, dust, haze, cloud layers and ceilings, ice pellets, and freezing rain or drizzle, without contract weather observers;

(3) indicating how airports can comply with applicable Federal Aviation Administration orders governing weather observations given the current documented limitations of automated surface observing systems; and

(4) identifying the process through which the Federal Aviation Administration analyzed the safety hazards associated with the elimination of the contract weather observer program.

(b) CONTINUED USE OF CONTRACT WEATHER OBSERVERS.—The Administrator may not discontinue the contract weather observer program at any airport until October 1, 2017.

SEC. 2307. MEDICAL CERTIFICATION OF CERTAIN SMALL AIRCRAFT PILOTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue or revise regulations to ensure that an individual may operate as pilot in command of a covered aircraft if—

(1) the individual possesses a valid driver's license issued by a State, territory, or possession of the United States and complies with all medical requirements or restrictions associated with that license;

(2) the individual holds a medical certificate issued by the Federal Aviation Administration on the date of enactment of this Act, held such a certificate at any point during the 10-year period preceding such date of enactment, or obtains such a certificate after such date of enactment;

(3) the most recent medical certificate issued by the Federal Aviation Administration to the individual—

(A) indicates whether the certificate is first, second, or third class;

(B) may include authorization for special issuance;

(C) may be expired;

(D) cannot have been revoked or suspended; and

(E) cannot have been withdrawn;

(4) the most recent application for airman medical certification submitted to the Federal Aviation Administration by the individual cannot have been completed and denied;

(5) the individual has completed a medical education course described in subsection (c) during the 24 calendar months before acting as pilot in command of a covered aircraft and demonstrates proof of completion of the course;

(6) the individual, when serving as a pilot in command, is under the care and treatment of a physician if the individual has been diagnosed with any medical condition that may impact the ability of the individual to fly;

(7) the individual has received a comprehensive medical examination from a State-licensed physician during the previous 48 months and—

(A) prior to the examination, the individual—

(i) completed the individual's section of the checklist described in subsection (b); and

(ii) provided the completed checklist to the physician performing the examination; and

(B) the physician conducted the comprehensive medical examination in accordance with the checklist described in subsection (b), checking each item specified during the examination and addressing, as medically appropriate, every medical condition listed, and any medications the individual is taking; and

(8) the individual is operating in accordance with the following conditions:

(A) The covered aircraft is carrying not more than 5 passengers.

(B) The individual is operating the covered aircraft under visual flight rules or instrument flight rules.

(C) The flight, including each portion of that flight, is not carried out—

(i) for compensation or hire, including that no passenger or property on the flight is being carried for compensation or hire;

(ii) at an altitude that is more than 18,000 feet above mean sea level;

(iii) outside the United States, unless authorized by the country in which the flight is conducted; or

(iv) at an indicated air speed exceeding 250 knots.

(b) COMPREHENSIVE MEDICAL EXAMINATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop a checklist for an individual to complete and provide to the physician performing the comprehensive medical examination required in subsection (a)(7).

(2) REQUIREMENTS.—The checklist shall contain—

(A) a section, for the individual to complete that contains—

(i) boxes 3 through 13 and boxes 16 through 19 of the Federal Aviation Administration Form 8500–8 (3–99); and

(ii) a signature line for the individual to affirm that—

(I) the answers provided by the individual on that checklist, including the individual's answers regarding medical history, are true and complete;

(II) the individual understands that he or she is prohibited under Federal Aviation Administration regulations from acting as pilot in command, or any other capacity as a required flight crew member, if he or she knows or has reason to know of any medical deficiency or medically disqualifying condition that would make the individual unable to operate the aircraft in a safe manner; and

(III) the individual is aware of the regulations pertaining to the prohibition on operations during medical deficiency and has no medically disqualifying conditions in accordance with applicable law;

(B) a section with instructions for the individual to provide the completed checklist to the physician performing the comprehensive medical examination required in subsection (a)(7); and

(C) a section, for the physician to complete, that instructs the physician—

(i) to perform a clinical examination of—

(I) head, face, neck, and scalp;

(II) nose, sinuses, mouth, and throat;

(III) ears, general (internal and external canals), and eardrums (perforation);

(IV) eyes (general), ophthalmoscopic, pupils (equality and reaction), and ocular motility (associated parallel movement, nystagmus);

(V) lungs and chest (not including breast examination);

(VI) heart (precordial activity, rhythm, sounds, and murmurs);

(VII) vascular system (pulse, amplitude, and character, and arms, legs, and others);

(VIII) abdomen and viscera (including hernia);

(IX) anus (not including digital examination);

(X) skin;

(XI) G–U system (not including pelvic examination);

(XII) upper and lower extremities (strength and range of motion);

(XIII) spine and other musculoskeletal;

(XIV) identifying body marks, scars, and tattoos (size and location);

(XV) lymphatics;

(XVI) neurologic (tendon reflexes, equilibrium, senses, cranial nerves, and coordination, etc.);

(XVII) psychiatric (appearance, behavior, mood, communication, and memory);

(XVIII) general systemic;

(XIX) hearing;

(XX) vision (distant, near, and intermediate vision, field of vision, color vision, and ocular alignment);

(XXI) blood pressure and pulse; and

(XXII) anything else the physician, in his or her medical judgment, considers necessary;

(ii) to exercise medical discretion to address, as medically appropriate, any medical conditions identified, and to exercise medical discretion in determining whether any medical tests are warranted as part of the comprehensive medical examination;

(iii) to discuss all drugs the individual reports taking (prescription and nonprescription) and their potential to interfere with the safe operation of an aircraft or motor vehicle;

(iv) to sign the checklist, stating: ''I certify that I discussed all items on this checklist with the individual during my examination, discussed any medications the individual is taking that could interfere with their ability to safely operate an aircraft or motor vehicle, and performed an examination that included all of the items on this checklist. I certify that I am not aware of any medical condition that, as presently treated, could interfere with the individual's ability to safely operate an aircraft.''; and

(v) to provide the date the comprehensive medical examination was completed, and the physician's full name, address, telephone number, and State medical license number.

(3) LOGBOOK.—The completed checklist shall be retained in the individual's logbook and made available on request.

(c) MEDICAL EDUCATION COURSE REQUIREMENTS.—The medical education course described in this subsection shall—

(1) be available on the Internet free of charge;

(2) be developed and periodically updated in coordination with representatives of relevant nonprofit and not-for-profit general aviation stakeholder groups;

(3) educate pilots on conducting medical self-assessments;

(4) advise pilots on identifying warning signs of potential serious medical conditions;

(5) identify risk mitigation strategies for medical conditions;

(6) increase awareness of the impacts of potentially impairing over-the-counter and prescription drug medications;

(7) encourage regular medical examinations and consultations with primary care physicians;

(8) inform pilots of the regulations pertaining to the prohibition on operations during medical deficiency and medically disqualifying conditions;

(9) provide the checklist developed by the Federal Aviation Administration in accordance with subsection (b); and

(10) upon successful completion of the course, electronically provide to the individual and transmit to the Federal Aviation Administration—

(A) a certification of completion of the medical education course, which shall be printed and retained in the individual's logbook and made available upon request, and shall contain the individual's name, address, and airman certificate number;

(B) subject to subsection (d), a release authorizing the National Driver Register through a designated State Department of Motor Vehicles to furnish to the Federal Aviation Administration information pertaining to the individual's driving record;

(C) a certification by the individual that the individual is under the care and treatment of a physician if the individual has been diagnosed with any medical condition that may impact the ability of the individual to fly, as required under subsection (a)(6);

(D) a form that includes—

(i) the name, address, telephone number, and airman certificate number of the individual;

(ii) the name, address, telephone number, and State medical license number of the physician performing the comprehensive medical examination required in subsection (a)(7);

(iii) the date of the comprehensive medical examination required in subsection (a)(7); and

(iv) a certification by the individual that the checklist described in subsection (b) was followed and signed by the physician in the comprehensive medical examination required in subsection (a)(7); and

(E) a statement, which shall be printed, and signed by the individual certifying that the individual understands the existing prohibition on operations during medical deficiency by stating: ''I understand that I cannot act as pilot in command, or any other capacity as a required flight crew member, if I know or have reason to know of any medical condition that would make me unable to operate the aircraft in a safe manner.''.

(d) NATIONAL DRIVER REGISTER.—The authorization under subsection (c)(10)(B) shall be an authorization for a single access to the information contained in the National Driver Register.

(e) SPECIAL ISSUANCE PROCESS.—

(1) IN GENERAL.—An individual who has qualified for the third-class medical certificate exemption under subsection (a) and is seeking to serve as a pilot in command of a covered aircraft shall be required to have completed the process for obtaining an Authorization for Special Issuance of a Medical Certificate for each of the following:

(A) A mental health disorder, limited to an established medical history or clinical diagnosis of—

(i) personality disorder that is severe enough to have repeatedly manifested itself by overt acts;

(ii) psychosis, defined as a case in which an individual—

(I) has manifested delusions, hallucinations, grossly bizarre or disorganized behavior, or other commonly accepted symptoms of psychosis; or

(II) may reasonably be expected to manifest delusions, hallucinations, grossly bizarre or disorganized behavior, or other commonly accepted symptoms of psychosis;

(iii) bipolar disorder; or

(iv) substance dependence within the previous 2 years, as defined in section 67.307(a)(4) of title 14, Code of Federal Regulations.

(B) A neurological disorder, limited to an established medical history or clinical diagnosis of any of the following:

(i) Epilepsy.

(ii) Disturbance of consciousness without satisfactory medical explanation of the cause.

(iii) A transient loss of control of nervous system functions without satisfactory medical explanation of the cause.

(C) A cardiovascular condition, limited to a one-time special issuance for each diagnosis of the following:

(i) Myocardial infraction.

(ii) Coronary heart disease that has required treatment.

(iii) Cardiac valve replacement.

(iv) Heart replacement.

(2) SPECIAL RULE FOR CARDIOVASCULAR CONDITIONS.—In the case of an individual with a cardiovascular condition, the process for obtaining an Authorization for Special Issuance of a Medical Certificate shall be satisfied with the successful completion of an appropriate clinical evaluation without a mandatory wait period.

(3) SPECIAL RULE FOR MENTAL HEALTH CONDITIONS.—

(A) IN GENERAL.—In the case of an individual with a clinically diagnosed mental health condition, the third-class medical certificate exemption under subsection (a) shall not apply if—

(i) in the judgment of the individual's State-licensed medical specialist, the condition—

(I) renders the individual unable to safely perform the duties or exercise the airman privileges described in subsection (a)(8); or

(II) may reasonably be expected to make the individual unable to perform the duties or exercise the privileges described in subsection (a)(8); or

(ii) the individual's driver's license is revoked by the issuing agency as a result of a clinically diagnosed mental health condition.

(B) CERTIFICATION.—Subject to subparagraph (A), an individual clinically diagnosed with a mental health condition shall certify every 2 years, in conjunction with the certification under subsection (c)(10)(C), that the individual is under the care of a State-licensed medical specialist for that mental health condition.

(4) SPECIAL RULE FOR NEUROLOGICAL CONDITIONS.—

(A) IN GENERAL.—In the case of an individual with a clinically diagnosed neurological condition, the third-class medical certificate exemption under subsection (a) shall not apply if—

(i) in the judgment of the individual's State-licensed medical specialist, the condition—

(I) renders the individual unable to safely perform the duties or exercise the airman privileges described in subsection (a)(8); or

(II) may reasonably be expected to make the individual unable to perform the duties or exercise the privileges described in subsection (a)(8); or

(ii) the individual's driver's license is revoked by the issuing agency as a result of a clinically diagnosed neurological condition.

(B) CERTIFICATION.—Subject to subparagraph (A), an individual clinically diagnosed with a neurological condition shall certify every 2 years, in conjunction with the certification under subsection (c)(10)(C), that the individual is under the care of a State-licensed medical specialist for that neurological condition.

(f) IDENTIFICATION OF ADDITIONAL MEDICAL CONDITIONS FOR CACI PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall review and identify additional medical conditions that could be added to the program known as the Conditions AMEs Can Issue (CACI) program.

(2) CONSULTATIONS.—In carrying out paragraph (1), the Administrator shall consult with aviation, medical, and union stakeholders.

(3) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report listing the medical conditions that have been added to the CACI program under paragraph (1).

(g) EXPEDITED AUTHORIZATION FOR SPECIAL ISSUANCE OF A MEDICAL CERTIFICATE.—

(1) IN GENERAL.—The Administrator shall implement procedures to expedite the process for obtaining an Authorization for Special Issuance of a Medical Certificate under section 67.401 of title 14, Code of Federal Regulations.

(2) CONSULTATIONS.—In carrying out paragraph (1), the Administrator shall consult with aviation, medical, and union stakeholders.

(3) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report describing how the procedures implemented under paragraph (1) will streamline the process for obtaining an Authorization for Special Issuance of a Medical Certificate and reduce the amount of time needed to review and decide special issuance cases.

(h) REPORT REQUIRED.—Not later than 5 years after the date of enactment of this Act, the Administrator, in coordination with the National Transportation Safety Board, shall submit to the appropriate committees of Congress a report that describes the effect of the regulations issued or revised under subsection (a) and includes statistics with respect to changes in small aircraft activity and safety incidents.

(i) PROHIBITION ON ENFORCEMENT ACTIONS.—Beginning on the date that is 1 year after the date of enactment of this Act, the Administrator may not take an enforcement action for not holding a valid third-class medical certificate against a pilot of a covered aircraft for a flight if the pilot and the flight meet, through a good faith effort, the applicable requirements under subsection (a), except paragraph (5) of that subsection, unless the Administrator has published final regulations in the Federal Register under that subsection.

(j) COVERED AIRCRAFT DEFINED.—In this section, the term ''covered aircraft'' means an aircraft that—

(1) is authorized under Federal law to carry not more than 6 occupants; and

(2) has a maximum certificated takeoff weight of not more than 6,000 pounds.

(k) OPERATIONS COVERED.—The provisions and requirements covered in this section do not apply to pilots who elect to operate under the medical requirements under subsection (b) or subsection (c) of section 61.23 of title 14, Code of Federal Regulations.

(l) AUTHORITY TO REQUIRE ADDITIONAL INFORMATION.—

(1) IN GENERAL.—If the Administrator receives credible or urgent information, including from the National Driver Register or the Administrator's Safety Hotline, that reflects on an individual's ability to safely operate a covered aircraft under the third-class

medical certificate exemption in subsection (a), the Administrator may require the individual to provide additional information or history so that the Administrator may determine whether the individual is safe to continue operating a covered aircraft.

(2) USE OF INFORMATION.—The Administrator may use credible or urgent information received under paragraph (1) to request an individual to provide additional information or to take actions under section 44709(b) of title 49, United States Code.

SEC. 2308. TARMAC DELAYS.

(a) DEPLANING FOLLOWING EXCESSIVE TARMAC DELAY.—Section 42301(b)(3) of title 49, United States Code, is amended—

(1) by redesignating subparagraph (C) as subparagraph (D);

(2) by inserting after subparagraph (B) the following:

''(C) In providing the option described in subparagraph (A), the air carrier shall begin to return the aircraft to a suitable disembarkation point—

''(i) in the case of a flight in interstate air transportation, not later than 3 hours after the main aircraft door is closed in preparation for departure; and

''(ii) in the case of a flight in foreign air transportation, not later than 4 hours after the main aircraft door is closed in preparation for departure.''; and

(3) in subparagraph (D) (as redesignated by paragraph (1) of this subsection) by striking ''subparagraphs (A) and (B)'' and inserting ''subparagraphs (A), (B), and (C)''.

(b) EXCESSIVE TARMAC DELAY DEFINED.—Section 42301(i)(4) of title 49, United States Code, is amended to read as follows:

''(4) EXCESSIVE TARMAC DELAY.—The term 'excessive tarmac delay' means a tarmac delay of more than—

''(A) 3 hours for a flight in interstate air transportation; or

''(B) 4 hours for a flight in foreign air transportation.''.

(c) REGULATIONS.—Not later than 90 days after the date of enactment of this section, the Secretary of Transportation shall issue regulations and take other actions necessary to carry out the amendments made by this section.

SEC. 2309. FAMILY SEATING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall review and, if appropriate, establish a policy directing all air carriers providing scheduled passenger interstate or intrastate air transportation to establish policies that enable a child, who is age 13 or under on the date an applicable flight is scheduled to occur, to be seated in a seat adjacent to the seat of an accompanying family member over the age of 13, to the maximum extent practicable and at no additional cost, except when assignment to an adjacent seat would require an upgrade to another cabin class or a seat with extra legroom or seat pitch for which additional payment is normally required.

(b) EFFECT ON AIRLINE BOARDING AND SEATING POLICIES.—When considering any new policy under this section, the Secretary shall consider the traditional seating and boarding policies of air carriers providing scheduled passenger interstate or intrastate air transportation and whether those policies generally allow families to sit together.

(c) STATUTORY CONSTRUCTION.—Notwithstanding the requirement in subsection (a), nothing in this section may be construed to allow the Secretary to impose a significant change in the overall seating or boarding policy of an air carrier providing scheduled passenger interstate or intrastate air transportation that has an open or flexible seating policy in place that generally allows adjacent family seating as described in subsection (a).

TITLE III—AVIATION SECURITY

SEC. 3001. SHORT TITLE.

This title may be cited as the ''Aviation Security Act of 2016''.

SEC. 3002. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Transportation Security Administration.

(2) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(3) PRECHECK PROGRAM.—The term ''PreCheck Program'' means the trusted traveler program implemented by the Transportation Security Administration under section 109(a)(3) of the Aviation and Transportation Security Act (Public Law 107–71; 49 U.S.C. 114 note).

(4) TSA.—The term ''TSA'' means the Transportation Security Administration.

Subtitle A—TSA PreCheck Expansion

SEC. 3101. PRECHECK PROGRAM AUTHORIZATION.

The Administrator shall continue to administer the PreCheck Program.

SEC. 3102. PRECHECK PROGRAM ENROLLMENT EXPANSION.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall publish PreCheck Program enrollment standards that add multiple private sector application capabilities for the PreCheck Program to increase the public's enrollment access to the program, including standards that allow the use of secure technologies, including online enrollment, kiosks, tablets, or staffed laptop stations at which individuals can apply for entry into the program.

(b) REQUIREMENTS.—Upon publication of the PreCheck Program enrollment standards under subsection (a), the Administrator shall—

(1) coordinate with interested parties—

(A) to deploy TSA-approved ready-to-market private sector solutions that meet the PreCheck Program enrollment standards under such subsection;

(B) to make available additional PreCheck Program enrollment capabilities; and

(C) to offer secure online and mobile enrollment opportunities;

(2) partner with the private sector to collect biographic and biometric identification information via kiosks, mobile devices, or other mobile enrollment platforms to increase enrollment flexibility and minimize the amount of travel to enrollment centers for applicants;

(3) ensure that any information, including biographic information, is collected in a manner that—

(A) is comparable with the appropriate and applicable standards developed by the National Institute of Standards and Technology; and

(B) protects privacy and data security, including that any personally identifiable information is collected, retained, used, and shared in a manner consistent with section 552a of title 5, United States Code (commonly known as ''Privacy Act of 1974''), and with agency regulations;

(4) ensure that the enrollment process is streamlined and flexible to allow an individual to provide additional information to complete enrollment and verify identity;

(5) ensure that any enrollment expansion using a private sector risk assessment instead of a fingerprint-based criminal history records check is evaluated and certified by the Secretary of Homeland Security, and verified by the Government Accountability Office or a federally funded research and development center after award to be equivalent to a fingerprint-based criminal history records check conducted through the Federal Bureau of Investigation with respect to the effectiveness of identifying individuals who are not qualified to participate in the PreCheck Program due to disqualifying criminal history; and

(6) ensure that the Secretary has certified that reasonable procedures are in place with regard to the accuracy, relevancy, and proper utilization of information employed in private sector risk assessments.

(c) MARKETING OF PRECHECK PROGRAM.—Upon publication of PreCheck Program enrollment standards under subsection (a), the Administrator shall—

(1) in accordance with such standards, develop and implement—

(A) a continual process, including an associated timeframe, for approving private sector marketing of the PreCheck Program; and

(B) a long-term strategy for partnering with the private sector to encourage enrollment in such program;

(2) submit to Congress, at the end of each fiscal year, a report on any PreCheck Program application fees collected in excess of the costs of administering the program, including to assess the feasibility of the program, for such fiscal year, and recommendations for using such fees to support marketing of the program.

(d) IDENTITY VERIFICATION ENHANCEMENT.—Not later than 120 days after the date of enactment of this Act, the Administrator shall—

(1) coordinate with the heads of appropriate components of the Department to leverage Department-held data and technologies to verify the citizenship of individuals enrolling in the PreCheck Program;

(2) partner with the private sector to use biometrics and authentication standards, such as relevant standards developed by the National Institute of Standards and Technology, to facilitate enrollment in the program; and

(3) consider leveraging the existing resources and abilities of airports to conduct fingerprint and background checks to expedite identity verification.

(e) PRECHECK PROGRAM LANES OPERATION.—The Administrator shall—

(1) ensure that PreCheck Program screening lanes are open and available during peak and high-volume travel times at appropriate airports to individuals enrolled in the PreCheck Program; and

(2) make every practicable effort to provide expedited screening at standard screening lanes during times when PreCheck Program screening lanes are closed to individuals enrolled in the program in order to maintain operational efficiency.

(f) VETTING FOR PRECHECK PROGRAM PARTICIPANTS.—Not later than 90 days after the date of enactment of this Act, the Administrator shall initiate an assessment to identify any security vulnerabilities in the vetting process for the PreCheck Program, including determining whether subjecting PreCheck Program participants to recurrent fingerprint-based criminal history records checks, in addition to recurrent checks against the terrorist watchlist, could be done in a cost-effective manner to strengthen the security of the PreCheck Program.

Subtitle B—Securing Aviation From Foreign Entry Points and Guarding Airports Through Enhanced Security

SEC. 3201. LAST POINT OF DEPARTURE AIRPORT SECURITY ASSESSMENT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall conduct a comprehensive security risk assessment of all last point

of departure airports with nonstop flights to the United States.

(b) CONTENTS.—The security risk assessment required under subsection (a) shall include consideration of the following:

(1) The level of coordination and cooperation between the TSA and the foreign government of the country in which the last point of departure airport with nonstop flights to the United States is located.

(2) The intelligence and threat mitigation capabilities of the country in which such airport is located.

(3) The number of known or suspected terrorists annually transiting through such airport.

(4) The degree to which the foreign government of the country in which such airport is located mandates, encourages, or prohibits the collection, analysis, and sharing of passenger name records.

(5) The passenger security screening practices, capabilities, and capacity of such airport.

(6) The security vetting undergone by aviation workers at such airport.

(7) The access controls utilized by such airport to limit to authorized personnel access to secure and sterile areas of such airports.

SEC. 3202. SECURITY COORDINATION ENHANCEMENT PLAN.

(a) IN GENERAL.—Not later than 240 days after the date of enactment of this Act, the Administrator shall submit to Congress and the Government Accountability Office a plan—

(1) to enhance and bolster security collaboration, coordination, and information sharing relating to securing international-inbound aviation between the United States and domestic and foreign partners, including U.S. Customs and Border Protection, foreign government entities, passenger air carriers, cargo air carriers, and United States Government entities, in order to enhance security capabilities at foreign airports, including airports that may not have nonstop flights to the United States but are nonetheless determined by the Administrator to be high risk; and

(2) that includes an assessment of the ability of the TSA to enter into a mutual agreement with a foreign government entity that permits TSA representatives to conduct without prior notice inspections of foreign airports.

(b) GAO REVIEW.—Not later than 180 days after the submission of the plan required under subsection (a), the Comptroller General of the United States shall review the efforts, capabilities, and effectiveness of the TSA to enhance security capabilities at foreign airports and determine if the implementation of such efforts and capabilities effectively secures international-inbound aviation.

SEC. 3203. WORKFORCE ASSESSMENT.

Not later than 270 days after the date of enactment of this Act, the Administrator shall submit to Congress a comprehensive workforce assessment of all TSA personnel within the Office of Global Strategies of the TSA or whose primary professional duties contribute to the TSA's global efforts to secure transportation security, including a review of whether such personnel are assigned in a risk-based, intelligence-driven manner.

SEC. 3204. DONATION OF SCREENING EQUIPMENT TO PROTECT THE UNITED STATES.

(a) IN GENERAL.—The Administrator is authorized to donate security screening equipment to a foreign last point of departure airport operator if such equipment can be reasonably expected to mitigate a specific vulnerability to the security of the United States or United States citizens.

(b) REPORT.—Not later than 30 days before any donation of security screening equipment pursuant to subsection (a), the Administrator shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate a detailed written explanation of the following:

(1) The specific vulnerability to the United States or United States citizens that will be mitigated by such donation.

(2) An explanation as to why the recipient of such donation is unable or unwilling to purchase security screening equipment to mitigate such vulnerability.

(3) An evacuation plan for sensitive technologies in case of emergency or instability in the country to which such donation is being made.

(4) How the Administrator will ensure the security screening equipment that is being donated is used and maintained over the course of its life by the recipient.

(5) The total dollar value of such donation.

SEC. 3205. NATIONAL CARGO SECURITY PROGRAM.

(a) IN GENERAL.—The Administrator may evaluate foreign countries' air cargo security programs to determine whether such programs provide a level of security commensurate with the level of security required by United States air cargo security programs.

(b) APPROVAL AND RECOGNITION.—

(1) IN GENERAL.—If the Administrator determines that a foreign country's air cargo security program evaluated under subsection (a) provides a level of security commensurate with the level of security required by United States air cargo security programs, the Administrator shall approve and officially recognize such foreign country's air cargo security program.

(2) EFFECT OF APPROVAL AND RECOGNITION.—If the Administrator approves and officially recognizes pursuant to paragraph (1) a foreign country's air cargo security program, an aircraft transporting cargo that is departing such foreign country shall not be required to adhere to United States air cargo security programs that would otherwise be applicable.

(c) REVOCATION AND SUSPENSION.—

(1) IN GENERAL.—If the Administrator determines at any time that a foreign country's air cargo security program approved and officially recognized under subsection (b) no longer provides a level of security commensurate with the level of security required by United States air cargo security programs, the Administrator may revoke or temporarily suspend such approval and official recognition until such time as the Administrator determines that such foreign country's cargo security programs provide a level of security commensurate with the level of security required by such United States air cargo security programs.

(2) NOTIFICATION.—If the Administrator revokes or suspends pursuant to paragraph (1) a foreign country's air cargo security program, the Administrator shall notify the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 30 days after such revocation or suspension.

(d) APPLICATION.—This section shall apply irrespective of whether cargo is transported on an aircraft of an air carrier, a foreign air carrier, a cargo carrier, or a foreign cargo carrier.

SEC. 3206. INTERNATIONAL TRAINING AND CAPACITY DEVELOPMENT.

(a) IN GENERAL.—The Administrator shall establish an international training and capacity development program to train the appropriate authorities of foreign governments in air transportation security.

(b) CONTENTS OF TRAINING.—If the Administrator determines that a foreign government would benefit from training and capacity development assistance pursuant to subsection (a), the Administrator may provide to the appropriate authorities of such foreign government technical assistance and training programs to strengthen aviation security in managerial, operational, and technical areas, including—

(1) active shooter scenarios;

(2) incident response;

(3) use of canines;

(4) mitigation of insider threats;

(5) perimeter security;

(6) operation and maintenance of security screening technology; and

(7) recurrent related training and exercises.

Subtitle C—Checkpoint Optimization and Efficiency

SEC. 3301. SENSE OF CONGRESS.

It is the sense of Congress that airport checkpoint wait times should not take priority over the security of the aviation system of the United States.

SEC. 3302. ENHANCED STAFFING ALLOCATION MODEL.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Administrator shall complete an assessment of the TSA's staffing allocation model to determine the necessary staffing positions at all airports in the United States at which the TSA operates passenger checkpoints.

(b) APPROPRIATE STAFFING.—The staffing allocation model described in subsection (a) shall be based on necessary staffing levels to maintain minimal passenger wait times and maximum security effectiveness.

(c) ADDITIONAL RESOURCES.—In assessing necessary staffing for minimal passenger wait times and maximum security effectiveness referred to in subsection (b), the Administrator shall include the use of canine explosives detection teams and technology to assist screeners conducting security checks.

(d) TRANSPARENCY.—The Administrator shall share with aviation security stakeholders the staffing allocation model described in subsection (a), as appropriate.

(e) EXCHANGE OF INFORMATION.—The Administrator shall require each Federal Security Director to engage on a regular basis with the appropriate aviation security stakeholders to exchange information regarding airport operations, including security operations.

(f) GAO REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall review the staffing allocation model described in subsection (a) and report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the results of such review.

SEC. 3303. EFFECTIVE UTILIZATION OF STAFFING RESOURCES.

(a) IN GENERAL.—To the greatest extent practicable, the Administrator shall direct that Transportation Security Officers with appropriate certifications and training are assigned to passenger and baggage security screening functions and that other TSA personnel who may not have certification and training to screen passengers or baggage are utilized for tasks not directly related to security screening, including restocking bins and providing instructions and support to passengers in security lines.

(b) ASSESSMENT AND REASSIGNMENT.—The Administrator shall conduct an assessment of headquarters personnel and reassign appropriate personnel to assist with airport security screening activities on a permanent or temporary basis, as appropriate.

SEC. 3304. TSA STAFFING AND RESOURCE ALLOCATION.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Administrator shall take the following actions:

(1) Utilize the TSA's Behavior Detection Officers for passenger and baggage security screening, including the verification of traveler documents, particularly at designated PreCheck Program lanes to ensure that such lanes are operational for use and maximum efficiency.

(2) Make every practicable effort to grant additional flexibility and authority to Federal Security Directors in matters related to checkpoint and checked baggage staffing allocation and employee overtime in furtherance of maintaining minimal passenger wait times and maximum security effectiveness.

(3) Disseminate to aviation security stakeholders and appropriate TSA personnel a list of checkpoint optimization best practices.

(4) Request the Aviation Security Advisory Committee (established pursuant to section 44946 of title 49, United States Code) provide recommendations on best practices for checkpoint security operations optimization.

(b) STAFFING ADVISORY COORDINATION.—Not later than 30 days after the date of the enactment of this Act, the Administrator shall—

(1) direct each Federal Security Director to coordinate local representatives of aviation security stakeholders to establish a staffing advisory working group at each airport at which the TSA oversees or performs passenger security screening to provide recommendations to the Administrator on Transportation Security Officer staffing numbers, for each such airport; and

(2) certify to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that such staffing advisory working groups have been established.

(c) REPORTING.—Not later than 60 days after the date of the enactment of this Act, the Administrator shall—

(1) report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate regarding how the TSA's Passenger Screening Canine assets may be deployed and utilized for maximum efficiency to mitigate risk and optimize checkpoint operations; and

(2) report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the TSA's Credential Authentication Technology Assessment program and how deployment of such program might optimize checkpoint operations.

SEC. 3305. AVIATION SECURITY STAKEHOLDERS DEFINED.

For purposes of this subtitle, the term ''aviation security stakeholders'' shall mean, at a minimum, air carriers, airport operators, and labor organizations representing Transportation Security Officers or, where applicable, contract screeners.

SEC. 3306. RULE OF CONSTRUCTION.

Nothing in this subtitle may be construed as authorizing or directing the Administrator to prioritize reducing wait times over security effectiveness.

Subtitle D—Aviation Security Enhancement and Oversight

SEC. 3401. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security of the House of Representatives;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Commerce, Science, and Transportation of the Senate.

(2) ASAC.—The term ''ASAC'' means the Aviation Security Advisory Committee established under section 44946 of title 49, United States Code.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(4) SIDA.—The term ''SIDA'' means the Secure Identification Display Area as such term is defined in section 1540.5 of title 49, Code of Federal Regulations, or any successor regulation to such section.

SEC. 3402. THREAT ASSESSMENT.

(a) INSIDER THREATS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall conduct or update an assessment to determine the level of risk posed to the domestic air transportation system by individuals with unescorted access to a secure area of an airport (as such term is defined in section 44903(j)(2)(H)) in light of recent international terrorist activity.

(2) CONSIDERATIONS.—In conducting or updating the assessment under paragraph (1), the Administrator shall consider—

(A) domestic intelligence;

(B) international intelligence;

(C) the vulnerabilities associated with unescorted access authority granted to domestic airport operators and air carriers, and their workers;

(D) the vulnerabilities associated with unescorted access authority granted to foreign airport operators and air carriers, and their workers;

(E) the processes and practices designed to mitigate the vulnerabilities associated with unescorted access privileges granted to airport operators and air carriers, and their workers;

(F) the recent security breaches at domestic and foreign airports; and

(G) the recent security improvements at domestic airports, including the implementation of recommendations made by relevant advisory committees, including the ASAC.

(b) REPORTS.—The Administrator shall submit to the appropriate congressional committees—

(1) a report on the results of the assessment under subsection (a), including any recommendations for improving aviation security;

(2) a report on the implementation status of any recommendations made by the ASAC; and

(3) regular updates about the insider threat environment as new information becomes available or as needed.

SEC. 3403. OVERSIGHT.

(a) ENHANCED REQUIREMENTS.—

(1) IN GENERAL.—Subject to public notice and comment, and in consultation with airport operators, the Administrator shall update the rules on access controls issued by the Secretary under chapter 449 of title 49, United States Code.

(2) CONSIDERATIONS.—As part of the update under paragraph (1), the Administrator shall consider—

(A) increased fines and advanced oversight for airport operators that report missing more than five percent of credentials for unescorted access to any SIDA of an airport;

(B) best practices for Category X airport operators that report missing more than three percent of credentials for unescorted access to any SIDA of an airport;

(C) additional audits and status checks for airport operators that report missing more than three percent of credentials for unescorted access to any SIDA of an airport;

(D) review and analysis of the prior five years of audits for airport operators that report missing more than three percent of credentials for unescorted access to any SIDA of an airport;

(E) increased fines and direct enforcement requirements for both airport workers and their employers that fail to report within 24 hours an employment termination or a missing credential for unescorted access to any SIDA of an airport; and

(F) a method for termination by the employer of any airport worker who fails to report in a timely manner missing credentials for unescorted access to any SIDA of an airport.

(b) TEMPORARY CREDENTIALS.—The Administrator may encourage the issuance by airports and aircraft operators of free, one-time, 24-hour temporary credentials for workers who have reported, in a timely manner, their credentials missing, but not permanently lost, stolen, or destroyed, until replacement of credentials under section 1542.211 of title 49 Code of Federal Regulations is necessary.

(c) NOTIFICATION AND REPORT TO CONGRESS.—The Administrator shall—

(1) notify the appropriate congressional committees each time an airport operator reports that more than three percent of credentials for unescorted access to any SIDA at a Category X airport are missing, or more than five percent of credentials to access any SIDA at any other airport are missing; and

(2) submit to the appropriate congressional committees an annual report on the number of violations and fines related to unescorted access to the SIDA of an airport collected in the preceding fiscal year.

SEC. 3404. CREDENTIALS.

(a) LAWFUL STATUS.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall issue to airport operators guidance regarding placement of an expiration date on each airport credential issued to a non-United States citizen that is not longer than the period of time during which such non-United States citizen is lawfully authorized to work in the United States.

(b) REVIEW OF PROCEDURES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall—

(A) issue guidance for transportation security inspectors to annually review the procedures of airport operators and air carriers for applicants seeking unescorted access to any SIDA of an airport; and

(B) make available to airport operators and air carriers information on identifying suspicious or fraudulent identification materials.

(2) INCLUSIONS.—The guidance issued pursuant to paragraph (1) shall require a comprehensive review of background checks and employment authorization documents issued by United States Citizenship and Immigration Services during the course of a review of procedures under such paragraph.

SEC. 3405. VETTING.

(a) ELIGIBILITY REQUIREMENTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and subject to public notice and comment, the Administrator shall revise the regulations issued under section 44936 of title 49, United States Code, in accordance with this section and current knowledge of insider threats and intelligence under section 3502, to enhance the eligibility requirements and disqualifying criminal offenses for individuals seeking or having unescorted access to any SIDA of an airport.

(2) DISQUALIFYING CRIMINAL OFFENSES.—In revising the regulations under paragraph (1), the Administrator shall consider adding to the list of disqualifying criminal offenses

and criteria the offenses and criteria listed in section 122.183(a)(4) of title 19, Code of Federal Regulations and section 1572.103 of title 49, Code of Federal Regulations.

(3) WAIVER PROCESS FOR DENIED CREDENTIALS.—Notwithstanding section 44936(b) of title 49, United States Code, in revising the regulations under paragraph (1) of this subsection, the Administrator shall—

(A) ensure there exists or is developed a waiver process for approving the issuance of credentials for unescorted access to any SIDA of an airport for an individual found to be otherwise ineligible for such credentials; and

(B) consider, as appropriate and practicable—

(i) the circumstances of any disqualifying act or offense, restitution made by the individual, Federal and State mitigation remedies, and other factors from which it may be concluded that the individual does not pose a terrorism risk or a risk to aviation security warranting denial of the credential; and

(ii) the elements of the appeals and waiver process established under section 70105(c) of title 46, United States Code.

(4) LOOK BACK.—In revising the regulations under paragraph (1), the Administrator shall propose that an individual be disqualified if the individual was convicted, or found not guilty by reason of insanity, of a disqualifying criminal offense within 15 years before the date of an individual's application, or if the individual was incarcerated for such crime and released from incarceration within five years before the date of the individual's application.

(5) CERTIFICATIONS.—The Administrator shall require an airport or aircraft operator, as applicable, to certify for each individual who receives unescorted access to any SIDA of an airport that—

(A) a specific need exists for providing the individual with unescorted access authority; and

(B) the individual has certified to the airport or aircraft operator that the individual understands the requirements for possessing a SIDA badge.

(6) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate congressional committees a report on the status of the revision to the regulations issued under section 44936 of title 49, United States Code, in accordance with this section.

(7) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect existing aviation worker vetting fees imposed by the TSA.

(b) RECURRENT VETTING.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator and the Director of the Federal Bureau of Investigation shall fully implement the Rap Back service for recurrent vetting of eligible TSA-regulated populations of individuals with unescorted access to any SIDA of an airport.

(2) REQUIREMENTS.—As part of the requirement in paragraph (1), the Administrator shall ensure that—

(A) any status notifications the TSA receives through the Rap Back service about criminal offenses be limited to only disqualifying criminal offenses in accordance with the regulations promulgated by the TSA under section 44903 of title 49, United States Code, or other Federal law; and

(B) any information received by the Administration through the Rap Back service is provided directly and immediately to the relevant airport and aircraft operators.

(3) REPORT TO CONGRESS.—Not later than 30 days after implementation of the Rap Back service described in paragraph (1), the Administrator shall submit to the appropriate congressional committees a report on the such implementation.

(c) ACCESS TO TERRORISM-RELATED DATA.—Not later than 30 days after the date of the enactment of this Act, the Administrator and the Director of National Intelligence shall coordinate to ensure that the Administrator is authorized to receive automated, real-time access to additional Terrorist Identities Datamart Environment (TIDE) data and any other terrorism-related category codes to improve the effectiveness of the TSA's credential vetting program for individuals who are seeking or have unescorted access to any SIDA of an airport.

(d) ACCESS TO E–VERIFY AND SAVE PROGRAMS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall authorize each airport operator to have direct access to the E–Verify program and the Systematic Alien Verification for Entitlements (SAVE) automated system to determine the eligibility of individuals seeking unescorted access to any SIDA of an airport.

SEC. 3406. METRICS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Administrator shall develop and implement performance metrics to measure the effectiveness of security for the SIDAs of airports.

(b) CONSIDERATIONS.—In developing the performance metrics under subsection (a), the Administrator may consider—

(1) adherence to access point procedures;

(2) proper use of credentials;

(3) differences in access point requirements between airport workers performing functions on the airside of an airport and airport workers performing functions in other areas of an airport;

(4) differences in access point characteristics and requirements at airports; and

(5) any additional factors the Administrator considers necessary to measure performance.

SEC. 3407. INSPECTIONS AND ASSESSMENTS.

(a) MODEL AND BEST PRACTICES.—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the ASAC, shall develop a model and best practices for unescorted access security that—

(1) use intelligence, scientific algorithms, and risk-based factors;

(2) ensure integrity, accountability, and control;

(3) subject airport workers to random physical security inspections conducted by TSA representatives in accordance with this section;

(4) appropriately manage the number of SIDA access points to improve supervision of and reduce unauthorized access to SIDAs; and

(5) include validation of identification materials, such as with biometrics.

(b) INSPECTIONS.—Consistent with a risk-based security approach, the Administrator shall expand the use of transportation security officers and inspectors to conduct enhanced, random and unpredictable, data-driven, and operationally dynamic physical inspections of airport workers in each SIDA of an airport and at each SIDA access point to—

(1) verify the credentials of such airport workers;

(2) determine whether such airport workers possess prohibited items, except for those items that may be necessary for the performance of such airport workers' duties, as appropriate, in any SIDA of an airport; and

(3) verify whether such airport workers are following appropriate procedures to access any SIDA of an airport.

(c) SCREENING REVIEW.—

(1) IN GENERAL.—The Administrator shall conduct a review of airports that have implemented additional airport worker screening or perimeter security to improve airport security, including—

(A) comprehensive airport worker screening at access points to secure areas;

(B) comprehensive perimeter screening, including vehicles;

(C) enhanced fencing or perimeter sensors; and

(D) any additional airport worker screening or perimeter security measures the Administrator identifies.

(2) BEST PRACTICES.—After completing the review under paragraph (1), the Administrator shall—

(A) identify best practices for additional access control and airport worker security at airports; and

(B) disseminate to airport operators the best practices identified under subparagraph (A).

(3) PILOT PROGRAM.—The Administrator may conduct a pilot program at one or more airports to test and validate best practices for comprehensive airport worker screening or perimeter security under paragraph (2).

SEC. 3408. COVERT TESTING.

(a) IN GENERAL.—The Administrator shall increase the use of red-team, covert testing of access controls to any secure areas of an airport.

(b) ADDITIONAL COVERT TESTING.—The Inspector General of the Department of Homeland Security shall conduct red-team, covert testing of airport access controls to the SIDAs of airports.

(c) REPORTS TO CONGRESS.—

(1) ADMINISTRATOR REPORT.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate congressional committees a report on the progress to expand the use of inspections and of red-team, covert testing under subsection (a).

(2) INSPECTOR GENERAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the appropriate congressional committees a report on the effectiveness of airport access controls to the SIDAs of airports based on red-team, covert testing under subsection (b).

SEC. 3409. SECURITY DIRECTIVES.

(a) REVIEW.—Not later than 180 days after the date of the enactment of this Act and annually thereafter, the Administrator, in consultation with the appropriate regulated entities, shall conduct a comprehensive review of every current security directive addressed to any regulated entity to—

(1) determine whether each such security directive continues to be relevant;

(2) determine whether such security directives should be streamlined or consolidated to most efficiently maximize risk reduction; and

(3) update, consolidate, or revoke any security directive as necessary.

(b) NOTICE.—For each security directive that the Administrator issues, the Administrator shall submit to the appropriate congressional committees notice of—

(1) the extent to which each such security directive responds to a specific threat, security threat assessment, or emergency situation against civil aviation; and

(2) when it is anticipated that each such security directive will expire.

SEC. 3410. IMPLEMENTATION REPORT.

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) assess the progress made by the TSA and the effect on aviation security of implementing the requirements under sections 3402 through 3409 of this subtitle; and

(2) report to the appropriate congressional committees on the results of the assessment under paragraph (1), including any recommendations.

SEC. 3411. MISCELLANEOUS AMENDMENTS.

(a) ASAC TERMS OF OFFICE.—Subparagraph (A) of section 44946(c)(2) of title 49, United States Code, is amended to read as follows:

''(A) TERMS.—The term of each member of the Advisory Committee shall be two years, but a member may continue to serve until a successor is appointed. A member of the Advisory Committee may be reappointed.''.

(b) FEEDBACK.—Paragraph (5) of section 44946(b) of title 49, United States Code, is amended by striking ''paragraph (4)'' and inserting ''paragraph (2) or (4)''.

Subtitle E—Checkpoints of the Future

SEC. 3501. CHECKPOINTS OF THE FUTURE.

(a) IN GENERAL.—The Administrator, in accordance with chapter 449 of title 49, United States Code, shall request the Aviation Security Advisory Committee (established pursuant to section 44946 of such title) to develop recommendations for more efficient and effective passenger screening processes.

(b) CONSIDERATIONS.—In making recommendations to improve existing passenger screening processes, the Aviation Security Advisory Committee shall consider—

(1) the configuration of a checkpoint;

(2) technology innovation;

(3) ways to address any vulnerabilities identified in audits of checkpoint operations;

(4) ways to prevent security breaches at airports at which Federal security screening is provided;

(5) best practices in aviation security;

(6) recommendations from airports and aircraft operators, and any relevant advisory committees; and

(7) ''curb to curb'' processes and procedures.

(c) REPORT.—Not later than one year after the date of enactment of this Act, the Administrator shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the Aviation Security Advisory Committee review under this section, including any recommendations for improving passenger screening processes.

SEC. 3502. PILOT PROGRAM FOR INCREASED EFFICIENCY AND SECURITY AT CATEGORY X AIRPORTS.

(a) IN GENERAL.—The Administrator shall establish a pilot program at at least three and not more than six airports to reconfigure and install security systems that increase efficiency and reduce vulnerabilities in airport terminals, particularly at airports that have large open areas at which screening is conducted.

(b) SELECTION OF AIRPORTS.—In selecting airports for the pilot program established under subsection (a), the Administrator shall—

(1) select airports from among airports classified by the TSA as Category X airports and that are able to begin the reconfiguration and installation of security systems expeditiously; and

(2) give priority to an airport that—

(A) submits a proposal that seeks Federal funding for reconfiguration of such airport's security systems;

(B) has the space needed to reduce vulnerabilities and reconfigure existing security systems; and

(C) is able to enter into a cost-sharing arrangement with the TSA under which such airport will provided funding towards the cost of such pilot program.

SEC. 3503. PILOT PROGRAM FOR THE DEVELOPMENT AND TESTING OF PROTOTYPES FOR AIRPORT SECURITY SYSTEMS.

(a) IN GENERAL.—The Administrator shall establish a pilot program at three airports to develop and test prototypes of screening security systems and security checkpoint configurations that are intended to expedite the movement of passengers by deploying a range of technologies, including passive and active systems, new types of security baggage and personal screening systems, and new systems to review and address passenger and baggage anomalies.

(b) SELECTION OF AIRPORTS.—In selecting airports for the pilot program established under subsection (a), the Administrator shall—

(1) select airports from among airports classified by the TSA as Category X airports that are able to begin the reconfiguration and installation of security systems expeditiously;

(2) consider detection capabilities; and

(3) give priority to an airport that—

(A) submits a proposal that seeks Federal funding to test prototypes for new airport security systems;

(B) has the space needed to reduce vulnerabilities and reconfigure existing security systems; and

(C) is able to enter into a cost-sharing arrangement with the TSA under which such airport will provided funding towards the cost of such pilot program.

SEC. 3504. REPORT REQUIRED.

Not later than 90 days after the date of the enactment of this Act, the Administrator shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate and a report on the pilot programs established under sections 3502 and 3503 of this subtitle.

SEC. 3505. FUNDING.

The Administrator shall carry out the pilot programs established under sections 3502 and 3503 of this subtitle using amounts—

(1) appropriated to the TSA before the date of the enactment of this Act and available for obligation as of such date of enactment; and

(2) amounts obtained as reimbursements from airports under such pilot programs.

SEC. 3506. ACCEPTANCE AND PROVISION OF RESOURCES BY THE TRANSPORTATION SECURITY ADMINISTRATION.

The Administrator, in carrying out the functions of the pilot programs established under sections 3502 and 3503 of this subtitle, may accept services, supplies, equipment, personnel, or facilities, without reimbursement, from any other public or private entity.

Subtitle F—Miscellaneous Provisions

SEC. 3601. VISIBLE DETERRENT.

Section 1303 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1112) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(5) shall require, as appropriate based on risk, in the case of a VIPR team deployed to an airport, that the VIPR team conduct operations—

''(A) in the sterile area and any other areas to which only individuals issued security credentials have unescorted access; and

''(B) in nonsterile areas.''; and

(2) in subsection (b), by striking ''such sums as necessary for fiscal years 2007 through 2011'' and inserting ''such sums as necessary, including funds to develop not more than 60 VIPR teams, for fiscal years 2016 through 2018''.

SEC. 3602. LAW ENFORCEMENT TRAINING FOR MASS CASUALTY AND ACTIVE SHOOTER INCIDENTS.

Paragraph (2) of section 2006(a) of the Homeland Security Act of 2002 (6 U.S.C. 607(a)) is amended—

(1) by redesignating subparagraphs (E) through (I) as subparagraphs (F) through (J), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph:

''(E) training exercises to enhance preparedness for and response to mass casualty and active shooter incidents and security events at public locations, including airports and mass transit systems;''.

SEC. 3603. ASSISTANCE TO AIRPORTS AND SURFACE TRANSPORTATION SYSTEMS.

Subsection (a) of section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609) is amended—

(1) by redesignating paragraphs (9) through (13) as paragraphs (10) through (14), respectively; and

(2) by inserting after paragraph (8) the following new paragraph:

''(9) enhancing the security and preparedness of secure and nonsecure areas of eligible airports and surface transportation systems;''.

In lieu of the amendment of the Senate to the title of the bill, amend the title so as to read: ''To amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.''.

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

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on H. Res. 818.

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

There was no objection.

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

I rise today in support of H. Res. 818, the FAA Extension, Safety, and Security Act of 2016.

First and foremost, this is a bipartisan, bicameral, long-term extension of the Federal Aviation Administration's authorities and funding through the end of fiscal year 2017.

This extension provides stability to our aviation system over the next 14 months while Congress refocuses on a full FAA reauthorization. Without this extension, the FAA programs will face a shutdown next week, thousands of FAA employees could be furloughed, airport projects across the country will come to a halt, and about $40 million a day in aviation trust fund revenue will

go uncollected. That is funding for air traffic control, airport development, and other safety and modernization programs that will never be recovered.

This extension also includes limited, but critical and time-sensitive provisions to improve aviation safety and security. Some of the provisions address safety critical issues raised by aviation tragedies, including the Germanwings, Asiana, and Colgan Air accidents.

Other safety critical issues addressed include protecting low-flying GA pilots from unmarked towers, reevaluating crash standards for helicopter fuel systems, improving the air traffic control hiring process and ensuring the FAA better addresses chronic controller shortages, and training flight attendants to recognize and respond to human trafficking.

Given the growing demand for drones and the ongoing need to address their safe operation, this legislation includes provisions to manage the safe integration of drones.

In response to safety concerns related to potential cybersecurity risks, the extension requires the FAA to develop a comprehensive cybersecurity plan. In addition to critical safety needs, this extension also addresses the security of our aviation system.

As the recent bombings in Brussels and Istanbul have reminded us, aviation remains a prominent target for terrorists.

The House already passed almost a dozen bills this Congress related to transportation security, and this extension includes much of that language.

Again, this is a bipartisan, bicameral extension with limited, but critical and time-sensitive safety and security reforms.

I thank Ranking Member DEFAZIO for his partnership in negotiations with the Senate. I also thank Chairman THUNE and Ranking Member NELSON of the Senate Committee on Commerce, Science, and Transportation for their help in drafting this extension.

□ 1915

I want to thank Chairman MCCAUL and Ranking Member THOMPSON of the Committee on Homeland Security for their efforts in putting together a robust security title.

I also want to thank Committee on Ways and Means Chairman BRADY and Ranking Member LEVIN; Committee on Science, Space, and Technology Chairman SMITH and Ranking Member JOHNSON for their work on this resolution.

In addition, the gentleman from New Jersey (Mr. LOBIONDO), the chairman of the subcommittee, and the gentleman from Washington (Mr. LARSEN), the ranking member of the subcommittee, added critical and important provisions into this extension.

Passage of this extension will provide more than a year's worth of certainty and stability to the FAA, the aviation community, and the flying public. During this time, we will continue to develop a long-term FAA bill.

Mr. Speaker, I urge all my colleagues to support H.R. 818.

I reserve the balance of my time.

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

This gives us 14½ months of certainty for critical programs with the FAA. It is a bipartisan product. I would rather that we had been doing a long-term authorization, more substantial policy, but this is an acceptable resolution.

The safety title gives the FAA authority to more rigorously go after people who use laser pointers, idiots who use laser pointers, potentially causing catastrophic accidents and high damage; to go after people who are interfering in stopping firefighting efforts with drones; shore up cybersecurity for safety critical aviation infrastructure.

The FAA, something I have been pursuing for years, will step up its oversight of overseas aircraft repair and overhaul facilities, where more and more work is being done, where they do not live up to U.S. standards. Some of the people at the FAA had come up with a brilliant new idea which was disqualifying people eminently qualified and already working as air traffic controllers from becoming air traffic controllers. We fix that problem. We balance the need for integration of drones with the need to protect the general public and the national airspace and a number of other critical provisions.

With that, I recommend my colleagues support the legislation.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. LOBIONDO), the chairman of the Subcommittee on Aviation.

Mr. LOBIONDO. Mr. Speaker, I would like to thank Chairman SHUSTER, Mr. DEFAZIO, Mr. LARSEN, and the other committees responsible for this very important legislation which I strongly support.

In my district in New Jersey, I have the privilege of representing approximately 4,000 FAA employees and contractors who work at the FAA's premier flagship technical center. Their extraordinary energy and dedication ensures American aviation continues to move forward. Without them, American leadership in aviation would suffer, and we cannot afford to send them home because Congress failed to do our work and pass an authorization bill.

A lapse in authorization would result in the halting of certification and registration of new aircraft and disruption of our aerospace industry. It would needlessly jeopardize good-paying jobs and cause pain to hardworking Americans. This long-term extension averts these self-inflicted injuries. It also makes safety-critical reforms while capitalizing on the momentum of FAA's long-delayed small UAS rule.

The resolution moves the ball forward for advancing UAS applications while ensuring they do not pose a threat to aviation, critical infrastructure, or the general public. It also gives the UAS test sites established under the 2012 FAA bill—one of which operates in my district—the certainty and stability they will need to conduct critical research and development on UAS integration.

Mr. Speaker, this long-term extension promotes a stable aviation system, improves aviation security, and strengthens aviation security. It also has strong safety measures. I urge all of my colleagues to support this well-thought-out measure.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. I thank the gentleman for yielding.

Mr. Speaker, while I commend Mr. DEFAZIO and his colleagues for negotiating language to enhance aviation safety, I must rise in opposition to this legislation.

My problem with the resolution stems from a potential job-killing provision inserted in the homeland security portion of the package. Understandably, after the airport attacks in Brussels and, more recently, Istanbul, there is interest in strengthening aviation security.

Section 3405 directs TSA to update regulations for eligibility, including disqualifying offenses, for SIDA airport credentials, which airport workers need to perform their jobs. There is no evidence that this additional scrutiny would strengthen aviation security. What we do know for sure is that the changes would unjustifiably put workers at risk of losing their jobs. As such, it should come as no surprise that the International Association of Machinists, the Communication Workers of America, and the Transportation Workers Union have come out in strong opposition to this resolution.

That measure, H.R. 3102, also was approved by voice vote in the House this past October. The language before us today goes several steps further than H.R. 3102, unjustifiably lengthening the well-litigated 10-year look-back period from 10 to 15 years. The men and women who will be subject to this arbitrary change have as strong, if not more, of an interest as you or me in preventing terrorism in airports. They deserve better than living in fear that they will be able to lose their jobs in the name of homeland security.

Mr. SHUSTER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Committee on Science, Space, and Technology.

Mr. SMITH of Texas. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the Committee on Transportation and Infrastructure, for yielding me time.

As Congress continues working toward a multiyear authorization for the

Federal Aviation Administration, the FAA Extension, Safety, and Security Act of 2016 will ensure that safety and security research and development activities are authorized.

Pursuant to rule X, the House Committee on Science, Space, and Technology has legislative jurisdiction over ''civil aviation research and development,'' regardless of the funding account from which the research and development is appropriated.

Earlier this year, the House Committee on Science, Space, and Technology marked up and passed out of committee a 3-year civil aviation research and development authorization for the FAA, the Flight R&D Act. This important legislation was introduced by Representative STEPHEN KNIGHT.

Many provisions from the Flight R&D Act are now in the 2016 FAA extension we are considering tonight, and I very much appreciate Chairman SHUSTER's including them. These provisions include the development of a cybersecurity research and development plan, a study on metrics to streamline the integration of unmanned aircraft systems into the national airspace, a research plan for unmanned aircraft systems traffic management, and the establishment of an unmanned and manned aircraft collision research program. These are important, pressing Committee on Science, Space, and Technology R&D provisions that will increase public safety and private commerce.

I look forward to working to include the remainder of the Flight R&D Act provisions in a larger FAA bill next year. I encourage my colleagues to support Chairman SHUSTER's resolution.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. I thank Mr. DEFAZIO.

Mr. Speaker, on July 3 last year, a Flight for Life air ambulance helicopter took off in Frisco, Colorado. Just seconds later, the helicopter crashed in a parking lot next to the helipad and burst into flames. The post-crash fire contributed to the death of the pilot, Patrick Mahany, and severely burned the two flight nurses, Dave Repsher and Matthew Bowe. Dave Repsher is still hospitalized today after suffering burns on more than 90 percent of his body.

The U.S. military required changes to helicopter fuel systems over 50 years ago. The FAA underwent a rulemaking in 1994 concerning crash-resistant fuel system standards, but 22 years later we still do not require newly manufactured helicopters to meet these safety standards. The 1994 rulemaking required all newly certified helicopter designs to incorporate crash-resistant fuel systems, but helicopter designs are certified once and then can be manufactured for years. So new helicopters like the AS350, which crashed in Frisco and was only 1 year old, are being built to an unsafe standard.

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

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

Mr. PERLMUTTER. Mr. Speaker, this resolution today includes section 2105, requiring the administrator of the FAA to evaluate and update these safety standards. I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for working with me on this issue. Together, we can work with the FAA and industry to update these critical safety standards and make sure newly manufactured helicopters include crash-resistant fuel systems.

Mr. SHUSTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Mr. Speaker, I would like to thank the chairman for yielding time to speak today on this legislation. I also want to thank the chairman of the Committee on Transportation and Infrastructure for his excellent leadership that he has shown this Congress and previous Congresses. It has been an absolute pleasure to serve on a committee that has accomplished so much.

Today I want to speak briefly on an important provision of this reauthorization. As an airman myself, I have always stood up for the rights of general aviation pilots. Section 2307 in this legislation, which is based on my bill, the General Aviation Pilot Protection Act, will make operating a private aircraft easier and more common sense for private pilots.

Currently, pilots must get an unnecessary, outdated medical examination from a government-approved physician as often as once a year. Section 2307 would change that requirement so that a pilot can simply visit his family physician once every 4 years. Although this doesn't go as far as is ultimately needed to get rid of 20th century red tape while maintaining safety in the 21st century, it is real progress for aviators.

This change is strongly supported by the Aircraft Owners and Pilots Association, of which I am a proud member, and has a strong bipartisan list of cosponsors. I thank, again, Chairman SHUSTER and Ranking Member DEFAZIO for their continued leadership on this and other aviation issues. I urge Members and all of us to support this legislation, including the bipartisan House General Aviation Caucus.

Mr. DEFAZIO. I yield 1½ minutes to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Speaker, although I am glad the House of Representatives is taking a step in the right direction by reauthorizing the FAA for a few months, I am frustrated that we are not going as far as we could to protect lives that could be easily saved.

On July 3, 2015, just over a year ago, there was a Flight for Life crash in Frisco, Colorado, in my district. The pilot died, and one person on board is still recovering from major burns. The death was caused not because of speed or pilot error, but simply because the fuel system didn't have a crash-resistant system that is already mandated in military helicopters.

Representative PERLMUTTER and I have introduced the Helicopter Fuel System Safety Act, and that would require the FAA to install crash-resistant fuel systems in newly manufactured helicopters by December 31, 2016. I am glad this reauthorization language moves the FAA in that direction, but I hope that we can move forward quickly to save lives and fix this.

I was also disappointed I wasn't allowed to offer several other amendments, including one which would have given local airports more flexibility in limiting flights, something of great concern for my district around flight noise for constituents near Longmont. I don't know how many of you live near airports that have continuous flights with older planes, but I hear from my constituents often on this, and I wanted the opportunity to do something about it to make sure that they can enjoy their sleep and their peace and quiet of their neighborhoods. I hope to work with the FAA, the ranking member and chairman to give communities and airports the flexibility they need to have quiet skies in the future.

Mr. SHUSTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. CURBELO).

Mr. CURBELO of Florida. I thank the chairman for yielding. I appreciate his work on this legislation, and the ranking member, Mr. DEFAZIO, as well. I really appreciate the way that they have worked collaboratively on this.

Mr. Speaker, this FAA reauthorization works to ensure that our aviation system remains well equipped, secure, and safe for passengers and pilots alike. It provides vital enhancements to the U.S. aviation system by strengthening security, expanding TSA PreCheck, and requiring the FAA to give Congress quarterly reports on the number of civil or criminal disturbances that occur at airports.

I am proud to say that this measure also includes my bill, H.R. 5292, the Air Traffic Controller Hiring Improvement Act. This legislation, which has over 243 bipartisan cosponsors in the House, will reform for the better the way we hire our air traffic controllers. It will improve the ATC system by exempting College Training Initiative graduates and military veterans from the controversial biographical questionnaire while still allowing the general public to apply to serve as controllers. H.R. 5292 also ensures the FAA directly notifies schools, such as Historically Black Colleges and Hispanic-Serving Institutions, when ATC vacancy announcements are made.

□ 1930

This bill is certainly a step in the right direction; although, I believe, Mr. Speaker, we have a long way to go to

modernize the FAA and bring America's ATO, or air traffic operation, into the 21st century. I certainly look forward to working with the chairman and my colleagues to make that a reality.

Mr. SHUSTER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. KNIGHT).

Mr. KNIGHT. Mr. Speaker, I appreciate the chairman's and ranking member's work on this.

Mr. Speaker, I rise today in support of the FAA Extension, Safety, and Security Act of 2016.

The aeronautics research carried out by the Federal Aviation Administration is vital to our Nation's prosperity. This is why earlier this year I introduced the FLIGHT R&D Act to authorize FAA's civil aviation research and development authorization activities.

The FAA Extension, Safety, and Security Act of 2016 includes many important research and development provisions. Specifically, the bill incorporates provisions from the FLIGHT R&D Act that pertain to unmanned aircraft systems and cybersecurity. But it is only a stopgap measure.

We as a nation must ensure our civil aeronautics research and development activities are fully authorized. I look forward to working with my colleagues in both the House and Senate on completing a multiyear FAA authorization that will incorporate provisions of the FLIGHT R&D Act that are not in today's extension.

I encourage my colleagues to support this bill.

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

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

Again, I want to thank Mr. DEFAZIO for working with us and with the Senate on this. I want to thank not only his staff for their hard work and long hours, but the staff on the majority side. They put in a lot of hours and a lot of late nights to make sure we have gotten to this point. So I want to thank them very, very much for their work.

Finally, I want to thank two gentlemen who worked extremely hard and were tenacious in making sure we included third-class medical in this extension; that is, the voice of general aviation in the House, SAM GRAVES, who was, to say the least, relentless, as well as Senator INHOFE. Both worked extremely hard to made sure that third-class medical is in this, and that is extremely important to the GA community and the private pilots to make sure that we had that in here. So we are pleased it is in here.

Again, I want to thank both Congressman SAM GRAVES from Missouri and Senator INHOFE for their hard work and their diligence. Again, let me thank the staff on both sides for their work, and I urge all my colleagues to support H. Res. 818.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and agree to the resolution, H. Res. 818.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY IMPROVEMENT ACT OF 2016

Mr. MOOLENAAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5639) to update the National Institute of Standards and Technology Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5639

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Institute of Standards and Technology Improvement Act of 2016''.

SEC. 2. STANDARDS AND CONFORMITY ASSESSMENT.

Section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''authorized to take'' and inserting ''authorized to serve as the President's principal adviser on standards policy pertaining to the Nation's technological competitiveness and innovation ability and to take'';

(B) in paragraph (3), by striking ''compare standards'' and all that follows through ''Federal Government'' and inserting ''facilitate standards-related information sharing and cooperation between Federal agencies''; and

(C) in paragraph (13), by striking ''Federal, State, and local'' and all that follows through ''private sector'' and inserting ''technical standards activities and conformity assessment activities of Federal, State, and local governments with private sector''; and

(2) in subsection (c)—

(A) in paragraph (22), by striking ''and'' after the semicolon;

(B) by redesignating paragraph (23) as paragraph (25); and

(C) by inserting after paragraph (22) the following:

''(23) participate in and support scientific and technical conferences;

''(24) perform pre-competitive measurement science and technology research in partnership with institutions of higher education and industry to promote United States industrial competitiveness; and''.

SEC. 3. VISITING COMMITTEE ON ADVANCED TECHNOLOGY.

Section 10 of the National Institute of Standards and Technology Act (15 U.S.C. 278) is amended—

(1) in subsection (a)—

(A) by striking ''15 members'' and inserting ''not fewer than 11 members'';

(B) by striking ''at least 10'' and inserting ''at least two-thirds''; and

(C) by adding at the end the following: ''The Committee may consult with the National Research Council in making recommendations regarding general policy for the Institute.''; and

(2) in subsection (h)(1), by striking '', including the Program established under section 28,''.

SEC. 4. POLICE AND SECURITY AUTHORITY.

Section 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278e) is amended—

(1) by striking ''of the Government; and'' and inserting ''of the Government;''; and

(2) by striking ''United States Code.'' and inserting ''United States Code; and (i) the protection of Institute buildings and other plant facilities, equipment, and property, and of employees, associates, visitors, or other persons located therein or associated therewith, notwithstanding any other provision of law.''.

SEC. 5. EDUCATION AND OUTREACH.

The National Institute of Standards and Technology Act (15 U.S.C. 271 et seq.) is amended by striking sections 18, 19, and 19A and inserting the following:

''SEC. 18. EDUCATION AND OUTREACH.

''(a) IN GENERAL.—The Director may support, promote, and coordinate activities and efforts to enhance public awareness and understanding of measurement sciences, standards, and technology by the general public, industry, government, and academia in support of the Institute's mission.

''(b) RESEARCH FELLOWSHIPS.—

''(1) IN GENERAL.—The Director may award research fellowships and other forms of financial and logistical assistance, including direct stipend awards, to—

''(A) students at institutions of higher education within the United States who show promise as present or future contributors to the mission of the Institute; and

''(B) United States citizens for research and technical activities of the Institute.

''(2) SELECTION.—The Director shall select persons to receive such fellowships and assistance on the basis of ability and of the relevance of the proposed work to the mission and programs of the Institute.

''(3) DEFINITION.—For the purposes of this subsection, financial and logistical assistance includes, notwithstanding section 1345 of title 31, United States Code, or any contrary provision of law, temporary housing and local transportation to and from the Institute facilities.

''(c) POST-DOCTORAL FELLOWSHIP PROGRAM.—The Director shall establish and conduct a post-doctoral fellowship program, subject to the availability of appropriations, that shall include not fewer than 20 fellows per fiscal year. In evaluating applications for fellowships under this subsection, the Director shall give consideration to the goal of promoting the participation of underrepresented students in research areas supported by the Institute.''.

SEC. 6. PROGRAMMATIC PLANNING REPORT.

Section 23(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278i(d)) is amended by adding at the end the following: ''The 3-year programmatic planning document shall also describe how the Director is addressing recommendations from the Visiting Committee on Advanced Technology established under section 10.''.

SEC. 7. ASSESSMENTS BY THE NATIONAL RESEARCH COUNCIL.

(a) NATIONAL ACADEMY OF SCIENCES REVIEW.—Not later than 6 months after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall enter into a contract with the National Academy of Sciences to conduct a single, comprehensive review of the

Institute's laboratory programs. The review shall—

(1) assess the technical merits and scientific caliber of the research conducted at the laboratories;

(2) examine the strengths and weaknesses of the 2010 laboratory reorganization on the Institute's ability to fulfill its mission;

(3) evaluate how crosscutting research and development activities are planned, coordinated, and executed across the laboratories; and

(4) assess how the laboratories are engaging industry, including the incorporation of industry need, into the research goals and objectives of the Institute.

(b) ADDITIONAL ASSESSMENTS.—Section 24 of the National Institute of Standards and Technology Act (15 U.S.C. 278j) is amended to read as follows:

"SEC. 24. ASSESSMENTS BY THE NATIONAL RESEARCH COUNCIL.

''(a) IN GENERAL.—The Institute shall contract with the National Research Council to perform and report on assessments of the technical quality and impact of the work conducted at Institute laboratories.

''(b) SCHEDULE.—Two laboratories shall be assessed under subsection (a) each year, and each laboratory shall be assessed at least once every 3 years.

''(c) SUMMARY REPORT.—Beginning in the year after the first assessment is conducted under subsection (a), and once every 2 years thereafter, the Institute shall contract with the National Research Council to prepare a report that summarizes the findings common across the individual assessment reports.

''(d) ADDITIONAL ASSESSMENTS.—The Institute, at the discretion of the Director, also may contract with the National Research Council to conduct additional assessments of Institute programs and projects that involve collaboration across the Institute laboratories and centers and assessments of selected scientific and technical topics.

''(e) CONSULTATION WITH VISITING COMMITTEE ON ADVANCED TECHNOLOGY.—The National Research Council may consult with the Visiting Committee on Advanced Technology established under section 10 in performing the assessments under this section.

''(f) REPORTS.—Not later than 30 days after the completion of each assessment, the Institute shall transmit the report on such assessment to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.''.

SEC. 8. HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP.

Section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) is amended to read as follows:

"SEC. 25. HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP.

''(a) ESTABLISHMENT AND PURPOSE.—

''(1) IN GENERAL.—The Secretary, through the Director and, if appropriate, through other officials, shall provide assistance for the creation and support of manufacturing extension centers, to be known as the 'Hollings Manufacturing Extension Centers', for the transfer of manufacturing technology and best business practices (in this Act referred to as the 'Centers'). The program under this section shall be known as the 'Hollings Manufacturing Extension Partnership'.

''(2) AFFILIATIONS.—Such Centers shall be affiliated with any United States-based public or nonprofit institution or organization, or group thereof, that applies for and is awarded financial assistance under this section.

''(3) OBJECTIVE.—The objective of the Centers is to enhance competitiveness, productivity, and technological performance in United States manufacturing through—

''(A) the transfer of manufacturing technology and techniques developed at the Institute to Centers and, through them, to manufacturing companies throughout the United States;

''(B) the participation of individuals from industry, institutions of higher education, State governments, other Federal agencies, and, when appropriate, the Institute in cooperative technology transfer activities;

''(C) efforts to make new manufacturing technology and processes usable by United States-based small- and medium-sized companies;

''(D) the active dissemination of scientific, engineering, technical, and management information about manufacturing to industrial firms, including small- and medium-sized manufacturing companies;

''(E) the utilization, when appropriate, of the expertise and capability that exists in Federal laboratories other than the Institute;

''(F) the provision to community colleges and area career and technical education schools of information about the job skills needed in small- and medium-sized manufacturing businesses in the regions they serve; and

''(G) promoting and expanding certification systems offered through industry, associations, and local colleges, when appropriate.

''(b) ACTIVITIES.—The activities of the Centers shall include—

''(1) the establishment of automated manufacturing systems and other advanced production technologies, based on Institute-supported research, for the purpose of demonstrations and technology transfer;

''(2) the active transfer and dissemination of research findings and Center expertise to a wide range of companies and enterprises, particularly small- and medium-sized manufacturers; and

''(3) the facilitation of collaborations and partnerships between small- and medium-sized manufacturing companies and community colleges and area career and technical education schools to help such colleges and schools better understand the specific needs of manufacturers and to help manufacturers better understand the skill sets that students learn in the programs offered by such colleges and schools.

''(c) OPERATIONS.—

''(1) FINANCIAL SUPPORT.—The Secretary may provide financial support to any Center created under subsection (a). The Secretary may not provide to a Center more than 50 percent of the capital and annual operating and maintenance funds required to create and maintain such Center.

''(2) REGULATIONS.—The Secretary shall implement, review, and update the sections of the Code of Federal Regulations related to this section at least once every 3 years.

''(3) APPLICATION.—

''(A) IN GENERAL.—Any nonprofit institution, or consortium thereof, or State or local government, may submit to the Secretary an application for financial support under this section, in accordance with the procedures established by the Secretary.

''(B) COST SHARING.—In order to receive assistance under this section, an applicant for financial assistance under subparagraph (A) shall provide adequate assurances that non-Federal assets obtained from the applicant and the applicant's partnering organizations will be used as a funding source to meet not less than 50 percent of the costs incurred. For purposes of the preceding sentence, the costs incurred means the costs incurred in connection with the activities undertaken to improve the competitiveness, management, productivity, and technological performance of small- and medium-sized manufacturing companies.

''(C) AGREEMENTS WITH OTHER ENTITIES.—In meeting the 50 percent requirement, it is anticipated that a Center will enter into agreements with other entities such as private industry, institutions of higher education, and State governments to accomplish programmatic objectives and access new and existing resources that will further the impact of the Federal investment made on behalf of small- and medium-sized manufacturing companies.

''(D) LEGAL RIGHTS.—Each applicant under subparagraph (A) shall also submit a proposal for the allocation of the legal rights associated with any invention which may result from the proposed Center's activities.

''(4) MERIT REVIEW.—The Secretary shall subject each such application to merit review. In making a decision whether to approve such application and provide financial support under this section, the Secretary shall consider, at a minimum, the following:

''(A) The merits of the application, particularly those portions of the application regarding technology transfer, training and education, and adaptation of manufacturing technologies to the needs of particular industrial sectors.

''(B) The quality of service to be provided.

''(C) Geographical diversity and extent of service area.

''(D) The percentage of funding and amount of in-kind commitment from other sources.

''(5) EVALUATION.—

''(A) IN GENERAL.—Each Center that receives financial assistance under this section shall be evaluated during its third year of operation by an evaluation panel appointed by the Secretary.

''(B) COMPOSITION.—Each such evaluation panel shall be composed of private experts, none of whom shall be connected with the involved Center, and Federal officials.

''(C) CHAIR.—An official of the Institute shall chair the panel.

''(D) PERFORMANCE MEASUREMENT.—Each evaluation panel shall measure the involved Center's performance against the objectives specified in this section.

''(E) POSITIVE EVALUATION.—If the evaluation is positive, the Secretary may provide continued funding through the sixth year.

''(F) PROBATION.—The Secretary shall not provide funding unless the Center has received a positive evaluation. A Center that has not received a positive evaluation by the evaluation panel shall be notified by the panel of the deficiencies in its performance and shall be placed on probation for 1 year, after which time the panel shall reevaluate the Center. If the Center has not addressed the deficiencies identified by the panel, or shown a significant improvement in its performance, the Director shall conduct a new competition to select an operator for the Center or may close the Center.

''(G) ADDITIONAL FINANCIAL SUPPORT.—After the sixth year, a Center may receive additional financial support under this section if it has received a positive evaluation through an independent review, under procedures established by the Institute.

''(H) EIGHT-YEAR REVIEW.—A Center shall undergo an independent review in the eighth year of operation. Each evaluation panel shall measure the Center's performance against the objectives specified in this section. A Center that has not received a positive evaluation as a result of an independent review shall be notified by the Program of the deficiencies in its performance and shall be placed on probation for 1 year, after which

time the Program shall reevaluate the Center. If the Center has not addressed the deficiencies identified by the review, or shown a significant improvement in its performance, the Director shall conduct a new competition to select an operator for the Center or may close the Center.

''(I) RECOMPETITION.—If a recipient of a Center award has received financial assistance for 10 consecutive years, the Director shall conduct a new competition to select an operator for the Center consistent with the plan required in this Act. Incumbent Center operators in good standing shall be eligible to compete for the new award.

''(J) REPORTS.—

''(i) PLAN.—Not later than 180 days after the date of enactment of the National Institute of Standards and Technology Improvement Act of 2016, the Director shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan as to how the Institute will conduct reviews, assessments, and reapplication competitions under this paragraph.

''(ii) INDEPENDENT ASSESSMENT.—The Director shall contract with an independent organization to perform an assessment of the implementation of the reapplication competition process under this paragraph within 3 years after the transmittal of the report under clause (i). The organization conducting the assessment under this clause may consult with the MEP Advisory Board.

''(iii) COMPARISON OF CENTERS.—Not later than 2 years after the date of enactment of the National Institute of Standards and Technology Improvement Act of 2016, the Director shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report providing information on the first and second years of operations for centers operating from new competitions or recompetition as compared to longstanding centers. The report shall provide detail on the engagement in services provided by Centers and the characteristics of services provided, including volume and type of services, so that the Committees can evaluate whether the cost-sharing ratio has an effect on the services provided at Centers.

''(6) PATENT RIGHTS.—The provisions of chapter 18 of title 35, United States Code, shall apply, to the extent not inconsistent with this section, to the promotion of technology from research by Centers under this section except for contracts for such specific technology extension or transfer services as may be specified by statute or by the Director.

''(7) PROTECTION OF CENTER CLIENT CONFIDENTIAL INFORMATION.—Section 552 of title 5, United States Code, shall apply to the following information obtained by the Federal Government on a confidential basis in connection with the activities of any participant involved in the Hollings Manufacturing Extension Partnership:

''(A) Information on the business operation of any participant in a Hollings Manufacturing Extension Partnership program or of a client of a Center.

''(B) Trade secrets possessed by any client of a Center.

''(8) ADVISORY BOARDS.—Each Center's advisory boards shall institute a conflict of interest policy, approved by the Director, that ensures the Board represents local small- and medium-sized manufacturers in the Center's region. Board Members may not serve as a vendor or provide services to the Center, nor may they serve on more than one Center's oversight board simultaneously.

''(d) ACCEPTANCE OF FUNDS.—

''(1) IN GENERAL.—In addition to such sums as may be appropriated to the Secretary and Director to operate the Hollings Manufacturing Extension Partnership, the Secretary and Director also may accept funds from other Federal departments and agencies and, under section 2(c)(7), from the private sector, to be available to the extent provided by appropriations Acts, for the purpose of strengthening United States manufacturing.

''(2) ALLOCATION OF FUNDS.—

''(A) FUNDS ACCEPTED FROM OTHER FEDERAL DEPARTMENTS OR AGENCIES.—The Director shall determine whether funds accepted from other Federal departments or agencies shall be counted in the calculation of the Federal share of capital and annual operating and maintenance costs under subsection (c).

''(B) FUNDS ACCEPTED FROM THE PRIVATE SECTOR.—Funds accepted from the private sector under section 2(c)(7), if allocated to a Center, may not be considered in the calculation of the Federal share under subsection (c) of this section.

''(e) MEP ADVISORY BOARD.—

''(1) ESTABLISHMENT.—There is established within the Institute a Manufacturing Extension Partnership Advisory Board (in this subsection referred to as the 'MEP Advisory Board').

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The MEP Advisory Board shall consist of not fewer than 10 members broadly representative of stakeholders, to be appointed by the Director. At least two members shall be employed by or on an advisory board for the Centers, at least one member shall represent a community college, and at least five other members shall be from United States small businesses in the manufacturing sector. No member shall be an employee of the Federal Government.

''(B) TERM.—Except as provided in subparagraph (C) or (D), the term of office of each member of the MEP Advisory Board shall be 3 years.

''(C) VACANCIES.—Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

''(D) SERVING CONSECUTIVE TERMS.—Any person who has completed two consecutive full terms of service on the MEP Advisory Board shall thereafter be ineligible for appointment during the 1-year period following the expiration of the second such term.

''(3) MEETINGS.—The MEP Advisory Board shall meet not less than two times annually and shall provide to the Director—

''(A) advice on Hollings Manufacturing Extension Partnership programs, plans, and policies;

''(B) assessments of the soundness of Hollings Manufacturing Extension Partnership plans and strategies; and

''(C) assessments of current performance against Hollings Manufacturing Extension Partnership program plans.

''(4) FEDERAL ADVISORY COMMITTEE ACT APPLICABILITY.—

''(A) IN GENERAL.—In discharging its duties under this subsection, the MEP Advisory Board shall function solely in an advisory capacity, in accordance with the Federal Advisory Committee Act.

''(B) EXCEPTION.—Section 14 of the Federal Advisory Committee Act shall not apply to the MEP Advisory Board.

''(5) REPORT.—The MEP Advisory Board shall transmit an annual report to the Secretary for transmittal to Congress within 30 days after the submission to Congress of the President's annual budget request in each year. Such report shall address the status of the program established pursuant to this section and comment on the relevant sections of the programmatic planning document and updates thereto transmitted to Congress by the Director under subsections (c) and (d) of section 23.

''(f) COMPETITIVE GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Director shall establish, within the Hollings Manufacturing Extension Partnership, under this section and section 26, a program of competitive awards among participants described in paragraph (2) for the purposes described in paragraph (3).

''(2) PARTICIPANTS.—Participants receiving awards under this subsection shall be the Centers, or a consortium of such Centers.

''(3) PURPOSE.—The purpose of the program under this subsection is to add capabilities to the Hollings Manufacturing Extension Partnership, including the development of projects to solve new or emerging manufacturing problems as determined by the Director, in consultation with the Director of the Hollings Manufacturing Extension Partnership program, the MEP Advisory Board, and small- and medium-sized manufacturers. One or more themes for the competition may be identified, which may vary from year to year, depending on the needs of manufacturers and the success of previous competitions. Centers may be reimbursed for costs incurred under the program.

''(4) APPLICATIONS.—Applications for awards under this subsection shall be submitted in such manner, at such time, and containing such information as the Director shall require, in consultation with the MEP Advisory Board.

''(5) SELECTION.—Awards under this subsection shall be peer reviewed and competitively awarded. The Director shall endeavor to have broad geographic diversity among selected proposals. The Director shall select proposals to receive awards that will—

''(A) improve the competitiveness of industries in the region in which the Center or Centers are located;

''(B) create jobs or train newly hired employees; and

''(C) promote the transfer and commercialization of research and technology from institutions of higher education, national laboratories, and nonprofit research institutes.

''(6) PROGRAM CONTRIBUTION.—Recipients of awards under this subsection shall not be required to provide a matching contribution.

''(7) GLOBAL MARKETPLACE PROJECTS.—In making awards under this subsection, the Director, in consultation with the MEP Advisory Board and the Secretary, may take into consideration whether an application has significant potential for enhancing the competitiveness of small- and medium-sized United States manufacturers in the global marketplace.

''(8) DURATION.—Awards under this subsection shall last no longer than 3 years.

''(g) EVALUATION OF OBSTACLES UNIQUE TO SMALL MANUFACTURERS.—The Director shall—

''(1) evaluate obstacles that are unique to small manufacturers that prevent such manufacturers from effectively competing in the global market;

''(2) implement a comprehensive plan to train the Centers to address such obstacles; and

''(3) facilitate improved communication between the Centers to assist such manufacturers in implementing appropriate, targeted solutions to such obstacles.

''(h) DEFINITIONS.—In this section—

''(1) the term 'area career and technical education school' has the meaning given such term in section 3 of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (20 U.S.C. 2302); and

''(2) the term 'community college' means an institution of higher education (as defined under section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) at which the highest degree that is predominately awarded to students is an associate's degree.''.

SEC. 9. ELIMINATION OF OBSOLETE REPORTS.

Section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n) is amended—

(1) by striking subsection (g); and

(2) in subsection (k)—

(A) in paragraph (3), by inserting ''and'' after the semicolon at the end;

(B) in paragraph (4)(B), by striking ''; and'' at the end and inserting a period; and

(C) by striking paragraph (5).

SEC. 10. MODIFICATIONS TO GRANTS AND COOPERATIVE AGREEMENTS.

Section 8(a) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3706(a)) is amended by striking ''The total amount of any such grant or cooperative agreement may not exceed 75 percent of the total cost of the program.''.

SEC. 11. INFORMATION SYSTEMS STANDARDS CONSULTATION.

Notwithstanding any other provision of law, the National Institute of Standards and Technology shall not consult with the Department of Defense and the National Security Agency in contravention of section 20(c)(1) of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3(c)(1)).

SEC. 12. UNITED STATES-ISRAELI COOPERATION.

It is the Sense of Congress that—

(1) partnerships that facilitate basic scientific research between the United States and Israel advance technology development, innovation, and commercialization leading to growth in various sectors, including manufacturing, and creating benefits for both nations;

(2) joint research and development agreements carried out through government organizations like the National Institute of Standards and Technology support these efforts;

(3) partnerships between the United States and Israel that further the basic scientific enterprise should be encouraged; and

(4) the National Institute of Standards and Technology should continue to facilitate scientific collaborations between Israel and United States technical agencies working in measurement science and standardization.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. MOOLENAAR) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. MOOLENAAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 5639, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I would like to thank Chairman SMITH, the Science, Space, and Technology Committee, and House leadership for their help in bringing this legislation to the floor.

The National Institute of Standards and Technology, or NIST, Improvement Act of 2016 authorizes NIST to carry out its mission to promote U.S. innovation and industrial competitiveness by advancing measurement science and technology.

NIST was founded in 1901, and it is recognized as an authority of measurements and standards around the world. It is a vital partner for America's technology and advanced industries that employ millions of hardworking Americans with good-paying jobs.

The legislation before us today requires independent reviews of NIST laboratory programs, makes changes to its educational and outreach efforts, and improves its industrial technical services.

The improvements to industrial technical services, in particular, will assist thousands of small manufacturers, including those in Michigan's Fourth District, with the expertise and advice they need when investing in new technologies crucial to the competitiveness of Michigan companies and their workers.

Before yielding the floor, I also want to call my colleagues' attention to NIST police and security issues in the NIST Campus Security Act, which will be brought up later today.

Since last year, serious security incidents at NIST have raised concerns about the safety and security of its facilities. These lapses endanger thousands of NIST employees, visiting scientists, and the hundreds of thousands of people who live near NIST campuses. The Science, Space, and Technology Committee has held a number of hearings about these incidents and has passed the NIST Campus Security Act, which will be considered by the full House in a few minutes. This is a first step toward ensuring adequate physical security at NIST campuses, with more work still to be done.

But returning to the legislation before us now, I urge my colleagues to support this reauthorization of NIST. NIST is the official timekeeper of the U.S. Government. It maintains measures and standards for the additives in our gasoline and helps us to develop a smarter, more secure electric grid.

NIST conducts research that enhances our Nation's technology, our economic security, and our quality of life.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5639, the National Institute of Standards and Technology Improvement Act of 2016.

This bill was developed in a bipartisan manner and contains important provisions supporting NIST's key role in increasing the productivity of small- and medium-sized manufacturers, in training early career scientists and promoting U.S. innovation across all sectors of our economy.

NIST's core mission is to promote U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology. Measurement science and standards ensure that technologies and products we rely on daily in our homes, our workplace, and in every mode of transportation are safe, effective, and reliable. U.S. leadership and standards development also help U.S. businesses thrive in the ever-growing global market.

In pursuit of its mission, NIST partners with the private sector and with other government agencies in precompetitive research and technology development in countless areas of national interest. This little-known agency plays a critical role, and in many cases a leadership role, in cybersecurity, forensic science, engineering biology, disaster resilience, advanced manufacturing, and advanced communications, just to name a few.

In the area of cybersecurity, NIST led the development of the widely praised Framework for Improving Critical Infrastructure Cybersecurity and leads the National Initiative for Cybersecurity Education. The Framework is a voluntary guidance to help public and private owners of critical infrastructure organizations better manage their cybersecurity risk.

In forensic science, NIST does important measurement science and facilitates standards development for forensic evidence. This week, I will be reintroducing my Forensic Science and Standards Act because the justice system must be just and fair for all, including the wrongfully accused.

NIST is also at the forefront of engineering biology, an emerging technology. Last year, I introduced the Engineering Biology Research and Development Act of 2015 with my Science Committee colleague, Mr. SENSENBRENNER. This would establish a framework for greater coordination of Federal investments in engineering biology research and ensure U.S. leadership in applications of this research to energy, manufacturing, agriculture, and health.

H.R. 5639 supports NIST's strong partnerships with the private sector, other government agencies, and universities to develop and apply the technology, measurements, and standards needed for new and improved products and services. The bill includes measures to ensure that NIST labs are best organized to meet the agency's mission needs, that Federal agencies cooperate and share information on standards as needed, that NIST helps train and attract our Nation's best and brightest measurement scientists, and that even our Nation's smallest manufacturers have access to NIST resources and expertise.

While I am supporting this bill, I do want to make a point about the importance of authorizing funds for all of these activities I have just described. As an authorizing committee, the

Science, Space, and Technology Committee should make an informed recommendation for funding the agency's critical work and the human and physical infrastructure that supports that work.

NIST's aging infrastructure is crumbling and creating safety issues. NIST struggles to compete with the private sector in attracting top, new technical talent. Congress continually expands the responsibilities and authorities of this important agency. If we want the agency to be successful, we must be willing to fund it.

I support this bill today for what it does to encourage NIST's public and private collaborative efforts; however, I look forward to providing funding recommendations in the near future for all of the important work that NIST does to promote innovation and maintain U.S. competitiveness.

I want to thank Representative MOOLENAAR for introducing this bill and Chairman SMITH for moving it to the floor.

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

Mr. MOOLENAAR. Mr. Speaker, I thank the gentlewoman from Texas, the ranking member, for her support and leadership on this legislation.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. SMITH), chairman of the Committee on Science, Space, and Technology.

Mr. SMITH of Texas. First of all, I want to thank the gentleman from Michigan (Mr. MOOLENAAR), the vice chairman of the Research and Technology Subcommittee, for introducing this important piece of legislation.

I am pleased to cosponsor H.R. 5639, the National Institute of Standards and Technology Improvement Act of 2016, to authorize the policy and programs of this leading Department of Commerce technology agency.

The National Institute of Standards and Technology, or NIST, supports scientific and technical research and services that are critical to American innovation and industrial competitiveness.

NIST helps maintain industrial and technical standards, manages cybersecurity guidelines for Federal agencies, and promotes U.S. innovation and international competitiveness that enhances economic security and improves our quality of life.

In 2007, Congress passed and President Bush signed into law the first COMPETES Act, which implemented President Bush's major domestic research policy priority, the American Competitiveness Initiative.

The centerpiece of the American Competitiveness Initiative was the prioritization of basic research in the physical sciences and engineering. Physical sciences research develops and advances fundamental knowledge and foundational technologies that are used by scientists in nearly every other field.

The American Competitiveness Initiative calls for strengthening Federal investments in these areas by reallocating existing Federal resources to the three major innovation-enabling basic research agencies: the National Science Foundation, the Department of Energy's Office of Science and its national labs, and NIST's core lab research and facilities, which is the subject of the bill before us tonight.

□ 1945

H.R. 5639 authorizes NIST's programs that contribute directly to U.S. economic competitiveness, including NIST laboratory programs, education and research initiatives for young scientists, and industrial technical services.

Again, I want to thank Science Committee colleague, Vice Chairman MOOLENAAR, for his efforts, and I again urge my colleagues to support this bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. MOOLENAAR. Mr. Speaker, I would encourage our colleagues to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WEBER of Texas). The question is on the motion offered by the gentleman from Michigan (Mr. MOOLENAAR) that the House suspend the rules and pass the bill, H.R. 5639, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY CAMPUS SECURITY ACT

Mr. LOUDERMILK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5636) to increase the effectiveness of and accountability for maintaining the physical security of NIST facilities and the safety of the NIST workforce.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5636

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Institute of Standards and Technology Campus Security Act''.

SEC. 2. NIST CAMPUS SECURITY.

(a) SUPERVISORY AUTHORITY.—The Department of Commerce Office of Security shall directly manage the law enforcement and security programs of the National Institute of Standards and Technology through an assigned Director of Security for the National Institute of Standards and Technology. This subsection shall be carried out without increasing the number of full time equivalent employees of the Department of Commerce, including the National Institute of Standards and Technology.

(b) REPORTS.—Such Director of Security shall provide an activities and security report on a quarterly basis for the first year after the date of enactment of this Act, and on an annual basis thereafter, to the Under Secretary for Standards and Technology and to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(c) COMPTROLLER GENERAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit a report to the Secretary of Commerce, and to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation in the Senate, that—

(1) evaluates the costs and performance of the National Institute of Standards and Technology Police Services Group;

(2) compares the total costs of that Police Services Group with the estimated cost of private police contractors to perform the same work;

(3) examines any potential concerns with private police contractors performing the duties of the Police Services Group;

(4) makes recommendations, based on the findings under paragraphs (2) and (3), for how the National Institute of Standards and Technology should spend its money on security without diminishing the security on its campuses;

(5) proposes oversight and direction that the Police Services Group or outside security contractors need to ensure physical security at National Institute of Standards and Technology campuses;

(6) establishes the percentage of National Institute of Standards and Technology personnel, including the Police Services Group and outside security contractors, that follow security policies, processes, and procedures applicable to their responsibilities;

(7) determines the number of known security breaches and other similar incidents at National Institute of Standards and Technology campuses involving National Institute of Standards and Technology personnel and external parties from fiscal year 2012 to the date of the completion of this report, and their impact and resolution; and

(8) analyzes management, operational, and other challenges encountered in the course of protecting National Institute of Standards and Technology facilities and the extent to which such challenges impact security, and includes assessment of the National Institute of Standards and Technology's attempts to mitigate those challenges.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. LOUDERMILK) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. LOUDERMILK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 5636, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 5636, the National Institute of Standards and Technology Campus Security Act. I would like to thank Chairman SMITH for his hard work in bringing

this bill through the House Science, Space, and Technology Committee.

I chair the Oversight Subcommittee of the House Science, Space, and Technology Committee, and my subcommittee has been involved in the investigation of security issues at the National Institute of Standards and Technology over the past year.

Not only did a now-former NIST police officer cause an explosion on the Gaithersburg campus while attempting to manufacture methamphetamine, there was also an alarming incident that took place on the NIST campus in Boulder, Colorado.

In April, an individual with no identification, who was not an employee of NIST, was found in a building on the campus. The incident required a summons to county firefighters because of concerns that the individual may have been exposed to chlorine gas stored in the building's ''clean'' room. He was eventually transported to the local hospital, and the incident is currently part of an ongoing criminal investigation.

There are quite a few reasons why this situation is so concerning to me.

First, how does a non-NIST employee get on a campus, into a secure building, and then into a room where potentially dangerous, hazardous, or poisonous chemicals may be present.

Most importantly, how did all this take place without NIST police or security knowledge? And what is the extent of damage that an individual could have caused by having access to that building and room?

For a Federal agency that received a notice of violation by the Nuclear Regulatory Commission just 1 year ago for failing to—and I quote—''keep records showing the receipt, inventory, acquisition, transfer, and disposal of all special nuclear materials in its possession,'' this is extremely concerning.

In the National Regulatory Commission's investigation, they discovered ''radioactive material and sources that were not included'' in the NIST inventory. While this raises additional accountability issues and concerns, it also emphasizes the need for adequate and effective security at NIST campuses.

Having held numerous managerial and executive positions in the private and public sector, I know how important accountability is to the success and future of an organization. It is inexcusable that an important government agency like NIST is lagging behind in accountability, especially when it comes to the security and protection of its campuses and its employees.

This legislation is an important example of how congressional oversight works. Being able to ''check on and check the Executive'' allows Congress to step in when an agency is lacking in efficiency and effectiveness to ensure adequate measures are taken and taxpayer dollars are protected.

This bill directs the Department of Commerce Office of Security to get involved in the law enforcement and security programs at NIST. The bill also requires the Government Accountability Office to produce an analysis on the performance and efficiency of NIST security in its current state, make recommendations on how to improve security on NIST campuses, and look into the possibility of privatizing the NIST police force.

This legislation takes an important step to protect the safety and security of those who work at, visit, and live in the vicinity of NIST campuses. We must take action to ensure accountability and effective security in one of our Nation's oldest physical science laboratories.

I urge my colleagues to support this important piece of legislation.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

There have been two high-profile security incidents at the National Institute of Standards and Technology, NIST, facilities in the past year: one on the Gaithersburg campus and the other in Boulder, Colorado.

These incidents have raised legitimate oversight questions that the Science, Space, and Technology Committee has pursued through both hearings and a year-long investigation.

This bill, I take it, is meant to kick the investigation over to GAO since our own efforts, which were focused more on ''gotcha'' questions than substance, yielded little.

Unfortunately, what this bill does not account for is that the security incidents also prompted the Director of NIST to take seriously the need to improve security policies, procedures, and management of the two NIST campuses.

Last December, the Director, Dr. Willie May, convened an ad hoc panel of security experts to make recommendations accordingly. The experts made a number of significant recommendations on all aspects of NIST security. By mid April, the NIST Director had developed an action plan to immediately implement many of those recommendations while initiating more in-depth studies of other recommendations. These are very positive steps on the part of the agency and should not be overlooked or, worse, undermined.

Science Committee minority staff have received copies of both the recommendations and the action plan because they asked for it. I wonder if the majority also thought to ask for these documents before drafting this bill without any expert input.

We certainly agree with the majority that the GAO may have an important role in the process of strengthening security at NIST. However, any such GAO review should take into account ongoing reform at NIST as well as the expert opinion of GAO itself.

Majority and minority staff alike received an e-mail from GAO experts the night before the committee markup expressing concern about the nature of some of the questions being asked of them in this legislation. Neither their feedback nor NIST's own feedback was incorporated during the committee markup. The bill was rushed through the committee and now is being rushed to the floor.

I am also quite puzzled as to the need for this bill since the chairman already sent a joint request to GAO, along with the chairman of the Senate Committee on Commerce, Science, and Transportation, for a similarly scoped review of NIST security. GAO confirmed that review is already in their work queue.

At best, this is an exercise in duplication, and we always talk about saving money. At worst, it is the wasting of valuable expertise of the GAO on an ill-conceived and ill-timed report.

This bill may lead to an inefficient use of taxpayers dollars, but, at the end of the day, it will not do any other harm. I have faith in the GAO to make lemonade out of lemons. For that reason, I am not opposing moving forward today.

However, I do call on my colleagues on the Science, Space, and Technology Committee to take more seriously our oversight responsibility and our responsibility to the taxpayer by taking into consideration expert input and relevant activities at the agency in question before rushing a sloppy bill to the floor just for a press release.

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

Mr. LOUDERMILK. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space and Technology Committee.

Mr. SMITH of Texas. Mr. Speaker, first of all, I want to thank the gentleman from Georgia (Mr. LOUDERMILK), who is the chairman of the Oversight Subcommittee, for his significant oversight work on this issue and for introducing the result of that work, this bill, H.R. 5636.

I am pleased to cosponsor the National Institute of Standards and Technology Campus Security Act to help improve the safety and security of NIST facilities and their surrounding areas.

Last July, a senior officer with the NIST Police Services Group attempted illegal production of meth at one of the laboratories located at NIST's Gaithersburg, Maryland, campus. The officer, who was previously the acting chief of police at the Gaithersburg campus, amazingly caused an explosion that burned his face and arm and blew out the lab windows.

It is shocking that a Federal agency didn't know that a meth lab was being run on its property right under its nose, and, without the explosion, it might never have been discovered. The meth lab explosion and subsequent investigation have raised serious concerns about the safety and security of the entire NIST operation.

Further, information obtained during the Science, Space, and Technology Committee's investigation of the meth lab appears to show a pattern of waste, fraud, abuse and misconduct by the NIST Police Services Group.

For example, according to a recent Department of Commerce Inspector General's report, the very officer who caused the explosion on NIST's campus had committed time and attendance fraud by claiming that he worked many hours when he did not.

So how do we know that this is not happening throughout the Police Services Group at NIST?

These unfortunate examples undermine and jeopardize NIST's mission to promote U.S. innovation and industrial competitiveness, which enhances economic security and improves our quality of life.

This legislation is an important step forward to analyze the work of NIST's Police Services Group and outside contractors to ensure that they are adequately securing both NIST campuses to protect NIST employees, contractors, visitors, and surrounding communities from any potential hazards.

This legislation and a thorough review, evaluation, and report by the U.S. Government Accountability Office will provide further recommendations and options to ensure a safe and secure NIST in the future.

Again, I want to thank Chairman LOUDERMILK for his work on this matter, and I urge my colleagues to support the bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. LOUDERMILK. Mr. Speaker, I urge my colleagues to join us in this bipartisan effort to ensure the safety and security of many—not just employees, but citizens and visitors to this important facility, and I urge them to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MOOLENAAR). The question is on the motion offered by the gentleman from Georgia (Mr. LOUDERMILK) that the House suspend the rules and pass the bill, H.R. 5636.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 2000

ELECTRICITY STORAGE INNOVATION ACT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5640) to provide for the establishment at the Department of Energy of an Electricity Storage Basic Research Initiative, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5640

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 ''Electricity Storage Innovation Act''.

SEC. 2. ELECTRICITY STORAGE BASIC RESEARCH INITIATIVE.

(a) AMENDMENT.—Section 975 of the Energy Policy Act of 2005 (42 U.S.C. 16315) is amended to read as follows:

''SEC. 975. ELECTRICITY STORAGE BASIC RESEARCH INITIATIVE.

''(a) INITIATIVE.—

''(1) IN GENERAL.—The Secretary shall carry out a research initiative, to be known as the Electricity Storage Basic Research Initiative, to expand theoretical and fundamental knowledge to control, store, and convert electrical energy to chemical energy and the inverse. This initiative shall support scientific inquiry into the practical understanding of chemical and physical processes that occur within systems involving crystalline and amorphous solids, polymers, and organic and aqueous liquids.

''(2) LEVERAGING.—The Secretary shall leverage expertise and resources from the Basic Energy Sciences Program, Advanced Scientific Computing Research Program, and Biological and Environmental Research Program within the Office of Science, and the Office of Energy Efficiency and Renewable Energy, as provided under subsections (b), (c), and (d).

''(3) TEAMS.—The Secretary shall organize activities under the Electricity Storage Basic Research Initiative to include multidisciplinary teams leveraging expertise from the National Laboratories, universities, and the private sector to the extent practicable. These multidisciplinary teams shall pursue aggressive, milestone-driven basic research goals. The Secretary shall provide sufficient resources for those teams to achieve those goals over a period of time to be determined by the Secretary.

''(4) ADDITIONAL ACTIVITIES.—The Secretary is authorized to organize additional activities under this subsection through Energy Frontier Research Centers, Energy Innovation Hubs, or other organizational structures.

''(b) MULTIVALENT SYSTEMS.—

''(1) IN GENERAL.—The Secretary shall, as part of the Electricity Storage Basic Research Initiative, carry out a program to support research needed to bridge scientific barriers and discover knowledge relevant to multivalent ion materials in electric energy storage systems. In carrying out activities under this subsection, the Director of the Office of Basic Energy Sciences shall investigate electrochemical properties and the dynamics of materials, including charge transfer phenomena and mass transport in materials. The Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under this subsection.

''(2) STANDARD OF REVIEW.—The Secretary shall review the program activities under this subsection to determine the achievement of technical milestones.

''(3) AUTHORIZATION OF APPROPRIATIONS.—

''(A) AUTHORIZATION.—Subject to subsection (e), there are authorized for carrying out activities under this subsection for each of fiscal years 2017 through 2020—

''(i) $50,000,000 from funds within the Basic Energy Sciences Program account; and

''(ii) $25,000,000 from funds within the Energy Efficiency and Renewable Energy account.

''(B) PROHIBITION.—No funds authorized under this subsection may be obligated or expended for commercial application of energy technology.

''(c) ELECTROCHEMISTRY MODELING AND SIMULATION.—

''(1) IN GENERAL.—The Secretary shall, as part of the Electricity Storage Basic Research Initiative, carry out a program to support research to model and simulate organic electrolytes, including their static and dynamic electrochemical behavior and phenomena at the molecular and atomic level in monovalent and multivalent systems. In carrying out activities under this subsection, the Director of the Office of Basic Energy Sciences shall, in coordination with the Associate Director of Advanced Scientific Computing Research, support the development of high performance computational tools through a joint development process to maximize the effectiveness of current and projected high performance computing systems. The Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under this subsection.

''(2) STANDARD OF REVIEW.—The Secretary shall review the program activities under this subsection to determine the achievement of technical milestones.

''(3) AUTHORIZATION OF APPROPRIATIONS.—

''(A) AUTHORIZATION.—Subject to subsection (e), there are authorized for carrying out activities under this subsection for each of fiscal years 2017 through 2020—

''(i) $30,000,000 from funds within the Basic Energy Sciences Program and Advanced Scientific Computing Research Program accounts; and

''(ii) $15,000,000 from funds within the Energy Efficiency and Renewable Energy account.

''(B) PROHIBITION.—No funds authorized under this subsection may be obligated or expended for commercial application of energy technology.

''(d) MESOSCALE ELECTROCHEMISTRY.—

''(1) IN GENERAL.—The Secretary shall, as part of the Electricity Storage Basic Research Initiative, carry out a program to support research needed to reveal electrochemistry in confined mesoscale spaces, including scientific discoveries relevant to bioelectrochemistry and electrochemical energy conversion and storage in confined spaces and the dynamics of these phenomena. In carrying out activities under this subsection, the Director of the Office of Basic Energy Sciences and the Associate Director of Biological and Environmental Research shall investigate phenomena of mesoscale electrochemical confinement for the purpose of replicating and controlling new electrochemical behavior. The Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under this subsection.

''(2) STANDARD OF REVIEW.—The Secretary shall review the program activities under this subsection to determine the achievement of technical milestones.

''(3) AUTHORIZATION OF APPROPRIATIONS.—

''(A) AUTHORIZATION.—Subject to subsection (e), there are authorized for carrying out activities under this subsection for each of fiscal years 2017 through 2020—

''(i) $20,000,000 from funds within the Basic Energy Sciences Program and the Biological and Environmental Research Program accounts; and

''(ii) $10,000,000 from funds within the Energy Efficiency and Renewable Energy account.

''(B) PROHIBITION.—No funds authorized under this subsection may be obligated or expended for commercial application of energy technology.

''(e) FUNDING.—No additional funds are authorized to be appropriated under this section. This section shall be carried out using funds otherwise authorized by law.''.

(b) TABLE OF CONTENTS AMENDMENT.—The item relating to section 975 in the table of contents of such Act is amended to read as follows:

''Sec. 975. Electricity Storage Basic Research Initiative.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 5640, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of this bill, H.R. 5640, the Electricity Storage Innovation Act, which is part of the majority leader's Innovation Initiative in this House. The legislation will prioritize basic energy research and innovation and provides important statutory authority and direction for the Department of Energy's groundbreaking basic research in electricity storage.

Electricity storage is one of the next frontiers in our energy future. Innovations leading to advanced, next generation batteries could help bring affordable electricity and renewable energy to the market without costly subsidies or mandates. By investing in the basic scientific research that will lead to advanced battery technology, we can enable utilities to store and deliver power produced elsewhere on demand. This will allow us to take advantage of energy from all of our diverse national resources across the country.

As the Nation's lead Federal agency for basic research in the physical sciences, the Department of Energy's Office of Science is the ideal leader for this fundamental scientific research. The DOE, national labs, and our universities have the resources and capacity to pursue the science necessary to understand and develop advanced electricity storage systems.

H.R. 5640 authorizes the Secretary of Energy to carry out a basic research initiative of advanced chemical and material science focusing on multivalent systems, mesoscale electrochemistry, and high-performance computational modeling and simulation.

This legislation also provides the necessary statutory direction and accountability for translational research in electricity storage, bridging the gap between fundamental science and private sector innovation.

H.R. 5640 focuses the Office of Energy Efficiency and Renewable Energy on early stage research that will not be undertaken by the private sector. H.R. 5640 also outlines the Federal Government's role in research and development by prohibiting the use of this program's funds for the commercial application of energy technology.

The transformative breakthroughs in energy science achieved by researchers at our national labs will empower the private sector to develop innovative electricity storage technologies. The private sector is best suited to bring new battery technology to the commercial energy market.

By directing DOE to conduct this research using existing funds in the Office of Science and the EERE, this legislation ensures responsible use of limited tax dollars for basic research. In short, there is no new or additional spending in this bill.

Scientific research, like the work authorized in this Electricity Storage Innovation Act, requires a long-term commitment. While this groundbreaking science will eventually support the development of new, advanced energy technology by the private sector, Congress must ensure limited Federal dollars are spent wisely and efficiently. Federal research and development can build a foundation for the next major scientific breakthrough. As we shape the future of the Department of Energy, we must prioritize basic energy science and research that only the Federal Government has the resources and mission to pursue.

I want to thank my colleagues on the Science, Space, and Technology Committee for their bipartisan support of this important basic research initiative. I encourage all of my House colleagues to support this legislation tonight.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

I welcome the opportunity to do everything we can to advance research in electricity storage. Advanced battery technologies can improve the stability of our electric grid and greatly enhance our ability to efficiently use the wide range of clean energy resources that our country is lucky enough to have at our disposal.

This area of research could go a long way to addressing one of the most critical issues of our time: climate change. I appreciate the chairman's enthusiasm for moving as quickly as possible to combat this serious threat. However, I think we could have taken at least a little more time to make sure that we are doing this the right way before rushing this to the floor. Minority committee staff only saw early draft language of this bill a few weeks ago, and last Tuesday, the Department of Energy raised some significant concerns with the current bill.

Of particular concern is the bill's attempt to limit the initiative that it authorizes to basic research activities. As we heard from every single witness at a hearing that the Science, Space, and Technology Committee held on this topic just a month ago, as well as from DOE, there is no clear boundary that divides basic and applied research. It is not realistic, and certainly goes against our general understanding of the scientific discovery and innovation, to try to confine the activities of our top researchers in this way. Moreover, this cuts against OMB's definition of the difference between basic and applied research, which actually depends on what these researchers had in mind when they were making their discoveries.

DOE noted that the activities ascribed in this bill would easily be considered applied research. So language attempting to restrict the initiative authorized in this bill to basic research activities could create an inherent conflict in its implementation. Mr. TAKANO offered an amendment in the committee to address the problem in our markup last week, but, unfortunately, it fell on deaf ears in the majority and was rejected. I do not believe that the issues the Department has raised are insurmountable, but I still believe that there was little reason to take this approach when there was ample opportunity to do this in a more bipartisan way.

That said, I do not oppose passage of this bill today in the hope that we can turn it into something we can all support in partnership with our friends in the Senate.

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

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. WEBER), who is the chairman of the Energy Subcommittee.

Mr. WEBER of Texas. Mr. Speaker, I rise today in support of H.R. 5640, the Electricity Storage Innovation Act. This legislation directs the Department of Energy to focus on basic research that provides the foundation for technology breakthroughs in battery storage technology.

In the field of electricity storage research, there is a lot of excitement about more efficient batteries that could operate for longer durations under decreased charge times, but not enough people are asking about how we could design a battery system that moves more electrons at the atomic level—a key aspect to drastically increasing the efficiency or power in a battery. This transformational approach, known as multivalent ion intercalation, will use the foundational study of electrochemistry to build a better battery from the ground up.

Mr. Speaker, in Congress, we must take the long-term view. We must be patient. We must make smart investments in research that can lead to the next big discovery. H.R. 5640 authorizes the fundamental chemistry and materials research that can lead to advanced electricity storage technology and allows us to gain new knowledge

that could provide benefits across the economy. Pardon the pun, but that is our charge.

DOE must prioritize basic research over grants for technology that is ready for commercial deployment. When the government steps in to push today's technology in the energy market, it competes, Mr. Speaker, against private investors and uses limited taxpayer resources to do so. But when the government supports basic research and development, everyone has the opportunity to access that fundamental knowledge that can lead to the development of future energy technologies.

Mr. Speaker, I want to thank Chairman SMITH for introducing this important legislation to prioritize fundamental science research. I urge my colleagues to support this innovative, fiscally responsible legislation. You know I am right.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time.

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

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

Mr. Speaker, H.R. 5640 authorizes innovative basic research that will lead to the next generation of electricity storage technology. By harnessing the expertise of our Nation's national labs and universities, we can lay the fundamental scientific groundwork for the private sector's development of new, transformative advanced batteries in the future.

I especially want to thank my colleagues on the Science, Space, and Technology Committee who have cosponsored H.R. 5640. They include DAN LIPINSKI, STEVE KNIGHT, RANDY NEUGEBAUER, BILL POSEY, RANDY HULTGREN, RANDY WEBER, JOHN MOOLENAAR, and BRIAN BABIN.

I also want to thank the dozens of researchers and stakeholders who provided feedback as we developed this legislation.

I want to reiterate that H.R. 5640 authorizes no new Federal spending.

Mr. Speaker, I urge the adoption of this commonsense, bipartisan legislation, which is part of Majority Leader MCCARTHY's Innovation Initiative.

Finally, Mr. Speaker, tonight we are considering four Science, Space, and Technology Committee bills, and I want to thank the staff members involved. They include, Chris Wydler, Molly Fromm, John Horton, Cliff Shannon, Sarah Jorgenson, Aaron Weston, Emily Domenech, and Ashley Smith, whose birthday is today.

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

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 5640, the "Electricity Storage Innovation Act," which is designed to expand knowledge to control, store, and convert electrical energy into chemical energy.

Energy is crucial to innovation and economic competitiveness in the global economy.

As a former long-time member of the House Science Committee, I am well-aware of the challenges posed by electricity generation and storage.

At present, there is no ability to store electricity generated by our nation's power grid.

H.R. 5640 requires that the Electricity Storage Basic Research Initiative include research specific to multivalent ion materials in electric energy storage systems and electrochemistry modeling.

My preference for research legislation is to allow the science to lead and not place legislative mandates on what to research.

The legislation encourages multilateral and multidisciplinary research efforts between National Laboratories, universities, and the private sector to achieve milestones in advancing and modernizing electricity storage innovation.

H.R. 5640 specifically designates two subsections for innovation: (1) Electrochemistry Modeling and Simulation, and (2) Mesoscale Electrochemistry.

I strongly support the $150 million in funding to expand theoretical and fundamental knowledge to control, store, and convert electrical energy into chemical energy.

Through this funding, innovation and scientific milestones can be made to bring America to the cutting edge of technological advancement.

H.R. 5640 is an important step in developing the technology needed to remain competitive in the global market of alternative energy.

I urge my colleagues to join me in supporting H.R. 5640.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 5640, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SOLAR FUELS INNOVATION ACT

Mr. KNIGHT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5638) to provide for the establishment at the Department of Energy of a Solar Fuels Basic Research Initiative, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5638

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 "Solar Fuels Innovation Act".

SEC. 2. SOLAR FUELS BASIC RESEARCH INITIATIVE.

(a) AMENDMENT.—Section 973 of the Energy Policy Act of 2005 (42 U.S.C. 16313) is amended to read as follows:

"SEC. 973. SOLAR FUELS BASIC RESEARCH INITIATIVE.

"(a) INITIATIVE.—

"(1) IN GENERAL.—The Secretary shall carry out a research initiative, to be known as the Solar Fuels Basic Research Initiative, to expand theoretical and fundamental knowledge of photochemistry, electrochemistry, biochemistry, and materials science useful for the practical development of experimental systems to convert solar energy to chemical energy.

"(2) LEVERAGING.—The Secretary shall leverage expertise and resources from the Basic Energy Sciences Program and Biological and Environmental Research Program within the Office of Science, and the Office of Energy Efficiency and Renewable Energy, as provided under subsections (b) and (c).

"(3) TEAMS.—The Secretary shall organize activities under the Solar Fuels Basic Research Initiative to include multidisciplinary teams leveraging expertise from the National Laboratories, universities, and the private sector to the extent practicable. These multidisciplinary teams shall pursue aggressive, milestone-driven basic research goals. The Secretary shall provide sufficient resources for those teams to achieve those goals over a period of time to be determined by the Secretary.

"(4) ADDITIONAL ACTIVITIES.—The Secretary is authorized to organize additional activities under this subsection through Energy Frontier Research Centers, Energy Innovation Hubs, or other organizational structures.

"(b) ARTIFICIAL PHOTOSYNTHESIS.—

"(1) IN GENERAL.—The Secretary shall, as part of the Solar Fuels Basic Research Initiative, carry out a program to support research needed to bridge scientific barriers and discover knowledge relevant to artificial photosynthetic systems. In carrying out activities under this subsection, the Director of the Office of Basic Energy Sciences shall support basic research to pursue distinct lines of scientific inquiry, including photoinduced production of hydrogen and oxygen from water, and the sustainable photoinduced reduction of carbon dioxide to fuel products including hydrocarbons, alcohols, carbon monoxide, and natural gas. The Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under this subsection.

"(2) STANDARD OF REVIEW.—The Secretary shall review the program activities under this subsection to determine the achievement of technical milestones.

"(3) AUTHORIZATION OF APPROPRIATIONS.—

"(A) AUTHORIZATION.—Subject to subsection (d), there are authorized for carrying out activities under this subsection for each of fiscal years 2017 through 2020—

"(i) $50,000,000 from funds within the Basic Energy Sciences Program account; and

"(ii) $25,000,000 from funds within the Energy Efficiency and Renewable Energy account.

"(B) PROHIBITION.—No funds authorized under this subsection may be obligated or expended for commercial application of energy technology.

"(c) BIOCHEMISTRY, REPLICATION OF NATURAL PHOTOSYNTHESIS, AND RELATED PROCESSES.—

"(1) IN GENERAL.—The Secretary shall, as part of the Solar Fuels Basic Research Initiative, carry out a program to support research needed to replicate natural photosynthetic processes by use of artificial photosynthetic components and materials. In carrying out activities under this subsection, the Director of the Office of Basic Energy Sciences shall support basic research to expand fundamental knowledge to replicate natural synthesis processes, including the photoinduced reduction of dinitrogen to ammonia, absorption of carbon dioxide from ambient air, molecular-based charge separation and storage, photoinitiated electron transfer, and catalysis in biological or biomimetic systems. The Associate Director of Biological and Environmental Research shall

support systems biology and genomics approaches to understand genetic and physiological pathways connected to photosynthetic mechanisms. The Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under this subsection.

''(2) STANDARD OF REVIEW.—The Secretary shall review the program activities under this subsection to determine the achievement of technical milestones.

''(3) AUTHORIZATION OF APPROPRIATIONS.—

''(A) AUTHORIZATION.—Subject to subsection (d), there are authorized for carrying out activities under this subsection for each of fiscal years 2017 through 2020—

''(i) $50,000,000 from funds within the Basic Energy Sciences Program and Biological and Environmental Research Program accounts; and

''(ii) $25,000,000 from funds within the Energy Efficiency and Renewable Energy account.

''(B) PROHIBITION.—No funds authorized under this subsection may be obligated or expended for commercial application of energy technology.

''(d) FUNDING.—No additional funds are authorized to be appropriated under this section. This section shall be carried out using funds otherwise authorized by law.''.

(b) TABLE OF CONTENTS AMENDMENT.—The item relating to section 973 in the table of contents of such Act is amended to read as follows:

''Sec. 973. Solar Fuels Basic Research Initiative.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. KNIGHT) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. KNIGHT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 5638, the bill now under consideration.

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

There was no objection.

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

Today it is my honor and privilege to bring H.R. 5638, the Solar Fuels Innovation Act, to the House of Representatives with several of my colleagues.

This bill, the first solar R&D bill to be considered on the House floor this Congress, will advance the policies of the America COMPETES Act that passed the House last year and establish a basic research initiative and groundbreaking solar fuels.

The solar fuel process, also known as artificial photosynthesis, harnesses energy from sunlight to create a range of chemical fuels. Basic research in artificial photosynthesis and related research could lead to a solar fuels system that consolidates solar power and energy storage into a cohesive process and fundamentally change the way we extract energy from our natural resources. This would be a game changer for our country.

Scientists up and down the coast of California are undertaking this research, from universities in southern California to Lawrence Berkeley National Laboratory in the bay area. Research authorized in this legislation could solve this key scientific challenge and open the door for American entrepreneurs to develop the next generation of solar technology.

The Solar Fuels Innovation Act will also enable universities and the DOE labs to train the next generation of scientists through a multidisciplinary approach, bringing together students in chemistry, physics, and materials science.

This legislation provides a framework for more coordination between basic research and early-stage translational research in solar fuels.

□ 2015

H.R. 5638 refocuses the Office of Energy Efficiency and Renewable Energy on the early-stage research where the Federal Government can have the most significant impact.

H.R. 5638 reaffirms the Federal Government's key role in research and development.

This legislation is also fiscally responsible. By directing DOE to conduct this research using existing funds in the Office of Science and EERE, this legislation ensures the responsible use of limited tax dollars for the kind of research only the Federal Government has the tools to undertake.

Today, we hear a lot of enthusiasm for solar power. But far too often, we focus on today's technology, not the fundamentally new approach to renewable energy that is possible with this early-stage research.

In Congress, it is our responsibility to take the long-term view and be patient, making smart investments in research that can lead to the next big discovery.

DOE must focus on the kind of groundbreaking R&D that can lead to disruptive technology. Solar fuels could someday change the way we think about solar power.

I would like to thank my colleagues who joined me in introducing this bill and the many research institutions that offered letters of support.

I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

I support doing all we can to advance research in solar fuels. These technologies aim to produce fuels like hydrogen and hydrocarbons from a combination of sunlight, water, and carbon dioxide, and do this far more efficiently than nature's photosynthetic process. If we can figure out a way to make these technologies cost competitive, solar fuels have the potential to make a major contribution to reducing our dependence on oil and other traditional fossil fuels.

But as with the Electricity Storage Innovation Act, I believe we could have taken a little more time to do this in the right way. Last week, the Department of Energy raised many of the same concerns with this bill that it had with the last one, including its attempt to arbitrarily legislate a bright line between ''basic'' and ''applied'' research when this is neither realistic nor helpful.

Further, I would note that there is absolutely nothing wrong with Federal support for so-called applied research. Indeed, my colleagues on the other side of the aisle have had no issue with supporting what would typically be called applied research and development when it dealt with nuclear technologies, oil and gas drilling technologies, or other fossil fuel technologies. Clean power technologies should be treated no differently.

That said, I do not oppose the passage of this bill today in the hope that we can turn it into something we can all support in partnership with our friends in the Senate.

I reserve the balance of my time.

Mr. KNIGHT. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the full committee.

Mr. SMITH of Texas. Mr. Speaker, I first want to thank the gentleman from California, Energy Subcommittee Vice Chairman KNIGHT, for yielding me time on H.R. 5638, the Solar Fuels Innovation Act.

This legislation provides necessary statutory authority and direction to the Department of Energy's groundbreaking solar fuels research program. I appreciate Vice Chairman Knight developing and introducing this legislation, which is the product of the Science, Space, and Technology Committee's hearings, oversight, and stakeholder outreach.

Research to create fuels from the Sun, also known as artificial photosynthesis and photosynthesis replication, relies heavily on the study of advanced chemistry and materials science. By prioritizing these areas of fundamental physical science, researchers at our national labs and universities across the country can develop processes that take energy from sunlight and create a range of chemical fuels. This basic research could provide the scientific and technical underpinnings for the private sector to develop solar fuel systems that eliminate the problem of the intermittency of direct solar energy and make it a reliable power source for chemical fuels production.

H.R. 5638 authorizes the Secretary of Energy to carry out a targeted basic research initiative on photochemistry, electrochemistry, biochemistry, and the materials science necessary to develop the complex systems to convert sunlight into usable and storable fuels.

H.R. 5638 focuses the Office of Energy Efficiency and Renewable Energy on early-stage research that will not be undertaken by the private sector. DOE must focus on this kind of groundbreaking R&D while the private sector is responsible for finding ways to deploy innovative technology in the commercial energy market.

The Federal Government does not have unlimited resources to pursue every technology innovation. By directing DOE to conduct this research using only existing funds in the Office of Science and EERE, the legislation redirects currently authorized funds. The Department of Energy has the capability and knowledge to lead on this type of long-term basic research. This groundbreaking science can lead to the development of innovative advanced energy technologies by the private sector.

Again, I want to thank Vice Chairman KNIGHT and both my Republican and Democratic colleagues on the Science, Space, and Technology Committee for supporting this basic research initiative in solar fuels.

As part of Leader MCCARTHY's Innovation Initiative, this legislation deserves the support of our House colleagues.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I reserve the balance of my time.

Mr. KNIGHT. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. WEBER), the chairman of the Energy Subcommittee.

Mr. WEBER of Texas. Mr. Speaker, I thank the gentleman from California for yielding.

Mr. Speaker, I rise today in support of H.R. 5638, the Solar Fuels Innovation Act.

This legislation directs the Department of Energy to focus on basic research that provides the foundation for our technology breakthroughs. Our aim is to shed a little sunlight on this process. As for the solar fuel process, also known as artificial photosynthesis, new materials and catalysts will be needed to be developed through basic research before the private sector will ever be able to develop a commercial solar fuels system.

If this research yields the right materials, Mr. Speaker, scientists might create a system that could consolidate solar power and energy storage into a cohesive process. This would potentially remove the intermittency of solar energy and make it a reliable power source for chemical fuels production. Folks, this is a game changer.

Last month, we held a hearing in the Energy Subcommittee that I chair in order to examine this critical research. We heard from a panel of experts on America's basic research portfolio, which provides the foundation for development of solar fuels through the study of chemistry and advanced materials.

I want to thank my colleague, Mr. KNIGHT, the vice chairman of the Energy Subcommittee, for introducing this important legislation.

I am also pleased that this legislation directs research within existing funds appropriated by Congress and does not authorize any new spending. Let me repeat: does not authorize any new spending.

Mr. Speaker, we have limited Federal resources for research and development, and it is our responsibility to ensure that those are spent wisely, on basic research that can provide benefits across the entire United States economy.

I urge my colleagues to support this innovative fiscally responsible legislation. You know I am right.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield back the balance of my time.

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

H.R. 5638 authorizes innovative basic research that will lead to groundbreaking technology in solar fuels.

By harnessing the expertise of our Nation's national labs and universities, now we can lay the fundamental scientific groundwork for the private sector's development of advanced solar fuels technology in the future. This could fundamentally change the way we extract energy from our natural resources.

I want to thank Chairman SMITH and my other colleagues on the Science, Space, and Technology Committee who have cosponsored H.R. 5638, including DAN LIPINSKI, RANDY NEUGEBAUER, BILL POSEY, RANDY HULTGREN, RANDY WEBER, BRIAN BABIN, and JOHN MOOLENAAR. I also want to thank the dozens of researchers and stakeholders who provided feedback as we developed this legislation.

Finally, I want to reiterate that H.R. 5638 authorizes no new Federal spending. I think we got that from Chairman WEBER. The bill reads: ''No additional funds are authorized to be appropriated under this section. This section shall be carried out using funds otherwise authorized by law.''

I urge the adoption of this commonsense, bipartisan legislation, which is part of Leader MCCARTHY's Innovation Initiative.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 5638, the "Solar Fuels Innovation Act," bipartisan legislation that establishes the Solar Fuels Basic Research Initiative at the Department of Energy.

As a former long-time member of the House Science Committee, I am well aware of the challenges posed by solar power generation.

In our diversified and globalized economy, it is critical to invest in innovative solar power research to ensure energy independence of the United States.

According to the most recent report by the International Energy Agency in 2014, the United States was fifth in solar power production.

The United States produced 18,317 megawatts of solar power in 2014.

The United States has more land space to harness solar power than some of the countries currently surpassing us, which includes Italy, Japan, and Germany.

H.R. 5638 authorizes the Secretary of Energy to implement the Solar Fuels Basic Research Initiative to expand the scientific knowledge of photochemistry, biochemistry, electrochemistry, and materials science needed to convert solar energy to chemical energy.

The legislation encourages multilateral and multidisciplinary research efforts between National Laboratories, universities, and the private sector to achieve milestones in advancing and modernizing solar power research.

H.R. 5638 specifically designates two subsections for innovation: (1) Artificial Photosynthesis, and (2) Biochemistry, Replication of Natural Photosynthesis and Related Processes.

The bill authorizes $150 million for each subsection of fiscal years 2017 through 2020.

H.R. 5638 also authorizes the same amount and division of funding amount to the "Biochemistry, Replication of Natural Photosynthesis and Related Processes" subcategory.

Mr. Speaker, this innovative legislation will help ensure that America remains a leader on the cutting edge of technological advancement.

I urge my colleagues to join me in supporting H.R. 5638.

The SPEAKER pro tempore (Mr. WEBER of Texas). The question is on the motion offered by the gentleman from California (Mr. KNIGHT) that the House suspend the rules and pass the bill, H.R. 5638, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SEPARATION OF POWERS RESTORATION ACT OF 2016

The SPEAKER pro tempore. Pursuant to House Resolution 796 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4768.

Will the gentleman from Michigan (Mr. MOOLENAAR) kindly take the chair.

□ 2027

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4768) to amend title 5, United States Code, with respect to the judicial review of agency interpretations of statutory and regulatory provisions, with Mr. MOOLENAAR (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 4768

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 ''Separation of Powers Restoration Act of 2016''.

SEC. 2. JUDICIAL REVIEW OF STATUTORY AND REGULATORY INTERPRETATIONS.

Section 706 of title 5, United States Code, is amended—

(1) by striking ''To the extent necessary'' and inserting ''(a) To the extent necessary'';

(2) by striking ''decide all relevant questions of law, interpret constitutional and statutory provisions, and'';

(3) by inserting after ''of the terms of an agency action'' the following ''and decide de novo all relevant questions of law, including the interpretation of constitutional and statutory provisions, and rules made by agencies. Notwithstanding any other provision of law, this subsection shall apply in any action for judicial review of agency action authorized under any provision of law. No law may exempt any such civil action from the application of this section except by specific reference to this section''; and

(4) by striking ''The reviewing court shall—'' and inserting the following:

''(b) The reviewing court shall—''.

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 114–641. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–641.

Mr. JOHNSON of Georgia. Mr. Chairman, as the designee of the gentleman from Michigan (Mr. CONYERS), I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after ''extent necessary'' the following '', and except as otherwise provided in this section''.

Page 4, line 3, insert after the period at the end the following:

SEC. 3. EXCEPTED RULES.

Section 706 of title 5, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(c) In the case of a rule made by the Administrator of the Environmental Protection Agency pertaining to regulation of lead or copper in drinking water, to the extent necessary to decision and when presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of an agency action.''.

The Acting CHAIR. Pursuant to House Resolution 796, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chair, the Conyers amendment would exempt from H.R. 4768, the Separation of Powers Restoration Act of 2016, regulations promulgated by the Environmental Protection Agency that protect drinking water from lead and copper contamination.

□ 2030

The Conyers amendment does not address a hypothetical concern. The recent lead-contaminated water crisis that occurred in Flint, Michigan, is only the latest in a history of cases of contaminated drinking water.

Without question, the Flint crisis was a preventable public health disaster. The lead contamination occurred because an unelected and unaccountable emergency manager decided to switch the city's water source to the Flint River without there being the benefit of proper corrosion control. As a result, corrosive water leached highly toxic lead from residents' water pipes, exposing thousands of children to lead, which, in turn, can cause permanent developmental damage.

While much of the blame for the Flint water crisis rests with unelected bureaucrats who prioritized saving money over saving lives, the presence of lead in drinking water is not unique to Flint. The drinking water of potentially millions of Americans may be contaminated by lead. In fact, just last month, elevated lead levels were detected in the drinking water supplied to the Cannon House Office Building right here on Capitol Hill.

It is a commonsense amendment, and it is common sense that urgent rulemakings, such as the EPA's proposed revisions to its Lead and Copper Rule, must not be impeded or delayed by measures such as H.R. 4768. Even before the Flint water crisis, the Agency had begun the process of updating this Rule, which was originally promulgated in 1991 after years of analysis.

Rather than hastening this rulemaking, however, H.R. 4768 would have the opposite effect. The bill would empower well-funded business interests to seek the judicial review of any regulation they opposed by a generalist, politically unaccountable court that lacks the requisite scientific or technical knowledge. The court could then make its own, independent determination based on its nonexpert views and limited information as to whether the Agency's proposed regulation is warranted.

The Conyers amendment simply preserves longstanding legal doctrine in cases involving the review of regulations that are designed to prevent the contamination of drinking water by lead and copper.

It is critical that Americans have access to safe drinking water, and we must not hinder the ability of Federal agencies, such as the EPA, to prevent future lead contamination crises, as occurred in Flint. Federal judges, who are constitutionally insulated from political accountability, should not have the power to second-guess the Agency's experts concerning the appropriateness of highly technical regulations that are crucial to protecting the health and safety of millions of Americans.

Accordingly, I urge my colleagues to support the Conyers amendment.

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

Mr. RATCLIFFE. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. RATCLIFFE. Mr. Chair, the amendment carves out of the bill regulations on lead and copper in drinking water. In so doing, it would preserve unelected bureaucrats' broad discretion to impose on the public overarching statutory and regulatory interpretations in this policy area. This amendment would all but guarantee that these unaccountable bureaucrats won't have to worry any more than they do right now about courts checking on their self-serving interpretations. It would let agencies get away with just as much as they do right now in basing overreaching regulations on tortured interpretations of existing statutes instead of coming to Congress for new legislation because the plain terms of existing law really don't support what they want to do.

In short, the amendment seeks to perpetuate the Chevron and our doctrine's weakening of the separation of powers, a weakening that threatens liberty and that undermines the accountable government of, by, and for the people.

Mr. Chair, no one denies that drinking water regulation is important, but no area of regulation is so important that it should allow unelected bureaucrats to avoid a vigorous system of checks and balances that our Framers intended, a system that this bill would restore. Bureaucrats should know that they will face vigorous judicial checks and balances when they act so that they have the strongest incentives to offer the best possible statutory and regulatory grounds for their actions and to carry out the most responsible and fair enforcement possible.

I urge my colleagues to oppose the amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–641.

Mr. JOHNSON of Georgia. Mr. Chair, I rise as the designee of the gentlewoman from Texas (Ms. JACKSON LEE), who has an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after ''extent necessary'' the following '', and except as otherwise provided in this section''.

Page 4, line 3, insert after the period at the end the following:

SEC. 3. EXCEPTED RULES.

Section 706 of title 5, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(c) In the case of a rule made by the Secretary of Homeland Security pertaining to any matter of national security, to the extent necessary to decision and when presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of an agency action.''.

The Acting CHAIR. Pursuant to House Resolution 796, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chair, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman from Georgia for standing as the amendment was being called up.

Mr. Chair, I am on the floor. This is the Jackson Lee amendment. I hope the RECORD reflects it and corrects that I am here. The RECORD should be corrected.

This is an amendment that deals with homeland security, and it reflects my general debate statement that there are some restraints that this particular legislation has that are not well suited for the needs of the American people. In this instance, this particular amendment deals with homeland security and the agency rules and regulations that are issued by the Department of Homeland Security.

As currently drafted, H.R. 4768 would shift the scope and authority of the judicial review of agency actions away from Federal agencies by amending section 706 of the APA to require that courts decide all relevant questions of law, including all questions of interpretation of constitutional statutory and regulatory provisions on a de novo basis without deference to the agency that promulgated the final rule.

I am concerned about the ability of agencies to act in times of imminent need to protect citizens, in particular, dealing with homeland security and the very climate, Mr. Chair, that we are in as we speak.

The Jackson Lee amendment is a simple, but necessary, revision that would remedy this concern by excluding from the bill cases with rules that are made by the Secretary of Homeland Security and that pertain to any matter of national security.

Why can there not be a bipartisan assessment and accepting of this particular amendment that deals with the core of our responsibilities as President, as the executive, and then as Congress?

We are destined to be able to secure the security of America. Our courts, particularly the Federal courts, are to uphold the constitutional authority that is given to the Federal Government under the Constitution. The instance, certainly, of national security—the protecting of this Nation—is one of those.

The Constitution begins by saying that we have organized to create a more perfect Union. The Declaration of Independence, which is not part of the Constitution, indicates the inalienable rights of life, liberty, and the pursuit of happiness.

Liberty is certainly part of security, and I am dismayed by this legislation—this onerous burden of having a de novo review of the Homeland Security rule to protect the American people. We should have learned our lesson after 9/11 for those of us who were here in the United States Congress.

This is no reflection on the good intent of my colleague from Texas. I know his intentions are well, but I was here during 9/11. I was in this building. I was chased, if you will, by the horrors of those who were screaming ''get out'' of the Capitol of the United States with no knowledge. Yes, Mr. Chair, as I ran out with other colleagues, leaving shoes behind and literally running on one foot versus two feet, I could see the billowing smoke from the Pentagon.

What was in the air was the question of: Is it the White House next? Is it the State Department next? Is it my hometown of Houston—the energy capital, in essence, of the world?

These are the questions of security that the American people realize are real. And certainly in the backdrop of these tragic mass shootings and the involvement of the Homeland Security Department, I can make the very strong point that the Jackson Lee amendment is an amendment that should be considered seriously because a de novo review on a Homeland Security regulation is a difficult process to take in light of the responsibilities of national security.

My amendment would keep in place the appropriate and needed expertise and specialized abilities of the Department of Homeland Security to make the rules and regulations that are necessary for our Nation's security; so I ask my colleagues to support the Jackson Lee amendment.

Mr. Chair, I would like to thank Chairman SESSIONS and Ranking Member SLAUGHTER for making my amendment in order.

The Jackson Lee Amendment Number 2 exempts from the bill rules issued by the Department of Homeland Security.

H.R. 4768 purports to address constitutional and statutory deficiencies in the judicial review of agency rulemaking.

As currently drafted H.R. 4768 would shift the scope and authority of judicial review of agency actions away from federal agencies by amending Section 706 of the Administrative Procedures Act (APA) to ''require that courts decide all relevant questions of law, including all questions of interpretation of constitutional, statutory, and regulatory provisions, on a de novo basis without deference to the agency that promulgated the final rule''.

Effectively, H.R. 4768 would abolish judicial deference to agencies' statutory interpretations in federal rulemaking and create harmful and costly burdens to the administrative process.

Mr. Chair, I am concerned about the ability for agencies to act in times of imminent need to protect citizens.

In particular, H.R. 4768 would make sweeping and dangerous changes that would jeopardize the ability of the Department of Homeland Security to protect our nation in times of urgent and imminent need.

The Jackson Lee Amendment Number 2 is a simple but necessary revision that would remedy this concern by excluding from the bill cases with rules made by the Secretary of Homeland Security and pertaining to any matter of national security.

As a Senior Member of the Homeland Security Committee, I understand the many challenges the Department of the Homeland Security (DHS) already faces and its critically important role in preventing terror threats and keeping Americans safe.

The Department is the first line of defense in protecting the nation and leading recovery efforts from all-hazards and threats which include everything from weapons of mass destruction to natural disasters.

We do not need to be reminded of the heightened state of security we are now in and the ever-increasing demands imposed upon our government agencies tasked with keeping our borders and citizens safe.

Now is not the time to undermine or slow the ability of DHS and its ability to address growing threats and active acts of terrorism.

For the past 70 years the APA has served and guided administrative agencies and the affected public in a manner that is flexible enough to accommodate the variety of agencies operating under it inclusive of changes through time.

The overall mission of DHS is too critical and its functions indispensably essential, such that it would be impugned to do anything that will slow down the process that allows DHS to do its job.

The Jackson Lee Amendment Number 2 would keep in place the appropriate and needed expertise and specialized abilities of the Department of Homeland Security to make rules and regulations necessary for our nation's security.

I urge my colleagues to support the Jackson Lee Amendment Number 2.

Mr. RATCLIFFE. Mr. Chair, I rise in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. RATCLIFFE. Mr. Chair, while I respect the gentlewoman's service and the spirit in which she offers this amendment, this amendment carves out of the bill national security regulations from the Department of Homeland Security. As we all know, Mr. Chair, the Department of Homeland Security is an agency that has a long

record of significant, unconstitutional regulatory overreach. To that end, we should be strengthening the courts' ability to check that, not weakening it, as the gentlewoman's amendment would do.

Again, no area of regulation is so important that we should allow unelected bureaucrats to avoid the vigorous system of checks and balances that our Framers intended and that this bill would restore; so I urge opposition to this amendment.

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

Mr. JOHNSON of Georgia. Mr. Chair, I yield the balance of my time to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chair, I thank the gentleman for claiming the time, but I do want the RECORD to reflect that this is a Jackson Lee amendment. However the RECORD can correct it, I desire for it to do so.

This amendment is in keeping with Justice Scalia, who was an aggressively vocal supporter of the Chevron deference during his career. It is an indication of just how broad and mainstream the support is for maintaining such deference, and that is deference to the agencies and their reviews and their expertise.

With the de novo scenario that this bill provides for, in spite of its alleged exemptions of national security issues, there is a vast level of responsibility of the Homeland Security Department. Frankly, all of its work comes under the context of regular order for protecting the American people—from immigration issues, to policing issues, to Secret Service—and many of these should not be tampered with by a de novo review of the regulatory scheme that they will be putting forward.

I ask my colleagues to support the Jackson Lee amendment to secure the Nation.

Mr. JOHNSON of Georgia. Mr. Chair, I yield back the balance of my time.

Mr. RATCLIFFE. Mr. Chair, the Chevron doctrine is the primary driver of regulatory overreach. It should be overturned. This bill would do that; so I oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

□ 2045

PARLIAMENTARY INQUIRY

Ms. JACKSON LEE. Mr. Chair, I have a parliamentary inquiry.

The Acting CHAIR. The gentlewoman from Texas will state her parliamentary inquiry.

Ms. JACKSON LEE. Mr. Chair, am I able to request a unanimous consent to make that the amendment from Jackson Lee?

The Acting CHAIR. The Chair would not entertain that request in the Committee of the Whole.

AMENDMENT NO. 3 OFFERED BY MR. MEEKS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–641.

Mr. MEEKS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after ''extent necessary'' the following '', and except as otherwise provided in this section''.

Page 4, line 3, insert after the period at the end the following:

SEC. 3. EXCEPTED RULES.

Section 706 of title 5, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(c) In the case of a rule made by the Secretary of Housing and Urban Development, to the extent necessary to decision and when presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of an agency action.''.

The Acting CHAIR. Pursuant to House Resolution 796, the gentleman from New York (Mr. MEEKS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. MEEKS. Mr. Chairman, let me start by saying straight out that I do not support the underlying bill.

I encourage my colleagues to support my amendment that would lessen the negative budget impact of this bill and exempt any rules issued by the Department of Housing and Urban Development from additional judicial review and delay. I think this is important for all of us in the House, whether we be Democrats or Republicans.

First, in dealing with the overall bill, it would severely hamstring and weaken our country's regulatory agencies. Dating back more than 100 years, regulatory agencies have executed congressional directives or identified public problems and fixed them utilizing their agency's expertise. This bill undercuts agencies' ability to do both of those things. It also throws out of balance our systems of checks and balances.

Recently, we witnessed a public health crisis in Flint, Michigan, where thousands did not have access to safe, potable drinking water.

Is the natural response to this crisis to hinder the very agencies who are supposed to protect the public?

It is not the natural response. It is the wrong response.

We shouldn't tie the hands of the Environmental Protection Agency, the Department of Health and Human Services, and other agencies whose main objective is to protect our citizens. In attacking Federal agencies that protect the public with safeguards, my colleagues on the other side of the aisle are actually attacking the public interest.

One of these agencies that advances the public interest is the United States Department of Housing and Urban Development, better known as HUD. HUD provides rental assistance, affordable housing, and community development block grants, all of which are enormously important for people throughout our great Nation. I grew up in public housing, so I know the importance of programs that put a roof over a family's head. Also, community development block grants are helping to rebuild cities like New York in the wake of Superstorm Sandy, which devastated so many families.

Furthermore, HUD prevents discrimination in housing and in lending. It ensures that landlords cannot deny housing to someone based on his or her race, religion, national origin, or disability. HUD also helps low-income families secure housing. Prospective buyers receive HUD assistance when buying their first home, which is oftentimes the biggest investment they will make in their lifetime. HUD, therefore, offers the opportunity for wealth accumulation and gives folks the pride that comes along with owning a home. Indeed, HUD keeps the American Dream of home ownership alive.

For our veterans, who have served their Nation with honor and deserve our unending support, HUD helps them secure housing. HUD provides homeless individuals with necessary resources to help them overcome homelessness. Individuals who suffer domestic violence also receive assistance from HUD, and we must continue to provide these victims with a safe space, protected from their abusers.

All of these populations deserve continual and robust support from HUD and our Federal Government. These are just a few examples of the impact of HUD's work and all of the people it helps. I could honestly say that it is one of the most visible and beneficial agencies that serves all of our constituents.

So I am a supporter of HUD, and I believe in all of its good work. I offer my amendment to protect HUD, as it has protected so many Americans and their families. My amendment would exempt rules issued by HUD from being included in this bill. I encourage my colleagues to vote for my amendment to relieve HUD from these foolish attacks.

I reserve the balance of my time.

Mr. RATCLIFFE. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. RATCLIFFE. Mr. Chairman, I oppose the amendment. This is an amendment which carves out of the bill regulations issued by the Department of Housing and Urban Development.

Mr. Chairman, there is no basis upon which to single out HUD as an agency

to which courts should defer on questions of statutory and regulatory interpretation. To the contrary, HUD has proven that it can overreach just as egregiously, just as oppressively as any other agency, and, therefore, needs just as strong a check and balance from the courts like any other agency.

Mr. Chairman, like too many of its sister agencies, HUD is attempting to use Federal regulation to unconstitutionally assert control over wide swaths of American life. To see this, one need look no further than HUD's controversial regulation in 2015 that threatens to federalize local zoning authority. That regulation would withhold Federal funding if municipalities all across the land don't actively work to change residential patterns that don't conform to the desires of HUD bureaucrats.

The regulation is a major extension of HUD's authority. It challenges local, neutral zoning policies merely because they produce uneven effects across population groups. And the use of the withholding of Federal funds to make localities knuckle under to HUD's dictates is an attempt to extort local communities into giving up control of local zoning decisions that have traditionally been theirs under the Constitution.

A decision like HUD's is precisely the kind of decision in a democracy that should be made by accountable, elected representatives of the people, not by the fiat of bureaucrats emboldened by smug claims to Chevron deference from the courts.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. MEEKS. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from New York has 30 seconds remaining.

Mr. MEEKS. Mr. Chairman, let me say, first of all, this bill is not going anywhere, fortunately, because this deceptively named Separation of Powers Restoration Act is something that really would hurt America and the American people.

So I urge to let's make the bill better by passing my amendment and other amendments that you have heard earlier. But the underlying bill is a bad bill. It is bad for our people, and we should vote ''no'' on the underlying bill also.

I yield back the balance of my time.

Mr. RATCLIFFE. Mr. Chairman, I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. MEEKS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MEEKS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–641.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after ''extent necessary'' the following '', and except as otherwise provided in this section''.

Page 4, line 3, insert after the period at the end the following:

SEC. 3. EXCEPTED RULES.

Section 706 of title 5, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(c) In the case of a rule made pursuant to an explicit grant of authority in any statute, to the extent necessary to decision and when presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of an agency action.''.

The Acting CHAIR. Pursuant to House Resolution 796, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in support of my amendment, which exempts from the bill rules issued by agencies pursuant to their express statutory authority.

H.R. 4768 is a misguided and dangerous bill that simply does not understand courts must always give effect to clearly expressed congressional intent under current law.

H.R. 4768 would dismantle decades of judicial practice and establish generalist courts as super-regulators with sweeping authority over the outcome, and perhaps even substance, of agency rulemaking even where Congress expressly grants authority for agency action.

At the subcommittee hearing on the bill, the majority's own witness, Professor Jack Beermann, testified that the bill ''may go too far'' by disabling ''reviewing courts from taking into account the views of an administering agency on questions of statutory interpretation.''

Professor Beermann expressed additional concerns that H.R. 4768 may frustrate Congress' intent for highly technical areas in which Congress expects an agency to apply its expertise.

Furthermore, as Professor Beermann testified, in areas where Congress expressly grants authority for an agency to undertake an action, such as defining a term, H.R. 4768 would represent a ''fundamental shift in authority'' while making it difficult for Congress to allow deference where appropriate.

The late-Justice Scalia held a similar view on judicial deference. Writing for the majority in the City of Arlington, Texas v. FCC, Justice Scalia argued that requiring a de novo review of every agency rule without any standards to guide this review would result in an ''open-ended hunt for congressional intent,'' rendering the binding effect of agency rules unpredictable and eviscerating ''the whole stabilizing purpose of Chevron. The excessive agency power that the dissent fears would be replaced by chaos.''

In recognition of these concerns, my amendment would exempt from the bill agency rules promulgated in response to a clear and unequivocal mandate from Congress. Without my amendment and notwithstanding the endearing title of the bill, H.R. 4768 would create countervailing separation of powers concerns by casting aside Congress' role in shaping agency rules in favor of judicial activism.

As a group of our Nation's leading administrative law experts have observed, H.R. 4768 is disruptive to the careful equilibrium that the full body of administrative law doctrine seeks to achieve. Administrative law is not perfect, but this bill tilts too strongly in favor of judicial power at the expense of the other two branches. In other words, the likely outcome of enacting this unwise proposal would be more power in the hands of a single branch of government that is unelected and unaccountable to the people.

This policy concern is the very foundation of the Chevron doctrine. As the Court noted in Chevron, judges ''are not experts in the field, and are not part of either political branch of the Government.''

H.R. 4768 is not a new idea, but it is a bad idea. Congress considered and rejected a proposal such as this over three decades ago. It wasn't a good idea then, and it is a worse idea now.

I reserve the balance of my time.

Mr. RATCLIFFE. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. RATCLIFFE. Mr. Chairman, I oppose this amendment. It is an amendment which carves out of my bill agency action based on statutes that expressly grant agency discretion.

As agencies seek to act within areas of statutory discretion, courts are more than able, more than qualified to determine responsibly whether the agencies have, in fact, acted within their discretion.

Furthermore, Mr. Chairman, it is imperative that courts no longer defer to agencies, in defining as a matter of statutory interpretation, precisely what the limits of that discretion are. Otherwise, self-serving, unelected, and unaccountable bureaucrats will continue to interpret statutes in such a way as to intentionally empower agency overreach, and the courts will continue to stand idly by and let them get away with it.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

□ 2100

Mr. JOHNSON of Georgia. Mr. Chairman, I yield back the balance of my time.

Mr. RATCLIFFE. I will again urge opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT NO. 2 OFFERED BY MR. JOHNSON OF GEORGIA

Mr. JOHNSON of Georgia. Mr. Chairman, I ask unanimous consent that the request for a recorded vote on amendment No. 2 be withdrawn to the end that the amendment stand disposed of by voice vote. That was the amendment that was originally styled the Jackson Lee amendment No. 2, which I was asked to present by designation.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. Without objection, the request for a recorded vote is withdrawn. Accordingly, the ''noes'' have it, and the amendment is not agreed to.

There was no objection.

AMENDMENT NO. 5 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114–641.

Mr. JOHNSON of Georgia. Mr. Chairman, as the designee of the gentleman from Rhode Island (Mr. CICILLINE), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after ''extent necessary'' the following '', and except as otherwise provided in this section''.

Page 4, line 3, insert after the period at the end the following:

SEC. 3. EXCEPTED RULES.

Section 706 of title 5, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(c) In the case of a rule made by the Commissioner of Food and Drugs of the Food and Drug Administration that pertains to consumer safety, to the extent necessary to decision and when presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of an agency action.''.

The Acting CHAIR. Pursuant to House Resolution 796, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, this amendment would exempt from the bill any rule issued by the Food and Drug Administration that pertains to consumer safety. This amendment is necessary to safeguard the public health and safety of American consumers from the bill's burdensome regulatory framework, which would significantly delay or prevent critical rules that protect public health and safety from being issued by the FDA.

Just recently, the FDA finally implemented the bipartisan FDA Food Safety Modernization Act, which was passed by Congress and signed into law by President Obama in 2011, representing the most substantial reform to food safety in over 70 years.

According to the Centers for Disease Control, one in six Americans gets sick every year from foodborne diseases. That is 48 million people yearly. Of these 48 million people, 3,000 every year die from diseases that are largely preventable. Under authority and clear regulatory framework achieved by the Food Safety Modernization Act, the FDA's finalized rules will prevent foodborne illnesses and outbreaks associated with contaminated produce among other important protections.

In its letter opposing H.R. 4768, the Coalition for Sensible Safeguards, which represents more than 150 labor, food, and health safety and environmental public interest groups, notes that H.R. 4768 will lead to ''regulatory paralysis,'' particularly for rules related to the food safety sector.

Without this amendment, rules protecting the public's food supply at best would be delayed for months or even years, causing substantial confusion and delay in all agency rulemaking. At worst, the bill gives generalist courts unbridled discretion to make substantive determinations concerning agencies' statutory authority. I ask my colleagues to support this amendment.

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

Mr. RATCLIFFE. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. RATCLIFFE. Mr. Chairman, I oppose this amendment, which carves out of the bill consumer safety regulations from the Food and Drug Administration. While this is an important area of regulation, unfortunately, it is yet another area which has been riddled with bureaucratic overreach by unelected, unaccountable bureaucrats and their erroneous whims and political agendas.

Mr. Chairman, we should strengthen the courts' ability to check these types of overreaching and erroneous statutory and regulatory interpretations, not weaken them, as this amendment would do.

I urge opposition to the amendment.

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

Mr. JOHNSON of Georgia. Mr. Chairman, I include in the RECORD a July 11 letter from the Union of Concerned Scientists and also a July 5 letter from the AFL–CIO, both opposing H.R. 4768, the so-called Separation of Powers Restoration Act of 2016.

UNION OF CONCERNED SCIENTISTS,
July 11, 2016.

DEAR REPRESENTATIVE: The Center for Science and Democracy at the Union of Concerned Scientists, representing more than 500,000 members and supporters across the country, strongly opposes H.R. 4768, the deceptively named ''Separation of Powers Restoration Act.''

This misguided legislation would abolish agency deference, a well-established framework under Chevron U.S.A., Inc. v. Natural Resources Defense Council, which allows federal agencies that have the scientific and technical expertise, to interpret and administer laws passed by Congress.

Instead, H.R. 4768 would undermine the scientific expertise at federal agencies. Courts should be deferring to technical experts at agencies to help actualize our landmark public health, safety, and environmental laws, all of which are grounded in the use of science. If agency deference is abandoned, then the use of scientific analysis and evidence in policymaking would be severely restricted.

Furthermore, by placing important science-based public health, safety, and environmental policy decisions in the hands of judges who lack specialized knowledge of the technical aspects of the issues agencies must deal with, there may in fact be an increase in regulatory uncertainty for all stakeholders.

What H.R. 4768 really seeks to do is subvert well-established legal norms that govern the development and implementation of science-based safeguards that are vital to protecting the health and safety of Americans, especially communities of color and low income communities, who often face the biggest public health, safety, and environmental threats. Vulnerable communities and populations stand to lose the most when the process to enact these safeguards is crippled, exacerbating long standing inequity.

Congress writes the laws to ensure access to clean air and water, safe consumer products, and untainted food and drugs. Federal agencies fulfill those mandates and have the necessary scientific expertise to do so. If Congress believes that an agency is misinterpreting the intent of a statute, it has the power to enact new legislation to establish clear and precise criteria and boundaries for the executive to carry out. This is the common-sense approach.

We urge Congress to improve the use of science in our federal policymaking, and work to strengthen science-based safeguards, not undermine them.

This harmful legislation would give judges the ability to override scientific expertise and the administrative record and instead substitute their own inexpert views with limited information. We strongly urge a no vote on H.R. 4768. It is just another recipe for stymieing science-based safeguards and does not deserve your support.

Sincerely,

ANDREW A. ROSENBERG, PH.D.,
Director, Center for Science and Democracy, Union of Concerned Scientists.

JULY 5, 2016.

Re Opposition to H.R. 4768, the so-called ''Separation of Powers Restoration Act of 2016''

DEAR REPRESENTATIVE: On behalf of our millions of members, activists, and supporters nationwide we, the undersigned organizations, urge you to oppose H.R. 4768, the so-called ''Separation of Powers Restoration Act of 2016''. The bill is flawed and harmful and should not become law. Deference to reasonable agency interpretations of statutes pursuant to Chevron U.S.A., Inc., v. NRDC, 467 U.S. 837 (1984), is a longstanding and well-understood framework for judicial review that acknowledges the appropriate powers of the three constitutional branches in enacting, administering, and interpreting statutes. The bill is an attempt to abandon this framework and upend more than 30 years of well-established administrative law.

H.R. 4768 is motivated by a desire to transfer to judges statutory implementation power that Congress has previously delegated to the executive branch. Congress has the power to enact clear, prescriptive laws that establish criteria and boundaries around agency implementation of statutes. If Congress perceives the executive branch to be implementing statutes in a manner inconsistent with their enactment, the appropriate response is to enact clearer and more-prescriptive statutes, not to upend three decades of established, overarching case law as H.R. 4768 seeks to do.

At root, H.R. 4768 seems motivated by the dissatisfaction of the political party that currently controls Congress with the statutory implementation decisions made by the current Administration, which is controlled by a different political party. These sorts of partisan disagreements are not an adequate reason to overturn more than 30 years of established case law governing federal administrative law.

Accordingly, we urge you to vote no on H.R. 4768.

Thank you for your consideration.

Sincerely,

AFL–CIO,
American Association for Justice,
Americans for Financial Reform,
The American Federation of State County & Municipal Employees (AFSCME),
Center for Responsible Lending,
Consumer Federation of America, Daily Kos,
Earthjustice,
Economic Policy Institute,
Free Press Action Fund,
Institute for Agriculture & Trade Policy (IATP),
National Association of Consumer Advocates,
National Consumer Law Center,
National Employment Law Project,
National Hispanic Media Coalition,
Natural Resources Defense Council,
Public Citizen,
U.S. PIRG,
Union of Concerned Scientists,
United Steelworkers (USW),
Voices for Progress.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield back the balance of my time.

Mr. RATCLIFFE. Mr. Chairman, I again urge opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

Mr. RATCLIFFE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THOMPSON of Pennsylvania) having assumed the chair, Mr. MOOLENAAR, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4768) to amend title 5, United States Code, with respect to the judicial review of agency interpretations of statutory and regulatory provisions, had come to no resolution thereon.

HONORING VOLUNTEER FIREFIGHTERS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise in recognition of the selfless service of volunteer firefighters across Pennsylvania's Fifth Congressional District, our Commonwealth, and the United States of America.

Yesterday, as a 35-year veteran of my own community volunteer fire department, I joined with volunteer firefighters and actually one paid fire company from across the Fifth Congressional District in discussing their service and the challenges that they are facing. I was proud to be joined by more than 20 departments tasked with serving in communities and places such as Erie, Jefferson, Elk, McKean, Venango, Potter, and Clarion Counties.

As a volunteer firefighter myself, I was very interested to hear about their concerns regarding funding, adequate training, and one of the biggest problems facing volunteer fire companies: declining enrollment and manpower. I look forward to working with each of these companies in the future to help address many of these issues.

It is hard to overstate the importance of the volunteer men and women who put their lives on the line in order to protect their neighbors and their communities. I have the highest degree of respect for their service, and I look forward to continued cooperation in the future.

RECESS

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

Accordingly (at 9 o'clock and 10 minutes p.m.), the House stood in recess.

□ 2145

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 9 o'clock and 45 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4992, UNITED STATES FINANCIAL SYSTEM PROTECTION ACT OF 2016; PROVIDING FOR CONSIDERATION OF H.R. 5119, NO 2H2O FROM IRAN ACT; AND PROVIDING FOR CONSIDERATION OF H.R. 5631, IRAN ACCOUNTABILITY ACT OF 2016

Mr. STIVERS, from the Committee on Rules, submitted a privileged report (Rept. No. 114–682) on the resolution (H. Res. 819) providing for consideration of the bill (H.R. 4992) to codify regulations relating to transfers of funds involving Iran, and for other purposes; providing for consideration of the bill (H.R. 5119) to prohibit the obligation or expenditure of funds available to any Federal department or agency for any fiscal year to purchase or issue a license for the purchase of heavy water produced in Iran; and providing for consideration of the bill (H.R. 5631) to hold Iran accountable for its state sponsorship of terrorism and other threatening activities and for its human rights abuses, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5538, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JULY 15, 2016, THROUGH SEPTEMBER 5, 2016; AND FOR OTHER PURPOSES

Mr. STIVERS, from the Committee on Rules, submitted a privileged report (Rept. No. 114–683) on the resolution (H. Res. 820) providing for consideration of the bill (H.R. 5538) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2017, and for other purposes; providing for proceedings during the period from July 15, 2016, through September 5, 2016; and for other purposes, which was referred to the House Calendar and ordered to be printed.

FEW AMERICANS BELIEVE THE MEDIA

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

Mr. SMITH of Texas. Mr. Speaker, a recent study on the media was conducted by the Newseum Institute and USA Today.

Not surprisingly, it found that three-quarters of Americans feel the news media are biased in reporting, and only 10 percent said the Presidential election coverage has been ''very accurate.''

Most Americans realize the liberal national media are trying to destroy Donald Trump and elect Hillary Clinton, but the media are paying a heavy price for their biased coverage—they are destroying their credibility in the process.

The danger of a biased media goes beyond two individuals and an election. It is a threat to democracy, itself, when the voters can't get the facts. The media should not tell Americans what to think. They are smart enough to decide for themselves.

As the study determined, you just can't believe what the liberal national media says.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARINO (at the request of Mr. MCCARTHY) for today and July 12 on account of medical reasons.

Mr. POE of Texas (at the request of Mr. MCCARTHY) for today and the balance of the week on account of personal reasons.

Mr. HASTINGS (at the request of Ms. PELOSI) for today through July 15.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1777. An act to amend the Act of August 25, 1958, commonly known as ''Former Presidents Act of 1958'', with respect to the monetary allowance payable to a former President, and for other purposes.

H.R. 4372. An act to designate the facility of the United States Postal Service located at 15 Rochester Street, Bergen, New York, as the Barry G. Miller Post Office.

H.R. 4960. An act to designate the facility of the United States Postal Service located at 525 N Broadway in Aurora, Illinois, as the ''Kenneth M. Christy Post Office Building''.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on July 8, 2016, she presented to the President of the United States, for his approval, the following bill:

H.R. 3766. To direct the President to establish guidelines for covered United States foreign assistance programs, and for other purposes.

ADJOURNMENT

Mr. SMITH of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 48 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 12, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5982. A letter from the Assistant Secretary, Manpower and Reserve Affairs, Department of the Army, Department of Defense, transmitting a notice of mobilizations of Selected Reserve units from October 1, 2015 through June 30, 2016, pursuant to 10 U.S.C. 12304b(d); Public Law 112-81, Sec. 516(a)(1); (125 Stat. 1396); to the Committee on Armed Services.

5983. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-445, ''Mandatory Driver Instruction Regulation Temporary Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5984. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-444, ''Sale of Synthetic Drugs Temporary Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5985. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-443, ''Fiscal Year 2016 Second Revised Budget Request Temporary Adjustment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5986. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-447, ''Carry's Way and Guethler's Court Designation Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5987. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-446, ''Fieldstone Lane Designation Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 5322. A bill to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States (Rept. 114–673). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 3178. A bill to simplify and streamline the information regarding institutions of higher education made publicly available by the Secretary of Education, and for other purposes; with an amendment (Rept. 114–674). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 3179. A bill to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes; with an amendment (Rept. 114–675). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 5529. A bill to amend the Higher Education Act of 1965 to authorize additional grant activities for Hispanic-serving institutions; with an amendment (Rept. 114–676). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 5530. A bill to amend the Higher Education Act of 1965 to modify certain provisions relating to the capital financing of historically Black colleges and universities; with an amendment (Rept. 114–677). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 5528. A bill to amend the Higher Education Act of 1965 to simplify the FAFSA, and for other purposes; with an amendment (Rept. 114–678). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 5636. A bill to increase the effectiveness of and accountability for maintaining the physical security of NIST facilities and the safety of the NIST workforce (Rept. 114–679). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 5638. A bill to provide for the establishment at the Department of Energy of a Solar Fuels Basic Research Initiative; with an amendment (Rept. 114–680). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 5640. A bill to provide for the establishment at the Department of Energy of an Electricity Storage Basic Research Initiative; with an amendment (Rept. 114–681). Referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNE: Committee on Rules. House Resolution 819. Resolution providing for consideration of the bill (H.R. 4992) to codify regulations relating to transfers of funds involving Iran, and for other purposes; providing for consideration of the bill (H.R. 5119) to prohibit the obligation or expenditure of funds available to any Federal department or agency for any fiscal year to purchase or issue a license for the purchase of heavy water produced in Iran; and providing for consideration of the bill (H.R. 5631) to hold Iran accountable for its state sponsorship of terrorism and other threatening activities and for its human rights abuses, and for other purposes (Rept. 114–682). Referred to the House Calendar.

Mr. NEWHOUSE: Committee on Rules. House Resolution 820. Resolution providing for consideration of the bill (H.R. 5538) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2017, and for other purposes; providing for proceedings during the period from July 15, 2016, through September 5, 2016; and for other purposes (Rept. 114–683). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LYNCH (for himself and Mr. MCKINLEY):

H.R. 5707. A bill to amend title 5, United States Code, to provide for certain index fund investments from the Postal Service Retiree Health Benefits Fund, and for other

purposes; to the Committee on Oversight and Government Reform.

By Ms. ROS-LEHTINEN (for herself, Mr. SIRES, Mr. DIAZ-BALART, Mr. CÁRDENAS, Mr. DUNCAN of South Carolina, Mr. NORCROSS, Mr. CURBELO of Florida, Mr. CUELLAR, Mr. YOHO, and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 5708. A bill to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEADOWS:

H.R. 5709. A bill to improve Federal employee compliance with Federal and Presidential recordkeeping requirements, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GOSAR (for himself, Mr. BABIN, Mr. BRAT, Mr. BARLETTA, Mr. BROOKS of Alabama, Mr. DESJARLAIS, Mr. FLEMING, Mr. GOHMERT, Mr. GROTHMAN, Mr. HARRIS, Mr. JONES, Mr. KING of Iowa, Mr. MCCLINTOCK, Mr. MILLER of Florida, Mr. OLSON, Mr. PALAZZO, Mr. SESSIONS, Mr. SMITH of Texas, Mr. WEBER of Texas, and Mr. YOHO):

H.R. 5710. A bill to amend title 10, United States Code, to prevent unlawful aliens from enlisting in the United States Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. HUIZENGA of Michigan (for himself and Mr. SHERMAN):

H.R. 5711. A bill to prohibit the Secretary of the Treasury from authorizing certain transactions by a U.S. financial institution in connection with the export or re-export of a commercial passenger aircraft to the Islamic Republic of Iran; to the Committee on Financial Services.

By Mr. MESSER (for himself and Ms. STEFANIK):

H.R. 5712. A bill to amend the Internal Revenue Code of 1986 to flatline the individual mandate penalty; to the Committee on Ways and Means.

By Mr. TIBERI (for himself and Mr. PASCRELL):

H.R. 5713. A bill to provide for the extension of certain long-term care hospital Medicare payment rules, clarify the application of rules on the calculation of hospital length of stay to certain moratorium-excepted long-term care hospitals, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself, Mr. CUMMINGS, Mr. MEADOWS, Mr. CONNOLLY, and Mr. LYNCH):

H.R. 5714. A bill to restore the financial solvency and improve the governance of the United States Postal Service in order to ensure the efficient and affordable nationwide delivery of mail, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM (for himself and Mr. SHERMAN):

H.R. 5715. A bill to prohibit the Export-Import Bank of the United States from providing financing that would benefit Iran; to the Committee on Financial Services.

By Mr. PITTENGER:

H.R. 5716. A bill to prohibit the Secretary of the Treasury from issuing certain licenses in connection with the export or re-export of a commercial passenger aircraft to the Islamic Republic of Iran, to require the Secretary of the Treasury to issue an annual report on the status of, and risks related to, U.S. financial institutions involved with the sale or lease of such a commercial passenger aircraft, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE:

H.R. 5717. A bill to amend title XIX of the Social Security Act to improve collection of Medicaid data and to expand coverage of tobacco cessation services to mothers of newborns; to the Committee on Energy and Commerce.

By Mr. CHAFFETZ (for himself, Mr. STEWART, and Mrs. LOVE):

H.R. 5718. A bill to direct the Secretary of Agriculture to acquire and to convey certain lands or interests in lands in Utah, and for other purposes; to the Committee on Natural Resources.

By Mr. PAULSEN:

H.R. 5719. A bill to amend the Internal Revenue Code of 1986 to modify the tax treatment of certain equity grants; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Mr. DONOVAN, Mr. JEFFRIES, Mr. KING of New York, Mr. LANCE, Mr. PALLONE, Mr. PASCRELL, Mr. DAVID SCOTT of Georgia, and Ms. SINEMA):

H.R. 5720. A bill to amend title 49, United States Code, to require the deployment of law enforcement personnel at airport screening locations at very large airports, and for other purposes; to the Committee on Homeland Security.

By Ms. JENKINS of Kansas (for herself and Mr. KIND):

H.R. 5721. A bill to amend title XVIII of the Social Security Act in order to improve the process whereby medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY (for himself, Ms. PELOSI, Mr. MCCARTHY, Mr. MCGOVERN, Mr. NEAL, Ms. CLARK of Massachusetts, Mr. MOULTON, Mr. CAPUANO, Mr. LYNCH, Ms. TSONGAS, Mr. KEATING, Mr. SCHWEIKERT, Mrs. ROBY, Mr. UPTON, Mr. KINZINGER of Illinois, Mr. CRENSHAW, Mr. HOYER, Mr. BURGESS, Mrs. BROOKS of Indiana, Mr. LARSON of Connecticut, Ms. MATSUI, Mr. WELCH, Mr. WALDEN, Mr. NEWHOUSE, and Ms. STEFANIK):

H.R. 5722. A bill to establish the John F. Kennedy Centennial Commission; to the Committee on Oversight and Government Reform.

By Mr. LEVIN:

H.R. 5723. A bill to amend title XVIII of the Social Security Act to provide for a temporary exception to the site neutral payment rate for certain discharges from long-term care hospitals that involve severe wounds; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHENRY:

H.R. 5724. A bill to amend the Revised Statutes of the United States and the Federal Deposit Insurance Act to require the rate of interest on certain loans remain unchanged after transfer of the loan, and for other purposes; to the Committee on Financial Services.

By Mr. MCHENRY:

H.R. 5725. A bill to amend the Internal Revenue Code of 1986 to require website-based, real-time responses to requests to verify taxpayer income for legitimate business purposes; to the Committee on Ways and Means.

By Mr. O'ROURKE (for himself and Mr. KNIGHT):

H.R. 5726. A bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to post at certain locations the average national wait times for veterans to receive an appointment for health care at medical facilities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California (for himself, Mr. CARTWRIGHT, Mr. LANGEVIN, Mr. POLIS, Ms. LEE, Mr. HONDA, Ms. LOFGREN, Mr. BLUMENAUER, and Mr. HUFFMAN):

H. Con. Res. 143. Concurrent resolution expressing the sense of Congress relating to the disapproval of certain activities of certain companies, trade associations, foundations, and organizations; to the Committee on Energy and Commerce.

By Mr. DENT (for himself, Mr. FLORES, Mr. GRIFFITH, Mr. ZINKE, Mr. BLUM, Mr. HANNA, Mr. ABRAHAM, Mr. KING of New York, and Mrs. WAGNER):

H. Res. 817. A resolution expressing continued support for the special relationship between the United States and the United Kingdom and urging commencement of negotiations for the development of a North Atlantic Trade and Investment Partnership (NATIP) between the United States and the United Kingdom; to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHUSTER (for himself and Mr. DEFAZIO):

H. Res. 818. A resolution providing for the concurrence by the House in the Senate amendments to H.R. 636, with amendments; considered and agreed to.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. POCAN:

H.R. 5635.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3
The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. LYNCH:
H.R. 5707.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 7
Article I, Section 8, Clause 18

By Ms. ROS-LEHTINEN:
H.R. 5708.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8

By Mr. MEADOWS:
H.R. 5709.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18

By Mr. GOSAR:
H.R. 5710.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 4 (the Naturalization Clause), which gives Congress sovereign control over immigration and the vesting of citizenship in aliens. In March 1790, Congress passed the first uniform rule for naturalization under the new Constitution. In Chirac v Lessee of Chirac (1817), the Supreme Court affirmed this power rests exclusively with Congress.

By Mr. HUIZENGA of Michigan:
H.R. 5711.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution

By Mr. MESSER:
H.R. 5712.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of Section 8 of Article I of the Constitution.

By Mr. TIBERI:
H.R. 5713.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. CHAFFETZ:
H.R. 5714.
Congress has the power to enact this legislation pursuant to the following:
Art. I, Sec. 8
To establish Post Offices and post Roads.

By Mr. ROSKAM:
H.R. 5715.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
Article 1, Section 8, Clause 18

By Mr. PITTENGER:
H.R. 5716.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution

By Mr. LANCE:
H.R. 5717.
Congress has the power to enact this legislation pursuant to the following:
Article I, Sec. 8, Clause 1, of the United States Constitution
This states that ''Congress shall have the power too . . . lay and collect taxes, duties, imposts and excises, to pay for the debts and provide for the common defense and general welfare of the United States''

By Mr. CHAFFETZ:
H.R. 5718.
Congress has the power to enact this legislation pursuant to the following:
Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. PAULSEN:
H.R. 5719.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.

By Mr. ENGEL:
H.R. 5720.
Congress has the power to enact this legislation pursuant to the following:
U.S. Const. Art. I §1; and
U.S. Const. Art. I §8

By Ms. JENKINS of Kansas:
H.R. 5721.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1

By Mr. KENNEDY:
H.R. 5722.
Congress has the power to enact this legislation pursuant to the following:
Article 1. Section 8.

By Mr. LEVIN:
H.R. 5723.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. MCHENRY:
H.R. 5724.
Congress has the power to enact this legislation pursuant to the following:
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence . . . of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. MCHENRY:
H.R. 5725.
Congress has the power to enact this legislation pursuant to the following:
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence . . . of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. O'ROURKE:
H.R. 5726.
Congress has the power to enact this legislation pursuant to the following:
Under Article I, Section 8 of the Constitution, Congress has the power ''to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof''.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 508: Mrs. WATSON COLEMAN.
H.R. 632: Mr. KILMER.
H.R. 711: Mr. MULLIN and Mr. GRAVES of Georgia.
H.R. 855: Mr. CAPUANO.
H.R. 923: Mr. GROTHMAN.
H.R. 969: Mr. WEBER of Texas.
H.R. 1076: Mrs. BEATTY.
H.R. 1089: Mr. GOSAR.
H.R. 1151: Mr. BLUM.
H.R. 1153: Mr. HILL.
H.R. 1192: Mr. SERRANO.
H.R. 1312: Mr. MOULTON.
H.R. 1342: Mrs. BLACKBURN.
H.R. 1427: Mr. ZINKE.
H.R. 1686: Mr. CICILLINE, Ms. JENKINS of Kansas, Mrs. BEATTY, Mrs. WATSON COLEMAN, Mr. SMITH of New Jersey, Mr. SCHRADER, Mr. CARTWRIGHT, and Mr. YOUNG of Alaska.
H.R. 1706: Ms. KAPTUR.
H.R. 1752: Mr. CULBERSON.
H.R. 1904: Mr. DAVID SCOTT of Georgia.
H.R. 1911: Mr. SMITH of Missouri.
H.R. 1943: Mr. CASTRO of Texas.
H.R. 2096: Mr. SMITH of Texas and Mr. ROYCE.
H.R. 2124: Ms. WASSERMAN SCHULTZ, Ms. KUSTER, Ms. DUCKWORTH, Mr. HURD of Texas, Ms. JACKSON LEE, and Mr. KENNEDY.
H.R. 2216: Ms. FRANKEL of Florida.
H.R. 2283: Mr. VARGAS and Mr. COHEN.
H.R. 2302: Mr. POLIS, Mr. CLEAVER, Ms. SPEIER, Mr. LARSON of Connecticut, Mr. ENGEL, Mrs. DINGELL, and Mr. PAYNE.
H.R. 2342: Mr. BLUM and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2403: Ms. JUDY CHU of California.
H.R. 2404: Mr. SMITH of Missouri.
H.R. 2411: Ms. BONAMICI.
H.R. 2660: Mr. GENE GREEN of Texas.
H.R. 2663: Mr. GIBSON.
H.R. 2694: Mr. CASTRO of Texas.
H.R. 2698: Mr. BLUM.
H.R. 2715: Mr. GENE GREEN of Texas.
H.R. 2739: Mr. CRAMER, Mr. HIMES, Mr. DUFFY, and Mr. DANNY K. DAVIS of Illinois.
H.R. 2846: Mr. PETERS.
H.R. 2903: Mr. GRAVES of Georgia.
H.R. 2916: Mr. VARGAS.
H.R. 2917: Mr. VARGAS.
H.R. 2992: Mr. REICHERT.
H.R. 3012: Mr. WENSTRUP.
H.R. 3108: Mr. LOWENTHAL.
H.R. 3110: Mr. NEAL and Mr. DANNY K. DAVIS of Illinois.
H.R. 3229: Mr. RICE of South Carolina and Mr. GIBSON.
H.R. 3235: Mr. YOUNG of Iowa.
H.R. 3308: Ms. DELBENE and Mr. PIERLUISI.
H.R. 3375: Mr. VARGAS.
H.R. 3470: Mr. FOSTER.
H.R. 3486: Mr. HASTINGS.
H.R. 3542: Mr. HINOJOSA.
H.R. 3687: Ms. MAXINE WATERS of California.
H.R. 3713: Mr. BLUM.
H.R. 3882: Ms. LEE, Mr. HONDA, and Mr. NADLER.
H.R. 3929: Ms. SCHAKOWSKY, Mr. STUTZMAN, Ms. DEGETTE, Ms. GRANGER, and Ms. BROWNLEY of California.
H.R. 4027: Ms. KUSTER and Ms. SINEMA.
H.R. 4034: Mr. KING of Iowa, Mr. SMITH of Texas, and Mr. BRAT.
H.R. 4062: Mr. BLUM.
H.R. 4247: Mr. MCHENRY and Mr. SIMPSON.
H.R. 4365: Mrs. NOEM, Mr. BRADY of Pennsylvania, and Ms. HAHN.
H.R. 4479: Ms. TITUS, Mr. SCOTT of Virginia, and Mrs. DAVIS of California.
H.R. 4514: Mr. HANNA and Mr. GOODLATTE.
H.R. 4524: Ms. SLAUGHTER and Mr. TED LIEU of California.
H.R. 4558: Ms. NORTON, Mr. HASTINGS, Ms. CASTOR of Florida, Mr. KILMER, Ms. TITUS, and Mr. BLUMENAUER.
H.R. 4584: Mr. SAM JOHNSON of Texas.
H.R. 4592: Mr. BOUSTANY.
H.R. 4603: Mr. TONKO, Mr. MURPHY of Florida, and Mrs. BEATTY.
H.R. 4614: Mr. YOUNG of Indiana.
H.R. 4616: Mr. HIMES and Mr. PETERS.
H.R. 4622: Mr. DELANEY.
H.R. 4626: Mr. FORBES, Mr. DUNCAN of South Carolina, and Mr. KATKO.
H.R. 4689: Mr. SMITH of Texas.
H.R. 4708: Mr. GIBSON and Mrs. NAPOLITANO.
H.R. 4732: Mr. ZINKE.

H.R. 4740: Ms. TSONGAS.
H.R. 4760: Mr. NEWHOUSE.
H.R. 4773: Mr. DUNCAN of Tennessee.
H.R. 4828: Mr. GUTHRIE, Mr. ABRAHAM, Mr. TROTT, Mr. RATCLIFFE, Mr. RODNEY DAVIS of Illinois, Mr. KNIGHT, Mr. POMPEO, Mr. BRADY of Texas, and Mrs. ROBY.
H.R. 4893: Mr. GRAVES of Georgia, Mr. RICHMOND, Mr. ROSS, and Mr. WENSTRUP.
H.R. 4919: Mr. MCKINLEY.
H.R. 4989: Ms. LOFGREN and Mr. MCGOVERN.
H.R. 5020: Ms. STEFANIK, Mr. DONOVAN, and Mr. MEEHAN.
H.R. 5094: Mr. LIPINSKI.
H.R. 5119: Ms. MCSALLY, Mr. BOUSTANY, Mr. MCCLINTOCK, and Mrs. MILLER of Michigan.
H.R. 5137: Mr. SWALWELL of California.
H.R. 5167: Mr. ZINKE.
H.R. 5171: Mr. REICHERT.
H.R. 5180: Mr. BYRNE.
H.R. 5181: Mr. ISRAEL.
H.R. 5187: Mrs. WALORSKI.
H.R. 5204: Mr. COFFMAN.
H.R. 5207: Ms. ESHOO.
H.R. 5230: Mrs. NAPOLITANO.
H.R. 5284: Mr. MICA.
H.R. 5292: Mr. WENSTRUP and Mr. TAKANO.
H.R. 5299: Mr. HUNTER.
H.R. 5301: Mr. BYRNE.
H.R. 5310: Mr. SWALWELL of California and Mr. MCNERNEY.
H.R. 5319: Mr. SCHWEIKERT and Mr. CRAMER.
H.R. 5369: Mr. PETERS.
H.R. 5392: Mr. YOHO and Mr. BLUM.
H.R. 5410: Mr. POMPEO and Mr. ASHFORD.
H.R. 5432: Ms. KAPTUR.
H.R. 5440: Mr. ROE of Tennessee and Mrs. WALORSKI.
H.R. 5457: Mr. DESJARLAIS and Mr. BYRNE.
H.R. 5484: Mr. LAMALFA, Mr. TROTT, and Mr. MCKINLEY.
H.R. 5506: Mr. HECK of Nevada, Mr. PETERS, Mr. NUNES, and Mrs. BLACKBURN.
H.R. 5528: Mrs. DAVIS of California.
H.R. 5529: Mrs. DAVIS of California.
H.R. 5530: Ms. LEE.
H.R. 5532: Mr. TAKANO.
H.R. 5578: Mr. TAKANO.
H.R. 5586: Mr. KEATING, Mr. DEUTCH, Mr. TAKANO, Mr. GRIJALVA, and Mr. PALLONE.
H.R. 5588: Mr. KELLY of Pennsylvania.
H.R. 5594: Mr. POLIQUIN, Mr. KING of New York, Mrs. WAGNER, Mr. SCHWEIKERT, Mr. MEEKS, Mr. ASHFORD, Mr. ELLISON, Mr. HIMES, Mr. FOSTER, Mr. ROSS, Mr. SHERMAN, Mr. AL GREEN of Texas, and Mr. KILDEE.
H.R. 5602: Ms. MAXINE WATERS of California, Mr. FITZPATRICK, Mr. MEEKS, Mr. STIVERS, Mr. POLIQUIN, Mr. PITTENGER, Mr. ELLISON, Mr. BARR, Mr. FOSTER, Mr. SHERMAN, Mr. HILL, and Mr. AL GREEN of Texas.
H.R. 5603: Ms. MAXINE WATERS of California, Mr. FITZPATRICK, Mr. KING of New York, Mr. MEEKS, Mr. STIVERS, Mr. POLIQUIN, Mr. PITTENGER, Mr. ELLISON, Mr. BARR, Mr. FOSTER, Mr. SHERMAN, Mr. HILL, and Mr. AL GREEN of Texas.
H.R. 5606: Mr. POLIQUIN, Mr. ELLISON, Mr. HILL, Mr. FOSTER, and Mr. AL GREEN of Texas.
H.R. 5607: Mr. POLIQUIN, Mr. ELLISON, Mr. HILL, Mr. FOSTER, and Mr. AL GREEN of Texas.
H.R. 5621: Mr. SERRANO, Mr. TROTT, Mr. LATTA, Mr. FORBES, Mr. MCKINLEY, Mr. ABRAHAM, Mr. DUNCAN of Tennessee, Mr. REICHERT, Mrs. WALORSKI, Mr. WALKER, Mr. LAMALFA, Mr. DUNCAN of South Carolina, Mr. PITTENGER, Mr. RATCLIFFE, Ms. ROS-LEHTINEN, Mr. GOHMERT, Mr. SAM JOHNSON of Texas, Mr. ZINKE, Mr. HUDSON, Mr. KELLY of Mississippi, Mr. MOOLENAAR, Mr. BOUSTANY, Mr. BISHOP of Michigan, Mr. ALLEN, Mr. COLLINS of New York, Mr. BLUMENAUER, and Mr. AUSTIN SCOTT of Georgia.
H.R. 5628: Mr. BYRNE.
H.R. 5646: Mr. FLEMING, Mr. BLUM, Mr. GOSAR, and Mr. MCCLINTOCK.
H.R. 5659: Mr. HARPER.
H.R. 5676: Mr. RODNEY DAVIS of Illinois and Mr. LAHOOD.
H.R. 5691: Mr. CÁRDENAS.
H.J. Res. 47: Ms. TSONGAS.
H. Con. Res. 19: Mr. DOLD.
H. Con. Res. 50: Ms. SCHAKOWSKY.
H. Con. Res. 132: Mr. GENE GREEN of Texas.
H. Res. 62: Mr. SMITH of Washington.
H. Res. 494: Mr. BROOKS of Alabama.
H. Res. 617: Mr. ROHRABACHER.
H. Res. 779: Mr. MULVANEY.
H. Res. 784: Mr. YOUNG of Alaska and Mr. LYNCH.
H. Res. 808: Mr. MCGOVERN.
H. Res. 810: Ms. GRANGER, Mr. HIMES, and Mr. BEN RAY LUJÁN of New Mexico.
H. Res. 813: Mr. YOHO.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. UPTON

S. 304, ''Motor Vehicle Safety Whistleblower Act,'' does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. BRADY OF TEXAS

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 5631 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on the Judiciary in H.R. 5631 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162 WASHINGTON, MONDAY, JULY 11, 2016 No. 111

Senate

The Senate met at 4 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of grace and glory, shine Your light on our dark paths. Teach us to not lean solely on our understanding but to look to You to direct us on life's journey. May we not limit ourselves by our anxieties, but by releasing the power of fervent prayer discover that Your peace will guard our hearts.

Surround our lawmakers with the shield of Your Divine favor, preparing them for whatever the days may bring. Infuse them with the confidence that comes from knowing that their times are in Your hands. Lift us all above the clouds of care and fear into the bright sunshine of Your great mercy and might.

And, Lord, comfort each person who has felt anguish from the Dallas tragedy. Lord, bring healing to our land.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

MEASURE PLACED ON THE CALENDAR—H.R. 1270

Mr. MCCONNELL. Madam President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1270) to amend the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Affordable Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

LEGISLATION BEFORE THE SENATE

Mr. MCCONNELL. Madam President, we have recently made progress on issues of importance to the American people. We have also seen some very regrettable decisions from our colleagues across the aisle. This week offers the opportunity for all of us and for our country to move forward. Every Senator will have a chance to advance important solutions on behalf of the American people this week, and some colleagues will have a chance to reconsider partisan mistakes that hurt our country. So let me explain.

This week, Democrats can reconsider their decision to block funding for the men and women serving and protecting us overseas. These Americans selflessly and voluntarily put themselves in harm's way to help keep our country safe. They do not ask for much in return. What they do not deserve is for Democrats to filibuster the bill that supports them as part of some partisan political gain.

At a time when we face an array of terror threats around the globe, we cannot afford to play politics with the men and women serving and protecting us overseas. The bill Democrats are now filibustering respects the budget caps, was reported out of committee at the earliest point in more than a decade, and earned the support of every single Democrat in committee.

The top Democrat on the Defense Subcommittee said it ''takes a responsible approach to protecting our country . . . [that honors] the bipartisan budget deal in place.'' That was the top Democrat on the Defense Subcommittee, and he warned colleagues not to ''take chances when it comes to funding the men and women serving in forward positions.''

Well, he was certainly right. There is no excuse for Democrats to continue blocking this bill. They will have another chance to make the right decision later this week.

This week, Democrats can reconsider their decision to block funding to fight Zika. Either Democrats believe Zika is a crisis that requires immediate action or they do not. Either Democrats think protecting pregnant women and babies from Zika today is more important or they think holding out for an earmark for their favorite partisan special interest group is more important.

Even though the administration has acknowledged they haven't spent the anti-Zika money already available to them, Republicans believe we ought to pass this bill now because this is indeed an emergency. Our friends across the aisle will have to decide if they feel the same way.

I would remind colleagues the rules don't allow for a conference report to

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

Printed on recycled paper.

be amended, even from powerful Democratic special interest groups, and repassing the same bill that went to conference, as some have naively suggested as political cover, will not put a bill on the President's desk. So I urge colleagues to work with us to pass this compromise Zika control and veterans' funding legislation and send it to the President for his signature, not block it and spend the summer explaining why a special interest group was more important than funding Zika control and our veterans.

This week, Senators can take decisive action to combat the heroin and prescription opioid abuse epidemic that is hitting nearly every State and community across America. Support for the Comprehensive Addiction and Recovery Act conference report that passed the House last Friday seems to grow with each passing day. There are now more than 230 groups fighting this epidemic in their own communities that have come out in support, including the Detroit Recovery Project in Michigan, the Foundation for Recovery in Nevada, Central City Concern in Oregon, and Project Recovery in New Hampshire.

One of these groups is the Fraternal Order of Police. Here is what the group's president had to say about it.

> The legislation provides treatment for those caught in the clutches of addiction or who also suffer from mental illness and also provides law enforcement with the necessary tools to prevent heroin and opioid deaths. . . . Too many lives have been lost to these drugs, and too many families have been torn apart. On behalf of more than 330,000 members of the Fraternal Order of Police, I urge Congress to adopt the conference report.

That is from the Fraternal Order of Police.

Widespread support like this helps explain why the CARA conference report passed the House last week 407 to 5. Now it is the Senate's turn to act and send this critical comprehensive response to the President for his signature.

We know Senate Democrats and Senate Republicans already voted 94 to 1 to pass a very similar CARA bill. We know the Senate has provided more than twice as much funding for opioid-related issues as under the previous Senate majority. We also know there is a groundswell of support from so many corners for this CARA legislation that can help communities begin to heal from an epidemic sweeping the country. Quite simply, there is no excuse to block it.

I thank colleagues, like Senator PORTMAN, Senator AYOTTE, Senator GRASSLEY, and Senator ALEXANDER, who have worked ceaselessly to advance this issue. Our Democratic colleagues, like Senator WHITEHOUSE and Senator KLOBUCHAR, have worked hard on this bill as well. I know they are proud of their work, and I am sure they look forward to supporting this overwhelmingly popular piece of legislation. The outspokenness and leadership of all these Members and others on this issue helped move the bill forward with the urgency this crisis demands.

This week, Senators can take action to improve security and consumer protections for airline travelers. Recent terror attacks across the globe only emphasize the importance of securing our airports. The bipartisan, bicameral aviation agreement aims to achieve that by enhancing security in prescreening areas, increasing measures to address cyber security threats, improving vetting for airline employees, and tightening security standards for flights coming into the United States. Not only will it increase safety and security, but it also includes a number of consumer protection provisions, such as refunds for lost or delayed baggage, as well as improvements for travelers with disabilities and for parents traveling with small children. We expect the House to pass this agreement tonight, and then the Senate will have a chance to send a bill to the President's desk this week.

Also, this week, Senators can take another important step toward modernizing America's energy policies. The Senate will have an opportunity to go to conference with the House to work toward an agreement on the Energy Policy Modernization Act. This reform bill, which passed the Senate in April, represents the first broad energy legislation moved through the Senate since the Bush administration. It aims to bring our aging policies and infrastructure in line with current and future demands. Going to conference on this measure would put us one step closer to arriving at a final bill and sending it to the President's desk.

With cooperation this week, the Senate will have several opportunities to advance serious solutions that can make a difference for the American people. From doing the right thing by our veterans, to protecting pregnant women and babies from Zika, to combating the opioid and heroin epidemic; from keeping airline travelers safe, to modernizing America's energy policies, there is a lot we can get done. There are issues that should be priorities for us all. I would encourage colleagues on both sides to work together to advance each of these solutions in the coming days.

COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2016—CONFERENCE REPORT

Mr. MCCONNELL. Madam President, I ask the Chair to lay before the Senate the conference report accompanying S. 524.

The PRESIDING OFFICER. The Chair lays before the Senate the conference report to accompany S. 524, which will be stated by title.

The senior assistant legislative clerk read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 524), having met, have agreed that the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment and the House agree to the same, signed by a majority of the conferees on the part of both Houses.

Thereupon, the Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of July 6, 2016.)

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

> CLOTURE MOTION
>
> We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.
>
> Mitch McConnell, James M. Inhofe, Pat Roberts, John Boozman, Johnny Isakson, Chuck Grassley, John Cornyn, Thom Tillis, John Hoeven, Kelly Ayotte, John McCain, Rob Portman, John Barrasso, Lamar Alexander, Richard Burr, John Thune, Orrin G. Hatch.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the mandatory quorum call be waived with respect to the cloture motion.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader.

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of the conference report to accompany H.R. 2577 and the conference report be agreed to with no intervening action or debate.

That must be the wrong one. Sorry about that. Madam President, it is sure good we have staff around; isn't it?

UNANIMOUS CONSENT REQUEST—H.R. 5243

Madam President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5243, which is at the desk; that all after the enacting clause be stricken; that the substitute amendment, which is the text of the Blunt-Murray amendment to provide $1.1 billion in funding for Zika, be agreed to; that there be up to 1 hour of debate, equally divided between the two leaders or their designees; that upon the use or yielding back of time, the bill, as amended, be read a third time and the Senate vote on passage of the bill, as amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Madam President, reserving the right to object, Republican Senators are prepared to pass the conference report and send it to the President's desk for signature today.

The Democratic leader has asked for the Senate to pass legislation providing $1.1 billion in immediate funding to combat Zika. In fact, the conference report before us provides exactly that—$1.1 billion in immediate funding to combat Zika. Passing the House-passed conference report is the only way to get this critical funding before September.

This is a conference report. The House has already passed it. It is not amendable. The Senate should act now. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST—CONFERENCE REPORT TO ACCOMPANY H.R. 2577

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of the conference report to accompany H.R. 2577 and the conference report be agreed to with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Madam President, reserving the right to object, I will give a longer presentation in just a minute or two, but I do want to say this: The consent I ask has the approval of 89 Senators here in the Senate, Democrats and Republicans. Only 11 have not voted in the affirmative. It doesn't seem too outrageous to suggest that the House send this back to us as it is.

What the Republican leader is asking has very little support over here that is not partisan in nature. He is proposing a completely partisan conference report riddled with poison pill riders. It is one of the worst conference reports I have ever seen in this body. The report is truly nonsensical. It restricts funding for Planned Parenthood—the very place women rely on for care to prevent the spread of Zika and get contraceptives.

It is ridiculous to try to pass a conference report that runs counter to common sense, so I object to the Republican leader's request.

The PRESIDING OFFICER. Objection is heard.

The Democratic leader.

MILCON-VA AND ZIKA VIRUS FUNDING BILL

Mr. REID. Madam President, carrying on, this week the Republican leader will continue with the pointless approach that has been a hallmark of his time as leader—bringing another failed partisan bill back before the Senate for a revote. The Republican leader will force yet another failed vote on this cynical Zika conference report.

The Republican agreement on the MILCON-VA-Zika conference report is a disgrace. It is a mockery of how Congress should treat an emergency. Remember, we passed a bill out of here—89 votes. It wasn't everything we wanted. It was a compromise. Instead of $1.9 billion, it was $1.1 billion. But we agreed to that. Democrats and Republicans agreed to that. It went to the House, and we thought we were home free, but little did we realize we were dealing with the same problems Speaker Boehner dealt with for a long time until he was forced to leave. It seems that RYAN, who was going to bring a new voice to the House, has not been able to do so. I know he has tried.

I repeat, it is a mockery of how Congress should treat an emergency. What does it do? It restricts funding for birth control provided by Planned Parenthood. It exempts pesticide spraying from the Clean Water Act. It cuts veterans funding by $500 million below the Senate bill. It cuts Ebola funding by $107 million. It rescinds $543 million from ObamaCare that simply would fall, like that, with raising a point of order. It strikes a prohibition on displaying the Confederate flag that was in the House bill. Why would the Republican leader waste his time on this? The conference report is going nowhere. The Senate will not pass this Republican conference report and President Obama will not sign it into law.

Democrats were willing to negotiate, willing to compromise. I told the Republican leader to give us something to work with. I feel we have given him something to work with. I feel it is reasonable.

Instead of wasting time, we should be responding to the real Zika emergency that is now in the United States. It is not just in Puerto Rico; it is on the mainland. I know the number of people affected with Zika is increasing every day. According to the Centers for Disease Control, nearly 3,700 people in the United States and territories have Zika. As of right now, 599 pregnant women have shown evidence of the infection. Seven babies have been born with birth defects caused by Zika. These babies were born in the United States. There is a path toward a bipartisan solution to combating this terrible virus if Republicans are willing to take it.

Two months ago, the Senate passed a bipartisan compromise to address the Zika crisis. As I have indicated previously, we didn't like that. We believed, as we still do, that $1.1 billion is not enough and will shortchange what scientists, doctors, and public health officials need to fight Zika. But we still voted for the bill because it was a step in the right direction. And, as I have indicated now for the third time, it passed with 89 votes.

The Senate bill, while imperfect, was not riddled with the vexatious provisions in the Republican conference report that I have enumerated. The Senate Zika legislation would save lives. We need to get to this soon. We need to send it to the President. The only way to do that is to pass the Senate compromise as a stand-alone bill. That is precisely what we Democrats are proposing. It is too bad that the House says we can't do that unless we have a Confederate flag flying over veterans cemeteries, stop people from going to Planned Parenthood, adversely affect EPA with the Clean Water Act, take money from Ebola, which everyone says we need to stay on top of that, and take $500 million away from veterans for processing claims.

The Senate should take up and pass the Zika compromise as a stand-alone bill. If we send it to the House, if the Speaker would bring up the legislation today, if he would let the Democrats vote, it would pass overwhelmingly. But he doesn't do that. He is still following the disgraced Hastert rule, and we need not say more about that other than to remind everybody that he is now in prison—the man whose name is affixed to that.

TRAGEDY IN DALLAS

Madam President, a couple of other things. Last Thursday night, a peaceful protest for justice in Dallas, TX, erupted into violence as a sniper ambushed law enforcement officers. Five police officers and two civilians were killed, murdered, and nine were wounded—seven police officers and two civilians. We grieve with the victims, their families, and the brave men and women who serve the people of Dallas, TX. We thank the police and first responders whose timely action prevented further loss of life.

It is insufficient to say that we as a nation are saddened by this attack. It is more than that. We are devastated. We are aghast at this sickening violence perpetrated on innocent police officers who were on duty to protect and to serve. There is no justification for this senseless, evil act.

This shooting rampage ran counter to the message conveyed by the peaceful demonstrators in Dallas. The people at the Dallas march were demonstrating for an end to violence. They were calling for no more of the brutality and hostility that have taken the lives of Americans of all backgrounds but disproportionately people of color. That message should not be lost, particulately in the aftermath of the two fatal shootings last week in Louisiana and Minnesota.

Last Tuesday, Alton Sterling, a 37-year-old Black man from Baton Rouge, LA, was pinned down by two police officers and then shot and killed. The next day, on the outskirts of St. Paul, MN, a 32-year-old school cafeteria supervisor named Philando Castile was pulled over for a broken taillight. The police officer killed Castile when he reached for his license as his fiancee and her 4-year-old daughter sat in the car and watched.

We are saddened by this loss of life, but our condolences mean nothing if this epidemic of violence persists. Our words are worthless if we don't do something to stop this violence.

The Black community is grieving over the disproportionate number of deaths of their young men. How would you explain all these deaths? How would you explain this violence to your children—Tamir Rice, a 12-year-old boy in Cleveland killed by police for holding a BB gun, or Freddie Gray in Baltimore, or Eric Garner in New York, or

the other unarmed Black men who died in confrontations with law enforcement.

Some 512 people have been shot and killed by police this year so far. Black Americans are killed at a rate 2½ times greater than that of Whites. According to the Washington Post, the number of fatal shootings by police officers increased during the first 6 months of this year. Twenty-six more people have been killed this year than during the first half of last year.

The evidence is indisputable. We have, as President Obama called it last year, a slow-rolling crisis of troubling police interactions with people of color, and because we are not addressing the problem, people are rightly outraged. We all should be outraged. In America, police brutality is not a new issue.

I echo the pleas from the Congressional Black Caucus leaders who are calling for more funds and more training for our police departments. We must help ensure that those who police our neighborhoods have proper training in community-oriented policing and deescalation tactics. The Black Caucus has said that. I agree.

The Dallas Police Department is exemplary in their effectiveness of community policing. Long before this tragedy in Dallas, long, glowing articles have rightfully been written about the Dallas Police Department. America looks to Dallas and other police chiefs look to Dallas not only to grieve for the fallen officers but to learn from the department's improvements under the leadership of Police Chief David Brown. But, as Dallas Mayor Mike Rawlings said in the aftermath of these attacks, we must get to the root cause.

From Baton Rouge, to St. Paul, to Dallas, intolerance and hate are breeding division and violence. As a nation, we must work to bridge the gaps between police and the communities they serve and unite against prejudice and brutality.

I apologize to everyone for taking a little extra time, but it is necessary because of the exchange the Republican leader and I had.

CLIMATE CHANGE

Madam President, over the next 2 days, Senate Democrats, led by Senator SHELDON WHITEHOUSE, will speak about how the world is being distracted and misled on climate change. The Senator from Rhode Island has been the champion of this frightening issue—climate change. He has spoken 143 times on the Senate floor calling for action.

Dozens of shadowy organizations are waging a campaign to mislead the public and undermine American leadership on climate change, the Paris climate agreement, and clean air initiatives across the country. Every day that is going on. All of these shadowy, dark entities—such as the U.S. Chamber of Commerce, the Heartland Institute, and the Cato Institute—are all fronts for the Koch brothers. Clearly, these groups all have one thing in common: They are bankrolled by the multibillionaire Koch brothers.

Charles and David Koch and the shadowy groups they fund have a simple agenda—to promote their own interests at everyone else's expense. These two brothers own Koch Industries, one of the largest privately held corporations in the entire world. Together, Charles and David Koch are worth, some say, up to $100 billion but at least $80 billion.

Why would the Koch brothers mastermind a plot to convince America that climate change doesn't exist? Because denying climate change is fundamental to the Koch business model. That is why it is done. The volume of pollution the Koch Industries emit into our environment is staggering. The company is among the worst in toxic air pollution in the entire United States. Koch Industries churns out more climate-changing greenhouse gases than oil giants Chevron, Shell, and Valero.

To acknowledge that climate change exists is to acknowledge that the Koch brothers' empire contributes to it, but the Kochs will not take that responsibility because they don't care. The Kochs don't care about climate change. They don't care that it is making wildfires more frequent and intense and that they are endangering the lives and property of millions of Americans, especially in the West.

As I speak, there are fires raging all over the western part of the United States—Arizona, California, and other States. They are very vicious in those States. The Koch brothers, as wealthy as they are, don't care about Nevada. They don't care that Nevada is enduring the 15th year of a terribly difficult drought. The Kochs don't worry about the water levels in Lake Mead. They don't worry that they have dropped to the lowest level since the Great Depression, when the lake was first filled.

The Kochs have ignored the underlying cause of the California and Nevada droughts—the unsustainable amounts of carbon being dumped into our atmosphere because of fossil fuels. One of the chief contributors, of course, is the Koch brothers. Those who ignore the climate crisis or deny it exists do not have a valid point of view. They are wrong. They are out of touch with reality.

These wealthy moguls, the Kochs, aren't just on the other side of this debate. They are on the other side of reality. Their flagship organization, Americans for Prosperity, is carrying the Kochs' toxic agenda into statehouses and city halls across America. They are involved at every level of government, trying to buy government. They are doing pretty well. They buy their own scientists to publish misleading reports to confuse the public about the overwhelming scientific consensus on climate change.

This isn't my theory. This is fact. A Drexel University Professor found that in 7 years half a billion dollars was spent by the Koch network on a ''campaign to manipulate and mislead the public about the threat posed by climate change.''

Consider the example of one of their front groups, the Nevada Policy Research Institute. The Kochs use this institute to fight efforts to increase my State's use of clean energy, even though to date $6 billion has been invested in clean energy projects in Nevada, including tens of thousands of jobs and hundreds of millions of dollars in tax revenue. This is in spite of the Kochs' bankrolling of more coal and more oil.

I can remember when I came out against more coal-fired plants in Nevada. I didn't know where all this opposition was coming from. I know now. It is the Koch brothers. The Kochs don't appreciate Nevada's renewable energy acceleration. So they fund the Nevada Policy Research Institute to bash clean energy solutions.

The Kochs are heavily involved in the Nevada State Legislature. This Koch front group recently hired an academic to write a report saying that renewable energy was raising Nevada's energy costs. How about that one? The report, of course, was false and, of course, it is misleading.

When experts studied the report, it was found to be without basic facts. The Nevada Policy Research Institute went so far as to oppose the Tesla Gigafactory that is being constructed just outside of Reno, which will use clean energy and employ thousands of Nevadans. This is a project that every State wanted to have in their State. Nevada was fortunate to get it there. The footprint of that facility is so large that the only standing building that would be any larger is the Boeing factory in Seattle.

Listen to what I said. All the energy will be with renewable energy. The Kochs don't like that. Even though they oppose something as basic as bringing thousands and thousands of jobs to Nevada through the Tesla Gigafactory, this kind of deceitful activity from large corporations has occurred before. But the Kochs deserve to be in the hall of fame. They have done so much deceitful activity that other corporations are on the sidelines. They are in the minor leagues.

For more than 40 years, Big Tobacco confused scientific consensus about the effects tobacco had on our health, leading to millions of premature deaths. Just like the tobacco companies, Big Oil has known about the harm it is causing. As early as 1981, Exxon's in-house climate expert knew that climate change was an issue, but they bought off enough scientists so they could stall for a while longer. In spite of knowing, Exxon provided over $30 million to 69 organizations to cast doubt on the science of climate change. This is what a clean environment confronts—lots of Koch money and lots of falsehoods.

The Koch brothers and their shadowy organization know the truth. Science has long been proven, but they don't care. They will sacrifice the future of our planet for bigger Koch profits. I join my colleagues today and tomorrow, calling attention to the web of denial financed by the Koch brothers and other fossil fuel interests. The Kochs' money and power amplified the climate deniers' voices.

The government belongs to the people. Our planet belongs to the people—not the Koch brothers, these multibillionaires. It belongs to the people. The public deserves to know who is behind these deceitful efforts, to allow better informed decisions about understanding climate change, and we are going to continue doing everything we can to show the evil nature of the Koch brothers.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 5293, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 524, H.R. 5293, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

The PRESIDING OFFICER. The Senator from Texas.

TRAGEDY IN DALLAS

Mr. CORNYN. Madam President, last Thursday night, hundreds gathered in downtown Dallas to engage in a peaceful protest. Dozens of police officers were on hand to make sure that these protesters could exercise their rights under the First Amendment to the U.S. Constitution, and protesters even snapped pictures of themselves with the officers in a show of harmony, underscoring the peaceful nature of the event.

As we know now, near the end of the route, all this was shattered as a gunman opened fire on law enforcement officers in a targeted, senseless, and vicious attack. It was made clear early on, that the attackers' goal was to kill as many police officers as possible, and he made a calculated effort to do just that. To attack those who work day in and day out to keep our communities safe is absolutely revolting. It is an act of pure evil and the shameful work of a coward.

Today our country grieves with Dallas, the Dallas Police Department, who lost four of their own, and Dallas Area Rapid Transit, who lost an officer while protecting the community that night.

These officers did what all of our law enforcement officers potentially would be called to do; that is, they put their lives on the line. Some gave their very lives, and several others were injured in actions that can only be described as heroic. These officers were certainly worthy of the badge they wore, and their courage makes me proud to be a Texan. They could have turned around and run away from the sound of gunshots and commotion. They could have given up and decided their lives were more important than the lives of those they had vowed to protect, but they didn't. That is not who they are. They are made of better, braver stuff than that. In fact, these officers ran to the sound of gunshots without hesitation to protect the community they serve.

Dallas police chief David Brown recounted that many ran out in the middle of the gunfire knowing they were making themselves targets of the attack in order to get injured officers to safety and to medical help. Many used their own bodies to help shield protesters who were fleeing in terror.

That is what the men and women of the Dallas police force are made of—undeniable valor and unfailing courage. To say we are indebted to them for their service to the community is an understatement, but I want to thank each and every one of them who didn't hesitate to put it all on the line to defend and protect the people of Dallas.

Today and tomorrow, when the President comes to Dallas, our country will continue to mourn with the whole Dallas community. We grieve for the first named officer who was killed, Officer Brent Thompson. Officer Thompson was a newlywed who married a fellow officer just a couple of weeks ago. We grieve for the loss of Patrick Zamarripa, who bravely served three tours in Iraq and leaves behind a wife, a son, and a 2-year-old daughter. We likewise grieve for the family and friends of Lorne Ahrens, Michael Krol, and Michael Smith—three other officers who were killed. We offer our prayers for those who were wounded, including a woman who happened to be an African American who was shot in the leg while trying to shield her sons from the bullets. We pray for her and the several other police officers who were shot but survived as they begin the long road to recovery.

I mentioned the race of the woman who was shot to underscore that while the shooter said he intended to kill White police officers, his actions did not discriminate based on race. Everyone who was in the line of his sight that night was a target.

This is a national tragedy, the deadliest day for American law enforcement since the events of 9/11. Tomorrow I will join leaders in Dallas, President Obama, and former President Bush at the memorial service to honor the lives of those we lost and to pray for healing and peace for the city and for our country.

While it should not take an event like this to jolt our consciences, we have to consider more ways to support our public servants who are tasked with the daunting responsibility of keeping order, enforcing the rule of law, and protecting our communities. One way we can do that is to support additional training for our law enforcement, like some legislation that I have introduced called the POLICE Act, which has passed the Senate unanimously. It would make millions of dollars available for law enforcement to pursue active-shooter training.

In other words, we have learned the hard way that by trained policed officers running to the gunshot, we can actually save lives while endangering, obviously, the lives of the police officers engaging in that active-shooter practice. But with training, these officers can minimize their own exposure and, hopefully, save more lives. I hope the House will pass this legislation soon so we can send it to the President's desk.

I also would note the contribution of my friend and colleague Congressman JOHN CARTER from Central Texas, who has sponsored legislation in the House. It is pretty clear that we don't have all of the answers. That goes without saying, but we know we can make a difference if we try. In addition, I plan on introducing other legislation soon that would help law enforcement go after the violent criminals who intentionally target police officers and give additional authorities to our law enforcement officers to help them better defend both the public and themselves.

As we continue to grieve and say our prayers, let's not neglect our work to support law enforcement so that they can better protect and defend our communities. Our law enforcement officers deserve our utmost respect for the essential, irreplaceable role they play in our communities.

Tragically, the officers we lost last week were killed and injured for simply doing their job; that is, for keeping the community safe. They were shot while actually protecting protesters so that they could exercise their constitutional rights of free speech and assembly. These officers didn't do anything wrong. They weren't responsible for any of the real or perceived injustices that have occurred in other parts of the country, but they were targeted by a twisted and demented mind who lost his own life in pursuit of this terrible crime. There is no—zero—justification for the taking of these lives.

As our country continues to grieve, I hope we will also unite to support those who put their lives on the line to keep us safe.

Madam President, I see a Senator wishing to speak, so I will yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I see that Senator CARDIN has arrived, so I will yield to him in one moment. But while Senator CORNYN is still on the floor, I want to express the

sorrow and sympathy of the law enforcement community in Rhode Island for the loss Dallas has sustained.

As anybody who has served in law enforcement knows, the two worst words an officer can hear are ''officer down.'' They don't know who it is, but they know it is one of theirs, and it is a sign of a casualty among the brotherhood and sisterhood of the police department. Those Dallas police officers had to hear the same words over and over again on that deadly night: Officer down. Officer down. Officer down.

I think it has shocked the entire country, and I have certainly seen people come from all around the United States when we have lost police officers in Rhode Island. They come and stand in the freezing cold outside of churches where a funeral is going on. They come in groups wearing bands. They come to show their respect. It is not just the men and women of law enforcement in Dallas and in Texas who feel this, everyone across the country does. I wanted to express that to the people of Dallas, the law enforcement community of Dallas, and our friend Senator CORNYN of Texas.

With that, I will now yield to Senator CARDIN, who will speak on a different subject.

The PRESIDING OFFICER. The Senator from Maryland.

CLIMATE CHANGE

Mr. CARDIN. Madam President, first I thank Senator WHITEHOUSE for his extraordinary work on an issue that affects the United States and the global community, and that is the reality of climate change and the impact it is having on the United States and on the global community.

Senator WHITEHOUSE and I, along with eight other Members of this Senate, represented the United States at the COP21 conference in Paris in which over 190 nations came together on an action plan to deal with climate and climate change. That would not have happened but for U.S. leadership. I am proud of the work that was done by the United States in setting up a blueprint so we can deal with the impact of climate change in the international community.

We can talk about the specific aspects of climate change and the impact it is having on the security of America. We can talk about the number of climate refugees—people who are going to be forced to leave their lands because of the rising sea level. We can talk about the impact of famine by droughts and floods that are occurring as a result of climate change. We can listen to our generals talk about the impact it has on our national security.

I start by saying that this is an issue of international concern that affects America's security. We can do something about it, and we have done something about it. U.S. leadership has brought about a game plan to deal with this issue. So it is particularly frustrating to see special interest groups that have a direct financial interest in maintaining the status quo by continuing to use high-carbon productions in order to produce their products, and they finance groups that produce documents to justify the science deniers. That is a particularly frustrating aspect, particularly since we recognize how much we need U.S. leadership.

I thank Senator WHITEHOUSE for bringing to our attention the different special interest groups interested in high-carbon emissions and maintaining the status quo of our climate. They have financed these groups to come up with studies that are really phony in order to justify their opposition to responsible legislation here in the United States and around the world that will lead us to a safer course on climate change.

This is particularly important for us in America. I will get a little parochial for one moment, if I might. The Chesapeake Bay is one of the most vulnerable regions in the Nation to the effects of climate change. According to a report from the Chesapeake Bay Program's Scientific and Technical Advisory Committee, some of these effects, including rising water temperatures and sea levels, have been observed in the watershed, and the region is expected to experience further shifts in its environmental conditions.

As water levels rise, so will coastal flooding and erosion. Marshes and wetlands will be inundated with saltwater and will disappear faster than wetland plants can populate higher ground.

There was an article in our local paper talking about the islands in the Chesapeake Bay—Tangier and Smith. They are disappearing. These islands won't be there in the future. And we already have islands that used to be inhabited in the Chesapeake Bay that don't exist.

A loss of marshes and wetlands will mean a loss of the habitat that traps pollution and provides food and shelter to fish, shellfish, and birds, and a loss of livelihood to Maryland's men and women who earn a living by fishing, crabbing, and oystering in the Chesapeake Bay. It has a direct economic impact in addition to the safety issue.

Strong rain and snowstorms can damage crops, erode soil, and increase flooding. Floods can damage ports, marinas, and historical monuments, and threaten buildings, sewer systems, roads, and tunnels. Meanwhile, a network of groups purporting to be unbiased has misled the public about the scientific certainty of climate change.

In Maryland, junk science is a thing of the past. I take the time to point that out. The now-defunct Annapolis Center for Science-Based Public Policy was founded in 1993 by a former vice president of the National Association of Manufacturers. In its own words, the center was a ''national, non-profit educational organization that supports and promotes responsible energy, environmental, and health and safety policy-making through the use of sound science.'' Nothing could be further from the truth.

In 1997, the Annapolis Center hosted a workshop discussing both the scientific and economic uncertainty of climate change and that a ''firm, unqualified conclusion on the direction and rate of climate change'' will come ''many decades in the future.'' That was their finding. For reference, Dr. James Hansen, who was then a scientist at NASA and is still one of the most world-renowned climate scientists, testified before Congress nearly a decade earlier as to the certainty of climate science. Fortunately, the Annapolis Center is not sending out this kind of misinformation any longer. They are no longer in existence. They closed their doors, thank goodness. They were funded by special interest to produce a document that they could use to try to prevent the progress that was being made on climate change with our policymakers, including Congress.

Accelerating the transition to a low-carbon economy will produce many benefits with regard to sustainable economic growth, public health, resiliency to natural disasters, and the health of the global community.

My colleague in the House, Congressman DELANEY, and I have filed resolutions in the House and Senate affirming the establishment of a national goal of more than 50 percent of America's electricity production coming from clean and carbon-free electricity by 2030. This is doable. Despite the misinformation that has been put out by these special interest-funded groups, we can do much better on the use of noncarbon sources to produce our electricity. Our ''50x30'' resolutions are cosponsored by 30 Senators and 103 House Members. The resolutions are also endorsed by the Union of Concerned Scientists, Green Latinos, Green for All, Climate Hawks, and the House Sustainable Energy and Environmental Caucus.

I am proud of the legitimate, science-based work of groups like the University of Maryland Center for Environmental Science. I applaud its hard work and the positive news of an improved score on the Chesapeake Bay report card for 2015. We are making progress. Why? Because we are following science-based solutions to deal with reducing carbon emissions.

I am proud of recent efforts to divest in fossil fuels in Maryland. The foundation that oversees the Maryland State university system's $1 billion endowment announced June 28 that it will stop investing directly in coal, oil, and natural gas companies—a victory for a student-led movement to direct more of the portfolio clean energy. The University System of Maryland Foundation, which helps fund scholarships, endowed professorships, and more, said it would sign on to a United Nations pledge to be more socially aware of its investments and appoint a staff person to identify opportunities in renewable energy.

I am also proud of the work of the Maryland board members of the U.S.

Chamber of Commerce. They have adopted proactive climate policies or practices.

This should not be controversial. This is good for business, not bad. For example, board member Xerox Corporation, headquartered in Germantown, MD, is doing its part to reduce the financial risk of climate change. It signed the American Business Act on Climate Pledge and pledged to reduce its greenhouse gas emissions and energy consumption by 20 percent by 2020. It is good for the environment, it is good for dealing with the impacts I have mentioned, and it is also good for business. This pledge is sponsored by the White House, and 154 businesses signed, voicing support for a strong outcome in the Paris climate negotiations.

Another example is the Maryland State Retirement and Pension System. It is a proud member of the Ceres Investor Network on Climate Risk, a voluntary network of companies that have committed to improve their environmental and social performance and to publicly report their sustainable strategies.

These and many other examples across Maryland demonstrate—contrary to what the chamber of commerce has said—that there is a business and economic case to be made to take steps to fight climate change.

Unless we all act, we will continue on a trajectory that leads to a grim future for us and our children. The first step that must be taken is the recognition that climate change is real and that it is happening right now so we can work cooperatively to come up with creative solutions rather than continuing unproductive arguments about whether everyone agrees the science is settled.

The types of activities we have seen should have no place in American politics. It is one thing to have disagreements on how we can resolve problems; it is another thing to say that the science points in an opposite direction than it does, particularly when it is funded by special interests that have a financial reward for trying to prevent science from dictating the policies—or leading us to the policies—in this country. I am proud to be part of the effort Senator WHITEHOUSE has brought to the floor to expose these types of organizations. I am pleased that the organization that existed in Maryland no longer exists. I am proud of the great work that is being done.

TRIBUTE TO MICHAEL WOLFE

Madam President, before I yield the floor, I wish to point out the incredible help I have had in my office from a detailee, Michael Wolfe. Michael is a Brookings fellow who has worked in my office. His home agency is the EPA, where he is the senior program analyst in the Office of Air and Radiation. He has worked at the EPA since 2004, dedicating most of his professional career to serving the American people.

I know how fortunate my colleagues and I are when we get detailees from the executive branch to work in our offices. They provide extremely valuable help. Michael Wolfe has been an incredible resource to our office. He has been part of my team, and he is a civil engineer by training, which is something we desperately could use in my office. He was instrumental in my work on water infrastructure this year. He has also worked tirelessly to protect the clean water rule, the Chesapeake Bay agreement, and increase access to public lands in Maryland.

While Michael is incredibly smart, the first thing one notices about Mike is that he nearly always smiles. Even on tough days, he brightens up our office. It has been a pleasure to know him. He will be leaving our office next week, and I wanted to take this time to personally thank him for his service to the Senate.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, we expect that the Senator from Delaware will be here shortly, but in the meantime, let me begin with a few remarks.

This is the 144th time I have come to the floor to urge Congress to wake up to the threat of climate change. This week, something new is happening. I am joined by colleagues who will help me shine a little light on the web of climate denial and spotlight the bad actors in the web who are polluting our American discourse with phony climate denial.

This web of denial, formed over decades, has been built and provisioned by the deep-pocketed Koch brothers, by ExxonMobil, by Peabody coal, and by other fossil fuel interests. It is a grim shadow over our democracy in that it includes an electioneering effort that spends hundreds of millions of dollars in a single election cycle and threatens any Republican who steps up to address the global threat of climate change.

Just one of those electioneering groups, the Koch brothers-backed Americans for Prosperity, has openly proclaimed that if Republicans support a carbon tax or climate regulations, they would be ''at a severe disadvantage in the Republican nomination process.'' It would mean their political peril. When that threat comes from a group that has openly and notoriously pledged to spend $750 million in an election cycle, that is a threat that serves notice on the political class to behave, and regrettably the political class too often does behave in the face of that kind of money.

I see that Senator COONS has arrived, and I am delighted to yield the floor to him.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, I wish to thank my great colleague, the Senator from Rhode Island, for his tireless efforts to keep climate change on this Chamber's radar. One day I hope that we can move it from our radar to our to-do list and ultimately to the history books.

Today I am pleased and proud to join my colleagues to speak about something I thought we had established in grade school but apparently bears repeating; that is, the importance of science. It is troubling that today in the 21st century, there is any doubt about the importance of real, sound science in many facets of our lives. It is troubling that we still need to defend science here on the Senate floor.

Scientific discovery and invention are the engine of our economy. Science leads to transformative technologies and new ways of thinking in a wide range of fields, including health care, manufacturing, agriculture, clean energy, and national security.

Scientific inquiry is also the foundation of good public policy. It shapes and informs how we inform global threats such as ozone depletion, an issue on which the international community has made real progress. Science must play an equally central role in how we address climate change.

When we want to know what to do about a public health or environmental crisis, we turn to science. For example, rigorous, careful data collection and analysis are critical to understanding long-term trends. Data can show the effectiveness of a medication in treating a disease, for example, or the ability of a new material to withstand extreme conditions over time. And data can help us make good decisions based on those trends. Never have we had a greater ability to collect and analyze data than today. That is why more than ever in today's world, science should drive policy, not the other way around.

In a number of areas, I have worked with my Republican colleagues on bipartisan bills that help substantially advance scientific inquiry, from encouraging citizen science projects to improving public-private partnerships with our national labs. So why is climate science so threatening to some?

Sadly, there are far too many organizations in existence today that have it backwards. These organizations have attempted to distort science for purely political ends because the facts threaten the bottom line of those who have created and sustained them. These organizations claim to use sound science to support policy objectives, but their actions indicate that the only science they find sound is the kind that sounds like profits.

One of these organizations is the now-defunct The Advancement of Sound Science Coalition, known as the TASSC—an organization that played a key role in obscuring the facts around the dangers of tobacco use. TASSC was originally founded back in 1993 under the guise of promoting ''sound science in policymaking.'' In reality, as was later uncovered in the documents that came to light in the course of litigation against the tobacco industry,

TASSC actually had the opposite goal. The year it was founded, it stated in private documents at the time that one of its goals was to lay the groundwork to help Phillip Morris advance its agenda of promoting tobacco use nationally and at the State and local level. How? Let me quote from one of these discovered documents: by ''encouraging the public to question—from the grassroots up—the validity of scientific studies.''

These are not the statements of an organization devoted to scientific inquiry and data-driven policy.

Let me be clear. The problem doesn't lie in industry hiring scientists to argue their case. That is well within the rights of industry and of any organization in our country. The problem is when groups like this one misrepresent their very motives, hide their sources of funding and industry ties, and push out misleading or even incorrect information under the guise of ''sound science.''

We all know today that smoking tobacco is profoundly harmful to our health. Yet these same organizations, the ones that decades ago promoted ''science'' that hid the truth about tobacco and threatened public health for far too long, are now in sadly too many cases doing the same with climate change.

Fortunately, today, this group I am discussing, TASSC, is now defunct. But its former executive director, Steve Milloy, is still an active climate change denier who helped draft the 1998 ''Global Climate Science Communications Action Plan.'' It included the statement: ''Victory Will Be Achieved When Average citizens 'understand' . . . uncertainties in climate science; recognition of uncertainties becomes part of the 'conventional wisdom.' ''

Quite simply, his goal was and continues to be to persuade people, using incorrect, scientifically unsound information, to doubt the science about climate change, one of the greatest global challenges we face. His policy goal is to halt action on climate change, and he is using science incorrectly to achieve this political end. Frankly, this is irresponsible and it flies in the face of the foundation of the scientific method.

As someone who trained in chemistry in college, I am familiar with how scientists are trained to formulate hypotheses, carefully construct experiments to test those hypotheses, and without bias or preformed assumptions, then draw conclusions about those hypotheses. Starting with the answer and considering only evidence that supports the answer—that is not science; that is politics.

The very existence of groups like TASSC and others that my colleagues will speak about this evening and tomorrow make clear that we must work even harder to defend and support science throughout our society.

That means providing robust funding for our national lab system.

That means establishing a Federal effort to coordinate research in a new subfield of chemistry that I have been excited about promoting.

That means supporting the use of crowdsourcing and citizen science methods in Federal agencies.

That means supporting policies that will support industry-relevant training in engineering, including advanced manufacturing.

All of these are efforts that I have been involved in and that enjoy bipartisan support. My colleagues know that I make an effort to promote pragmatic, bipartisan policy ideas. Science should not be a partisan issue, and neither, frankly, should climate change.

Climate change is all too real for those of us who live in low-lying coastal States like my home State of Delaware, where flooding has already devastated homes and communities up and down the State. The science is clear: This severe flooding is only going to increase as temperatures continue to rise around the globe and as the sea level rises as well.

We live in an era of unprecedented scientific and technological advantages. The NASA Juno spacecraft mission to Jupiter; the ability to use 3–D printing to manufacture custom products, specifically prosthetics; the evolution of new developments in robotics and genomics—these advances capture our imagination, and they can change our world. These developments happen because America's best trained scientists and engineers have spent decades undertaking rigorous and innovative research and applying their findings to address the big questions of our world.

Certainly the challenges of climate change are daunting and urgent, and so we should be focused on using the best science available to tackle these challenges with the best policy solutions possible—not convincing people who prefer denial and deception that the science isn't even real.

I wish to thank my friend and colleague Senator WHITEHOUSE for his tireless leadership in addressing climate change and for assembling today's important colloquy.

If I might, with the forbearance of my colleague from New Mexico who I see has come to the floor, I wish to take just a few more minutes to address an unrelated but urgent topic.

TRAGEDY IN DALLAS

Madam President, before I invite one of my colleagues to continue today's colloquy, I just want to say a few words about the tragic events in Dallas. Just four days ago, a peaceful protest in Dallas that brought together protesters and police in an example of the very best of our Nation was torn apart by a cowardly and savage act that reflected the very worst. Five police officers were murdered, leaving their families, friends, and country in shock, in mourning, and in search of answers, and six of their colleagues were injured.

Last week was a very difficult one for America. From Dallas to many other cities, including Baton Rouge and St. Paul, MN, far too many lives were cut short by violence, far too many families will never be whole again.

But as our President said this weekend, America is not as divided as we may appear. We are united in mourning the tragic deaths of Brent Thompson, Patrick Zamarripa, Michael Krol, Lorne Ahrens, and Michael Smith, and in mourning Philando Castile and Alton Sterling. We are united in our grief for their families and communities.

We are united in our respect and admiration for police and first responders, the overwhelming majority of whom do their dangerous jobs with bravery and selflessness.

But we are also united in our awareness that we have so much more work to do to strengthen the relationship between law enforcement and the communities they serve and protect. We are united in our understanding that moving beyond this tragic and unacceptable status quo—to heal our wounds and build toward a national community of respect and compassion—will challenge us in ways both new and uncomfortable.

But as Franklin Roosevelt said in an address exactly 80 years ago today: ''There are no limits to this Nation's capacity to obtain and maintain true freedom, no limits except the strength of our Nation's desire and determination.''

I am confident our desire and determination will build an America in which police officers can serve their communities, worrying only about how to make their communities safer, not whether they will come home that night.

Our desire and our determination can and should build a Nation in which every American can live, work, play, and worship free of concerns about discrimination, a Nation in which all of us are able to abide by the law as written with a law as lived. We must do better and we will do better.

I thank my colleagues for the opportunity to join in this colloquy, and I wish to yield the floor to my colleague from the State of New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

CLIMATE CHANGE

Mr. UDALL. Madam President, I thank the Chair for the recognition. Let me also, as my other colleagues have done, thank Senator WHITEHOUSE for his leadership on climate change, global warming, and the work he has done in that area.

I was also part, with Senator COONS, of the Paris 10 who went to Paris and did everything we could to let the rest of the countries in the world and their representatives know, as Senator COONS knows very well, that we are in this for the long haul and we are going to make sure that it happens and that the United States will continue with all of the good policies that have been put in place.

Senator WHITEHOUSE has shown particularly good leadership in the area of exposing a sophisticated network of climate deniers, a network of special interest groups and front groups that have all rallied around the slogan of being climate deniers. I rise to join my colleagues to draw attention to what we are calling the web of denial—interconnected corporations and special interest groups spending millions of dollars misleading the public about the harmful effects of climate change.

Contrary to what these groups want the American people to think, climate change is a fact, it is a reality, and we have to deal with it. Carbon dioxide, a greenhouse gas and a byproduct of fossil fuels, is a major contributor to global warming. This is not some ideological belief I share with some of my colleagues. We wish global warming did not exist and that it was not threatening our health, our livelihoods, and the environment, but it is real, and New Mexico and the Southwest are in the bull's-eye. We are seeing it in the form of more frequent droughts, increasingly severe wildfires, and rising temperatures. There is no doubt and the data cannot be denied. Scientists cannot be ignored. We can see it before our eyes in New Mexico and across the country in so many different areas.

The Intergovernmental Panel on Climate Change, the National Academy of Sciences, and independent researchers at our most esteemed universities have written extensively about this link between greenhouse gases and the warming of the Earth.

Scientists at Las Alamos and Sandia National Labs in New Mexico are key parts of this scientific effort. We trust these institutions to perform the scientific research that is critical to our Nation's national security. They ensure our arsenal of nuclear weapons is safe and secure. So when these scientists tell us that manmade climate change is real and poses a serious threat, we should listen and take them seriously.

The evidence has been mounting for decades. The research has been thorough and unbiased. Countries around the world have been pressing to address this challenge in a global manner. So why are people still trying to foster a debate? Why are they asking if global warming is really happening? That is what we are here to discuss—the web of denial.

There are many who have different agendas that are not rooted in truth or science, and those agendas are playing out in our politics in the most disgraceful way possible, through the dark money that is poisoning the system and spreading lies to benefit a few. It started when industry became concerned that this link could harm the bottom line. Over the years, industry groups have spent millions of dollars to influence the debate through dark money and front groups. Many of my colleagues have talked about this today and many more will talk about it tomorrow. The evidence of this strategy is profound.

An early example is, the Information Council for the Environment, or ICE, and the Greening Earth Society. These groups sound technical and environmental, but they aren't. They were cooked up in the boardrooms of fossil fuel industry executives—people who put profits over public health. They were designed after focus groups and market data convinced them the public trusted scientists more than politicians, more than political activists, and certainly more than industry press people. These groups, founded by the Western Fuels Association, aimed to shape the global warming discussion at a crucial time in the early 1990s, as the world was gathering in Rio and Kyoto to hammer out agreements and tackle the problem.

ICE ran several print and radio advertisements asking: ''If the Earth is getting warmer, why is Kentucky getting colder?''

Another quote: ''If the Earth is getting warmer, why is the frost line moving south?''

''Who told you the earth was warming, Chicken Little? And how much are you willing to pay to solve a problem that may not exist?''

These questions and claims were misleading and false, but they helped to stir up the public. The public was looking to trust independent scientists and analysts, not industry front groups. Even more concerning is the way global warming deniers have refocused their strategies at discrediting scientists and researchers.

We have seen a terrible trend. As the public has become more aware of these front groups, they have changed their tack. Now they are working to discredit and disavow the credible scientists who are out there, charging that scientists have hidden agendas, wanting more research dollars and more Federal funding. I find this absurd and ominous.

The funding for the Intergovernmental Panel on Climate Change, the National Academy of Sciences, and university researchers is transparent. The money is there for the public to see. None of these folks is getting rich. They don't have profits to protect. They are providing the public with data and with research, but it is getting harder and harder to stop these outside groups from spreading their smear campaigns. These groups have an interest in making sure Congress never gets anything done to prevent climate change, and they are using our broken campaign finance system as a tool to keep it that way.

We used to have sensible laws on campaign finance. We used to have an enforcement agency, a watchdog over the Federal finance system. The laws have been gutted by the Supreme Court's devastating decisions, whether it is Citizens United, McCutcheon, or many other misguided decisions. The enforcement agency, the Federal Election Commission, has become completely dysfunctional and mired in gridlock, leaving super PACs and special interests free to pollute the political system with unlimited dark money and always to protect someone's bottom line. That is the way Western Fuels Association and so many other companies have put pollution above public health.

We need to fix the system. A few months ago, several of my colleagues and I got together to discuss the state of our democracy. The question we asked ourselves was this: What can we do to repair this damage, to return the government to the people—the government by and for the people. The product of these meetings was the bill we introduced last month, the We the People Act. It will bring dark money out of the shadows and create a real watchdog to enforce campaign finance laws and rein in the influence of special interests and lobbyists.

The ''we the people'' reform package includes my constitutional amendment to overturn Buckley, Citizens United, and other decisions. It will allow Congress and the States to enact real reform, to get the flood of money out of our political system, laws that five conservative Justices on the Supreme Court can't overturn.

I know the political climate of an election year makes bipartisanship unlikely, but I will reintroduce the ''we the people'' reform package in the next Congress and hope my Republican colleagues will join me.

Poll after poll shows that our constituents across the political spectrum want reforms tackling climate change, eliminating dark money from our political system, and standing up to groups that distort public perception. It is time we listened. Our democracy, our environment, and the planet are at stake.

I see Senator WHITEHOUSE is here and there may be others. Once again, I thank Senator WHITEHOUSE for his leadership. I think one of the things he has done in our caucus, on the floor, and being constantly vigilant about it is, how many of these groups are out there networking with each other. It is a very sophisticated operation that has to be exposed if we are going to get down to what is happening and get down to what we need to do.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, for purposes of the floor, I would like to say I understand Senator SULLIVAN from Alaska will be coming, and I will end my remarks so he can speak as soon as he arrives, but in the meantime, I would like to intersperse my remarks between the various speakers who come. So Senator SULLIVAN should not be disconcerted if he sees me speaking. I will draw to a rapid conclusion and allow him the floor and I will reclaim it at the conclusion of his remarks.

When I finished my remarks a moment ago, I was describing the polluter-funded front group that with one hand threatened to spend $750 million in this election cycle and with the other hand threatened to cause ''severe disadvantage'' in the Republican nomination process and ''political peril'' to people who crossed them in their denial of climate change. That raises the obvious question: Why all that money? Why all those threats? Well, the threats are there and the money is that big because the stakes are very high.

The International Monetary Fund, which is a generally respected organization filled with very intelligent people, has determined the fossil fuel industry receives nearly $700 billion in what they call effective subsidies in the United States alone every year. How hard would you fight to protect an effective subsidy of $700 billion a year? No wonder throwing $750 million around seems like a wise investment by the big polluters.

The fossil fuel industry has another problem, which is that it faces worldwide consensus about the urgent need to address climate change, consensus from the American public, consensus from every single major American scientific society, consensus from a vast number of major American companies. Essentially, the heraldry of American corporate leadership signed on to the Paris Agreement—every single U.S. National Lab, the scientists who have been mentioned before from NASA and from NOAA, whom in every other respect we count on.

Imagine the NASA scientists who have put an explorer onto the surface of Mars, and they are driving a rover around the surface of Mars right now. Do we think they might know a little science? And yet when they tell us climate change is a serious threat, suddenly we can't pay any attention to that any longer because you have the Koch brothers, with all their money, telling everybody don't listen. You also have America's national security, military, and intelligence leaders warning us of the threat. You have the Pope calling on us to take action and most world leaders.

So if you are the fossil fuel industry, what do you do? You come to Congress, to the chokepoint for legislation, and you put a chokechain on the Republican Party so you can snap it to heel. In support of that, they perpetrate this web of climate denial.

This is actually a graphic of the web that was done by one of the academic researchers who specializes in this area. Why do they do this? Well, to do their best to fool the public about the risk of climate change, to provide talking points to rightwing talk radio, to take advantage of a lazy media's impulse to offer both sides of the story, even when one is false, and of course to hide the hands of the fossil fuel protagonists who are behind the scenes.

So it is long past time we shed some light on the perpetrators of this web of denial and expose their filthy grip on our political process. It is a disgrace, and our grandchildren will look back at this as a dirty time in America's political history because of their work.

I am grateful to my colleagues who are joining in this effort, today and in the days to come, to help spotlight the lengths to which the Koch brothers and other fossil fuel fronts go to advance their economic self-interests by sabotaging America's response to the climate crisis.

As we look into this, we are aided by a growing body of research examining the web of denial and examining how the actors in that web propagate climate denial. So let's listen to some of the experts.

Drexel University professor Dr. Robert Brulle calls the web of denial in his research ''the climate change counter-movement.'' In his 2013 paper, ''Institutionalizing delay: foundation funding and the creation of U.S. climate change counter-movement organizations'' Professor Brulle describes that movement as a constellation of organizations—as you see here depicted in a graphic from that very paper—that, he says, ''engages in a wide variety of activities opposing any legislative attempts to enact mandatory restrictions on carbon emissions.''

The green diamonds—here, and here, and here, and here—are the big funders: fossil fuel billionaires' foundations, for instance, the American Petroleum Institute, and so on.

The blue circles—here, here, and here—are the who's who of climate denial groups. The Heartland Institute is in here, for instance. They are that classy bunch who compared folks concerned about climate change to the Unabomber, just to give you a sense of what sort of people they are. There is the Hoover Institution; there is the Heritage Foundation; there is the Cato Institute; there is the Mercatus Center, to name just a few of the climate saboteurs on Dr. Brulle's graph.

Brulle's research describes these groups as part of what he calls—and I will quote him here—''a deliberate and organized effort to misdirect the public discussion and distort the public understanding of climate''—''to misdirect . . . and distort.''

The coordinated tactics of this network in its effort to misdirect and distort, said Brulle—and I will quote him again—''span a wide range of activities including political lobbying''—we certainly see plenty of that here—''contributions to political candidates,'' plenty of that—''and a large number of communication and media efforts that aim at undermining climate science.''

This is Professor Brulle's depiction of the web of denial. This chart is from a 2011 study by Professors Riley Dunlap of Oklahoma State University and Aaron McCright of Michigan State University, describing the behavior of the major actors in what they call the ''climate denial machine.'' That is their quote. Remember, Professor Brulle calls it the ''climate change counter-movement.'' These two researchers call it the ''climate change denial machine'' and, of course, we call it the ''web of denial.''

I see that Senator WARREN has come to the floor. I will gladly yield to her and resume my remarks when there is again room on the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Madam President, I thank the Senator from Rhode Island for yielding. I just want to talk a little bit about data. I believe in data. I try to find good information about issues and use that information to inform my work. We need good data. But can we trust the think tanks and public policy groups that hold themselves out as offering solid independent research?

The work at these think tanks and public policy groups is increasingly funded by wealthy corporate interests, and the line between objective scholarly research and pay-for-play studies is becoming blurred. The problem is compounded by the fact that corporate financial support often occurs in the dark. Think about it this way: Companies are required to disclose their expenses when they directly lobby lawmakers. But these same companies are allowed to make huge secret contributions to think tanks, even if they have the same goal of influencing those same lawmakers.

Today, climate deniers have an increasingly difficult time selling their anti-science positions. So a small industry of think tanks has emerged to give the veneer of plausibility to their bizarre views. Take a look at just one organization, the Science and Public Policy Institute. The Science and Public Policy Institute describes its mission as providing ''research and educational materials dedicated to sound public policy based on sound science.''

That seems pretty reasonable. But where is this sound public policy and sound science actually coming from? Well, for several years, the chief science advisor at the Science and Public Policy Institute was a man named Willie Soon, one of the most notorious climate change deniers around. Armed with scientific credentials and a part-time job at the Smithsonian Institution, Soon churned out paper after paper, disagreeing with the overwhelming scientific consensus that human activities are driving climate change.

Eventually it was revealed that—surprise, surprise—Soon had accepted $1.2 million from the fossil fuel industry. Exxon, the American Petroleum Institute, the Charles G. Koch Charitable Foundation, and coal giant company, Southern Company, made payments to Soon, payments that he rarely disclosed when promoting his climate change denial research.

In other words, Soon was raking in fossil fuel cash by producing research helpful to the fossil fuel industry. Great deal. Willie Soon left the Science

and Public Policy Institute a few years ago.

These days, the most prominent figure at the organization is Christopher Monckton, the think tank's chief policy advisor. So let's ask the question here: Who is Christopher Monckton? Oh, boy, Christopher Monckton is a former politician from the UK. He has presented himself as a member of the House of Lords, a claim that is so off base that the House of Lords was forced to do something that it had never done before, and that is issue a statement saying: No, he is not part of the House of Lords, and he should stop lying about it.

Monckton used to represent the ultraconservative, anti-immigrant UK Independence Party that recently led the Brexit campaign. In fact, Monckton thought Brexit was such a good idea that he has also called for a Texit, as he puts it, pushing for Texas to secede from the United States to protect itself against Muslim and Latino immigrants.

Monckton is clear about where he stands on climate change and on the people who are concerned about it. He said that global efforts to fight climate change are part of a ''totalitarian'' plot to create a ''world government,'' and he has compared climate change activists to ''Hitler youth.''

To be clear, these allegations of government overreach are coming from someone who believes that reading the Koran out loud should be a prosecutable offense in the United States and who once called for everyone with AIDS to be rounded up and permanently quarantined.

Now he has backed away from that last idea, but don't worry. Monckton has found a new idea to address AIDS. He claims to have invented a miracle cure that can treat everything from HIV to multiple sclerosis to the flu. You can't make this stuff up.

The fact is, Monckton is not a climate scientist or a scientist of any kind. His degrees are in classics and journalism. Actual scientists who have taken a look at his work have found his conclusion to be completely made up.

So why does it matter that scientific posers like Christopher Monckton and industry-funded hacks like Willie Soon are running around saying crazy things about climate change? Well, I will tell you why it matters. It matters because by attaching themselves to the Science and Public Policy Institute and other credible-sounding think tanks, people start to take them seriously.

You don't think so? Monckton has testified in front of Congress three times, each time representing the Science and Public Policy Institute. A former chairman of the House Energy and Commerce Committee called him ''one of the most knowledgeable, if not the most knowledgeable, expert from a skeptical point of view on this issue of climate change.'' Soon's work has been repeatedly cited by influential climate change deniers, those in Congress and elsewhere.

As Senator WHITEHOUSE has pointed out, Monckton, Soon, and the Science and Public Policy Institute are part of a much larger network of pseudoscientific researchers and organizations who get paid to spin a web of denials about the science behind climate change. It is a network that has been funded by the fossil fuel industry and by its friends.

But there is no getting around it. Climate change is real. It is caused by humans. If we are going to address it in a meaningful way, we need to take decisive action now. This is why the fake science think thanks are so dangerous. They throw enough fake facts into the process to justify inaction, enough fake facts to excuse inaction, enough fake facts to let every politician in the pocket of Big Oil or Big Coal keep right on blocking meaningful action while the earth slowly chokes on its own filth.

It is time to stand up to the fossil fuel industry and its well-funded PR efforts and say enough is enough. Our children's futures are at stake. We will not sit on the sidelines while big fossil fuel companies call the shots here in Washington.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I thank Senator WARREN for her terrific remarks. When I left off speaking, we were talking about the—not just the web of denial of organizations that have been propped by the polluters to look as though they are real and to broadcast phony science, but also to know that people are on the hunt looking for them.

I had begun to talk about the academic researchers who are treating this web as a social phenomenon—as a bizarre sociopolitical phenomenon—and beginning to look at how it works. I mentioned first Dr. Brulle of Drexel University, and then we were looking at the work of Dr. Dunlap and Dr. McCright—Dr. Dunlap from University of Oklahoma and Dr. McCright from Michigan State University.

Let's look for a minute at what they say in their publications. When you listen to this, consider today's blockaded Senate Chamber. I will quote them.

> It is reasonable to conclude that climate change denial campaigns in the U.S.—

This stuff—

> have played a crucial role in blocking domestic legislation and contributing to the U.S. becoming an impediment to international policymaking. Because of the perceived threat posed by climate change to their interests—

To the fossil fuel interests—

> actors in the denial machine have strived to undermine scientific evidence documenting its reality and seriousness. Their success in these efforts weakens an essential component of societal reflectivity when the need is greater than ever.

With that quote, I will yield the floor. I see my friend Senator SULLIVAN has arrived.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Madam President, I rise to join my colleague from Rhode Island and other colleagues this evening who are talking about the critical issue of climate change, especially the facts around climate change but also the fact that there are many who would deny the facts. This is a very important issue to the Commonwealth of Virginia. Climate change is not an abstraction. Climate change is not a next-year or next-decade issue. Climate change in Virginia is a today issue.

Earlier today, I was in Norfolk, VA, which is in the Hampton Roads area, near the Chesapeake Bay and the Atlantic Ocean. Norfolk, and the surrounding communities, is the largest concentration of naval power in the world. It is the center of American naval operations, the headquarters of the U.S. Atlantic fleet, and it is already having to spend millions of dollars to elevate the piers where aircraft carriers come and go due to sea level rise. The Hampton Roads area is listed as the second most vulnerable community in the United States to rising sea levels after New Orleans.

This is a challenging issue in a lot of ways. I have friends who live in these communities who recently bought homes, but now their homes aren't marketable. For most Americans—certainly for me—my home is the most valuable asset I own. If you have that, and then you suddenly can't sell it because climate is changing, sea level is rising, flooding is more recurrent, and no one will buy your home, it is a very serious issue.

In addition to the effect on individuals and businesses because of sea level rise, the effect on the naval station is significant. Current estimates are that rising sea levels in Norfolk will take the main road entrance into the center of American naval power and have that under water 3 hours a day by 2040 just because of normal tidal action. In times of storms, it would be worse. Imagine an America that counts on that Navy, counts on that naval presence around the globe having its largest base inaccessible because of sea level rise.

We have an interesting community. One of the most unique parts of Virginia is a small island, Tangier Island, in the center of the Chesapeake Bay. It has been continually inhabited since the 1600s as a community for water men and women, the folks who have traditionally made their living by going out and catching crabs, oysters, and fish. This is a small island, a few acres. It is one of the only places you can go in the United States where you can hear English spoken as Shakespeare would have spoken it, with a language that is an Elizabethan language. The community is very isolated in that way, and so you hear this beautiful English spoken there. The community has many wonderful virtues to it, but the Chesapeake Bay is coming

up around this community and eroding it.

I received a letter from a middle school student within the last month—a handwritten letter that might have been the most heartfelt communication I have received in 4-plus years in the Senate—saying: What are you doing about sea level rise? What can you do to help us deal with these issues so Tangier, as an island, does not completely disappear? So for these reasons and many others, in Virginia, we take this very seriously and we have to deal with it.

I will tell you something else about Virginia. Virginians believe in science. The Virginia political figure we most admire was the preeminent scientist of his day, Thomas Jefferson. He was a scientist.

Virginians overwhelmingly believe in science. Seventy percent of Virginians accept the scientific consensus that human activity is causing climate change and that it is urgent we do something about it. Seventy percent of Virginians believe in that proposition.

I am here because my friend from Rhode Island asked me to come and talk about the fact that there is an organized effort—not just a battle about the policy about climate science—to knowingly try to misrepresent the status of climate science and suggest that climate change is not occurring. They are denying it exists, they are denying it is a concern, and they are working against any reasonable solutions.

Of course, we have to be open to points of view, reasonable differences of opinion, and have a debate, but when the science is settled on some things and people in an organized way—who know better—are trying to fight against it, we should be suspicious.

So a group of Senators are speaking today and tomorrow to discuss these organizations that constitute what my friend from Rhode Island has termed a ''web of denial,'' an organized effort to deny science.

Let me just talk a little bit because a number of these deniers are companies that at least have PO boxes or nonprofit organizations that at least have PO boxes in Virginia. The same Virginia where Tangier Island is disappearing, the same Virginia where the Navy is having to spend to shore up their infrastructure, also has some shadowy organizations that are trying to deny the real science involved.

There is an organization involved called the Science and Public Policy Institute, and it purports to summarize available academic literature. Here is a quote:

> They further note that decadal variability in sea level is observed, but to date there is no detectable secular increase in the rate of sea level rise over the period 1950–2000. They also report that no increase in the rate of sea level rise had been detected for the entire 20th century.

This is a group that throws in a few ''sciency'' words like ''decadal variability,'' but what they are really saying is there is no sea level rise. This is at odds with the conclusions of virtually every scientist who studied this issue, including scientists at Virginia universities—Old Dominion University and at the Virginia Institute of Marine Science at William & Mary. Those scientists say sea level rise has risen a foot since industrialization, and the range of future sea level rise on the Virginia coast is anywhere from 1½ additional feet to 7 feet by the year 2100. They will acknowledge some question about is it going to be 1½ feet, is it going to be 7 feet, but they don't challenge the basic science surrounding sea level rise. So which is it—1½ feet to 7 feet or you don't need to worry it? Don't worry, be happy.

Without getting a Ph.D. in atmospheric science and building your own quantitative models, how do you know who is right? Here is a clue. Look at who funds these organizations. In the case of ODU and William & Mary, the Virginia Institute of Marine Science—which is one of the most preeminent marine sciences organizations in the Nation, with Scripps in San Diego and Woods Hole in Massachusetts—it is not hard. They are State universities. They are funded by the general assembly of Virginia, which are two Republican houses. They are reaching a scientific conclusion that says climate change is serious, but with the Science and Public Policy Institute, it is a bit nebulous, and it is kind of hard to figure out.

There are online sources that enable you to track how organizations are funded through foundations with ties, frankly, to the energy. According to one of these sources, called ''DeSmogBlog,'' one of this major funders of this institute, the Science and Public Policy Institute, is called the Donors Capital Fund, which has distributed $170 million to various conservative causes and describes itself as being ''dedicated to the ideals of limited government, personal responsibility, and free enterprise.''

A New York Times article from as far back as 2003, documents a connection between this foundation and an organization that also has a point of view, ExxonMobil. ExxonMobil is a funder or, in the past, has been a funder of this organization.

Why doesn't ExxonMobil or a conservative organization just publish the material on their own Web sites under their own bylines? My guess is, they have scientists who actually know the science. There has been recent information about ExxonMobil. They understand the climate science. They couldn't publish this under their own byline and meet their own standards of truthfulness, but they are providing funding to an organization that is denying climate change. In other words, the organization is just a delivery vehicle for information that is meant to be seen as impartial scientific information, but it is, in fact, not impartial at all. So when you see one group saying there has been no sea level rise and another saying there has been a lot and we could be in for more, if you are wondering which one to believe, take a look at who is funding the research.

Here is another organization, the Virginia Institute for Public Policy: ''Regulations prescribing a reduction, or even a complete cessation, of Virginia's CO_2 emissions will have absolutely no effect on global climate.''

If there are Virginia regulations that even eliminate Virginia CO_2, it will have no effect on global climate. This is an interesting quote because it is not technically a lie because it is literally true. Virginia's share of world CO_2 emissions is infinitesimal. So if Virginia eliminated it all, it wouldn't affect the entire globe in a measurable way. But that is like saying: One vote? Your vote is not going to make the difference or one cigarette will not hurt you so go ahead and have one.

This argument is a kind of a classic hide-the-ball argument that makes a statement that is technically true, but it essentially is promoting a false point of view that, oh well, we shouldn't do anything about it. Again, it is the use of a literal truth that is basically designed to pitch a message that is grossly misleading.

So let's ask about this group, the Virginia Institute for Public Policy, who funds a group that would say something like that? Again, the Donors Capital Fund that funded the first organization I discussed, as well as the Chase Foundation of Virginia and the Roe Foundation, which support a list of conservative causes.

If you call an organization the Virginia Institute for Public Policy, it sounds kind of neutral and, again, probably trying to do a good thing, but if you go back and look at who is funding it and you again find the funding sources are heavily linked to energy industry groups like ExxonMobil, then you understand they are not quite as impartial as their name would suggest.

Here is another quote from the CO_2 Coalition:

> Concerns about carbon dioxide being a quote-unquote ''pollutant'' are not valid. Climate change is proceeding very slowly, and the likely increase in temperature for the 21st century is about 1 degree Celsius or less.

Well, yes; is that technically true? The temperature of the Earth has increased by about 1 degree since industrialization, and 197 countries just signed an agreement in Paris last year to try to limit any further increase to no more than 1 degree additional.

So this group makes it sound like 1 degree, who cares about 1 degree? Well, a 100-degree fever is only 2 degrees more than normal, but it is enough to make you pretty sick. It is actually 1.4 degrees more than normal. It is enough to make you pretty sick.

The number of 0.8 sounds tiny in the abstract, but if that is your blood alcohol content, that gets you a DUI in Virginia. The number sounds small. Oh, gosh. Why would that make a difference? That gets you a DUI because you are impaired.

So, yes, the group using the one temperature, 1 degree in temperature, makes it sound like it is not that big of a deal—but it is that big of a deal.

This is the last one I want to discuss before I close. This is kind of a doozy because it is from an open letter to Pope Francis on the topic of the Pope's environmental encyclical. The group is called the Cornwall Alliance for the Stewardship of Creation. Nothing like going big if you are going to pick a name for yourself. I am glad there is somebody who is trying to be a steward of creation. Their quote starts with a quote from the 19th Psalm.

> The heavens declare the glory of God; and the firmament proclaims his handiwork.

Beautiful aspect of the first verse in Psalm 19, but then the group goes on to declare in their own words this:

> By using fossil fuels to generate energy to lift billions of God's precious children out of poverty, we liberate from the tomb of the earth the carbon dioxide on which plants and therefore all the rest of life depend. In light of these considerations, we believe it is both unwise and unjust to adopt policies requiring reduced use of fossil fuels for energy.

So somebody is really using Scripture to argue that making our energy production cleaner, safer, and cheaper violates the Christian tenet of caring for the poor.

I am a Christian, and many of us in this body have a deep-faith background in one faith or another, but I will use a non-Christian phrase to describe that argument. It takes a lot of chutzpa to claim your religious faith and compassion for the poor drives you to support pollution-intensive energy, especially when the organization refuses to reveal how it is funded.

In closing, we certainly don't want to imply that all groups that have an agenda or have a point of view are motivated by funding sources, but the web of denial the Senator from Rhode Island is asking us to come out and talk about tonight is one that includes a number of organizations that are climate deniers, and they are denying science that in my view they actually know to be true.

There comes a point when the truth becomes so hard to deny that those who deny it are simply not credible. And you have to then ask the question: Why are you denying it?

I assert that most of these organizations understand the science, they accept the science, and they realize it to be true. So why do they deny the science? The answer is greed. That is the basic answer. Many of the organizations we are discussing are funded primarily by fossil fuel interests. If they can delay, even by 1 year or 2 years or 5 years or even 6 months, the enactment of policies that would move us toward fewer fossil fuels, it will hurt their bottom line.

So rather than come up here and argue about what the right transition should be, they are handing funds over to organizations that are trying to confuse the American public about science itself.

Let me close and read from Pope Francis's encyclical, since the Cornwall Alliance for the Stewardship of Creation cherry-picked the piece. I am going to read it as a quote:

> Is it realistic to hope that those who are obsessed with maximizing profits will stop to reflect on the environmental damage which they will leave behind for future generations? Where profits alone count, there are can be no thinking about the rhythms of nature, its phases of decay and regeneration, or the complexity of ecosystems which may be gravely upset by human intervention. Once we start to think about the kind of world we are leaving to future generations, we look at things differently—

As to future generations, we look at things differently—

> we realize that the world is a gift which we have freely received and must share with others. Since the world has been given to us, we can no longer view reality in a purely utilitarian way, in which efficiency and productivity are entirely geared to our individual benefit. Intergenerational solidarity is not optional, but rather a basic question of justice, since the world we have received also belongs to those who will follow us.

Science and faith have a number of things in common, but one of the most important things they have in common is that their first duty has to be to the truth. I hope all actors in the political process, whatever their views, will remember that and have that same commitment.

I thank the Chair, and with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Madam President, my colleagues from Virginia and Rhode Island, for whom I have a lot of respect, have been on the floor talking about an important issue—what my colleague from Virginia called a ''today issue.'' Well, I would also like to talk about a today issue as well, and one that I think certainly the American public is interested in.

In the past week we have had a lot of today issues. As a matter of fact, in the last week there have been new developments globally relating to our national security, the defense of the United States, and the importance of our military in ways that are pretty dramatic. I would like to list some of these, and this is literally in the last 7 days.

Today, Secretary Carter announced from Iraq, where he is right now, that the United States will be deploying another 560 troops in our fight against ISIS. A lot of us support additional troops, and the Secretary announced that. On Friday, at the NATO summit, President Obama announced that the United States will be deploying 1,000 U.S. troops and a separate brigade headquarters to Poland as part of an effort by NATO to strengthen its eastern flank against Russian aggression. The President was actually quoted in the Financial Times extensively. He stated: ''This may be the most important moment for our transatlantic alliance since the end of the Cold War.''

Then he talked about all the different national security crises—ISIS, the terrorist attacks in Orlando, Paris, and Brussels, conflicts from Africa to Syria, and Russia's aggression in Ukraine. This is the President speaking to the Financial Times. These are today issues. I also call them today issues.

On Saturday, North Korea launched another submarine-based ballistic missile off the country's eastern coast. It didn't go that far, but they are learning. Madam President, you and I were over there recently. They are learning. That is a continuing threat.

Then, last Wednesday, before the President went to the NATO summit—which, by the way was a successful summit, and I applaud the President and Secretary Carter for that summit—the President announced that he plans to leave 8,400 American troops in Afghanistan, more than he originally planned to keep, to combat the Taliban. Again, a lot of us applauded that decision. It could have been more, but it certainly is better than the trajectory he was going on, which was to go to zero.

During an Armed Services Committee hearing last week, former NATO Ambassador Nicholas Burns and the former Supreme Allied Commander, Marine Gen. James Jones discussed the report that was coauthored by the Atlantic Council, again talking about the importance of NATO's building up our military forces not only on the eastern flank but in the Arctic—an area in which, as Alaska's Senator, I am very interested—where the Russians have dramatically expanded their military footprint in exercises.

Over the weekend, in the Wall Street Journal, it was reported that even after reaching the Iran nuclear deal, Iran continued trying to illegally procure nuclear equipment from Germany. So we have the Iranian threat, which definitely is not going away after the ill-gotten and misguided nuclear deal by the President.

Tomorrow morning, there is going to be big news. There is expected to be a tribunal ruling on what is going on in the South China Sea. Again, the Chair and I were there recently, in that region of the world, in Singapore, for the Shangri-La Dialogue. To Secretary Carter's credit and Admiral Harris' credit, we have had two carrier battle groups out there recently—two. That is very important.

So this is what has happened in a week. This is what our military is facing in 1 week. So what did this body do? What did the Senate do as it relates to actions in terms of our military and dealing with all these threats of just 1 week? What did we do? Led by the Senate minority leader and my colleagues on the other side of the aisle, we filibustered spending for our troops. That is what the Senate did. We filibustered spending for our troops. That is right. We blocked funding for our military, which has to deal with all these issues.

Now, I know it was in the dead of the night. I think it took place around

midnight. I am sure some of my colleagues were hoping nobody saw it. But this is not like an anomaly. As a matter of fact, this was the fourth time the minority leader led my colleagues on the other side of the aisle into filibustering the Defense appropriations bill that funds our troops and keeps our Nation safe. Let me repeat that. This bill has been filibustered not once, not twice, not three times but four times in the last year.

This is the bill the minority leader likes to filibuster more than anything, and this is despite the fact that when this bill came out of the Committee on Appropriations, it had huge bipartisan support. I think only three members of the committee voted against it. This year it came out of the committee unanimously.

So what does this bill do? We just talked about the threats that everybody agrees exist. I will just cover a few of the highlights. First, and very importantly, it is actually consistent with the bipartisan budget agreement of 2015. So any discussion of how it is not fitting what we agreed to is not true. It is consistent with that.

Readiness. We all know we need readiness for our military. It funds $212 billion in terms of base operations and maintenance accounts, training—enormously important—and shipbuilding. A significant portion goes to shipbuilding to make sure we have a strong navy. It is similar with regard to aircraft procurement to have a strong Air Force—significant billions of dollars of funding for our Air Force. It even has, for the first time, funding for an icebreaker, which more and more of my colleagues in the Congress are recognizing as critical to our national security.

Missile defense. With the growing threat from North Korea and Iran, there is significant funding for missile defense and the National Guard and Reserve equipment account. The Presiding Officer has been a leader in the National Guard and Reserve. There is almost $1 billion for the National Guard and Reserve equipment account, which is lacking.

Of course, there is military pay. The Defense appropriations bill fully funds an Active-Duty end strength of 1.2 million members of the military and a Reserve component end strength of 800,000, and it funds a 1.6 percent pay raise.

Those are some of the highlights of the bill we need, and some of the highlights of the bill that was filibustered in the wee hours of the evening last Thursday night.

Our Nation needs this bill. Our troops certainly need this bill. Our allies need this bill. We have held hearings in the Committee on Armed Services. The Chair will remember when Secretary Kissinger came and testified that the United States has not faced a more diverse and complex array of crises since the end of World War II. Even the President, last week in the Financial Times, stated that this is possibly the most important moment in terms of the security of the transatlantic alliance since the Cold War.

The Presiding Officer and I actually had the honor of recently going to see the new Secretary of the Army review the troops and review the Old Guard. She and I proudly represented the Senate. We have a new Secretary of the Army who is going to do a great job. The Chief of Staff of the Army, General Milley, spoke during that. He said one of the most important things the Senate and the Congress can do in the next 5 weeks is to make sure there is a budget for the U.S. military and for the U.S. Army. That is what he said. So he certainly laid out what he thought was important.

As a matter of fact, serving together on the Committee on Armed Services, the Presiding Officer and I hear this from every single admiral and general, including Secretary Carter: Fund the troops—certainty.

But the minority leader thinks it is fine to block funding for our troops. Maybe he knows more than Secretary Carter. Maybe he knows more than General Milley. Unfortunately, he has made a habit out of doing this. In my short time in the Senate—1½ years—this is the bill the minority leader has decided to filibuster more than any other bill. Since I have been here, he has done that four times. Think about that.

I hope the American people are watching. Four times in a year the bill that gets picked on more than any other bill is the one that funds the troops and our national security, and it happened again in the wee hours of the night last week.

So why does he do this? I have no earthly idea why he does this. If you asked Americans back home in Iowa, Alaska, or in any State—Democrats or Republicans; it doesn't matter the party—the people would say that national defense and funding our troops is probably the most important thing we do. It is certainly one of the top one or two. But the minority leader last year said the Defense appropriations bill is ''a waste of time.'' Last week he put out a statement saying he needed a commitment that this bill abides by the bipartisan budget deal.

Well, guess what. The bill does abide by the bipartisan budget deal. There is no one making the argument that it doesn't. So I have no idea. I have no idea why he singles out funding for our brave men and women in uniform, thousands of whom, by the way, are serving overseas in combat—yes, in combat, right now. We are not going to fund them, though. We will filibuster that. Maybe he can come down and explain it.

Here is something else I really don't understand. I mean, I really don't understand this. Why is it that so many of my colleagues follow his lead on this—to filibuster funding for America's military not once, not twice, not three times but four times? Why are my colleagues following his lead? I don't know why. But what I do know is that we should not be heading out on a 2-month recess without voting again on funding our troops—without voting to fund our troops—especially given all the challenges I just listed here. We know they are there. The President was talking about them. We talk about them. But we don't want to fund the troops?

We owe it to the American people and to our troops to have a vote on this Defense appropriations bill again. Let my colleagues come to the floor and explain why they are going to vote to filibuster this bill again, because when we bring it up again—and I certainly hope we do so this week—if they vote to filibuster it again, that will become the fifth time inside of a year.

What we need to do is to bring back a longstanding tradition that used to exist in the Senate, which was the bipartisan funding of our military. That is certainly what we are all focused on. That is what we thought we were going to do when we got the budget deal. That is what we thought we were going to do when we saw these very big bipartisan numbers coming out of the Appropriations Committee. Yet, every time we try to bring this bill to the floor—this year and last year—the minority leader filibusters it. The American people are watching. The American people are watching.

A recent Politico article talked about this. A defense analyst from the Heritage Foundation said:

> I think this is pretty disappointing, but sadly not surprising. . . . There used to be a bipartisan consensus that defense was a priority, but sadly I think that consensus no longer exists. . . . With the Senate Democrats stopping DOD [appropriations], the Pentagon will at least have to wait until after the election for its budget, and maybe even into the next calendar year [to get its budget].

That is because my colleagues on the other side of the aisle are filibustering this bill. How does that help our troops? How does that help the national defense of the United States? Somebody please come down here and explain this to me. I agree with this analyst where he said this is sad.

I hope we will bring this bill to the floor again and drop what has been happening, which is playing politics with our troops and funding our military.

I will conclude by saying that after the Vietnam war, the Democratic Party gained a reputation as the anti-military party of America, and they struggled for years to shed that reputation. I don't think having any of America's major political parties being viewed as anti-military is good for us as a nation.

Support for our military should never be a partisan issue, and I proudly serve—with the Presiding Officer and

others—on the Armed Services Committee and the Veterans' Affairs Committee. I know for a fact that my colleagues on those very bipartisan committees—Democrats and Republicans—support our troops, support national defense, and support the military. And I know many of my colleagues in this body—many on the other side of the aisle—have served with distinction in the military for decades and are strong supporters of our men and women in uniform. I have seen it. I have seen it my entire short time in the Senate. But four filibusters blocking funding for our troops inside of a year certainly makes one wonder what is going on with the leadership of my colleagues on the other side of the aisle when it comes to supporting our troops. I hope they come down and explain it this week.

What we need to do this week is vote again on the Defense appropriations bill and do the right thing. We all know what the right thing is and the American people know what the right thing is. We need to fund our troops, we need to keep them safe, and we need to keep our country safe.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I am here to speak on the Koch brothers, but first I want to say briefly to my good friend from Alaska: Instead of playing political games, if he wants to pass a defense bill, we all know what has to be done in a bipartisan way. You don't just take a bill, throw it down, and say ''Take it or leave it.'' That is what happened last year. We worked in a bipartisan way. Defense spending got an increase. So let's stop all the rhetoric and politicizing this issue. Let's work together and get it done.

CLIMATE CHANGE

Now, Madam President, I want to talk about the issue before us, and that is the amazing influence of the Koch brothers—two people—on what is going on in this country and particularly when it comes to climate change. I thank Senator KAINE, who spoke before me, and particularly Senator WHITEHOUSE, who has not only organized these speeches but has been the leader in our caucus on focusing on this issue, and it is getting good resonance with the American people.

We have talked. We have failed to act on a number of issues in the last few weeks—Zika, funding the opioid crisis, sensible gun safety measures, a Supreme Court nominee and other judicial nominees. It is stunning how little we have done our job. But probably at the top of the list which deserves attention is that Congress has not done its job on climate change. Why? Why? It is so apparent. Just look at any map of the globe. Senator KAINE and Senator WHITEHOUSE are exactly right about the reason: far-right groups dominated by the Koch brothers. They hide where they send their money, but they dominate it all. They and other deep-pocketed energy interests have funded campaign after campaign against action on climate change. We know that the NRA has a stranglehold on gun reform. Well, the Koch brothers have a stranglehold on any legislation on climate change—at least as long as our colleagues on the other side of the aisle are in the majority in either House.

One of the key strategies—how do they do this? Lots of different ways. We have seen those ridiculous commercials. They are afraid to say who they are. They have these ads; lots of poor people, minorities; oh, the Koch brothers are hurting—are helping. Koch Industries. And then they have one little sentence: Get rid of regulations. That is all they say. So they have lots of different mechanisms for hiding what they believe but profoundly influencing America.

One of the ways they have done that is by funding think tanks and academic institutions to deliberately cast doubt on the signs of climate change in order to protect their own financial interests. The Koch brothers earn their billions leading the private oil, chemical, and manufacturing conglomerate Koch Industries. In short, they are the premier anti-environmental, pro-pollution duo of the 21st century, and over the past two decades, they have mastered a strategy meant to confuse the American people about climate change by funding ''think tanks'' and ''university programs'' that adhere to their anti-science agenda.

Take the Mercatus Center at George Mason University. They should call it the Koch Center. Charles Koch sits on the board. Over the last decade, it has received tens of millions in funding from the Koch brothers and $300,000 at least from Big Oil. So it should come as no surprise that the Mercatus Center publishes research that closely mirrors the ideology of the Koch brothers and routinely advocates for policies that are in their business interests, especially climate change denial. They cloak their views in an academic guise, but if you just examine it, you know what is going on: Mercatus Center, funded by the Koch brothers, talks against climate change. Do we think that is objective? I don't. Let's look at some of the activities of the center. In 2001 they suggested that global warming would be ''beneficial'' and would ''stimulate plant growth and make humans better off.'' These are the Koch brothers.

During the early years of George W. Bush's Presidency, the Wall Street Journal reported that 14 of the 23 regulations targeted for repeal by the administration were suggested by—guess who. The nonpartisan, objective, nonfunded Koch brothers' Mercatus Center, including rollback of EPA pollution rules. In 2006 the Mercatus Center attacked the bipartisan work to reduce tailpipe emissions and implement new efficiency standards for automobiles and trucks. In 2007 Mercatus was able to install staffers at the Bush Office of Management and Budget in charge of regulations. In 2009 Mercatus attacked the Obama administration's plan to monitor greenhouse gas emissions.

Some might be thinking, so what? It is just a few academic papers and policy recommendations. Why does it matter? It matters because this private sector-funded research is being used to give the false impression that there is a legitimate academic debate about climate change, and then that debate is used by colleagues as an excuse for no action. It is no different from how the tobacco industry funded research that minimized the health dangers of smoking cigarettes so they could turn around and argue: There is no conclusive evidence that cigarettes are dangerous. No need to regulate us.

Millions of people died because of that. And millions of people are getting ill and many millions more will lose their jobs and we will lose our globe because of what the Koch brothers are doing. We now know how deceptive and cynical their strategy was. Well, that was the tobacco industry. It is happening today, and it is having the same serious consequences.

Ninety-seven percent of climate scientists agree that climate change is happening. Democrats know that climate change is happening and want to do something about it today, but congressional Republicans, following their Koch brother funders, holding up studies by the Mercatus Center, funded also by the Koch brothers, refuse to act and even deny it exists.

I would say to the Koch brothers: At least be honest. If you really believe what you say, why not come clean? Why not put out a commercial that says: ''Koch brothers. We don't believe in climate change. Koch Industries. We don't believe that we should regulate the environment.'' Put that on TV so when we are watching ''Morning Joe,'' we don't have these glossy ads that give the exact opposite impression. Do you know why? They know no one is going to believe them. They want to use their money as power, secret power, and one of the secret power ways they use that money is through institutions like the Mercatus Center.

Before all of us can come together on climate change and do something significant—it is not easy—we have to start agreeing about how immediate and incredible the challenge is. With things like the Mercatus Center throwing sand in the gears, that becomes more difficult—not for legitimate reasons but because special interest money cloaks its beliefs in academic centers that stall progress.

Anyone who participates in this should be ashamed of themselves—not just the Koch brothers but so many others who put out these studies and take the money. Shame. Future generations and our generation are going to pay the price.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I understand the majority leader will be coming to close out the Senate shortly and then allow us who are speaking to continue after that. I see Senator SCOTT here, so let me yield to him.

The PRESIDING OFFICER. The Senator from South Carolina.

A FAMILY CONVERSATION

Mr. SCOTT. Madam President, I believe our Nation is in desperate need of a family conversation. The American family as a whole needs to sit down, come to the same table, and talk with our relatives. That means each of us talking to each other about the challenges we have seen in our Nation over all of last week—a challenging week in America's history, without any question; a challenging time period for Americans all over this country, without any question; protests, riots; challenges we haven't seen in a very long time.

We stand here today at a crossroads. Our Nation is experiencing turmoil we haven't seen in generations—decades since we have seen this type of turmoil all around the country. My heart breaks for all of us.

This week on this floor, I will give a series of speeches in hopes of illuminating some of the issues before us, as well as what I believe are essential steps toward closing both the wounds newly opened and others that have actually never healed. In other words, there are wounds that have existed for more than a generation, and it is time for the American family to work together to heal some of these wounds.

Last Friday, deep in the heart of Texas, we saw both the best and the worst of humanity. Only in America would you see police officers alongside protesters who were protesting police brutality. If you take a step back and picture it for just a moment, here is a scene of police officers protecting protesters who are protesting police brutality. In this picture, we don't see tension or animosity; we see smiles. We see police officers working, taking pictures, and making sure that everyone was having the appropriate time and, for some, even an enjoyable experience with law enforcement.

But then the shots rang out. Police turned very quickly to protect those protesters, and protesters helped police identify where the shots were coming from. Somehow at the exact same time, Dallas came together and at the exact time was torn apart. In what appears to be one man's warped mind, retribution became his answer to frustration, and his hate left five police officers dead and seven other officers wounded. We continue to mourn for them and their families today. We must not—we must not—become a society where revenge is the rule of the day.

Our Nation is dependent on the rule of law, and to enforce the law, we need honest, hardworking men and women to take up the shield. For the overwhelming majority of cops, it is a calling. It is not a job. It is in the fashion of Romans 13—a chapter that speaks very clearly about the fact that government officials wearing a sword can be ministers; in other words, sharing love and affection and appreciation for those they guard and having the ability to provide punishment when necessary. We are talking about men and women who work for a very low wage all over the country and who see their job as a calling. So many of them—the vast majority—do it so well.

Law enforcement officers simply want to do two things: protect and serve. We cannot allow the actions of a few to overwhelm the good of the majority. To illustrate this, I want to share a few stories so we can put in frame, put in focus the sacrifice and the commitment that so many officers exhibit every single day throughout our Nation.

My first story is a story of a young lady named Jillian Smith, a young African-American female police officer from just west of Dallas in Arlington, TX. In December 2010, Officer Smith responded to a domestic violence situation. She arrived and met a beautiful 11-year-old girl and her mother, both fearful.

I want to stop for a moment and make sure we get the frame.

Here comes an officer, Officer Smith, who shows up to make sure the folks who called were safe. The people who called were an 11-year-old girl and her mother. They were fearful the mother's boyfriend would show up and do something dangerous. And dangerous—he did do something incredibly brutal.

Officer Smith, hearing gunfire, in an instant jumped on top of the body of the 11-year-old. As the bullets rang out, she kept herself on top of that 11-year-old girl. The girlfriend's boyfriend would end up killing the mother and then killing himself. Before he did so, he killed Officer Smith. Without a second thought, Officer Smith did what so many law enforcement officers do instinctively—protect those who are exposed. Officer Jillian Smith, a true American hero, gave her life to protect the life of an 11-year-old girl she had never met before knocking on that door.

This story and other stories aren't unusual. They want to serve and protect. We saw this same heroism last Friday evening, as told by Shetamia Taylor. Miss Taylor was at the protest. She was there exercising her first constitutional right. Then the sniper started shooting.

Miss Taylor had gone there with her four sons. She, for the lack of a better word, freaked out. Bullets were flying. She ran to cover her one son. According to her account of the situation, before she knew it, there was a cop who was covering her and her son. The next thing you knew, another cop was at her feet and another cop toward her head. In the midst of a sniper shooting at cops, she found herself surrounded, covered by police officers who were just doing their job, risking their lives for this mother and her son.

What a picture: the best of America, very clear; the sniper, the worst of America, is just as clear.

Miss Taylor made a very good point when discussing what happened. Here is her quote. She said: ''These are the people you call when you're in a situation. . . . What are we gonna do if they stop policing?''

Let me ask the question that Miss Taylor asked one more time. What are we going to do if they stop policing? Who are you going to call?

These are the stories that should give us faith in law enforcement. While we certainly have issues that demand solutions—and I, too, have had some issues with law enforcement that I am going to share in my next speech on Wednesday. I will be giving three speeches. This is the first one. In the next one, I will talk about some of the issues that so many folks have experienced. I want to spend time on this, but this is a moment in time when we should stop the camera, create a frame. Let's focus on the fact that our law enforcement officers are true American heroes, period.

When you are looking for a hero, sometimes you look for athletes; maybe that is not the best place. You look for entertainers; maybe that is not the best place. You look at Congress—9 percent approval rating; that is probably not the right place. But our men and women who put on a law enforcement uniform—these folks are real American heroes.

In my State of South Carolina, officers like Greg Alia, who gave his life last year in Columbia, SC; officers like Allen Jacobs, who gave his life in Greenville, SC; and in Charleston, Joe Matuskovic, who was killed by a man shooting through a door—body slumps over, and my mentor, whom I have spoken about for so long, John Moniz's son—I call him a brother from another mother—was the first deputy on the scene and dragged the lifeless body of his friend, his colleague, from that door, trying to get that body completely out of harm's way.

To me, as I said a few seconds ago, Brian Moniz, sheriff's deputies, and police officers are our heroes, and we should focus on that for a moment. We must come together. We must find solutions. We must get to a point where the American family—our family—has a real conversation about the issues that divide us, the differences of our experiences, yet remain a single family with a single mission and make sure that every part of the American family feels valued.

I am starting tonight with our law enforcement, the part of the family we depend on, as Miss Taylor so perfectly stated. If we do have this necessary, painful conversation as an American family, we can say with a new freshness, ''God bless America.'' We

can say with new focus to our American heroes, ''God bless our law enforcement community.''

I don't expect to give such a speech without having some folks respond positively and some even negatively. But this night, this day, knowing that tomorrow in Texas our current President, our former President, and a number of folks throughout the State of Texas will be together in a part of our family territory, celebrating the sacrifices, mourning the loss, but doing something that needs to be done. It is simply this: not coming as a Democrat, not coming as a Republican, not coming as a Black American, not coming as a White American, not coming as a Hispanic American, but coming to a family gathering for family funerals—plural—which hopefully will start a family conversation that I will look forward to continuing on Wednesday.

Madam President, I thank you.

Mr. MCCONNELL. Madam President, I wish to commend the Senator from South Carolina for an extraordinary speech. I look forward to hearing the two subsequent speeches that the Senator from South Carolina is going to make on the subject. No one better expresses in stronger and more persuasive terms what needs to be said in the wake of these tragedies than the Senator from South Carolina, and I congratulate him on his outstanding remarks.

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

60TH ANNIVERSARY OF THE AMERICAN INSTITUTE OF ARCHITECTS LAS VEGAS CHAPTER

Mr. REID. Madam President, today I wish to recognize the 60th anniversary of the American Institute of Architects, or AIA, Las Vegas chapter.

Established in 1857, the AIA works to elevate the architecture profession throughout the United States. In Nevada, a small group of architects joined together to promote a high standard of architecture and started the first AIA chapter in Las Vegas in 1956. At first, the chapters were so small that individual members took turns acting as president. The organization has grown into one of the leading professional organizations in my State, and the Las Vegas chapter recently elected exceptional leaders from its membership, including the current president, Brett Ewing, and the president-elect, Jon Sparer.

The Las Vegas Chapter of AIA has played a distinct role in the expansion of Las Vegas and Clark County. With the incredible growth in Nevada, architects have played a key role in designing iconic properties on the Las Vegas Strip and housing developments throughout the valley. AIA members developed many of the same entertainment venues that accommodate tourists and provide essential jobs for Nevadans. The creative genius of architects was essential to transforming Las Vegas into the ''Entertainment Capitol of the World,'' which welcomes more than 50 million visitors annually.

Members of the AIA have made a significant and positive contribution to the security, arts, culture, beauty, and livability of our community. Southern Nevada is a better place to live and work because of the efforts of AIA Las Vegas. I appreciate and admire the dedicated professionals of the AIA, and I wish them continued success for years to come as they design the future of Las Vegas.

TRIBUTE TO CYNTHIA LUMMIS

Mr. ENZI. Madam President, each year the Wyoming Agriculture Hall of Fame asks for nominations of farmers, ranchers, and others who contribute to the agriculture industry in Wyoming. After the nominations are received, a panel of three judges selects those who will be added to the hall of fame. This year U.S. Representative CYNTHIA LUMMIS is one of the hall's inductees. I think it's fitting that CYNTHIA is being added to the hall of fame's roster on its 25th anniversary because her participation, encouragement, and support of our State's farmers and ranchers deserve to be recognized on a momentous occasion for the Hall itself.

CYNTHIA has a long background in agriculture, beginning on her family's ranch on Crow Creek. Growing up, she learned about the importance of being a good steward of the land, how to tend her family's livestock, and how to make good use of all the resources that were at her disposal. She also participated in 4–H, raising shorthorn cattle. Over time CYNTHIA became a skilled horseman, and she used that talent to good effect at the world's largest outdoor rodeo: Cheyenne Frontier Days.

In fact, CYNTHIA was such an important addition to the ''Daddy of 'em All'' that she is also being inducted into the Cheyenne Frontier Days Hall of Fame this year. It is worth noting that her parents, Doran and Enid, and her whole family have already been inducted into that hall, but this year, CYNTHIA will be recognized for her singular contributions, from repairing parade costumes to serving as ''Miss Frontier.'' CYNTHIA is fully deserving of that honor, and this is just another example of the mark she has left on every corner of our State.

At the University of Wyoming, CYNTHIA received degrees in animal science and biology and was a member of the rodeo team. She then became the youngest woman ever elected to the Wyoming Legislature and also earned a law degree from UW. She put that degree to use as a clerk for the Wyoming Supreme Court and in private practice.

After serving 14 years in the Wyoming House and Senate, where she focused largely on agriculture and natural resources issues, CYNTHIA served as Governor Geringer's policy director and was then elected State treasurer. While serving as treasurer, CYNTHIA became the first woman on the Cheyenne Frontier Days board of directors. For all of these reasons and more, CYNTHIA was named a 2005 Outstanding Alumna for the University of Wyoming College of Agriculture.

But CYNTHIA wasn't done fighting for Wyoming or the agriculture industry. In 2008, she took the next step in her political career and was elected to the U.S. House of Representatives. CYNTHIA has proven to be up to the challenge of being our State's lone voice in the House, and I have been proud to work with her.

Through all of this, CYNTHIA has been active in the operations of the Lummis family ranch. I am sure she will continue to work on behalf of the State and the industry that she has loved her entire life.

I want to extend my congratulations to CYNTHIA for everything she has accomplished and for her induction into the Wyoming Agriculture Hall of Fame. She would be the first to say she couldn't have done it alone, so I also want to recognize CYNTHIA's family and in particular her daughter, Annaliese, and her husband, Al. For years, CYNTHIA and Alvin were a team that took on the issues that will direct the future of Wyoming and our Nation, and I know Alvin would be so proud of her recognition in the Wyoming Agriculture Hall of Fame.

REMEMBERING SERGEANT DAVID THATCHER

Mr. DAINES. Madam President, I want to recognize SGT David Thatcher, a member of the Greatest Generation and a true American hero, who sadly passed away on June 22, 2016, in Missoula, MT. Born on July 31, 1921, in Bridger, MT to homesteaders, Joseph and Dorothea Thatcher, David grew up in Montana during the Great Depression.

David enlisted in the U.S. Army Air Corps and in 1942 volunteered to go on a secret mission that ultimately became the Doolittle Raid on Tokyo. He was a crew member on plane No. 7, the Ruptured Duck, which crash landed in water off China after their bombing mission. His heroic efforts saved the lives of his badly injured crew members, and with the help of local Chinese guerillas, he helped his crew evade Japanese troops and make their way to safety.

Sergeant Thatcher's actions and those of all of the Doolittle's Raiders were nothing but heroic, yet Sergeant Thatcher was a humble man and did not feel he did anything great. He just felt he was doing his job. Doing his job, however, helped to win a war and maintain our freedom as a nation. Sergeant

Thatcher will be missed by his family, Montanans, and an entire grateful nation.

REMEMBERING SONIA AND MARTIN J. WOLF

Mr. BENNET. Madam President, today I want to recognize the legacy of two great Coloradans, Sonia and Martin J. Wolf. After 54 years of marriage and a lifetime of public service, Martin and Sonia passed away recently within weeks of each other in Denver, CO.

Martin Wolf was chief of staff to Senators Mike Gravel and Floyd Haskell and administrative assistant to two Colorado Governors and former Denver Mayor Federico Peña. He then went on to work on President Johnson's staff—all with the love of his life by his side. The two spent a lifetime advocating for what they believed in, and they worked tirelessly to leave the world a better place than they found it.

Their dedication to public service is widely renowned and respected. Martin and Sonia, and the passion they carried for their work, will be deeply missed.

Mr. President, I ask unanimous consent that the following obituary for the Wolfs be printed in the RECORD.

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

Admired for their decades of public service, Sonia and Martin J. Wolf, married for fifty-four years, died within weeks of each other in Denver, CO.

Mr. Wolf was Chief of Staff to two United States Senators and Administrative Assistant to two Colorado Governors and a Denver Mayor. They were much admired in Washington and Denver for their devotion to each other and to public service.

Mrs. Wolf, a native New Yorker raised primarily in Miami, Florida, met her husband during her career as an accountant and financial advisor. Recognizing that they must be lifetime companions, they slipped away for a weekend from the campaign of Gov. Steve McNichols to get married in 1962, flying to Santa Fe where New Mexico's Governor made special arrangements to open a court on a Saturday. They were inseparable ever after.

Mr. Wolf, a Colorado native, was a Navy veteran of WW II, graduating from Denver University in 1950. He embarked on a journalism career that took him to posts in Australia and Alaska before returning to Denver as a reporter on KOA–TV.

In 1962 he became Press Secretary for Gov. McNichols, also directing Coloradans for President Lyndon Johnson in 1964.

LBJ's White House Chief of Staff W. Marvin Watson was so impressed that he brought Sonia and Marty to Washington as Special Assistant to Chairman John Bailey at the DNC and later as Special Assistant to The Postmaster General when Watson was appointed to the Cabinet.

In 1970, Marty became Chief of Staff to Alaska Senator Mike Gravel. In that position, he came into possession of the ''Pentagon Papers,'' loading the boxes into the trunk of his car. To Sonia's chagrin, he kept a lifelong pledge never to reveal his source to anyone. Senator Gravel astounded the world reading sections aloud on the floor of the Senate while the Washington Post was fighting to publish.

The Wolfs kept their home in Denver, so it was a natural transfer when Marty became Chief of Staff for newly elected Senator Floyd Haskell, a lifelong friend.

In 1979, the Wolfs returned permanently to Denver where he became Regional Small Business Advocate.

Wolf was considered a great success moulding together the freshman agency within six mountain states. When he retired in 1985, Gov. Richard Lamm proclaimed ''Martin J. Wolf Day'' in Colorado, hailing ''his dedicated, thoughtful, persuasive leadership.''

Wolf went on to assist Gov. Lamm as an AA and completed his long career as Denver Mayor Federico Peña's Assistant for Boards and Commissions from 1988 to 1991.

During retirement, the Wolfs contributed their efforts to numerous not-for-profit endeavors and were much sought after for their calm, genial expertise, achieved over a lifetime of public service. In particular they supported the Multiple Sclerosis Society in response to Sonia's heroic lifelong struggle with MS. They never missed a chance to participate in Presidential campaigns as loyal Democrats.

A memorial service will be held on June 6 at 11 a.m. at the Little Ivy Chapel, 430 S. Quebec St., Denver, CO (Tel: 303 399 0692). Martin Wolf passed from us on February 3, 2016 and Sonia Wolf joined him on May 1, 2016.

The Wolfs are survived by a number of relatives, including Sonia's brother, Eugene Kesser of Miami, FL; Martin's nephew, Paul Downing of Denver and two godchildren whom they considered ''grandchildren,'' Broadway director, Ethan McSweeny of Brooklyn, NY and Federal Trade Commissioner, Terrell McSweeny of Washington, DC.

In lieu of flowers, contributions can be made to the Colorado Multiple Sclerosis Society, 900 S. Broadway, Suite 250, Denver, CO 80209.

ADDITIONAL STATEMENTS

TRIBUTE TO TOM KUNTZ

• Mr. DAINES. Madam President, nestled along the banks of the Madison River, protected by the Madison, Gravelly, and Tobacco Root Mountains sits the charming town of Ennis, MT. Ennis is a strong community of nearly 1,000 citizens. This humble city boasts blue ribbon trout fishing, gorgeous hiking, and attracts people from all walks of life to the spirit and values of the Old West.

Tom Kuntz and his wife made Ennis, MT, their home in 2014. Since then, he has weaved himself into the fabric of this community as a dedicated volunteer at Ennis Community Children's School. After raising kids of his own, Kuntz still wanted to be involved in the lives of children. They say it takes a village to raise a child, and Kuntz takes his part in this happily.

Lacy Keller, director of the Community School, says Kuntz is a weekly volunteer and lends a hand whenever and wherever he can. ''He comes in every week, hangs out with the kids, comes on field trips, fixes our bikes and broken toys, mows the lawn, he does whatever he can for us and the kids.'' The community school averages 20–25 children ranging in ages from 2–12, and Keller says that all of them adore Kuntz.

Just a few weeks ago the kids couldn't wait to invite him on one of their hiking trips. One girl had recently fractured her foot and would have missed out on the group adventure if it weren't for Kuntz. Keller says that Kuntz graciously carried the little girl on his back up and down the mountain trail. Together the pair spent the day smiling, laughing, and Kuntz even sang songs to entertain her and the students throughout the day.

Kuntz is a selfless volunteer who donates his time and money and expects very little in return. On numerous occasions he has purchased items out of his own pocket to help out with maintenance or building projects. Most recently, Kuntz helped to complete a garden for the school so that students can grow vegetables and cultivate a first-hand knowledge of agriculture.

He embodies the diligent and gracious heart of Ennis citizens and is instilling that into the future Montana farmers, educators, and leaders growing up in Ennis. Montana is truly one of the last best places, and I am honored that Tom is so invested in the success of our children. Thank you, Tom, and welcome home.•

TRIBUTE TO NOAH COZAD

• Mr. ROUNDS. Madam President, today I recognize Noah Cozad, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Noah is a graduate of Washington High School in Sioux Falls, SD. He recently graduated from the University of Minnesota in Minneapolis, where he studied political science, global studies, and German. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience and who has been a true asset to the office.

I extend my sincere thanks and appreciation to Noah for all of the fine work he has done and wish him continued success in the years to come.•

TRIBUTE TO ANDREW LEIFERMAN

• Mr. ROUNDS. Madam President, today I recognize Andrew Leiferman, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Andrew is a graduate of T.F. Riggs High School in Pierre, SD. He attends the University of North Carolina at Greensboro, where he studies finance and economics. He is an analytical and diligent worker who has been devoted to getting the most out of his internship experience and who has been a true asset to the office.

I extend my sincere thanks and appreciation to Andrew for all of the fine work he has done and wish him continued success in the years to come.•

TRIBUTE TO THOMAS McNAMARA

• Mr. ROUNDS. Madam President, today I recognize Thomas McNamara,

an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Thomas is a graduate of St. John's College High School in Washington, DC. He attends the University of Texas at Austin, where he studies business and accounting. He is an inquisitive and committed worker who has been devoted to getting the most out of his internship experience and who has been a true asset to the office.

I extend my sincere thanks and appreciation to Thomas for all of the fine work he has done and wish him continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on July 8, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House agrees to the amendment of the Senate to the bill (H.R. 1777) to amend the Act of August 25, 1958, commonly known as the ''Former Presidents Act of 1958'', with respect to the monetary allowance payable to a former President, and for other purposes.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 524) to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

The message also announced that the House has passed the following bill, with amendment, in which it requests the concurrence of the Senate:

S. 2943. 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

The message further announced that the House insist upon its amendment 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, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and that the following Members be the managers of the conference on the part of the House:

From the Committee on Armed Services, for consideration of the Senate bill and the House amendment, and modifications committed to conference: Messrs. THORNBERRY, FORBES, MILLER of Florida, WILSON of South Carolina, LOBIONDO, BISHOP of Utah, TURNER, KLINE, ROGERS of Alabama, FRANKS of Arizona, SHUSTER, CONAWAY, LAMBORN, WITTMAN, GIBSON, Mrs. HARTZLER, Mr. HECK of Nevada, Ms. STEFANIK, Mr. SMITH of Washington, Ms. LORETTA SANCHEZ of California, Mrs. DAVIS of California, Messrs. LANGEVIN, LARSEN of Washington, COOPER, Ms. BORDALLO, Mr. COURTNEY, Ms. TSONGAS, Messrs. GARAMENDI, JOHNSON of Georgia, Ms. SPEIER, and Mr. PETERS.

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Messrs. NUNES, POMPEO, and SCHIFF.

From the Committee on Education and the Workforce, for consideration of sections 571–74 and 578 of the Senate bill, and sections 571, 573, 1098E, and 3512 of the House amendment, and modifications committed to conference: Messrs. WALBERG, GUTHRIE, and SCOTT of Virginia.

From the Committee on Energy and Commerce, for consideration of sections 3112 and 3123 of the Senate bill, and sections 346, 601, 749, 1045, 1090, 1095, 1673, 3119A, and 3119C of the House amendment, and modifications committed to conference: Messrs. LATTA, JOHNSON of Ohio, and PALLONE.

From the Committee on Foreign Affairs, for consideration of sections 828, 1006, 1007, 1050, 1056, 1089, 1204, 1211, 1221–23, 1231, 1232, 1242, 1243, 1247, 1252, 1253, 1255–58, 1260, 1263, 1264, 1271–73, 1276, 1283, 1301, 1302, 1531–33, and 1662 of the Senate bill, and sections 926, 1011, 1013, 1083, 1084, 1098K, 1099B, 1099C, 1201, 1203, 1214, 1221–23, 1227, 1229, 1233, 1235, 1236, 1245, 1246, 1250, 1259A–59E, 1259J, 1259L, 1259P, 1259Q 1259U, 1261, 1262, 1301–03, 1510, 1531–33, 1645, 1653 and 2804 of the House amendment, and modifications committed to conference Messrs. ROYCE, ZELDIN, and ENGEL.

From the Committee on Homeland Security, for consideration of sections 564 and 1091 of the Senate bill, and sections 1097, 1869, 1869A, and 3510 of the House amendment, and modifications committed to conference: Messrs. MCCAUL, DONOVAN, and THOMPSON of Mississippi.

From the Committee on the Judiciary, for consideration of sections 829J, 829K, 944, 963, 1006, 1023–25, 1053, 1093, 1283, 3303, and 3304 of the Senate bill, and sections 598, 1090, 1098H, 1216, 1261, and 3608 of the House amendment, and modifications committed to conference: Messrs. GOODLATTE, ISSA, and CONYERS.

From the Committee on Natural Resources, for consideration of sections 601, 2825, subtitle D of title XXVIII, and section 2852 of the Senate bill, and sections 312, 601, 1090, 1098H, 2837, 2839, 2839A, subtitle E of title XXVIII, sections 2852, 2854, 2855, 2864–66, title XXX, sections 3508, 7005, and title LXXIII of the House amendment, and modifications committed to conference: Messrs. COOK, HARDY, and GRIJALVA.

From the Committee on Oversight and Government Reform, for consideration of sections 339, 703, 819, 821, 829H, 8291, 861, 944, 1048, 1054, 1097, 1103–07, 1109–13, 1121, 1124, 1131–33, 1135, and 1136 of the Senate bill, and sections 574, 603, 807, 821, 1048, 1088, 1095, 1098L, 1101, 1102, 1104–06, 1108–11, 1113, 1259C, and 1631 of the House amendment, and modifications committed to conference: Messrs. CHAFFETZ, RUSSELL, and CUMMINGS.

From the Committee on Science, Space, and Technology, for consideration of section 874 of the Senate bill and sections 1605, 1673, and title XXXII 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 Small Business, for consideration of sections 818, 838, 874, and 898 of the Senate bill, and title XVIII of the House amendment, and modifications committed to conference: Messrs. CHABOT, KNIGHT, and Ms. VELÁZQUEZ.

From the Committee on Transportation and Infrastructure, for consideration of sections 541, 562, 601, 961, 3302–07, 3501, and 3502 of the Senate bill, and sections 343, 601, 731, 835, 1043, 1671, 3119C, 3501, 3504, 3509, 3512, and title XXXVI of the House amendment, and modifications committed to conference: Messrs. HUNTER, ROUZER, and SEAN PATRICK MALONEY of New York.

From the Committee on Veterans' Affairs, for consideration of sections 706, 755, and 1431 of the Senate bill, and sections 741, 1421, and 1864 of the House amendment, and modifications committed to conference: Messrs. ROE of Tennessee, BOST, and TAKANO.

From the Committee on Ways and Means, for consideration of section 1271 of the Senate bill, and modifications committed to conference: Messrs. BRADY of Texas, REICHERT, and LEVIN.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 1270. An act to amend the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Affordable Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on July 8, 2016, she had presented to the President of the United States the following enrolled bills:

S. 1252. An act to authorize a comprehensive strategic approach for United States foreign assistance to developing countries to reduce global poverty and hunger, achieve food and nutrition security, promote inclusive, sustainable, agricultural-led economic growth, improve nutritional outcomes, especially for women and children, build resilience among vulnerable populations, and for other purposes.

S. 2845. An act to extend the termination of sanctions with respect to Venezuela under the Venezuela Defense of Human Rights and Civil Society Act of 2014.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 2517. A bill to require a report on United States strategy to combat terrorist use of social media, and for other purposes (Rept. No. 114–295).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2522. A bill to amend the Homeland Security Act of 2002 to build partnerships to prevent violence by extremists (Rept. No. 114–296).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WARNER (for himself and Mr. HELLER):

S. 3152. A bill to amend the Internal Revenue Code of 1986 to modify the tax treatment of certain equity grants; to the Committee on Finance.

By Mr. ROUNDS:

S. 3153. A bill to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. BALDWIN (for herself and Mr. TILLIS):

S. 3154. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs, in awarding a contract for the procurement of goods or services, to give a preference to offerors that employ veterans; to the Committee on Veterans' Affairs.

By Mr. HATCH (for himself, Mrs. FEINSTEIN, Mr. CORNYN, Mr. COONS, Mr. LEE, Mr. SCHUMER, and Mr. TILLIS):

S. 3155. A bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MURPHY:

S. Res. 524. A resolution expressing the sense of the Senate on the conflict in Yemen; to the Committee on Foreign Relations.

By Ms. MURKOWSKI (for herself, Mr. REED, Mr. ISAKSON, Mr. GARDNER, Mr. WHITEHOUSE, Mr. REID, Mr. BLUMENTHAL, Mr. TESTER, Mr. WICKER, Mr. INHOFE, Mr. PAUL, Mr. CORKER, Mr. TILLIS, Mr. COTTON, Mr. HATCH, Mr. CASEY, Mrs. MURRAY, Ms. CANTWELL, Mr. MANCHIN, and Mr. MCCONNELL):

S. Res. 525. A resolution designating August 16, 2016, as ''National Airborne Day''; considered and agreed to.

By Mrs. FEINSTEIN (for herself, Mr. ISAKSON, Mrs. BOXER, Mr. BENNET, Mr. THUNE, Mr. NELSON, Mr. GARDNER, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. Con. Res. 43. A concurrent resolution supporting the bid of Los Angeles, California, to bring the 2024 Summer Olympic Games back to the United States and pledging the cooperation of Congress with respect to that bid; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR (for himself, Mrs. MURRAY, and Mr. BLUMENTHAL):

S. Con. Res. 44. A concurrent resolution recognizing the sunflower as the flower for military caregivers; considered and agreed to.

By Mr. WHITEHOUSE (for himself, Mr. MARKEY, Mr. SCHATZ, Mrs. BOXER, Mr. MERKLEY, Ms. WARREN, Mr. SANDERS, and Mr. FRANKEN):

S. Con. Res. 45. A concurrent resolution expressing the sense of Congress relating to the disapproval of certain activities of certain companies, trade associations, foundations, and organizations; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 366

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 366, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 539

At the request of Mr. CARDIN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 539, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 804

At the request of Ms. COLLINS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 827

At the request of Ms. KLOBUCHAR, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 827, a bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

S. 1013

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1013, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program, and for other purposes.

S. 1175

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1175, a bill to improve the safety of hazardous materials rail transportation, and for other purposes.

S. 1327

At the request of Ms. KLOBUCHAR, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 1327, a bill to amend the Controlled Substances Act relating to controlled substance analogues.

S. 1458

At the request of Mr. COATS, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1458, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to ensure scientific transparency in the development of environmental regulations and for other purposes.

S. 1737

At the request of Ms. STABENOW, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1737, a bill to provide an incentive for businesses to bring jobs back to America.

S. 1874

At the request of Mr. HATCH, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1911

At the request of Ms. COLLINS, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 1911, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 1915

At the request of Ms. AYOTTE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1915, a bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 1982

At the request of Mr. CARDIN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors 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.

S. 2067

At the request of Mr. WICKER, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2216

At the request of Mrs. MCCASKILL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2541

At the request of Mr. BLUMENTHAL, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2541, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act to further the conservation of prohibited wildlife species.

S. 2659

At the request of Mr. BURR, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 2659, a bill to reaffirm that the Environmental Protection Agency cannot regulate vehicles used solely for competition, and for other purposes.

S. 2759

At the request of Mrs. ERNST, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2759, a bill to amend the Internal Revenue Code of 1986 to provide a nonrefundable credit for working family caregivers.

S. 2795

At the request of Mr. INHOFE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2795, a bill to modernize the regulation of nuclear energy.

S. 2927

At the request of Mr. LANKFORD, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 2927, a bill to prevent governmental discrimination against providers of health services who decline involvement in abortion, and for other purposes.

S. 2932

At the request of Mr. CASSIDY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2932, a bill to amend the Controlled Substances Act with respect to the provision of emergency medical services.

S. 2957

At the request of Mr. NELSON, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2957, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 50th anniversary of the first manned landing on the Moon.

S. 2962

At the request of Ms. CANTWELL, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2962, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 2971

At the request of Mr. PORTMAN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2971, a bill to authorize the National Urban Search and Rescue Response System.

S. 3026

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 3026, a bill to amend the Communications Act of 1934 to expand and clarify the prohibition on inaccurate caller identification information and to require providers of telephone service to offer technology to subscribers to reduce the incidence of unwanted telephone calls, and for other purposes.

S. 3074

At the request of Mr. MARKEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 3074, a bill to authorize the National Oceanic and Atmospheric Administration to establish a Climate Change Education Program.

S. 3106

At the request of Mr. REID, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 3106, a bill to provide a coordinated regional response to effectively manage the endemic violence and humanitarian crisis in El Salvador, Guatemala, and Honduras.

S. 3125

At the request of Mr. CASEY, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 3125, a bill to establish a designation for jurisdictions permissive to terrorism financing, to build the capacity of partner nations to investigate, prosecute, and hold accountable terrorist financiers, to impose restrictions on foreign financial institutions that provide financial services for terrorist organizations, and for other purposes.

S. 3135

At the request of Mr. GARDNER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 3135, a bill to prohibit any officer or employee of the Federal Government who has exercised extreme carelessness in the handling of classified information from being granted or retaining a security clearance.

S. 3138

At the request of Mr. RUBIO, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 3138, a bill to prevent Iran from directly or indirectly receiving assistance from the Export-Import Bank of the United States.

S.J. RES. 35

At the request of Mr. FLAKE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S.J. Res. 35, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of Labor relating to ''Interpretation of the 'Advice' Exemption in Section 203(c) of the Labor-Management Reporting and Disclosure Act'' .

S. CON. RES. 30

At the request of Mr. LEE, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. Con. Res. 30, a concurrent resolution expressing concern over the disappearance of David Sneddon, and for other purposes.

S. CON. RES. 36

At the request of Mr. NELSON, the name of the Senator from Maryland (Mr. CARDIN) 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. CON. RES. 38

At the request of Mr. RUBIO, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Con. Res. 38, a concurrent resolution reaffirming the Taiwan Relations Act and the Six Assurances as cornerstones of United States-Taiwan relations.

S. RES. 520

At the request of Mr. RUBIO, the names of the Senator from Illinois (Mr. KIRK), the Senator from Idaho (Mr. RISCH), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. Res. 520, a resolution reaffirming the strong relationship, both in defense and trade, between the United States and the United Kingdom.

S. RES. 521

At the request of Ms. AYOTTE, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from California (Mrs. BOXER) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. Res. 521, a

resolution expressing support for the designation of September 2016 as National Ovarian Cancer Awareness Month.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 524—EXPRESSING THE SENSE OF THE SENATE ON THE CONFLICT IN YEMEN

Mr. MURPHY submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 524

Whereas the enduring security partnership between the United States Government and the Government of Saudi Arabia has historically served to preserve the stability of the Middle East;

Whereas the United States Armed Forces provide support to the armed forces of Saudi Arabia and its coalition partners to support their military operations in Yemen, including over 700 air-to-air refueling sorties, and to assist with effectiveness and reduction of collateral damage;

Whereas the United States Government has consistently urged all sides of the conflict in Yemen to take all feasible precautions to reduce the risk of harm to civilians and to comply with their obligations under international humanitarian law, which includes minimizing harm to civilians and differentiating between civilian infrastructure and military objectives; and

Whereas designated foreign terrorist organizations, including al Qaeda in the Arabian Peninsula and the Islamic State in Iraq and the Levant, which pose a grave threat to the national security of the United States, have significantly expanded the territory under their control in Yemen since the Government of Saudi Arabia began military operations in Yemen on March 26, 2015: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) all sides to the current conflict in Yemen should—

(A) abide by international obligations to protect civilians;

(B) facilitate the delivery of humanitarian relief throughout the country; and

(C) respect negotiated cease-fires and work toward a lasting political settlement;

(2) United States-supported Saudi military operations in Yemen should—

(A) take all feasible precautions to reduce the risk of harm to civilians and civilian objects, in compliance with international humanitarian law; and

(B) increase prioritization of targeting of designated foreign terrorist organizations, including al Qaeda in the Arabian Peninsula and affiliates of the Islamic State of Iraq and the Levant;

(3) the Houthi-Saleh forces engaged in the conflict in Yemen should—

(A) cease indiscriminate shelling of areas inhabited by civilians; and

(B) allow free access by humanitarian relief organizations seeking to deliver aid to civilian populations under siege; and

(4) a reconstruction and stabilization plan should be developed alongside a negotiated political framework, in consultation with local stakeholders and with robust financing from the international community, including Gulf Cooperation Council countries that have previously made pledges to fund Yemen's post-conflict reconstruction.

SENATE RESOLUTION 525—DESIGNATING AUGUST 16, 2016, AS ''NATIONAL AIRBORNE DAY''

Ms. MURKOWSKI (for herself, Mr. REED, Mr. ISAKSON, Mr. GARDNER, Mr. WHITEHOUSE, Mr. REID, Mr. BLUMENTHAL, Mr. TESTER, Mr. WICKER, Mr. INHOFE, Mr. PAUL, Mr. CORKER, Mr. TILLIS, Mr. COTTON, Mr. HATCH, Mr. CASEY, Mrs. MURRAY, Ms. CANTWELL, Mr. MANCHIN, and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 525

Whereas the members of the airborne forces of the Armed Forces of the United States have a long and honorable history as bold and fierce warriors who, for the national security of the United States and the defense of freedom and peace, project the ground combat power of the United States by air transport to the far reaches of the battle area and to the far corners of the world;

Whereas the experiment of the United States with airborne operations began on June 25, 1940, when the Army Parachute Test Platoon was first authorized by the Department of War, and 48 volunteers began training in July 1940;

Whereas August 16 marks the anniversary of the first official Army parachute jump, which took place on August 16, 1940, to test the innovative concept of inserting United States ground combat forces behind a battle line by means of a parachute;

Whereas the success of the Army Parachute Test Platoon in the days immediately before the entry of the United States into World War II validated the airborne operational concept and led to the creation of a formidable force of airborne formations that included the 11th, 13th, 17th, 82nd, and 101st Airborne Divisions;

Whereas, included in those divisions, and among other separate formations, were many airborne combat, combat support, and combat service support units that served with distinction and achieved repeated success in armed hostilities during World War II;

Whereas the achievements of the airborne units during World War II prompted the evolution of those units into a diversified force of parachute and air-assault units that, over the years, have fought in Korea, Vietnam, Grenada, Panama, the Persian Gulf region, and Somalia, and have engaged in peacekeeping operations in Lebanon, the Sinai Peninsula, the Dominican Republic, Haiti, Bosnia, and Kosovo;

Whereas, since the terrorist attacks of September 11, 2001, the members of the United States airborne forces, including members of the XVIII Airborne Corps, the 82nd Airborne Division, the 101st Airborne Division, the 173rd Airborne Brigade Combat Team, the 4th Brigade Combat Team (Airborne) of the 25th Infantry Division, the 75th Ranger Regiment, special operations forces of the Army, Marine Corps, Navy, and Air Force, and other units of the Armed Forces, have demonstrated bravery and honor in combat, stability, and training operations in Afghanistan and Iraq;

Whereas the modern-day airborne forces also include other elite forces composed of airborne trained and qualified special operations warriors, including Army Special Forces, Marine Corps Reconnaissance units, Navy SEALs, and Air Force combat control and pararescue teams;

Whereas, of the members and former members of the United States airborne forces, thousands have achieved the distinction of making combat jumps, dozens have earned the Medal of Honor, and hundreds have earned the Distinguished Service Cross, the Silver Star, or other decorations and awards for displays of heroism, gallantry, intrepidity, and valor;

Whereas the members and former members of the United States airborne forces are all members of a proud and honorable tradition that, together with the special skills and achievements of those members, distinguishes the members as intrepid combat parachutists, air assault forces, special operation forces, and, in the past, glider troops;

Whereas individuals from every State of the United States have served gallantly in the airborne forces, and each State is proud of the contributions of its paratrooper veterans during the many conflicts faced by the United States;

Whereas the history and achievements of the members and former members of the United States airborne forces warrant special expressions of the gratitude of the people of the United States; and

Whereas, since the airborne forces, past and present, celebrate August 16 as the anniversary of the first official jump by the Army Parachute Test Platoon, August 16 is an appropriate day to recognize as National Airborne Day: Now, therefore, be it

Resolved, That the Senate—

(1) designates August 16, 2016, as ''National Airborne Day''; and

(2) calls on the people of the United States to observe National Airborne Day with appropriate programs, ceremonies, and activities.

SENATE CONCURRENT RESOLUTION 43—SUPPORTING THE BID OF LOS ANGELES, CALIFORNIA, TO BRING THE 2024 SUMMER OLYMPIC GAMES BACK TO THE UNITED STATES AND PLEDGING THE COOPERATION OF CONGRESS WITH RESPECT TO THAT BID

Mrs. FEINSTEIN (for herself, Mr. ISAKSON, Mrs. BOXER, Mr. BENNET, Mr. THUNE, Mr. NELSON, Mr. GARDNER, Ms. KLOBUCHAR, and Mr. BLUMENTHAL) submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 43

Whereas the International Olympic Committee will meet on September 13, 2017, in Lima, Peru, to consider a site for the Summer Olympic and Paralympic Games (in this preamble referred to as the ''Games'') in 2024;

Whereas the United States Olympic Committee has selected Los Angeles, California, as the candidate of the United States for the 2024 Games;

Whereas the Games further the cause of world peace and understanding;

Whereas the country that hosts the Games performs an act of international goodwill;

Whereas the Games have not been held in the United States since 1996;

Whereas many of the world-class venues to be used in Los Angeles' 2024 plan for the Games are already built or are planned as permanent facilities; and

Whereas Los Angeles is positioned to deliver an innovative, fiscally responsible, and sustainable Games: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) advises the International Olympic Committee that the United States would welcome the holding of the 2024 Summer Olympic and Paralympic Games in Los Angeles,

California, the site designated by the United States Olympic Committee;

(2) expresses the sincere hope that the United States will be selected as the site for the 2024 Summer Olympic and Paralympic Games and pledges cooperation and support toward the successful fulfillment of those Games in the highest sense of the Olympic tradition; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the United States Olympic Committee and to the International Olympic Committee.

SENATE CONCURRENT RESOLUTION 44—RECOGNIZING THE SUNFLOWER AS THE FLOWER FOR MILITARY CAREGIVERS

Mr. BURR (for himself, Mrs. MURRAY, and Mr. BLUMENTHAL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 44

Whereas military caregivers are nameless, courageous, giving individuals whose determination and sacrifices are rarely acknowledged and little-known outside of the military community;

Whereas a military caregiver provides support and medical care to a member of the uniformed services or veteran who suffers from a physical, mental, or emotional wound or injury;

Whereas military caregivers can include a father, mother, spouse, sibling, family member, loved one, or close friend of an injured member of the uniformed services or veteran;

Whereas since the first armed conflict of the United States, injured veterans have been cared for by family members and loved ones after returning home from combat;

Whereas since the Revolutionary War, military caregivers in the United States have tended to injured veterans as the veterans have recovered from seen and unseen wounds from combat operations;

Whereas military caregivers have shown time and time again, regardless of the conflict, that caring for those who return home is a part of the character of the United States;

Whereas many of the members of the uniformed services and veterans who served in Operation Enduring Freedom or Operation Iraqi Freedom—

(1) suffered wounds or injuries; and

(2) require assistance from a caregiver to complete either activities of daily living such as bathing, dressing, and feeding, or instrumental activities such as transportation, meal preparation, and health management;

Whereas, according to a study of military caregivers conducted by the RAND Corporation, more than 1,000,000 individuals serve as caregivers to veterans who served in Operation Enduring Freedom or Operation Iraqi Freedom;

Whereas the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1130) facilitated a new program for access to health insurance, mental health services, caregiver training, and respite care by family caregivers of veterans who served in Operation Enduring Freedom or Operation Iraqi Freedom;

Whereas the adoration, loyalty, and longevity of military caregivers—

(1) endures through the hardships of extended hospital stays, multiple surgeries, and lifetimes of care; and

(2) helps create a fresh start that is hopeful even during difficult times;

Whereas the sunflower is a flower that symbolizes adoration, loyalty, and longevity; and

Whereas there is no more appropriate representation of the devotion and determination to overcome obstacles shown every day by military caregivers than the sunflower: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) honors military caregivers for service and sacrifice to the United States;

(2) encourages the people of the United States—

(A) to show support to military families; and

(B) to recognize the sacrifices endured by those families in service to the United States; and

(3) recognizes the sunflower as the flower for military caregivers.

SENATE CONCURRENT RESOLUTION 45—EXPRESSING THE SENSE OF CONGRESS RELATING TO THE DISAPPROVAL OF CERTAIN ACTIVITIES OF CERTAIN COMPANIES, TRADE ASSOCIATIONS, FOUNDATIONS, AND ORGANIZATIONS

Mr. WHITEHOUSE (for himself, Mr. MARKEY, Mr. SCHATZ, Mrs. BOXER, Mr. MERKLEY, Ms. WARREN, Mr. SANDERS, and Mr. FRANKEN) submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 45

Whereas in the case of tobacco companies and allied organizations—

(1) according to peer-reviewed scientific research and Federal court findings, tobacco companies knew about the harmful health effects of their products; and

(2) contrary to the scientific findings of the tobacco companies and of others about the danger tobacco poses to human health, tobacco companies, directly and through their trade associations, and foundations—

(A) developed a sophisticated and deceitful campaign that funded think tanks and front groups, and paid public relations firms to deny, counter, and obfuscate peer-reviewed science; and

(B) used that misinformation campaign to mislead the public and cast doubt in order to protect their financial interest;

Whereas in the case of lead-related manufacturers and allied organizations—

(1) according to peer-reviewed scientific research and State court findings, the paint industry, gasoline manufacturers, and lead producers knew about the harmful health effects of lead in paint and other products throughout the 20th century; and

(2) contrary to the scientific findings of the paint industry, gasoline manufacturers, lead producers, and others about the danger lead poses to human health, those companies, directly and through their trade associations, and foundations—

(A) developed a sophisticated and deceitful campaign that funded think tanks and front groups, and paid public relations firms to deny, counter, and obfuscate peer-reviewed research; and

(B) used that misinformation campaign to mislead the public and cast doubt in order to protect their financial interest; and

Whereas in the case of fossil fuel companies and allied organizations—

(1) according to peer-reviewed scientific research and investigative reporting, fossil fuel companies have long known about climate change and the harmful climate effects of their products; and

(2) contrary to the scientific findings of the fossil fuel companies and of others about the danger fossil fuels pose to the climate, fossil fuel companies, directly and through their trade associations, and foundations—

(A) developed a sophisticated and deceitful campaign that funded think tanks and front groups, and paid public relations firms to deny, counter, and obfuscate peer-reviewed research; and

(B) used that misinformation campaign to mislead the public and cast doubt in order to protect their financial interest: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) disapproves of activities by certain corporations, trade associations, foundations, and organizations funded by those corporations—

(A) to deliberately mislead the public and undermine peer-reviewed scientific research about the dangers of their products; and

(B) to deliberately cast doubt on science in order to protect their financial interests; and

(2) urges fossil fuel companies and allied organizations to cooperate with active or future investigations into—

(A) their climate-change related activities;

(B) what they knew about climate change and when they knew that information;

(C) what they knew about the harmful effects of fossil fuels on the climate; and

(D) any activities to mislead the public about climate change.

NATIONAL AIRBORNE DAY

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 525, 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. 525) designating August 16, 2016, as ''National Airborne Day.''

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

Mr. MCCONNELL. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 525) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

RECOGNIZING THE SUNFLOWER AS THE FLOWER FOR MILITARY CAREGIVERS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 44.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 44) recognizing the sunflower as the flower for military caregivers.

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

Mr. MCCONNELL. Madam President, I ask unanimous consent that the concurrent 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 concurrent resolution (S. Con. Res. 44) was agreed to.

The preamble was agreed to.

(The concurrent resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR TUESDAY, JULY 12, 2016

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, July 12; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the conference report to accompany S. 524, with the time until 12:30 p.m. equally divided between the two leaders or their designees; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

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

PROGRAM

Mr. MCCONNELL. Madam President, we can expect the first rollcall votes to occur after the conference lunches tomorrow.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators MERKLEY and WHITEHOUSE.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oregon.

CLIMATE CHANGE

Mr. MERKLEY. Madam President, I have risen on several occasions to bring attention to the challenges confronting our ''we the people'' system of government that President Abraham Lincoln so eloquently described all those years ago as one ''of the people, by the people, and for the people.''

I have talked about the powerful special interests working to corrupt the nature of our Republic, thanks to the unchecked wealth flowing into our political system because of the Supreme Court's series of misguided decisions in Buckley v. Valeo, Citizens United, and SpeechNow.org.

Today, I am honored to join with my colleagues from Minnesota, New Hampshire, and Connecticut—organized by my colleague from Rhode Island, who will be speaking in a moment—to show how these same special interests are using their vast wealth and resources to sway national policies and public debate to benefit their interests at the expense of the American people and turn our government into one of, by, and for a powerful special interest. There is no better example of what I mean than the debate surrounding one of the most critical issues facing our Nation and the world today: climate change.

Senator Daniel Patrick Moynihan once famously stated that ''everyone is entitled to his own opinion, but not to his own facts.'' Well, manmade climate change is a fact. Scientists, universities, and government agencies across the world have all said that manmade climate change is real, that it endangers our planet, and that we need to address it quickly if there is any hope for our future.

Back in 2005, 11 science academies from around the world—including Brazil, Italy, Japan, and Russia—signed a joint letter stating that ''there is now strong evidence that significant global warming is occurring'' and that ''it is likely that most of the warming in recent decades can be attributed to human activities.'' Five years later, the Pentagon stated very directly that ''the danger from climate change is real, urgent, and severe.''

Fast-forward 5 more years to 2015, and the American Association for the Advancement of Science warned that ''we face risks of abrupt, unpredictable and potentially irreversible changes'' with potentially ''massively disruptive consequences to societies and echosystems.''

The fact is, we don't really need to turn to our scientists or studies to know that climate change is real; we simply have to look at the world around us. We can see and feel it for ourselves. We saw it when 2014 became the hottest year on record, and then we saw it again in 2015 when 2015 became the hottest year on record. We see it as our forests come under assault from longer fire seasons and insect infestations because the winters are not cold enough to kill the pine beetles. We see it in our waters, our loss of snowpacks, as fishermen fish in ever smaller and warmer streams for trout and salmon, and our farmers face less water for irrigation. We see it in the oceans—oceans that are 30 percent more acidic today than they were before we started burning coal at the dawn of the Industrial Revolution. The acidic ocean is endangering our sea life, killing coral, and causing a real challenge for our shellfish. We see it in the droughts that hurt our farms and the increasingly powerful storms that regularly devastate communities, businesses, and people's lives.

Why, with all of this proof from the scientific community and with all of the proof and facts directly before our eyes, does such strong opposition remain to the effects of climate change? We know the answer. It is because a powerful, moneyed interest has spun a web of deceit, working for years and continuing to work to undermine mainstream, scientific research and deceive the American people about the dangers and causes of climate change.

These members are part of a special interest that have made their fortunes from fossil fuels. If they acknowledge the realities of climate change, it would suggest that their industry would have to dramatically change in a very short period of time. In fact, according to conventional science, we have to keep 80 percent of fossil fuels in the ground if we are to have any hope of keeping carbon emissions within a range that does not trigger catastrophic consequences. That is why, in the minds of this industry, it is better to lie to the American people than to risk their businesses and fortunes.

We have seen this movie before, when the tobacco industry lied to the American people for decades to discredit the emerging science and evidence that tobacco was killing millions of Americans. And now the fossil industrial complex is lying to the American people, but this time it is not just the health of Americans at risk, it is the health of the entire planet.

The Union of Concerned Scientists published a report last summer which showed that for decades the ''fossil-industrial complex'' knowingly worked to deceive the American public about the realities and risks of climate change. One of the main ways they do this is by funding third-party organizations like think tanks, advocacy groups that produce counter-climate research and make people question which facts and information they can trust. We know this is happening because various studies have revealed the incredible level of coordination between different groups and researchers who always see corporate funding and who all seem to work off the same scripts.

Justin Farrell, a sociologist at Yale University, authored a study last November that examined 20 years' worth of articles, policy papers, and transcripts from 4,500 individuals associated with 164 different groups known to be skeptical of climate change science. Comparing the work of those who had received this special interest corporate funding and those that had not, he found a clear, coordinated effort among the corporate-backed groups that cast

doubt on the idea that greater amounts of manmade carbon dioxide endangered our planet. Talking about his study, Farrell said that ''this counter-movement produced messages aimed, at the very least, at creating ideological polarization through politicized tactics, and at the very most, at overtly refuting current scientific consensus with scientific findings of their own.''

We know these groups are backed by special interests. All we have to do is follow the money. That is how we know, for example, that between 1998 and 2015 ExxonMobil donated at least $30 million to groups and organizations whose main purpose was to spread misleading information about climate change. It was discovered in paperwork connected to his paper between 2014 and 2015 alone that Peabody Energy funded at least $332,000 through a subsidiary to groups and organizations involved in attacking climate science and clean energy policies.

As much as the fossil fuel companies have contributed to these efforts over the years, the titles of the masterminds and the kingpins of climate science denial rests with Charles and David Koch. These oil and coal baron brothers, whose estimated $80 billion fortune comes from oil refineries and coal reserves in Texas, Alaska, Minnesota, and elsewhere, control roughly over 4,000 miles of pipeline. These are the same businessmen who have pledged that they and their network of contributors will have spent the better part of $1 billion by the time the polls close on November 8 to try to influence the outcome of this year's Presidential and congressional elections.

Since 1997, the Koch brothers have directly funneled $88 million to think tanks and trade associations, advocacy groups, foundations, and academic and legal programs which deny the existence of climate change.

According to a 2013 study from Drexel University, they are effective at getting their friends to give their money as well. The study showed that most of the other largest contributors to the anti-climate science movement were associated with the Koch brothers. The foundation run by the DeVos family and Art Pope, a retail magnate from North Carolina, are a regular part of the Koch brothers' donor network.

That same Drexel study also shows that as the public opinion about climate change has shifted in recent years, the sources of funding for many of these organizations has become untraceable. On paper, for instance, Koch affiliated foundations have pulled back significantly on visibly funding organizations that deny climate change. It just so happens that funding from other sources, such as Donors Trust, a donor-directed foundation where funders cannot be traced, has risen dramatically at the same time. The traceable funding of this network in DC has decreased, and the untraceable funding has increased. According to its Web site, Donors Trust specializes in being untraceable. Our trust is for those ''who wish to keep their charitable giving private, especially gifts funding sensitive or controversial issues. Know that your contributions to your DonorTrust account that have to be reported to the IRS will not become public information.''

In 2003, only about 3 percent of the denial movement came from Donors Trust, but by 2010, as the Drexel study shows, the foundation responsible for providing a quarter of ''all traceable foundation funding used by organizations engaged in promoting systemic denial of climate change.''

The sources of the denial movement are being laundered so the American people do not have a direct vision of those responsible, but we know from all of this evidence who is responsible. Could it just be coincidence that at the same time the Koch brothers reduce their traceable donations to climate-denying science groups, the amount of untraceable money going to them increases dramatically? Yes, I suppose it is possible, but it would be a very large coincidence.

So we know that the Koch brothers have been prolific contributors to the climate change countermovement over the years, and it is very safe to say that they are continuing to contribute anonymously to the cause of organizations like Donors Trust.

But what is the result of all of this? What has been the return on their investment?

We have seen report after report from groups like the Koch-founded and Koch-funded Cato Institute with titles like ''Apocalypse Not: Science, Economics, and Environmentalism.'' Or how about this one: ''Climate of Fear: Why We Shouldn't Worry About Global Warming.''

We know that a grant from the Charles G. Koch Charitable Foundation helped fund a nonpeer-reviewed study which claimed climate change doesn't endanger polar bears.

Now, I do a tremendous number of townhalls—one in every county every year, 36 a year in Oregon—approaching 300 townhalls since I was elected into office. Many of these are in rural areas where people get a lot of their information—well, to put it simply—from web sources and emails and lists that are often directly driven through a right-wing propaganda machine. These are the types of things that the Koch brothers try to spread in order to undermine what is happening before our very eyes. When I talk to my rural townhalls about the challenge, I say: You know what; climate change is impacting you all most of all. It is attacking our forests and our fishing. It is attacking our farming.

I go through the evidence on the ground in the State of Oregon, and people start shaking their head. Yes, they are aware of the pine beetle. They are aware of the longer forest fire season. They have heard about the oyster industry in trouble because of the increasing acidity of the Pacific Ocean. They are aware of how the Klamath Basin has suffered the three worst ever droughts in a 15-year period because the snowpack in the Cascades has changed so much over the last few decades, reducing the amount of irrigation water flowing in to the region and the amount of rain that is falling. They are aware of these things. So then they understand it, and they see the reality. Then there is a glimmer of understanding that the messages spun out by this vast web of denial is false and that they are on the front line. Rural America is on the front line.

Reports and studies funded by the Koch brothers muddy the waters of scientific fact, making it much harder for the average person to sort through and sift through the information that is available and to know what the real story is.

But where we see the Koch brothers' and friends' money paying off the most is the influence they are able to manifest here in Washington, DC. As we work to take on this challenge—the equivalent of an approaching meteor bent on destroying a good portion of the planet—as we work to take it on, they work to make sure we don't take it on, undermining the legislation that is being put forward to incentivize a rapid transition from a fossil fuel economy to a renewable energy economy.

Obviously, an emphasis of pivoting from fossil fuels to renewable energy would undermine the value of the Koch brothers' holdings. It would undermine the value of the fossil industrial complex. So they lie to the American people.

We see one substantial strategy after another. We know that the summer that cap and trade was being debated in 2009 and climate change started to become a focus of tea party rallies, a lot of that was organized by Americans for Prosperity—yet again a Koch-founded and Koch-funded organization.

The issue seeped into townhalls and public forums, with some members of the audiences planted at various events by groups like Americans for Prosperity to raise the issue. Anti-cap-and-trade members of Congress regularly quoted from a study by the Heritage Foundation, another Koch-funded organization. They predicted that the bill would add thousands of dollars to Americans' energy bills and lead to devastating unemployment—claims thoroughly debunked by the Congressional Budget Office. But in the Koch brothers' climate-denier, fossil-industrial complex world, facts don't matter and that our planet is at risk doesn't matter.

They even use piles of letters sent to Members of Congress that falsely claim to come from actual constituents. They worked to build pressure from outside groups, and eventually the Koch brothers and their allies won. The cap-and-trade bill never came up for a vote here in the Senate, even though it had passed the House. That was the

type of return on investment the Koch brothers sought. They wanted to use their money and their resources to stop legislation that could have helped the American people and the world begin to reverse recourse on the tragic direction we are headed.

That is not a government of the people, by the people, and for the people. That is a government against the people. That is, instead, a government of, by, and for a powerful special interest.

Every one of us here has a public responsibility to act on behalf of our Nation's national interests. We are stewards of the public trust. We are responsible for helping to guide the United States and helping the United States guide the entire community of nations into a future of greater well-being. To do that, we must take back our Republic from the special interests like the Koch brothers who are determined to corrupt our public bodies and our public debates for their own greedy self-interests. We must work together to restore the ''we the people'' government our Founding Fathers envisioned.

I am proud to come here to the floor to join my colleagues from Rhode Island, Minnesota, New Hampshire, and Connecticut. I particularly appreciate my colleague from Rhode Island for organizing this series of speeches to expose the special interests behind the anti-climate science forces and to ensure that, as President Lincoln so eloquently declared on those hallowed fields of Gettysburg, ''Government of the people, by the people, and for the people shall not perish from this Earth.''

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I will be the final speaker tonight. The point that I want to make is that when we spend this time talking about the web of denial that sabotages America's ability to respond to the climate crisis, we don't just use this word rhetorically. We can go into the academic research and see the web depicted in peer-reviewed scientific research. We can see the means by which it operates—the climate change denial machine in academic research. We can hear about the think tanks that are used in this web of denial.

Constantine Boussalis of Trinity College and Dr. Travis Coan of the University of Exeter have examined more than 16,000 documents published between 1998 and 2013 by these 19 conservative think tanks. Their study demonstrated that in spite of the broken global heat records over the last decade, rising sea levels, and the accelerated melting of our polar ice sheets, these 19 conservative think tanks actually increased their attacks on climate science in recent years. These 19 think tanks, the authors tell us, ''provide a multitude of services to the cause of climate change skepticism.'' These include offering material support and lending credibility to contrarian scientists, sponsoring pseudoscientific climate change conferences, directly communicating contrarian viewpoints to politicians—which is how we get infected with that nonsense here—and disseminating skeptic viewpoints through a lackadaisical media that can be tricked into believing them—all, of course, while keeping the industry's hands hidden.

The American Enterprise Institute, Cato Institute, Center for the Study of Carbon Dioxide and Global Change, Competitive Enterprise Institute, Committee for a Constructive Tomorrow, Citizens for a Sound Economy, Fraser Institute, Foundation for Research on Economics and the Environment, Heartland Institute—remember, they are the classic with the billboard comparing climate scientists to the Unabomber—the Heritage Foundation, Hoover Institution, Hudson Institute, Manhattan Institute, George C. Marshal Institute—it takes a lot of nerve to steal that man's name; George C. Marshal was an American hero—National Center for Policy Analysis, National Center for Public Policy Research, Pacific Research Institute, Reason Foundation, Science and Public Policy Institute are there to ''provide a multitude of services to the cause of climate change skepticism.''

Well, they are not alone. Harvard Professor Naomi Oreskes and her colleague Erik Conway from NASA and CalTech—no fools—have examined the long history of corporate-financed public relations efforts designed to sow confusion and skepticism about scientific research on topics like tobacco, acid rain, the ozone hole, and climate change. These are the schemes of the ''Merchants of Doubt,'' the title of their book, and also the recent documentary film which, by the way, is playing in the Capitol tonight. Naomi Oreskes is actually here.

Then there is Justin Farrell of Yale University, about whom Senator MERKLEY just spoke. This is his diagram of the ''web of denial'' as a complex network of think tanks, foundations, public relation firms, trade associations, and other groups that are ''overtly producing and promoting skepticism and doubt about scientific consensus on climate change.''

Farrell describes the function of the network as, one, ''the production of an alternative contrarian discourse,'' and, two, ''to create ideological polarization around climate change.''

That is right. The polarization that we see in this building and in this Chamber on this issue is a product created by this web of corporate-funded climate denial front groups. Congressional inaction is the sabotage their product has wrought in our democracy.

Here is how Dr. Farrell describes it: ''Well-funded and well-organized contrarian campaigns are especially important for spreading skepticism or denial where scientific consensus exists—such as in the present case of global warming, or in historical contrarian efforts to create doubt about the link between smoking and cancer.''

These researchers and many more help map out an intricate interconnected web of denial that encompasses over 100 organizations, including trade associations, conservative think tanks, foundations, public relations firms, and plain old phony polluter front groups. Each of the front groups my colleagues and I will be calling out this week appear somewhere in the research of these individuals, and I thank them.

There are also groups at work exposing the web of denial. One group is American Bridge 21st Century, founded by David Brock, which has launched RealKochFacts.com to ''highlight the truth about the Koch agenda and what it means for working families in states around the country.'' American Bridge last month reported on the 48 groups that signed a letter attacking the U.S. Virgin Islands attorney general for serving a subpoena on the Koch-funded Competitive Enterprise Institute. According to RealKochFacts, ''43 of the . . . groups that signed on the letter defending climate change denial are Koch linked—and 28 of the other organizations are either Koch front groups or the beneficiaries of regular Koch funding,'' groups such as the James Madison Institute, the John Locke Foundation, and the American Legislative Exchange Council, which we will talk of tomorrow. The Kochs blow their dog whistle and the hounds appear. American Bridge exposed them.

Then there is ProPublica, a group founded by Paul Steiger, ''an independent nonprofit newsroom that produces investigative journalism in the public interest.'' Their nonpartisan reporting helped shed light on some of the ways that the ''dark money'' flows through the Koch brothers network and into politics, providing the elections backstop to this web of denial.

Climate Nexus is an organization ''dedicated to highlighting the wide-ranging impacts of climate change and clean energy in the United States.'' They recently released an analysis of 20 years of the Wall Street Journal's editorial opinion on climate change. They found ''a consistent pattern that overwhelmingly ignores the science, champions doubt and denial of both the science and effectiveness of action, and leaves readers misinformed about the consensus of science and of the risks of the threat.'' Among their findings, of 201 Wall Street Journal editorials related to climate science or policy dating back to 1997, not one explicitly acknowledges that fossil fuels cause climate change; and of the 122 columns published since 1997, just 4 accept as fact that fossil fuels cause climate change or endorse any policy to reduce emissions. Between April 2015 and May 2016, as global heat records were falling every month, the Journal published 100 climate-related op-eds, columns, and

editorials, of which 96 failed ''to acknowledge the link between human activity and climate change.''

Their report points out that ''the Wall Street Journal consistently highlights voices of those with vested interests in fossil fuels . . . presenting only the dismissive side of the climate discussion,'' and calls this ''a failure of journalistic responsibility.''

Into this failure of journalistic responsibility by the Wall Street Journal editorial page has stepped in the Partnership for Responsible Growth, which is running a 12-part ad series in the Wall Street Journal right on the editorial page to bring ''accurate mainstream climate science to the readers of this publication's opinion pages.''

The first one reads: ''Exxon's CEO says fossil fuels are raising temperatures and sea levels. Why won't the Wall Street Journal?''

Their second one: ''Carbon dioxide traps heat on Earth. If we can agree on that, we can have a conversation.''

The third says: ''The earth has warmed. And we did it.''

The fourth says: ''What goes up doesn't come down. CO_2 emissions stay in the atmosphere for centuries.''

The fifth says: ''Your assets are at risk. Beware the carbon bubble. Climate change poses huge financial risks to investors.''

''The free market solution to climate change'' was ad No. 6, and the free market solution to climate change is ''a market-driven policy that conservatives and liberals can both embrace because it promotes growth, creates jobs, and makes U.S. companies more competitive.'' In other words, it is a revenue-neutral carbon fee.

The one after that says: ''The Pentagon sees climate change as a serious national security threat.'' And they do. It turns up in the Quadrennial Defense Reviews, and it turns up in the speeches of the leaders of the different armed services. It turns up in our intelligence reports. If the Pentagon sees climate change as a serious national security threat, shouldn't you?

The most recent one says this: ''Like any problem, climate change has solutions.''

These straightforward, broadly accepted statements may be the first honest words about climate change on the Wall Street Journal editorial page, so thank you to the partnership for getting them there.

The Union of Concerned Scientists is another group working to expose this web of denial. It has as its mission to put ''rigorous, independent science to work to solve our planet's most pressing problems.'' The Union of Concerned Scientists recently signed a letter with 30 other leading national scientific organizations telling us in no uncertain terms that ''climate change is occurring, and rigorous scientific research concludes that the greenhouse gases emitted by human activities are the primary driver.''

For over a decade, the Union of Concerned Scientists has worked to defend science and expose misinformation and manufactured uncertainty. They published articles on how ExxonMobil used the Big Tobacco denial playbook to promote misinformation and doubt on climate science.

The Union for Concerned Scientists also recently published information about how Peabody coal funneled money into climate denial groups from 2014 to 2015. It is the fossil fuel industry that is feeding the web of denial.

Greenpeace does great work to expose the web of denial. Last December, Greenpeace UK staff posed as consultants for fossil fuel companies. While pretending to work for fossil fuel companies, they approached climate skeptic professors. Both of the professors agreed to conceal the sources of the funding they were offered and to write reports in support of fossil fuel use in developing countries and the benefits of carbon dioxide. You wonder why I call them payrolled scientists.

Greenpeace's work also exposed Donors Trust's role as a conduit anonymizing financial donations between fossil fuel companies and climate-denial organizations and other U.S. fossil fuel funding used to hire scientists to testify for hearings, reports, and other public communications on climate science. Greenpeace was the group that released the documents that showed that one of those hired payroll scientists had accepted over $1.2 million from fossil fuel interests, including the Charles G. Koch Foundation, but didn't report those sources of his funding.

ExxonSecrets is another Greenpeace project, which visually explains the network—the web of organizations, lobbyists, and paid-for scientists who are part of this web of denial.

The Climate Investigations Center, founded in 2014 by Kert Davies, is another organization that monitors this web of denial—corporations, front groups, trade associations, individuals—that delays or denies the implementation of sound legislative solutions to climate change. Davies is no stranger to the web of denial. He launched two programs at Greenpeace: ExxonSecrets, which I mentioned, and PolluterWatch, which calls out organizations and individuals funded by fossil fuel interests to sow doubt about the validity of climate science and sabotage reasonable climate policies.

I thank all these investigative groups for their work.

There are also authors who are picking apart the web of denial. The executive director of Climate Nexus is Jeff Nesbit. Jeff is the former Director of Legislative and Public Affairs at the National Science Foundation and was a communications official at the White House during the administration of President George H.W. Bush. He recently published an investigative book titled ''Poison Tea'' that examines, as the title implies, how Big Oil and Big Tobacco invented the tea party and captured the GOP.

As a consultant for the Koch brothers front group Citizens for a Sound Economy, Nesbit was there in the room when Citizens for a Sound Economy, to quote him, ''proposed an unholy alliance.'' Here is how he describes it:

> Philip Morris money commingled with Koch money to create antitax front groups in a handful of states that would battle any tax that moved. It would make no difference what kind of tax—the front groups could battle cigarette excise taxes in the northeast and refined-oil fees at the coasts. Any tax for any purpose was bad—and these front groups would tackle them all, with Philip Morris and the Kochs behind them.

Nesbit's book shines a spotlight on how Rich Fink, the former president of the Charles G. Koch Charitable Foundation, together with Charles Koch ''forged a partnership and created the framework for successful action in the political realm,'' with this web of denial at the heart of that framework.

In her recent book, ''Dark Money,'' Jane Mayer describes in depth the system by which fossil fuel interests use their wealth to sabotage the American political process. First, she describes, they pay intellectuals in universities who come up with ideas friendly to the fossil fuel industry. Then they pay think tanks to transform these ideas into ''marketable policies.''

An environmental lawyer, Mayer quotes a 2010 article for the New Yorker:

> You take corporate money and give it to a neutral-sounding think tank [which] hires people with pedigrees and academic degrees who put out credible-seeming studies. But they all coincide perfectly with the economy interests of their funders.

Ms. Mayer describes this system as creating what she called the ''think tank as disguised political weapon.'' From there, they go on to phony grassroots organizations to propagate the message. It is a big web, this web of denial.

Steve Coll is the dean of the Columbia University Graduate School of Journalism. He wrote the investigative book ''Private Empire: ExxonMobil and American Power.'' He reports Lee Raymond, chief executive of the company from 1993 to 2005, saying about Exxon, ''I'm not a U.S. company, and I don't make decisions based on what's good for the U.S.'' Gee, we hadn't noticed.

Tellingly, Coll describes the influence environment of this web of denial and the fossil fuel industry role in it. This is a quote from his book:

> This, increasingly, was the underlying structure of Washington policy debates: a kaleidoscope of overlapping and competing influence campaigns, some open, some conducted by front organizations, and some entirely clandestine. Strategists created layers of disguise, subtlety, and subterfuge—corporate-funded ''grassroots'' programs and purpose-built think tanks, as fingerprint-free as possible. In such an opaque and untrustworthy atmosphere, the ultimate advantage lay with any lobbyist whose goal was to manufacture confusion and perpetual controversy. On climate, this happened to be the oil industry's position.

ExxonMobil, Coll reports, through its public affairs chief, ''directed a network of allies and grantees in Washington who created havoc in the climate science debate.''

Which brings us to Inside Climate News's series ''Exxon: The Road Not Taken,'' named a finalist for a 2016 Pulitzer Prize. Journalists Neela Banerjee, John Cushman, David Hasemyer, and Lisa Song compared what the fossil fuel giant knew about climate change—including results from its own cutting-edge research—with the falsehoods Exxon chose to sell to the public, usually through this web of denial. The series has surely honored the organization's purpose ''to cover the issues that aren't being covered by the mainstream.''

On the Internet, Time Magazine recognized ''DeSmogBlog,'' which I mentioned, as one of the best blogs of 2011, describing it in these terms. Time Magazine said this:

> Fossil-fuel companies have spent millions funding anti-global-warming think tanks, purposely creating a climate of doubt around the science. DeSmogBlog is the anecdote to the obfuscation.

In addition to its regular posts highlighting egregious examples of climate denial, DeSmogBlog also maintains a comprehensive disinformation research database to expose this web of denial.

The scholarship of all these academics, all these organizations, and all these authors—the detectives who are exposing the web of denial—has shined a bright light into its dark corners and eliminated its concerted effort to dupe the American public and sabotage climate action in America—all to protect the fossil fuel industry that funds it. It is sickening, but it is big.

The denial web is designed to be big and sophisticated enough that when you see its many parts, you are fooled into thinking it is not all the same beast, but it is—like the mythological Hydra, many heads, same beast. Professor Brulle likens what he called the climate countermovement to a stage production. Here is how Professor Brulle described it:

> Like a play on Broadway, the counter movement has stars in the spotlight—often prominent contrarian scientists or conservative politicians—but behind the stars is an organizational structure of directors, script writers and producers, in the form of conservative foundations. If you want to understand what's driving this movement, you have to look at what's going on behind the scenes.

The web of denial is what is behind the scenes. The web is so big because it has so much to protect. Remember, the International Monetary Fund has pegged the ''effective subsidy'' to the fossil fuel industry every year, just in the United States, at nearly $700 billion. If you don't like that number, you can do some math yourself. Just multiply the millions of tons of industry carbon emissions by the government's own social cost of carbon. You still get to a huge subsidy.

The web is complex. It is organized into multiple levels. First, it cooks up polluter-friendly nonsense among academics that it funds in hundreds of universities. For its money, the web gets a little scholarly imprimatur to the propaganda. Then off that product goes to the think tanks that are the ''disguised political weapon[s],'' described by ''Dark Money'' author Jane Mayer, to be turned into policy. Then the AstroTurf organizations get cranked up to retail that polluter-friendly policy.

Let me wrap up with this observation. One thing needs to be absolutely clear about this web of denial. Truth is not their object. Truth is actually their adversary. The web has to mislead to be effective. It has to do what a Koch brothers operative described as the goal when this whole web was being developed. Here is what the Koch operative said:

> It would be necessary [to] use ambiguous and misleading names, obscure the true agenda, and conceal the means of control.

Ambiguous and misleading names, obscure the true agenda, and conceal the means of control that lead back to the fossil fuel industry. Welcome to the web of denial. Thank you to those who are working to expose it. It is a filthy thing in our democracy.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:35 p.m., adjourned until Tuesday, July 12, 2016, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

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. TIMOTHY M. RAY

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. MARK C. NOWLAND

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. JERRY P. MARTINEZ

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. JERRY D. HARRIS, 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. PAUL M. NAKASONE

EXTENSIONS OF REMARKS

HONORING MARY DUBOIS IN CELEBRATION OF HER 90TH BIRTHDAY

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Mary Dubois in celebration of her reaching the milestone 90th birthday.

As she reflects on the great memories and milestones that have highlighted the past ninety years, I know she will think fondly on all that she's accomplished and the positive impact she's had on New Hampshire.

It is with great admiration that I congratulate Ms. Dubois on achieving this wonderful milestone, and wish her the best on all future endeavors.

CELEBRATING THE LIFE OF ALVIN KREUZ

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Ms. KAPTUR. Mr. Speaker, I rise today to recognize Mr. Alvin Kreuz of Delta, Ohio. Al passed from this life on May 20 after being given 80 years surrounded by his loving family.

Al Kreuz was born in Swanton, Ohio to Jacob and Melvina Kreuz. He was the second youngest in a family of eleven children. After graduating high school, Al enlisted in the United States Army where he served from 1955 to 1957. After coming home, he married his wife Charlotte in 1959. Together over the next 57 years Al and Char raised a family of their own: sons Mike, Gary and Alvin John Jr and daughters, Laurie, Becky and Barbie. As the years passed they were later blessed with fourteen grandchildren.

Though he spent his professional career with Sohio Company and later in partnership at Toledo Radiator and Glass, Al's true passion as a businessman was his forty year career as owner and operator of Smith's Restaurant in Wauseon, Ohio. Just off the turnpike, featuring delicious home-cooked fare and outstanding pies, everyone in Fulton County and even further knew of Smith's Restaurant and Al and Char Kreuz and their family.

Long a business leader, Al had a strong commitment to community and wanted to serve his fellow citizens. He did so as an elected politician, serving three terms as a Fulton County Commissioner. As his obituary noted, "'Vote for the man, not the party' was his slogan that earned him the distinction in 1980 of being the first Democrat elected in Fulton County in 48 years!" His tenure was marked by compassion and a devotion to the county and people he served. Fulton County, Ohio and its residents truly benefitted from Al Kreuz's public service.

Not just a business and political leader, Al was also a leader in several civic associations including the Knights of Columbus, Wauseon Rotary, Catholic War Vets and the Delta F & M Advisory Board.

He also loved sports. His obituary highlights that "he was an integral member of a group that founded the Wauseon Racquet Club . . . As a lifelong athlete and sports enthusiast, his talents on the softball field, bowling alley, and golf course earned him many awards and accolades. He was most proud of his nine (no, you didn't misread this) holes-in-one. His skill never abated and for the last twelve years he continued to periodically shoot his age up until the end. As for bowling, his first and only perfect 300 game earned him a $10,000 purse (ironically sponsored by Smith's Restaurant!). His love of athletics and teaching prompted him to volunteer as a coach with the CYO and St. Mary's (now Holy Trinity) basketball programs for 27 years. Additionally he coached little league and later assisted the Evergreen HS golf team." His love of sports and support of his teams is also evident in his claim as a University of Michigan Wolverines season ticket holder for 44 years. His favorite sporting events were those of his grandchildren, where he could always be counted on to be cheering for them on the sidelines.

As if his devotion to family, his business, community, civic organizations and sports teams was not enough, Al was also a talented tinkerer. As he was tinkering in his workshop he developed "an amazing talent in woodworking. Many of his family and friends continue to enjoy his labors of love" including me.

I was privileged to know Al Kreuz for more than thirty years and counted he and Char and their family among friends. For a decade we shared the goal of making life better in Fulton County, Ohio. Al Kreuz was a family man, business and civic leader, citizen statesman and so much more. His legacy is writ large in Fulton County, Ohio. His life and times, his service and talents are imprinted there as his good works of family and community carry forward.

H.R. 5456

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. BUCHANAN. Mr. Speaker, I submit the following extraneous materials on H.R. 5456, the Family First Prevention Services Act of 2016:

NEW YORK COALITION FOR CHILD WELFARE FINANCE REFORM,

June 20, 2016.

DEAR NEW YORK STATE FEDERAL DELEGATION: As a coalition representing numerous child welfare stakeholders, including advocacy organizations, providers, parents' attorneys, children's attorneys and philanthropy in New York, we are writing to express our support for H.R. 5456, the Family First Prevention Services Act of 2016. Every child deserves to grow up in a safe and caring family, and the Family First Prevention Services Act would help ensure that more children have this opportunity.

The Family First Prevention Services Act of 2016 contains many important provisions that would strengthen the child welfare system here in New York and make a significant impact in strengthening and keeping families together. For the first time, New York would be able to use federal dollars from Title IV–E of the Social Security Act to provide time-limited, evidence-based services to families. The services are aimed to help prevent children from entering the foster care system by allowing federal reimbursement to families for mental health services, substance abuse treatment, and in-home parent skill-based programs. New York State and New York City are ahead of many other states and localities, having already invested a significant amount of resources to prevent foster care and enable children to live safely in their homes. The ability to access federal funding to enhance the work being done in New York, could enable many more families to remain intact.

In addition, the bill incentivizes states to ensure that children are placed in family-based settings by only allowing federal reimbursement after an assessment has occurred and it has been determined that the child should be placed in a quality residential treatment program. In addition, for those youth who are assessed to need to be placed in a congregate care setting, the law will ensure that these settings provide children with the trauma-informed and on-site services they need.

The legislation also includes a number of other provisions aimed to reform and strengthen the child welfare system including the extension of the Title IV–B program, improving supports for youth transitioning to adulthood, establishing model foster care licensing standards, and calling for a GAO review to examine compliance of states in reinvesting savings from the federal adoption assistance reimbursement for special needs kids.

We look forward to working with you to ensure these new child welfare finance reforms will truly benefit children who come to the attention of the child welfare system and to continue to explore additional improvements on their behalf to ensure they all have safe, permanent families. Thank you for your continuing leadership on behalf of these children. If you have any questions, please contact Stephanie Gendell from Citizens' Committee for Children.

The following Coalition members from New York support the Family First Prevention Services Act (H.R. 5456):

CASA–NYC,

Center for Family Representation, Citizens' Committee for Children, New Yorkers for Children, You Gotta Believe!

GRAHAM WINDHAM,

Children's Village, JCCA, Schulyer Center for Analysis and Advocacy.

ILLINOIS DEPARTMENT OF
CHILDREN & FAMILY SERVICES,
Chicago, IL, June 22, 2016.

Illinois Department of Children and Family Services Encourages Speedy Passage of H.R. 5456

SPRINGFIELD, IL.—The U.S. House of Representatives this week approved H.R. 5456, the Family First Prevention Services Act, to give Illinois and other states substantially more flexibility and federal support to keep families together and avoid reliance on foster care. The Illinois Department of Children and Family Services stands in strong support of this legislation.

''This landmark legislation, years in the making, will help the Department achieve its primary goal of effectively working with families and children in crisis to prevent children from entering foster care,'' said Department of Children and Family Services Director George Sheldon in a letter to the Illinois Congressional Delegation. ''This legislation is not only good for children and families, but for federal and state budgets as well. The evidence of what works in child welfare is almost universal in focusing on early intervention. Over the long term, evidence-based prevention services reduce the need for costly, long-term foster care and will improve outcomes for children and families.''

The legislation is a dramatic change in federal support for states child welfare programs. For decades, the federal government has shared the cost of children in foster care but has offered little support for programs that help keep children out of foster care by helping troubled families. The new legislation provides federal matching dollars for programs that preserve families.

The legislation also limits state reliance on long-term residential treatment facilities rather than community-based family-type placements, including foster homes. The Illinois Department of Children and Family Services has been implementing this under the Rauner Administration by gradually transferring 350 children and youth to group homes and foster care.

The Family First Prevention Act was introduced on Friday, June 10, 2016 with strong bipartisan support. Ranking Republicans and Democrats on the House Ways and Means Committee and the Senate Finance Committee of Congress led the effort. On Tuesday, June 21, the House of Representatives passed H.R. 5456 without opposition. The legislation now moves to the U.S. Senate.

Please see attached letter of support from Director Sheldon to the Illinois Congressional Delegation.

ILLINOIS DEPARTMENT OF
CHILDREN & FAMILY SERVICES,
Chicago, IL, June 21, 2016.

DEAR MEMBERS OF THE ILLINOIS CONGRESSIONAL DELEGATION: On behalf of the Illinois Department of Children and Family Services, I write in appreciation for the introduction and speedy consideration of H.R. 5456, the Family First Prevention Services Act. This landmark legislation, years in the making, will help the Department achieve its primary goal of effectively working with families and children in crisis to prevent children from entering foster care.

The Family First Prevention Services Act allows states to invest federal foster care funds in evidence-based prevention services. This ends the counter-productive policy under which the federal government has provided long-term funding for kids in foster care, rather than spending to keep kids out of foster care. The legislation aims to reduce inappropriate congregate care placements and strengthens kinship navigator programs to ensure that kids can remain with family whenever possible. By reducing the bureaucracy in licensing foster homes, the bill also will help attract good foster parents.

This legislation is not only good for children and families, but for federal and state budgets as well. The evidence of what works in child welfare is almost universal in focusing on early intervention. Over the long term, evidence-based prevention services reduce the need for costly, long-term foster care and will improve outcomes for children and families.

Governor Bruce Rauner has made it a priority to improve Illinois' child welfare system and DCFS has taken significant strides to do so. Over the past year, the Department has reduced the number of children in shelter care by 50 percent. With improved technology, DCFS has streamlined bureaucratic processes so our caseworkers can assist more families quickly and efficiently. Ahead of the policy included in H.R. 5456, at the state level we have worked to limit the length of time children are in congregate care and have moved 350 youth from residential facilities to foster care or other family settings. Those savings have been reinvested back into serving more kids.

Growing up in a program and not in a home leaves a hole in the heart of a foster child. A home is more than a place to live; it is a feeling of belonging. We want more of our youth to grow up with that feeling of belonging to a family. In order to do so, we need to help families long before they reach the crisis that prompts DCFS to intervene and take their children. I firmly believe this legislation will help us to accomplish this and ensure that all foster children find their ''forever'' home.

I thank you for your time and urge you to support this important legislation.

Sincerely,

GEORGE SHELDON,
Director, Illinois Department of Children and Families.

FIRST FOCUS STATE POLICY ADVOCACY & REFORM CENTER,
Washington, DC, June 17, 2016.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.
Hon. ORRIN HATCH,
Chairman, Committee on Finance, U.S. Senate, Washington, DC.
Hon. VERN BUCHANAN,
Chairman, Human Resources Subcommittee, Committee on Ways and Means, House of Representatives, Washington, DC.
Hon. SANDER LEVIN,
Ranking Member, Committee on Ways and Means, House of Representatives, Washington, DC.
Hon. RON WYDEN,
Ranking Member, Committee on Finance, U.S. Senate, Washington, DC.
Hon. LLOYD DOGGETT,
Ranking Member, Human Resources Subcommittee, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR CHAIRMEN BRADY AND HATCH, RANKING MEMBERS LEVIN AND WYDEN, CHAIRMAN BUCHANAN AND RANKING MEMBER DOGGETT: As members of the State Policy Advocacy and Reform Center (SPARC), a coalition of state-based advocacy organizations committed to improving the safety, health and wellbeing of children and families involved in the child welfare system, we are writing to commend your efforts to advance policy changes to better support the needs of vulnerable children and families through the introduction and consideration of H.R. 5456, the Family First Prevention Services Act of 2016.

Currently, there are 415,000 children in the foster care system, a number that has increased by 3.5 percent from 2014. Nearly 31 percent of children placed in foster care were removed due to parental alcohol or drug use, and in some states, the percentage of removal due to parental substance abuse is closer to 60 percent. In addition, 57,000 children in foster care live in group homes or congregate care settings. More than 40 percent of these children have no clinical need to be in such a setting, and should be with families who can provide love and support.

The Family First Prevention Services Act of 2016 contains many important provisions that address these poor statistics and will make a significant impact in strengthening and keeping families together. For the first time states will be able to use federal dollars from Title IV–E of the Social Security Act to provide time-limited, evidence-based services to families. The services are aimed to help prevent children from entering the foster care system by allowing federal reimbursement to families for mental health services, substance abuse treatment, and in-home parent skill-based programs. In addition, the bill incentivizes states to ensure that children are placed in family-based settings by only allowing federal reimbursement after an assessment has occurred and it has been determined that the child should be placed in a quality residential treatment program.

The legislation also includes a number of other provisions aimed to reform and strengthen the child welfare system including the extension of the Title IV–B program, improving supports for youth transitioning to adulthood, establishing model foster care licensing standards, and calling for a GAO review to examine compliance of states in reinvesting savings from the federal adoption assistance reimbursement for special needs kids.

We look forward to working with you to ensure these new child welfare finance reforms will truly benefit children who come to the attention of the child welfare system and to continue to explore additional improvements on their behalf to ensure they all have safe, permanent families. Thank you for your continuing leadership on behalf of these children.

The following SPARC members support the Family Prevention Services Act (H.R. 5456):

Advocates for Children and Youth (Maryland)
Advocates for Children of New Jersey
Arkansas Advocates for Children
Center for Children's Justice (Pennsylvania)
Center for Public Policy Priorities (Texas)
Children's Action Alliance (Arizona)
Children's Advocacy Alliance (Nevada)
Child and Family Policy Center (Iowa)
Citizens' Committee for Children (New York)
Connecticut Voices for Children
First Focus Campaign for Children
Florida's Children First, Inc.
FosterAdopt Connect
Juvenile Law Center
Partners for Our Children (Washington)
Pennsylvania Partnerships for Children
Kansas Appleseed
Kentucky Youth Advocates
Massachusetts Law Reform Institute
Michigan's Children
Nebraska Appleseed
New Mexico Voices for Children
Pennsylvania Partnerships for Children
The Mockingbird Society
Voices for Alabama's Children
Voices for Children in Nebraska
Voices for Ohio's Children
Youth Law Center (California)

TRIBUTE TO PINELLAS SUNCOAST TRANSIT AUTHORITY

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. JOLLY. Mr. Speaker, I want to thank the Pinellas Suncoast Transit Authority for the solidarity they expressed in their efforts to help Orlando.

The PSTA is giving free bus passes to individuals who wish to donate blood across Pinellas County in aid of the victims of the Orlando shooting. This is just one of the many ways in which Pinellas County has stood with Orlando in the wake of the attack to express our support and sympathies.

Mr. Speaker, I want to thank the PSTA for helping the Orlando victims and coordinating a county-wide effort for residents to donate blood. I ask that this body join me in recognizing the efforts of PSTA and in praying for all the families of those affected in Orlando. God Bless.

HONORING MANTECA CITY FIRE CHIEF KIRK WATERS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Manteca City Fire Chief Kirk Waters, who has announced his retirement after 29 years of service.

Kirk always sought a career that allowed him to be of service to others, and ultimately received a degree from Pruitt College of Respiratory Therapy. After becoming a state-licensed respiratory therapist, he began working for the Modesto City Hospital.

In keeping with his devotion to service, Kirk applied for a position with the Manteca City Fire Department in March of 1986. Being the son of a firefighter, Kirk was captivated by the idea of following in his father's footsteps. He began his work in June of the following year, and quickly proved himself to be an invaluable member of the Department. He was consequently promoted to the position of Firefighter Engineer in November of 1990. Due to his strong work ethic and desire to improve the community, Kirk was named Acting Captain in July of 1995. He was subsequently made Fire Captain the following year. He continued this trend of advancement by being named Fire Division Chief in February of 2005 and Fire Chief in November of 2009.

During his tenure as Chief, Kirk was responsible for speeding up response times in spite of a 40 percent increase in emergency calls. Furthermore, he orchestrated a plan to improve response efficiency at large structure fires through the strategic positioning of fire trucks. These are only two feats among the many innovative measures Chief Waters spearheaded during his tenure. He undoubtedly went above and beyond in his duty to improve public safety in the community.

Fire Chief, however, is not the only capacity through which Mr. Waters sought to benefit his community. In fact, Kirk serves on the Board of Directors for the Manteca/Lathrop Boys and Girls Club, the Second Harvest Food Bank, and the Raymus HOPE Family Shelter. Along with all of these honorable commitments, Kirk makes time to coach youth basketball for the Manteca Parks and Recreation Department. It is clear that he has dedicated his life to service for others.

Kirk and his wife, Shelly, have 6 children, are very involved with their church, and enjoy remaining healthy and active. Following his retirement, Kirk will return to his roots as a respiratory therapist and help sick newborns at Doctors Medical Center in Modesto.

Mr. Speaker, please join me in honoring and commending the outstanding contributions made to fire services in the city of Manteca by Chief Kirk Waters, and wish him continued success in his retirement and future endeavors.

TRIBUTE TO LEIGH ANNE MOHLER

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize Leigh Anne Mohler's achievements in winning the award of General Manager of the Year for Fairfield Inn and Suites.

Ms. Mohler has over 12 years of experience in sales and management. In September 2013, she joined the Fairfield Inn & Suites Clearwater team and has sought to take every business opportunity possible since. She has been able to successfully close 24 new accounts and increase their corporate occupancy through her exemplary work ethic and consummate drive.

Mr. Speaker, I want to recognize Ms. Mohler for her tenacious business ethic in Pinellas County. Her hard work only serves to increase the amount of opportunities for our county and I ask that this body join me in recognizing Ms. Mohler for her incredible efforts.

IN CELEBRATION OF MR. ALBERT ''BARNEY'' LAROCHE

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Albert ''Barney'' LaRoche in celebration of reaching his 100th birthday.

As he reflects on the great memories that have highlighted the past one hundred years, I know he will think fondly on all that he's accomplished and the positive impact he's had on New Hampshire.

Mr. LaRoche was inducted into the New Hampshire Legends of Hockey Hall of Fame on February 17, 2002 for all of his contributions to hockey in the Granite State. As a player for twenty two years, most notably with the Berlin Maroons, and as a coach for Notre Dame High School and later his beloved Maroons, Barney helped achieve impressive records for all the teams he worked with. His dedication to the sport of hockey and skill as a competitor and mentor have not been forgotten to enthusiasts in the Granite State and I know they all join with me in wishing him a happy birthday.

It is with great admiration that I congratulate Mr. LaRoche on achieving this wonderful milestone, and wish him the best on all future endeavors.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $19,360,176,741,617.54. We've added $8,733,299,692,704.46 to our debt in 7 years. This is over $8.7 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO LACEY EKBERG

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. JOLLY. Mr. Speaker, I want to recognize Lacey Ekberg for being named the new president of Tarpon Springs Chamber of Commerce.

Ms. Ekberg has been named the new chamber president, but such a role is not alien to her. She previously served as the Key Largo Chamber of Commerce President with a self-proclaimed ''call-it-as-I-see-it'' attitude. She is determined to put the town on the map and I know she will work hard with business owners and the government to do just that.

Mr. Speaker, I want to recognize Ms. Ekberg for her tenacity in her work for Tarpon Springs and Pinellas County. She has an admirable and diligent work ethic and I ask that this body join me in congratulating Ms. Ekberg on her new position.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. BECERRA. Mr. Speaker, on Wednesday, July 6, 2016, I was unable to cast my floor vote on roll call vote number 368 (Rep. Ellison amendment).

Had I been present for the vote, I would have voted ''yes'' on roll call vote number 368.

HONORING THE LIFE OF LARRY BIGHAM

HON. MICK MULVANEY

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. MULVANEY. Mr. Speaker, I rise today to honor the life and mark the passing of Larry

Bigham, one of my constituents and a true servant of our community.

A native of Chester, South Carolina and proud graduate of The Citadel, Larry dedicated much of his free time—what little he had—in service to his community. In addition to owning a popular restaurant in Rock Hill, he served on the Rock Hill School Board, the Rock Hill Economic Development Board, the Santee Cooper Board, the Winthrop University Eagle Club Board, was actively engaged in the local Republican Party, and even ran for Congress—twice. His near-victories, in a part of the world long dominated by the other party, set the stage for many future wins, including my own: something that will never be lost on me.

Most importantly, Larry was a loving father, grandfather, and husband. I send my deepest condolences to all of them, and especially his wife, Kathy. Please know that Larry's lasting legacy will be the way in which he so positively impacted countless people in our community, and his memory will live on for years to come.

TRIBUTE TO ANTONIETTA MONTIN

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize Antonietta Montin, a Largo resident celebrating her 105th birthday.

Ms. Montin was born in 1911 in New York City. She grew up with ten siblings, and she became known for her amazing story telling and her kind heart. She cherished her upbringing in a large family and decided to have one of her own. Today, Ms. Montin has three sons, six grandsons, and twelve great-grandchildren.

She has had the opportunity to travel the world, and frequently can be found sharing stories of these experiences with her friends and family. Ms. Montin is also known for her love of dancing, which she showed her guests at her 105th birthday this past May.

Mr. Speaker, I would like to recognize Antonietta Montin for her vivacity and kind heart. I wish her the best in her birthday celebrations and I ask that this body join me in recognizing Ms. Montin for her incredible life.

HONORING THE LIFE OF FRED SHEHEEN

HON. MICK MULVANEY

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. MULVANEY. Mr. Speaker, I rise today to honor the life and mark the passing of Fred Sheheen, one of my constituents, a civil rights activist, and a true servant of our State.

Fred was born in 1937 in Camden, South Carolina to Austin and Lucile. He graduated from Camden High School, and later with honors from Duke University. He dedicated his life to serving his fellow South Carolinian and those less privileged. As the head of the State Commission on Higher Education for nearly a decade, he was instrumental in helping to make the dream of higher education for all people a reality.

Fred is survived by his wife of nearly fifty years, Rose, his daughters Maria and Margaret, and brothers Austin and Robert, and his grandchildren Austin, Joseph, Anthony, William, Robert, David, Olivia, and Thomas.

Fred is also survived by his son, Vincent. Vincent and I served together in the South Carolina Senate, and I consider him a friend. Fred went to his grave knowing that his son is a good and honest man, an earnest public servant, a good father and husband, and a devout Catholic. I can think of no better memorial to any man than to have a son like Vince.

Fred changed the lives of many for the better, and he will be missed. My thoughts and prayers are with his family.

TRIBUTE TO STAY AND PLAY INITIATIVE

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. JOLLY. Mr. Speaker, I would like to thank Tampa's Stay and Play initiative for helping reduce crime among teenagers in our cities.

Last year, the city of Tampa launched the initiative to help provide a safe space for kids after there was an increase in gun-related crime in the local area. The more than 16,000 teens that participated, all aged between 13 and 19 years old, were granted free passes to recreation centers which stayed open later than usual. As a consequence of the initiative, the homicide rate fell significantly in the following weeks.

The initiative is returning this summer, and food will be served at a few of the locations. In addition, this year's program will include computing, cooking, music and art classes. The initiative provides the students with an invaluable opportunity to pursue alternative life choices away from crime.

Mr. Speaker, I want to thank Tampa Mayor Bob Buckhorn and the Stay and Play initiative for giving our children a better chance to succeed in life. The program has helped build stronger communities and save lives, and I ask that this body join me in recognizing their efforts.

THEY STAND

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. SESSIONS. Mr. Speaker, I submit the following poem by Albert Carey Caswell.

THEY STAND.

IN MEMORY OF THE FALLEN AND WOUNDED POLICE OFFICERS OF DALLAS—CORPORAL LORNE AHRENS, OFFICER MICHAEL KROL, SERGEANT MICHAEL SMITH, OFFICER BRENT THOMPSON, OFFICER PATRICK ZAMARRIPA

They Stand,
so we can keep
All our freedoms we so seek
They Stand to keep the peace
To serve and protect while all their families weep
Mothers, Fathers, Sisters, Brothers who in freedom do so believe
All out there on that thin blue line,
walking out the front door kissing their loved ones goodbye
Knowing full well that this might be their last time
They care so very deep,
as why they wear their hearts out on their sleeves
Quiet heroes who on the front lines help all of those in need
As why they care in them believe
As why it hurts so very bad,
so very deep
''Let not today be like most days''
stand behind them all in hearts always
Because, They Stand for what is true
As why They have devoted their entire life to you
They need your love and support,
to help them fight the darkness to thwart
To serve and protect and never neglect
To keep you safe without regret
They swore a sacred oath,
all in their heroic hues of blue to serve and protect to give the most
As They fight the darkness when it comes into view
While, others run away from harm,
towards the darkness they so swarm
Brothers and Sisters coming together in a bond so very warm
Who for each other are willing to die
Police and First Responders,
all in this brilliance born ready to lay down their lives
For heaven holds a place,
for such selfless and gallant men and women of honor and grace
As now we see their tears upon their face
As one They Stand up against this evil to erase
And Hate Is Hard and it makes me cry.
When, I see those tears in their loved ones eyes
Whose, beloved ones will never see another sun rise
Brothers and Sisters who ask why
Boys and Girls without Moms and Dads,
Husbands and Wives who've lose the best friends they ever had
Mothers and Fathers,
whose precious Sons and Daughters Gave That Last Full Measure so sad
But the darkness is no match for the light
As five new Angels have risen up to heaven this night
Could you,
or would you stand?
To save the life of another woman, child, or man
All out there on that thin blue line,
while every day and night it happens all over again
All across Dallas this night there comes a gentle rain
As our Lords tears wash down upon their families to remain
to ease their pain
Until, up in Heaven they meet again,
and won't have to cry no more
Let not us find Hate
Let us find respect for such men and women of such hearts of grace
For these are The Stars of Texas,
who provide the bed of freedom and safety for this great State
Thank them now,
please show them how
how much you care for them who walk on that thin blue who death awaits
''United we stand,
divided we will fall'' ALL LIVES MATTER most of all,
''not the color of your skin'' answer Dr. King's clarion call

''Let not today be like most days'' as on bended knee we now so pray
Let us find peace,
let us find love,
let us unite for all of those Who Stand in harm's way above

TRIBUTE TO INDIAN ROCKS BEACH DEPUTIES AND FIREFIGHTERS

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize the Indian Rocks Beach deputies and firefighters for their efforts in locating a missing girl, Emma, who was four years old.

On April 23, 2016, Indian Rock Beach City Commissioner Cookie Kennedy and her family were enjoying themselves on the beach, when a man approached them asking for help looking for a little girl named Emma who was in town to visit and who was lost. No one knew where Emma had gone, but it was not long before the whole town joined in the search for her.

The police and fire department worked tirelessly to find Emma, and with the help of the whole town, Emma was eventually found unharmed. Emma's mother, Jennifer Lewis, is extremely grateful to all of the residents of Indian Rocks Beach, and especially, the fast response of the police and fire departments.

Mr. Speaker, I want to thank the residents of Indian Rocks Beach for actively responding to their call for action. I am proud to serve as the Representative for this community and request that this body join me in recognizing their heroic actions.

REMARKS HONORING MR. BRIAN LEIGH DUNNIGAN

HON. CHRIS COLLINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. COLLINS of New York. Mr. Speaker, I rise today to honor a distinguished resident of New York's 27th District, Mr. Brian Leigh Dunnigan. Mr. Dunnigan served as Executive Director of Old Fort Niagara from 1979 to 1996. During his 17-year tenure, he greatly improved operations and programs at the site, and conducted groundbreaking research that made the Fort a leader in historical interpretation. He researched and authored numerous books and articles on the history of the Fort and the region, setting new standards for historical accuracy. His works include the definitive history of the Siege of Fort Niagara in 1759 and seminal works on the history of the French Castle and the North and South Redoubts. He also authored the Fort's guidebook, which is currently used as guidance for visitors to the historic site.

His proudest achievements include the creation of professional interpretive programming focused on the British occupation of the Fort in 1779, the organization of a series of special events based on events of the Fort's history, the inception of a collections storage facility and archaeology lab, and the acquisition of the Fort's most-prized artifact, the 1812 Garrison Flag. Mr. Dunnigan's research on the Battle of la Belle Famille determined the true location of this historic engagement, which will be dedicated this year in a special ceremony. For his scholarship, leadership, and dedication to historical accuracy and authenticity, we honor him today.

REMARKS HONORING THE LIFE OF COLONEL THOMAS SCHAEFER

HON. CHRIS COLLINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. COLLINS of New York. Mr. Speaker, I rise today to honor the distinguished Colonel Thomas Schaefer, an American hero. Colonel Schaefer was born in Western New York and spent much of his childhood at his parents' cottage, ''The Cottonwood,'' on Honeoye Lake. Colonel Schaefer eventually joined the military and was the highest-ranking United States military officer at the U.S. Embassy in Tehran when it was seized by a group of Iranian students on November 4, 1979. During the next 444 days in captivity, Colonel Schaefer bore the brunt of the Iranian hostile actions and intimidation due to his senior position. During his captivity, his Iranian captors frequently threatened to execute him. Despite these dire conditions, Colonel Schafer displayed tremendous leadership and bravery. Colonel Schaefer was among the last hostages to be released, finally returning to his family on January 20, 1981.

Two years after he was released from Iran, Colonel Schaefer retired from the Air Force to undertake a new mission. Described by his family as enduringly positive, Schaefer turned to a career as a motivational speaker, focusing on the importance of never giving up in the face of hardship. As a professional speaker, he spoke to more than 250,000 people about his own experiences with adversity.

Colonel Thomas Schaefer recently passed away at the age of 85 in Scottsdale. Arizona, where he has lived with his wife, Anita, for the past 30 years. His family is exceptionally proud of the thousands of lives he impacted and his actions as a leader, father, and husband. In describing how he wanted to be remembered. Schaefer remarked, ''for being a good guy.'' It's safe to say he achieved his goal.

Colonel Schaefer will be buried at Arlington National Cemetery. I want to thank Colonel Schaefer for his brave service to our nation, and remember the thousands of lives he has positively impacted.

HONORING CALVIN LANGEJANS ON HIS RETIREMENT

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to recognize Calvin Langejans on his retirement from serving as a chorale director and music instructor in Holland, Michigan for 57 years.

Cal is well known in the Holland community because he embraced his God-given musical talents and used them to serve those around him. In 1959, Mr. Langejans founded the Holland Chorale for which he served as director for 40 years. He also served as the music chair, the band director, and the orchestra director in West Ottawa Schools, demonstrating his commitment to students and the community by fostering young talent. Today, he continues to conduct the Evergreen Chorale, an ensemble of more than 100 voices.

Throughout his career, Cal never ceased to put his students and those in his community before himself. Many of his students remember his policy of charging $500 if a student was found without a pencil to record instructions in their notes. The singers and musicians who performed under Mr. Langejans always appreciated his dedication to teaching the importance of knowledge, creativity, and loyalty. Cal was also able to travel and perform around the country, giving students the ability to share their talents in communities throughout the United States.

As a member of his community in West Michigan, I am one of many who thank Cal for his outstanding achievements. From his dedicated leadership in our schools to his work in Tulip Time, Mr. Langejans has had an immeasurable impact on so many lives. He will be greatly missed and I wish him the best of luck in his retirement.

I ask my colleagues to join me in honoring Calvin Langejans for his passionate teachings and service to his students and community.

TRIBUTE TO TAMPA LOWRY PARK ZOO

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. JOLLY. Mr. Speaker, I want to recognize the Tampa Lowry Park Zoo for celebrating their 25 years in service on June 15, 2016.

In 1991, the zoo opened up the David A. Straz, Jr. Manatee Hospital to provide for sick and wounded manatees. In the last 25 years, more than 400 of the endangered species have come through to receive treatment for boat strikes, red tide sickness, cold stress, or entanglement.

The non-profit Lowry Park Zoo hospital is one of the three federally permitted rehabilitation facilities in the state and the Zoo also serves to educate the public on how to better protect manatees.

Mr. Speaker, I want to thank the Lowry Park Zoo for their efforts to help save and protect these endangered species. Not only do they provide exceptional care, but also an invaluable education in preserving wildlife. I ask that this body join me in recognizing and thanking them for their efforts.

CONGRATULATING AGA KHAN ON HIS 59TH YEAR AS IMAM OF THE ISMAILI MUSLIMS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2016

Mr. OLSON. Mr. Speaker, I am proud to represent one of the most diverse districts in

all of America. Our diversity is part of what makes the greater Houston area a strong example of the melting pot that comprises this great nation.

I appreciate the Ismaili community's engagement with the broader community—in culture, business, education, and civic affairs. The Ismaili community provides important contributions to our community and we appreciate all that you do to embrace Texas and America as your home.

Today, I would like to acknowledge a special anniversary for the Ismaili community. On July 11th, the Aga Khan will celebrate 59 years as Imam of the Ismaili Muslims. The role of the Imam is both to interpret the faith to the community, and also to do all he can to improve the quality and security of their daily lives.

The Aga Khan emphasizes the view of the religion of Islam as a thinking, spiritual faith: one that teaches compassion and tolerance, promotes the role of the intellect and upholds the dignity of man, God's noblest creation.

I congratulate the Aga Khan on his 59th year as Imam and wish him and the Ismaili Muslim community in the United States every success in their continued efforts to improve the lives of people around the world.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 12, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 13

10 a.m.

Committee on Finance

To hold hearings to examine the Medicare Access and CHIP Reauthorization Act of 2015, focusing on ensuring successful implementation of physician payment reforms.

SD–215

Committee on the Judiciary

To hold hearings to examine the nominations of Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit, Florence Y. Pan, to be United States District Judge for the District of Columbia, and Danny C. Reeves, of Kentucky, to be a Member of the United States Sentencing Commission.

SD–226

10:30 a.m.

Committee on Appropriations

Subcommittee on Energy and Water Development

To hold hearings to examine proposed budget estimates and justification for the nuclear cruise missile.

SD–138

Committee on Appropriations

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies

To hold hearings to examine a review of the Department of Veterans Affairs' electronic health record (VistA), progress toward interoperability with the Department of Defense's electronic health record, and plans for the future.

SD–124

Committee on Foreign Relations

Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy

To hold hearings to examine United States policy options in the South China Sea; to be immediately followed by a Full Committee hearing to examine the nominations of Sung Y. Kim, of California, to be Ambassador to the Republic of the Philippines, Rena Bitter, of Texas, to be Ambassador to the Lao People's Democratic Republic, and Kamala Shirin Lakhdhir, of Connecticut, to be Ambassador to Malaysia, all of the Department of State.

SD–419

2:30 p.m.

Committee on Appropriations

Subcommittee on Energy and Water Development

To hold closed hearings to examine proposed budget estimates and justification for the nuclear cruise missile.

SVC–217

Committee on Commerce, Science, and Transportation

Subcommittee on Space, Science, and Competitiveness

To hold hearings to examine NASA at a crossroads, focusing on reasserting American leadership in space exploration.

SR–253

Committee on Finance

Subcommittee on Health Care

To hold hearings to examine Alzheimer's disease, focusing on the struggle for families and a looming crisis for Medicare.

SD–215

Committee on Foreign Relations

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues

To hold hearings to examine Zika in the Western Hemisphere, focusing on risks and response.

SD–419

Committee on the Judiciary

Subcommittee on Crime and Terrorism

To hold hearings to examine researching the potential medical benefits and risks of marijuana.

SD–226

2:45 p.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine campus safety, focusing on improving prevention and response efforts.

SD–106

JULY 14

9:30 a.m.

Committee on Armed Services

To hold hearings to examine cybersecurity and United States national security.

SD–G50

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine evaluating the financial risks of China.

SD–538

Committee on Foreign Relations

Business meeting to consider S. Res. 515, welcoming Prime Minister Lee Hsien-Loong to the United States and reaffirming Singapore's strategic partnership with the United States, encompassing broad and robust economic, military-to-military, law enforcement, and counterterrorism cooperation, S. Con. Res. 41, expressing the sense of Congress on the Peshmerga of the Kurdistan Region of Iraq, S. Con. Res. 42, to express the sense of Congress regarding the safe and expeditious resettlement to Albania of all residents of Camp Liberty, and the nominations of Mark Sobel, of Virginia, to be United States Executive Director of the International Monetary Fund, and Marie L. Yovanovitch, of Connecticut, to be Ambassador to Ukraine, Geoffrey R. Pyatt, of California, to be Ambassador to Greece, Anne Hall, of Maine, to be Ambassador to the Republic of Lithuania, Douglas Alan Silliman, of Texas, to be Ambassador to the Republic of Iraq, Peter Michael McKinley, of Virginia, to be Ambassador to the Federative Republic of Brazil, Lawrence Robert Silverman, of Massachusetts, to be Ambassador to the State of Kuwait, and Carol Z. Perez, of Virginia, to be Ambassador to the Republic of Chile, all of the Department of State; to be immediately followed by a hearing to examine the Iran nuclear agreement.

SD–419

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine Every Student Succeeds Act implementation, focusing on perspectives from education stakeholders on proposed regulations.

SD–430

Committee on the Judiciary

Business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, S. 2763, to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis, an original bill entitled, ''Foreign Cultural Exchange Jurisdictional Immunity Clarification Act of 2016'', and the nominations of Jennifer Klemetsrud Puhl, of North Dakota, to be United States Circuit Judge for the Eighth Circuit, Donald C. Coggins, Jr., to be United States District Judge for the District of South Carolina, David C. Nye, to be United States District Judge for the District of Idaho, and Kathleen Marie Sweet, to be United States District Judge for the Western District of New York.

SD–226

Committee on Small Business and Entrepreneurship

To hold hearings to examine how venture capitalists and angel investors fund entrepreneurs and startup companies.

SR–428A

2 p.m.

Select Committee on Intelligence

To receive a closed briefing on certain intelligence matters.

SH–219

POSTPONEMENTS

JULY 13

2 p.m.

Committee on Homeland Security and Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine combatting the opioid epidemic, focusing on a review of anti-abuse efforts by Federal authorities and private insurers.

SD–342

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4925–S4952

Measures Introduced: Four bills and five resolutions were introduced, as follows: S. 3152–3155, S. Res. 524–525, and S. Con. Res. 43–45. **Page S4944**

Measures Reported:

S. 2517, to require a report on United States strategy to combat terrorist use of social media, with amendments. (S. Rept. No. 114–295)

S. 2522, to amend the Homeland Security Act of 2002 to build partnerships to prevent violence by extremists, with an amendment in the nature of a substitute. (S. Rept. No. 114–296) **Page S4944**

Measures Passed:

National Airborne Day: Senate agreed to S. Res. 525, designating August 16, 2016, as ''National Airborne Day''. **Page S4947**

Recognizing the sunflower as the flower for military caregivers: Senate agreed to S. Con. Res. 44, recognizing the sunflower as the flower for military caregivers. **Pages S4947–48**

Measures Considered:

Department of Defense Appropriations Act: Senate resumed consideration of the motion to proceed to consideration of H.R. 5293, making appropriations for the Department of Defense for the fiscal year ending September 30, 2017. **Pages S4929–41**

Conference Reports:

Comprehensive Addiction and Recovery Act—Agreement: Senate began consideration of the conference report to accompany S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use. **Pages S4926–29**

A motion was entered to close further debate on the conference report to accompany the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, July 13, 2016. **Page S4926**

A unanimous-consent agreement was reached providing for further consideration of the conference report to accompany the bill at approximately 10 a.m., on Tuesday, July 12, 2016, with the time until 12:30 p.m., equally divided between the two Leaders, or their designees. **Page S4948**

Nominations Received: Senate received the following nominations:

4 Air Force nominations in the rank of general.

1 Army nomination in the rank of general.

Page S4952

Messages from the House: **Page S4943**

Measures Placed on the Calendar: **Page S4943**

Enrolled Bills Presented: **Page S4944**

Additional Cosponsors: **Pages S4944–46**

Statements on Introduced Bills/Resolutions: **Pages S4946–47**

Additional Statements: **Pages S4942–43**

Adjournment: Senate convened at 4 p.m. and adjourned at 7:35 p.m., until 10 a.m. on Tuesday, July 12, 2016. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4948.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 10 public bills, H.R. 5707–5726; and 3 resolutions, H. Con. Res. 143; and H. Res. 817–818, were introduced. **Page H4658–59**

Additional Cosponsors: **Pages H4660–61**

Reports Filed: Reports were filed today as follows:

H.R. 5322, to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States (H. Rept. 114–673);

H.R. 3178, to simplify and streamline the information regarding institutions of higher education made publicly available by the Secretary of Education, and for other purposes, with an amendment (H. Rept. 114–674);

H.R. 3179, to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes, with an amendment (H. Rept. 114–675);

H.R. 5529, to amend the Higher Education Act of 1965 to authorize additional grant activities for Hispanic-serving institutions, with an amendment (H. Rept. 114–676);

H.R. 5530, to amend the Higher Education Act of 1965 to modify certain provisions relating to the capital financing of historically Black colleges and universities, with an amendment (H. Rept. 114–677);

H.R. 5528, to amend the Higher Education Act of 1965 to simplify the FAFSA, and for other purposes, with an amendment (H. Rept. 114–678);

H.R. 5636, to increase the effectiveness of and accountability for maintaining the physical security of NIST facilities and the safety of the NIST workforce (H. Rept. 114–679);

H.R. 5638, to provide for the establishment at the Department of Energy of a Solar Fuels Basic Research Initiative, with an amendment (H. Rept. 114–680);

H.R. 5640, to provide for the establishment at the Department of Energy of an Electricity Storage Basic Research Initiative, with an amendment (H. Rept. 114–681);

H. Res. 819, providing for consideration of the bill (H.R. 4992) to codify regulations relating to transfers of funds involving Iran, and for other purposes; providing for consideration of the bill (H.R. 5119) to prohibit the obligation or expenditure of funds available to any Federal department or agency for any fiscal year to purchase or issue a license for the purchase of heavy water produced in Iran; and providing for consideration of the bill (H.R. 5631) to hold Iran accountable for its state sponsorship of terrorism and other threatening activities and for its human rights abuses, and for other purposes (H. Rept. 114–682); and

H. Res. 820, providing for consideration of the bill (H.R. 5538) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2017, and for other purposes; providing for proceedings during the period from July 15, 2016, through September 5, 2016, and for other purposes (H. Rept. 114–683). **Page H4658**

Speaker: Read a letter from the Speaker wherein he appointed Representative Meadows to act as Speaker pro tempore for today. **Page H4577**

Recess: The House recessed at 12:24 p.m. and reconvened at 2 p.m. **Page H4580**

Suspensions: The House agreed to suspend the rules and pass the following measures:

U.S. Territories Investor Protection Act of 2016: H.R. 5322, to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States; **Pages H4581–82**

Requiring the Secretary of the Treasury to direct the United States Executive Director at the International Monetary Fund to support the capacity of the International Monetary Fund to prevent money laundering and financing of terrorism: H.R. 5469, to require the Secretary of the Treasury to direct the United States Executive Director at the International Monetary Fund to support the capacity of the International Monetary Fund to prevent money laundering and financing of terrorism; **Pages H4582–83**

National Strategy for Combating Terrorist, Underground, and Other Illicit Financing Act: H.R. 5594, to require the establishment of a national strategy for combating the financing of terrorism and related financial crimes; **Pages H4583–86**

Enhancing Treasury's Anti-Terror Tools Act: H.R. 5607, amended, to enhance the Department of the Treasury's role in protecting national security, by a 2/3 yea-and-nay vote of 362 yeas to 45 nays, Roll No. 402; **Pages H4588–90, H4623–24**

Amending title 31, United States Code, to authorize the Secretary of the Treasury to include all

funds when issuing certain geographic targeting orders: H.R. 5602, to amend title 31, United States Code, to authorize the Secretary of the Treasury to include all funds when issuing certain geographic targeting orders, by a ⅔ yea-and-nay vote of 356 yeas to 47 nays, Roll No. 401; **Pages H4590–91, H4622–23**

DHS Stop Asset and Vehicle Excess Act: H.R. 4785, amended, to amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department's vehicle fleet; **Pages H4591–94**

Quadrennial Homeland Security Review Technical Correction Act of 2016: H.R. 5385, amended, to amend the Homeland Security Act of 2002 to make technical corrections to the requirement that the Secretary of Homeland Security submit quadrennial homeland security reviews; **Pages H4594–95**

Airport Perimeter and Access Control Security Act of 2016: H.R. 5056, to modernize and enhance airport perimeter and access control security by requiring updated risk assessments and the development of security strategies; **Pages H4595–97**

Terrorist and Foreign Fighter Travel Exercise Act of 2016: H.R. 4404, amended, to require an exercise related to terrorist and foreign fighter travel; **Pages H4597–H4600**

Veterans' Compensation COLA Act of 2016: H.R. 5588, to increase, effective as of December 1, 2016, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; **Pages H4600–01**

Designating the United States Customs and Border Protection Port of Entry located at 1400 Lower Island Road in Tornillo, Texas, as the "Marcelino Serna Port of Entry": H.R. 5252, to designate the United States Customs and Border Protection Port of Entry located at 1400 Lower Island Road in Tornillo, Texas, as the "Marcelino Serna Port of Entry"; **Page H4601**

Designating the George C. Marshall Museum and George C. Marshall Research Library in Lexington, Virginia, as the National George C. Marshall Museum and Library: H. Con. Res. 138, designating the George C. Marshall Museum and George C. Marshall Research Library in Lexington, Virginia, as the National George C. Marshall Museum and Library; **Pages H4601–03**

Strengthening Transparency in Higher Education Act: H.R. 3178, amended, to simplify and streamline the information regarding institutions of higher education made publicly available by the Secretary of Education; **Pages H4603–06**

HBCU Capital Financing Improvement Act: H.R. 5530, amended, to amend the Higher Education Act of 1965 to modify certain provisions relating to the capital financing of historically Black colleges and universities; **Pages H4606–07**

Empowering Students Through Enhanced Financial Counseling Act: H.R. 3179, amended, to amend the loan counseling requirements under the Higher Education Act of 1965; **Pages H4607–11**

Simplifying the Application for Student Aid Act: H.R. 5528, amended, to amend the Higher Education Act of 1965 to simplify the FAFSA; **Pages H4611–13**

Accessing Higher Education Opportunities Act: H.R. 5529, amended, to amend the Higher Education Act of 1965 to authorize additional grant activities for Hispanic-serving institutions; **Pages H4613–15**

Providing for the concurrence by the House in the Senate amendments to H.R. 636, with amendments: H. Res. 818, providing for the concurrence by the House in the Senate amendments to H.R. 636, with amendments; **Pages H4624–41**

National Institute of Standards and Technology Improvement Act of 2016: H.R. 5639, amended, to update the National Institute of Standards and Technology Act; **Pages H4641–45**

National Institute of Standards and Technology Campus Security Act: H.R. 5636, to increase the effectiveness of and accountability for maintaining the physical security of NIST facilities and the safety of the NIST workforce; **Pages H4645–47**

Electricity Storage Innovation Act: H.R. 5640, amended, to provide for the establishment at the Department of Energy of an Electricity Storage Basic Research Initiative; and **Pages H4647–49**

Solar Fuels Innovation Act: H.R. 5638, amended, to provide for the establishment at the Department of Energy of a Solar Fuels Basic Research Initiative. **Pages H4649–51**

Recess: The House recessed at 4:45 p.m. and reconvened at 5:16 p.m. **Page H4611**

Recess: The House recessed at 6:23 p.m. and reconvened at 6:31 p.m. **Page H4622**

Suspension-Failed: The House failed to agree to suspend the rules and pass the following measure:

Anti-terrorism Information Sharing Is Strength Act: H.R. 5606, to facilitate better information sharing to assist in the fight against the funding of terrorist activities, by a ⅔ yea-and-nay vote of 229 yeas to 177 nays, Roll No. 403. **Pages H4586–88, H4624**

Separation of Powers Restoration Act of 2016: The House began consideration of H.R. 4768, to amend title 5, United States Code, with respect to the judicial review of agency interpretations of statutory and regulatory provisions. Consideration is expected to resume tomorrow, July 12th.

Pages H4615–22, H4651

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule.

Pages H4651–57

Rejected:

Johnson (GA) amendment (No. 2 printed in H. Rept. 114–641) that sought to exclude cases where rules are issued by the Department of Homeland Security and pertain to matters of national security (agreed by unanimous consent to withdraw the earlier request for a recorded vote).

Pages H4652–54, H4656

Proceedings Postponed:

Johnson (GA) amendment (No. 1 printed in H. Rept. 114–641) that seeks to exempt from the bill rules issued by the Environmental Protection Agency pertaining to regulation of lead or copper in drinking water; **Pages H4651–53**

Meeks amendment (No. 3 printed in H. Rept. 114–641) that seeks to exempt from the bill rules issued by the Department of Housing and Urban Development; **Pages H4654–55**

Johnson (GA) amendment (No. 4 printed in H. Rept. 114–641) that seeks to exempt from the bill rules issued pursuant to an express grant of authority from Congress; and **Pages H4655–56**

Johnson (GA) amendment (No. 5 printed in H. Rept. 114–641) that seeks to preserve judicial deference to agency expertise during the review of consumer safety rules issued by the Commissioner of the Food and Drug Administration. **Pages H4656–57**

H. Res. 796, the rule providing for consideration of the bill (H.R. 4768) was agreed to Tuesday, July 5th.

Recess: The House recessed at 9:10 p.m. and reconvened at 9:45 p.m. **Page H4657**

Discharge Petition: Representative Courtney presented to the clerk a motion to discharge the Committees on Education and the Workforce, Ways and Means, and the Budget from the consideration of H.R. 1434, to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes (Discharge Petition No. 6).

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H4622–23, H4623–24, and H4624. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 9:48 p.m.

Committee Meetings

UNITED STATES FINANCIAL SYSTEM PROTECTION ACT OF 2016; NO ^2H_2O FROM IRAN ACT; A BILL TO HOLD IRAN ACCOUNTABLE FOR ITS STATE SPONSORSHIP OF TERRORISM AND OTHER THREATENING ACTIVITIES AND FOR ITS HUMAN RIGHTS ABUSES, AND FOR OTHER PURPOSES; DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

Committee on Rules: Full Committee held a hearing on H.R. 4992, the "United States Financial System Protection Act of 2016"; H.R. 5119, the "No ^2H_2O from Iran Act"; H.R. 5631, to hold Iran accountable for its state sponsorship of terrorism and other threatening activities and for its human rights abuses, and for other purposes; and H.R. 5538, the "Department of the Interior, Environment, and Related Agencies Appropriations Act, 2017. The committee granted, by voice vote, a closed rule for H.R. 4992. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit. The rule also grants a closed rule for H.R. 5119. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit. Finally, the rule grants a closed rule for H.R. 5631. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule

waives all points of order against provisions in the bill. The rule provides one motion to recommit. The Committee granted, by record vote of 7–2, a structured rule. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read through page 184, line 21. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI, except on page 71, line 19, through page 71, line 25. The rule makes in order only those amendments printed in the Rules Committee report, amendments en bloc described in section 3 of the rule, and pro forma amendments described in section 4 of the rule. Each amendment printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report or against amendments en bloc described in section 3 of the rule. In section 3, the rule provides that it shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. In section 4, the rule provides that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate. The rule provides one motion to recommit with or without instructions. In section 6, the rule provides that section 454 of H.R. 5538 shall be considered to be a spending reduction account for purposes of section 3(d) of House Resolution 5. In section 7, the rule provides that during consideration of H.R. 5538, section 3304 of Senate Concurrent Resolution 11 shall not apply. In section 8, the rule provides that on any legislative day during the period from July 15, 2016, through September 5, 2016: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment. In section 9, the rule provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 8. In section 10, the rule provides that each day during the period addressed by sections 8 of the resolution shall not constitute calendar days for the purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546). In section 11, the rule provides that each day during the period addressed by section 8 of the resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII (resolutions of inquiry). In section 12, the rule provides that for each day during the period addressed by section 8 shall not constitute a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII (motions to instruct conferees). In section 13, the rule provides that it shall be in order at any time on the legislative day of July 14, 2016 or July 15, 2016, for the Speaker to entertain motions that the House suspend the rules and that the Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section. In section 14, the rule provides that the Committee on Appropriations may, at any time before 5 p.m. on Friday, July 29, 2016, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2017. Testimony was heard from Chairman Royce, and Representatives Engel, Maxine Waters of California, Calvert, McCollum, Polis, Boustany, Cleaver, Griffith, Johnson of Georgia, Rohrabacher, Ben Ray Luján of New Mexico, and Yoho.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, JULY 12, 2016

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold closed hearings to examine national security cyber and encryption challenges, 9:30 a.m., SVC–217.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the Federal Communications Commission's proposed privacy regulations, focusing on how they affect consumers and competition, 10 a.m., SR–253.

Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security, to hold hearings to examine the FAST Act, the economy, and our nation's transportation system, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: business meeting to consider S. 718, to modify the boundary of

Petersburg National Battlefield in the Commonwealth of Virginia, S. 814, to provide for the conveyance of certain Federal land in the State of Oregon to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, S. 815, to provide for the conveyance of certain Federal land in the State of Oregon to the Cow Creek Band of Umpqua Tribe of Indians, S. 1007, to amend the Dayton Aviation Heritage Preservation Act of 1992 to rename a site of the Dayton Aviation Heritage National Historical Park, S. 1167, to modify the boundaries of the Pole Creek Wilderness, the Owyhee River Wilderness, and the North Fork Owyhee Wilderness and to authorize the continued use of motorized vehicles for livestock monitoring, herding, and grazing in certain wilderness areas in the State of Idaho, S. 1448, to designate the Frank Moore Wild Steelhead Sanctuary in the State of Oregon, S. 1577, to amend the Wild and Scenic Rivers Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System, S. 1623, to establish the Maritime Washington National Heritage Area in the State of Washington, S. 1662, to include Livingston County, the city of Jonesboro in Union County, and the city of Freeport in Stephenson County, Illinois, to the Lincoln National Heritage Area, S. 1690, to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington, S. 1696, to redesignate the Ocmulgee National Monument in the State of Georgia, to revise the boundary of that monument, S. 1699, to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon, S. 1777, to amend the Wild and Scenic Rivers Act to authorize the Secretary of Agriculture to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, S. 1930, to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, S. 1943, to modify the boundary of the Shiloh National Military Park located in the State of Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, S. 1993, to establish the 21st Century Conservation Service Corps to place youth and veterans in the United States in national service positions to protect, restore, and enhance the great outdoors of the United States, S. 2018, to convey, without consideration, the reversionary interests of the United States in and to certain non-Federal land in Glennallen, Alaska, S. 2087, to modify the boundary of the Fort Scott National Historic Site in the State of Kansas, S. 2177 and H.R. 959, bills to authorize the Secretary of the Interior to conduct a special resource study of the Medgar Evers House, located in Jackson, Mississippi, S. 2223, to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, S. 2309, to amend title 54, United States Code, to establish within the National Park Service the U.S. Civil Rights Network, S. 2360, to improve the administration of certain programs in the insular areas, S. 2379, to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City, S. 2383, to withdraw certain Bureau of Land Management land in the State of Utah from all forms of public appropriation, to provide for the shared management of the withdrawn land by the Secretary of the Interior and the Secretary of the Air Force to facilitate enhanced weapons testing and pilot training, enhance public safety, and provide for continued public access to the withdrawn land, to provide for the exchange of certain Federal land and State land, S. 2412, to establish the Tule Lake National Historic Site in the State of California, S. 2524, to insure adequate use and access to the existing Bolts Ditch headgate and ditch segment within the Holy Cross Wilderness in Eagle County, Colorado, S. 2548, to establish the 400 Years of African-American History Commission, S. 2608, to authorize the Secretary of the Interior and the Secretary of Agriculture to place signage on Federal land along the trail known as the ''American Discovery Trail'', S. 2616, to modify certain cost-sharing and revenue provisions relating to the Arkansas Valley Conduit, Colorado, S. 2620, to facilitate the addition of park administration at the Coltsville National Historical Park, S. 2805, to modify the boundary of Voyageurs National Park in the State of Minnesota, S. 2839 and H.R. 3004, bills to amend the Gullah/Geechee Cultural Heritage Act to extend the authorization for the Gullah/Geechee Cultural Heritage Corridor Commission, S. 2902, to provide for long-term water supplies, optimal use of existing water supply infrastructure, and protection of existing water rights, S. 2954, to establish the Ste. Genevieve National Historic Site in the State of Missouri, S. 3020, to update the map of, and modify the acreage available for inclusion in, the Florissant Fossil Beds National Monument, S. 3027, to clarify the boundary of Acadia National Park, S. 3028, to redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness, H.R. 1289, to authorize the Secretary of the Interior to acquire approximately 44 acres of land in Martinez, California, H.R. 2288, to remove the use restrictions on certain land transferred to Rockingham County, Virginia, H.R. 1475, to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund that Wall of Remembrance, H.R. 2615, to establish the Virgin Islands of the United States Centennial Commission, H.R. 2880, to redesignate the Martin Luther King, Junior, National Historic Site in the State of Georgia, H.R. 3620, to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, and H.R. 4119, to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, 9:30 a.m., SD–366.

Subcommittee on Energy, to hold hearings to examine protections designed to guard against energy disruptions, including S. 3018, to provide for the establishment of a

pilot program to identify security vulnerabilities of certain entities in the energy sector, 2:30 p.m., SD–366.

Committee on Finance: to hold hearings to examine the Stark Law, focusing on current issues and opportunities, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the 2016 Trafficking in Persons Report, 10 a.m., SD–419.

Subcommittee on State Department and USAID Management, International Operations, and Bilateral International Development, to hold hearings to examine public-private partnerships in foreign aid, focusing on leveraging United States assistance for greater impact and sustainability, 2:30 p.m., SD–419.

Committee on the Judiciary: to hold hearings to examine the Freedom of Information Act at Fifty, focusing on whether the Sunshine Law's promise has been fulfilled, 10 a.m., SD–226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Full Committee, markup on the State, Foreign Operations, and Related Programs Appropriations Bill for FY 2017; and Report on the Revised Interim Suballocation of Budget Allocations for FY 2017, 10:30 a.m., 2359 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled ''Strengthening Our National Trauma System'', 10 a.m., 2322 Rayburn.

Subcommittee on Communications and Technology, hearing entitled ''Oversight of the Federal Communications Commission'', 10:15 a.m., 2123 Rayburn.

Full Committee, markup on H.R. 5510, the ''FTC Process and Transparency Reform Act of 2016''; H.R. 5111, the ''Consumer Review Fairness Act''; H.R. 5092, the ''Reinforcing American Made Products Act''; H.R. 5104, the ''Better Online Ticket Sales (BOTS) Act''; H.R. 1301, the ''Amateur Radio Parity Act of 2015''; H.R. 3299, the ''Strengthening Public Health Emergency Response Act of 2015''; H.R. 921, the ''Sports Medicine Licensure Clarity Act of 2015''; and H.R. 670, the ''Special Needs Trust Fairness Act of 2015'', 4 p.m., 2123 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled ''Making a Financial Choice: More Capital or More Government Control?'', 10 a.m., 2128 Rayburn.

Subcommittee on Financial Institutions and Consumer Credit, hearing entitled ''Examining the Opportunities and Challenges with Financial Technology ('FinTech'): The Development of Online Marketplace Lending'', 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled ''Human Rights Under Siege Worldwide'', 10 a.m., 2172 Rayburn.

Subcommittee on Terrorism, Nonproliferation, and Trade; and Subcommittee on Asia and the Pacific, joint hearing entitled ''Pakistan: Friend or Foe in the Fight Against Terrorism?'', 2 p.m., 2172 Rayburn.

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''Accountability Over Politics: Scrutinizing the Trafficking in Persons Report'', 2 p.m., 2200 Rayburn.

Committee on Homeland Security, Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies, hearing entitled ''Value of DHS' Vulnerability Assessments in Protecting our Nation's Critical Infrastructure'', 10 a.m., 311 Cannon.

Committee on the Judiciary, Full Committee, hearing entitled ''Oversight of the Department of Justice'', 10 a.m., 2237 Rayburn.

Task Force on Executive Overreach, hearing entitled ''Executive Overreach in Regulatory Enforcement and Infrastructure'', 3 p.m., 2237 Rayburn.

Committee on Natural Resources, Subcommittee on Water, Power and Oceans, hearing entitled ''Changing Demands and Water Supply Uncertainty in California'', 10 a.m., 1324 Longworth.

Subcommittee on Energy and Mineral Resources, hearing entitled ''Opportunities and Challenges of Developing the Mancos Shale Resource'', 10:30 a.m., 1334 Longworth.

Subcommittee on Indian, Insular, and Alaska Native Affairs, hearing on H.R. 5406, the ''Helping Ensure Accountability, Leadership, and Trust in Tribal Healthcare Act'', 2 p.m., 1334 Longworth.

Full Committee, markup on H.R. 1157, the ''Santa Ynez Band of Chumash Mission Indians Land Transfer Act of 2015''; H.R. 2333, to authorize the Secretary of the Interior to acquire certain property related to the Fort Scott National Historic Site in Fort Scott, Kansas; H.R. 2817, the ''National Historic Preservation Amendments Act of 2015''; H.R. 4576, the ''Ensuring Access to Pacific Fisheries Act''; H.R. 5468, to direct the Secretary of the Interior to allow for prepayment of repayment obligations under Repayment Contracts between the United States and the Weber Basin Water Conservancy District; H.R. 5577, the ''Innovation in Offshore Leasing Act''; S. 246, the ''Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act''; and S. 1579, the ''Native American Tourism and Improving Visitor Experience Act'', 4 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Religious Liberty and H.R. 2802, the First Amendment Defense Act (FADA)'', 10 a.m., 2154 Rayburn.

Full Committee, markup on H.R. 2319, the ''Electronic Message Preservation Act of 2015''; H.R. 5037, the ''District of Columbia Courts and Public Defender Service Voluntary Separation Incentive Payments Act''; H.R. 5341, to amend title 5, United States Code, to recalculate annuity benefits for certain air traffic controllers, and for other purposes; the ''Postal Service Reform Act of 2016''; the ''Postal Service Financial Improvement Act of 2016''; the ''Federal Records Modernization Act''; H.R. 5690, the ''GAO Access and Oversight Act of 2016''; H.R. 5341, to amend title 5, United States Code, to recalculate annuity benefits for certain air traffic controllers, and for other purposes; H.R. 5687, the ''GAO Mandates Revision Act of 2016''; H.R. 5647, to amend the Internal

Revenue Code of 1986 to treat certain ride-sharing services provided by transportation network companies as excludable transportation fringe benefits, and for other purposes; H.R. 5033, the ''Getting Results through Enhanced Accountability and Transparency Act of 2016''; H.R. 4419, the ''District of Columbia Judicial Financial Transparency Act''; H.R. 4887, to designate the facility of the United States Postal Service located at 23323 Shelby Road in Shelby, Indiana, as the ''Richard Allen Cable Post Office''; H.R. 5356, to designate the facility of the United States Postal Service located at 14231 TX–150 in Coldspring, Texas, as the ''E. Marie Youngblood Post Office''; H.R. 5612, to designate the facility of the United States Postal Service located at 2886 Sandy Plains Road in Marietta, Georgia, as the ''Marine Lance Corporal Squire 'Skip' Wells Post Office Building'', 2 p.m., 2154 Rayburn.

Committee on Rules, Full Committee, hearing on S. 304, the ''Motor Vehicle Safety Whistleblower Act''; and the Senate amendment to the House amendment to S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes, 3 p.m., H–313 Capitol.

Committee on Science, Space, and Technology, Subcommittee on Space; and Subcommittee on Research and Technology, joint hearing entitled ''Astronomy, Astrophysics, and Astrobiology'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Agriculture, Energy and Trade, hearing entitled ''Ready for Liftoff: The Importance of Small Businesses in the NASA Supply Chain'', 11 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing entitled ''Coast Guard Arctic Implementation Capabilities'', 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Full Committee, hearing on the rising costs of health insurance premiums under the Affordable Care Act, 10 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: To hold hearings to examine encouraging entrepreneurship, focusing on growing business, not bureaucracy, 2 p.m., SH–216.

CONGRESSIONAL PROGRAM AHEAD

Week of July 12 through July 15, 2016

Senate Chamber

On *Tuesday*, at approximately 10 a.m., Senate will continue consideration of the conference report to accompany S. 524, Comprehensive Addiction and Recovery Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: July 13, Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, to hold hearings to examine a review of the Department of Veterans Affairs' electronic health record (VistA), progress toward interoperability with the Department of Defense's electronic health record, and plans for the future, 10:30 a.m., SD–124.

July 13, Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates and justification for the nuclear cruise missile, 10:30 a.m., SD–138.

July 13, Subcommittee on Energy and Water Development, to hold closed hearings to examine proposed budget estimates and justification for the nuclear cruise missile, 2:30 p.m., SVC–217.

Committee on Armed Services: July 12, to hold closed hearings to examine national security cyber and encryption challenges, 9:30 a.m., SVC–217.

July 14, Full Committee, to hold hearings to examine cybersecurity and United States national security, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: July 14, to hold hearings to examine evaluating the financial risks of China, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: July 12, to hold hearings to examine the Federal Communications Commission's proposed privacy regulations, focusing on how they affect consumers and competition, 10 a.m., SR–253.

July 12, Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security, to hold hearings to examine the FAST Act, the economy, and our nation's transportation system, 2:30 p.m., SR–253.

July 13, Subcommittee on Space, Science, and Competitiveness, to hold hearings to examine NASA at a crossroads, focusing on reasserting American leadership in space exploration, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: July 12, business meeting to consider S. 718, to modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia, S. 814, to provide for the conveyance of certain Federal land in the State of Oregon to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, S. 815, to provide for the conveyance of certain Federal land in the State of Oregon to the Cow Creek Band of Umpqua Tribe of Indians, S. 1007, to amend the Dayton Aviation Heritage Preservation Act of 1992 to rename a site of the Dayton Aviation Heritage National Historical Park, S. 1167, to modify the boundaries of the Pole Creek Wilderness, the Owyhee River Wilderness, and the North Fork Owyhee Wilderness and to authorize the continued use of motorized vehicles for livestock monitoring, herding, and grazing in certain wilderness areas in the State of Idaho, S. 1448, to designate the Frank Moore Wild Steelhead Sanctuary in the State of Oregon, S. 1577, to amend the Wild and Scenic Rivers Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System, S. 1623, to establish the Maritime Washington National Heritage Area in the State of Washington, S. 1662, to include Livingston County, the

city of Jonesboro in Union County, and the city of Freeport in Stephenson County, Illinois, to the Lincoln National Heritage Area, S. 1690, to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington, S. 1696, to redesignate the Ocmulgee National Monument in the State of Georgia, to revise the boundary of that monument, S. 1699, to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon, S. 1777, to amend the Wild and Scenic Rivers Act to authorize the Secretary of Agriculture to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, S. 1930, to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, S. 1943, to modify the boundary of the Shiloh National Military Park located in the State of Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, S. 1993, to establish the 21st Century Conservation Service Corps to place youth and veterans in the United States in national service positions to protect, restore, and enhance the great outdoors of the United States, S. 2018, to convey, without consideration, the reversionary interests of the United States in and to certain non-Federal land in Glennallen, Alaska, S. 2087, to modify the boundary of the Fort Scott National Historic Site in the State of Kansas, S. 2177 and H.R. 959, bills to authorize the Secretary of the Interior to conduct a special resource study of the Medgar Evers House, located in Jackson, Mississippi, S. 2223, to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, S. 2309, to amend title 54, United States Code, to establish within the National Park Service the U.S. Civil Rights Network, S. 2360, to improve the administration of certain programs in the insular areas, S. 2379, to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City, S. 2383, to withdraw certain Bureau of Land Management land in the State of Utah from all forms of public appropriation, to provide for the shared management of the withdrawn land by the Secretary of the Interior and the Secretary of the Air Force to facilitate enhanced weapons testing and pilot training, enhance public safety, and provide for continued public access to the withdrawn land, to provide for the exchange of certain Federal land and State land, S. 2412, to establish the Tule Lake National Historic Site in the State of California, S. 2524, to insure adequate use and access to the existing Bolts Ditch headgate and ditch segment within the Holy Cross Wilderness in Eagle County, Colorado, S. 2548, to establish the 400 Years of African-American History Commission, S. 2608, to authorize the Secretary of the Interior and the Secretary of Agriculture to place signage on Federal land along the trail known as the "American Discovery Trail", S. 2616, to modify certain cost-sharing and revenue provisions relating to the Arkansas Valley Conduit, Colorado, S. 2620, to facilitate the addition of park administration at the Coltsville National Historical Park, S. 2805, to modify the boundary of Voyageurs National Park in the State of Minnesota, S. 2839 and H.R. 3004, bills to amend the Gullah/Geechee Cultural Heritage Act to extend the authorization for the Gullah/Geechee Cultural Heritage Corridor Commission, S. 2902, to provide for long-term water supplies, optimal use of existing water supply infrastructure, and protection of existing water rights, S. 2954, to establish the Ste. Genevieve National Historic Site in the State of Missouri, S. 3020, to update the map of, and modify the acreage available for inclusion in, the Florissant Fossil Beds National Monument, S. 3027, to clarify the boundary of Acadia National Park, S. 3028, to redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness, H.R. 1289, to authorize the Secretary of the Interior to acquire approximately 44 acres of land in Martinez, California, H.R. 2288, to remove the use restrictions on certain land transferred to Rockingham County, Virginia, H.R. 1475, to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund that Wall of Remembrance, H.R. 2615, to establish the Virgin Islands of the United States Centennial Commission, H.R. 2880, to redesignate the Martin Luther King, Junior, National Historic Site in the State of Georgia, H.R. 3620, to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, and H.R. 4119, to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, 9:30 a.m., SD–366.

July 12, Subcommittee on Energy, to hold hearings to examine protections designed to guard against energy disruptions, including S. 3018, to provide for the establishment of a pilot program to identify security vulnerabilities of certain entities in the energy sector, 2:30 p.m., SD–366.

Committee on Finance: July 12, to hold hearings to examine the Stark Law, focusing on current issues and opportunities, 10 a.m., SD–215.

July 13, Full Committee, to hold hearings to examine the Medicare Access and CHIP Reauthorization Act of 2015, focusing on ensuring successful implementation of physician payment reforms, 10 a.m., SD–215.

July 13, Subcommittee on Health Care, to hold hearings to examine Alzheimer's disease, focusing on the struggle for families and a looming crisis for Medicare, 2:30 p.m., SD–215.

Committee on Foreign Relations: July 12, to hold hearings to examine the 2016 Trafficking in Persons Report, 10 a.m., SD–419.

July 12, Subcommittee on State Department and USAID Management, International Operations, and Bilateral International Development, to hold hearings to examine public-private partnerships in foreign aid, focusing

on leveraging United States assistance for greater impact and sustainability, 2:30 p.m., SD–419.

July 13, Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy, to hold hearings to examine United States policy options in the South China Sea; to be immediately followed by a Full Committee hearing to examine the nominations of Sung Y. Kim, of California, to be Ambassador to the Republic of the Philippines, Rena Bitter, of Texas, to be Ambassador to the Lao People's Democratic Republic, and Kamala Shirin Lakhdhir, of Connecticut, to be Ambassador to Malaysia, all of the Department of State, 10:30 a.m., SD–419.

July 13, Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues, to hold hearings to examine Zika in the Western Hemisphere, focusing on risks and response, 2:30 p.m., SD–419.

July 14, Full Committee, business meeting to consider S. Res. 515, welcoming Prime Minister Lee Hsien-Loong to the United States and reaffirming Singapore's strategic partnership with the United States, encompassing broad and robust economic, military-to-military, law enforcement, and counterterrorism cooperation, S. Con. Res. 41, expressing the sense of Congress on the Peshmerga of the Kurdistan Region of Iraq, S. Con. Res. 42, to express the sense of Congress regarding the safe and expeditious resettlement to Albania of all residents of Camp Liberty, and the nominations of Mark Sobel, of Virginia, to be United States Executive Director of the International Monetary Fund, and Marie L. Yovanovitch, of Connecticut, to be Ambassador to Ukraine, Geoffrey R. Pyatt, of California, to be Ambassador to Greece, Anne Hall, of Maine, to be Ambassador to the Republic of Lithuania, Douglas Alan Silliman, of Texas, to be Ambassador to the Republic of Iraq, Peter Michael McKinley, of Virginia, to be Ambassador to the Federative Republic of Brazil, Lawrence Robert Silverman, of Massachusetts, to be Ambassador to the State of Kuwait, and Carol Z. Perez, of Virginia, to be Ambassador to the Republic of Chile, all of the Department of State; to be immediately followed by a hearing to examine the Iran nuclear agreement, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: July 13, to hold hearings to examine campus safety, focusing on improving prevention and response efforts, 2:45 p.m., SD–106.

July 14, Full Committee, to hold hearings to examine Every Student Succeeds Act implementation, focusing on perspectives from education stakeholders on proposed regulations, 10 a.m., SD–430.

Committee on the Judiciary: July 12, to hold hearings to examine the Freedom of Information Act at Fifty, focusing on whether the Sunshine Law's promise has been fulfilled, 10 a.m., SD–226.

July 13, Full Committee, to hold hearings to examine the nominations of Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit, Florence Y. Pan, to be United States District Judge for the District of Columbia, and Danny C. Reeves, of Kentucky, to be a Member of the United States Sentencing Commission, 10 a.m., SD–226.

July 13, Subcommittee on Crime and Terrorism, to hold hearings to examine researching the potential medical benefits and risks of marijuana, 2:30 p.m., SD–226.

July 14, Full Committee, business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, S. 2763, to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis, an original bill entitled, ''Foreign Cultural Exchange Jurisdictional Immunity Clarification Act of 2016'', and the nominations of Jennifer Klemetsrud Puhl, of North Dakota, to be United States Circuit Judge for the Eighth Circuit, Donald C. Coggins, Jr., to be United States District Judge for the District of South Carolina, David C. Nye, to be United States District Judge for the District of Idaho, and Kathleen Marie Sweet, to be United States District Judge for the Western District of New York, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: July 14, to hold hearings to examine how venture capitalists and angel investors fund entrepreneurs and startup companies, 10 a.m., SR–428A.

Select Committee on Intelligence: July 12, to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

July 14, Full Committee, to receive a closed briefing on certain intelligence matters, 2 p.m., SH–219.

House Committees

Committee on Agriculture, July 13, Full Committee, hearing entitled ''Examining the CFTC's Proposed Rule: Regulation Automated Trading'', 10 a.m., 1300 Longworth.

Committee on Appropriations, July 13, Full Committee, markup on Subcommittee on Labor, Health and Human Services, and Education Appropriations Bill for FY 2017, 10 a.m., 2359 Rayburn.

Committee on Armed Services, July 13, Subcommittee on Tactical Air and Land Forces, hearing entitled ''Air Dominance and the Critical Role of Fifth Generation Fighters'', 2 p.m., 2212 Rayburn.

July 13, Subcommittee on Oversight and Investigations, hearing entitled ''Oversight of the European Reassurance Initiative'', 3:30 p.m., 2118 Rayburn.

July 14, Subcommittee on Seapower and Projection Forces, hearing entitled ''Naval Dominance in Undersea Warfare'', 2 p.m., 2212 Rayburn.

July 14, Subcommittee on Strategic Forces, hearing entitled ''President Obama's Nuclear Deterrent Modernization Plans and Budgets: The Military Requirements'', 3:30 p.m., 2118 Rayburn.

Committee on the Budget, July 13, Full Committee, hearing entitled ''Restoring the Trust for Americans at or Near Retirement'', 9:30 a.m., 210 Cannon.

Committee on Energy and Commerce, July 13, Full Committee, markup on H.R. 5510, the ''FTC Process and Transparency Reform Act of 2016''; H.R. 5111, the ''Consumer Review Fairness Act''; H.R. 5092, the ''Reinforcing American Made Products Act''; H.R. 5104, the ''Better Online Ticket Sales (BOTS) Act''; H.R. 1301, the

''Amateur Radio Parity Act of 2015''; H.R. 3299, the ''Strengthening Public Health Emergency Response Act of 2015''; H.R. 921, the ''Sports Medicine Licensure Clarity Act of 2015''; and H.R. 670, the ''Special Needs Trust Fairness Act of 2015'' (continued), 2 p.m., 2123 Rayburn.

July 13, Subcommittee on Environment and the Economy, hearing entitled ''Oversight of CERCLA Implementation'', 10 a.m., 2123 Rayburn.

July 13, Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled ''Disrupter Series: Health Care Apps'', 10:15 a.m., 2322 Rayburn.

Committee on Financial Services, July 13, Full Committee, hearing entitled ''HUD Accountability'', 10 a.m., 2128 Rayburn.

July 13, Full Committee, markup on a bill to prohibit the Secretary of the Treasury from issuing certain licenses in connection with the export or re-export of a commercial passenger aircraft to the Islamic Republic of Iran, to require annual reports by the Secretary of the Treasury and the Export-Import Bank on financing issues related to the sale or lease of such a commercial passenger aircraft or spare parts for such an aircraft, and for other purposes; and bill to prohibit the Secretary of the Treasury from authorizing certain transactions by a U.S. financial institution in connection with the export or re-export of a commercial passenger aircraft to the Islamic Republic of Iran, and for other purposes; and the ''No Ex-Im Assistance for Terrorism Act'', 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, July 13, Full Committee, hearing entitled ''Countering the Virtual Caliphate: The State Department's Performance'', 10 a.m., 2172 Rayburn.

July 13, Subcommittee on Europe, Eurasia, and Emerging Threats, hearing entitled ''Turkey's Democratic Decline'', 2 p.m., 2200 Rayburn.

July 13, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''The Castro Regime's Ongoing Violations of Civil and Political Rights'', 2 p.m., 2172 Rayburn.

July 14, Full Committee, markup on H. Res. 660, expressing the sense of the House of Representatives to support the territorial integrity of Georgia; H. Res. 729, expressing support for the expeditious consideration and finalization of a new, robust, and long-term Memorandum of Understanding on military assistance to Israel between the United States Government and the Government of Israel; H. Res. 750, urging the European Union to designate Hizballah in its entirety as a terrorist organization and increase pressure on it and its members; H. Res. 780, urging respect for the constitution of the Democratic Republic of the Congo in the democratic transition of power in 2016; H. Res. 808, calling on the Government of the Islamic Republic of Iran to release Iranian-Americans Siamak Namazi and his father, Baquer Namazi; H.R. 4481, the ''Education for All Act of 2016''; H.R. 5094, the ''Stability and Democracy for Ukraine Act''; H.R. 5537, the ''Digital Global Access Policy Act of 2016''; and the ''Caesar Syrian Civilian Protection Act of 2016'', 10:15 a.m., 2172 Rayburn.

July 14, Subcommittee on the Western Hemisphere, hearing entitled ''The Strategic Importance of Building a Stronger U.S.-Caribbean Partnership'', 2 p.m., 2200 Rayburn.

July 14, Subcommittee on the Middle East and North Africa, hearing entitled ''U.S. Humanitarian Assistance to Syria: Minimizing Risks and Improving Oversight'', 2 p.m., 2172 Rayburn.

July 14, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, markup on H. Res. 290, calling for the global repeal of blasphemy laws; and hearing entitled ''Hope Deferred: Securing Enforcement of the Goldman Act to Return Abducted American Children'', 2 p.m., 2255 Rayburn.

Committee on Homeland Security, July 13, Subcommittee on Counterterrorism and Intelligence, hearing entitled ''Counterintelligence and Insider Threats: How Prepared Is the Department of Homeland Security?'', 10 a.m., 311 Cannon.

July 14, Full Committee, hearing entitled ''Worldwide Threats to the Homeland: ISIS and the New Wave of Terror'', 10 a.m., 311 Cannon.

Committee on the Judiciary, July 13, Full Committee, markup on H.R. 68, the ''Juvenile Accountability Block Grant Reauthorization and the Bullying Prevention and Intervention Act of 2015''; and H.R. 4602, the ''Justice for All Reauthorization Act of 2016'', 11 a.m., 2237 Rayburn.

July 14, Subcommittee on the Constitution and Civil Justice, hearing on S. 2040, the ''Justice Against Sponsors of Terrorism Act'', 10 a.m., 2237 Rayburn.

Committee on Natural Resources, July 13, Full Committee, markup on H.R. 1157, the ''Santa Ynez Band of Chumash Mission Indians Land Transfer Act of 2015''; H.R. 2333, to authorize the Secretary of the Interior to acquire certain property related to the Fort Scott National Historic Site in Fort Scott, Kansas; H.R. 2817, the ''National Historic Preservation Amendments Act of 2015''; H.R. 4576, the ''Ensuring Access to Pacific Fisheries Act''; H.R. 5468, to direct the Secretary of the Interior to allow for prepayment of repayment obligations under Repayment Contracts between the United States and the Weber Basin Water Conservancy District; H.R. 5577, the ''Innovation in Offshore Leasing Act''; S. 246, the ''Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act''; and S. 1579, the ''Native American Tourism and Improving Visitor Experience Act'' (continued), 10 a.m., 1324 Longworth.

July 13, Subcommittee on Energy and Mineral Resources, hearing on H.R. 2663, the ''Public Land Renewable Energy Development Act of 2015'', 2 p.m., 1324 Longworth.

July 14, Subcommittee on Oversight and Investigations, hearing entitled ''The Status of Ivanpah and Other Federal Loan-Guaranteed Solar Energy Projects on Bureau of Land Management Lands'', 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, July 13, Full Committee, hearing entitled ''Oversight of the FDIC Application Process'', 10 a.m., 2154 Rayburn.

July 13, Subcommittee on Information Technology; and Subcommittee on National Security, joint hearing entitled ''Digital Acts of War: Evolving the Cybersecurity Conversation'', 1 p.m., 2154 Rayburn.

July 13, Subcommittee on Health Care, Benefits and Administrative Rules, hearing entitled ''From Premium Increases to Failing Co-ops: An Obamacare Checkup'', 2 p.m., 2247 Rayburn.

July 14, Full Committee, hearing entitled ''Recalcitrant Countries: Denying Visas to Countries that Refuse to Take Back their Deported Nationals'', 9:30 a.m., 2154 Rayburn.

July 14, Subcommittee on Government Operations, hearing entitled ''Examining Mismanagement in Office of Justice Programs Grantmaking'', 2 p.m., 2247 Rayburn.

July 14, Subcommittee on Transportation and Public Assets, hearing entitled ''Lagging Behind: The State of High Speed Rail in the United States'', 2 p.m., 2154 Rayburn.

July 15, Subcommittee on National Security; and Subcommittee on Transportation and Public Assets, joint hearing entitled ''Oversight of the Urban Area Security Initiative Grant Program'', 9 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, July 14, Full Committee, hearing entitled ''Evaluating FDIC's Response to Major Data Breaches: Is the FDIC Safeguarding Consumers' Banking Information?'', 10 a.m., 2318 Rayburn.

Committee on Veterans' Affairs, July 13, Subcommittee on Disability Assistance and Memorial Affairs, hearing entitled ''TBI Claims: VA's Failure to Provide Adequate Examinations'', 10 a.m., 334 Cannon.

Committee on Ways and Means, July 13, Subcommittee on Trade, hearing entitled ''Expanding U.S. Digital Trade and Eliminating Barriers to U.S. Digital Exports'', 10 a.m., 1100 Longworth.

July 13, Full Committee, markup on H.R. 5659, the ''Expanding Seniors Receiving Dialysis Choice Act of 2016''; H.R. 5713, the ''Sustaining Healthcare Integrity and Fair Treatment Act of 2016''; H.R. 3608, to amend the Internal Revenue Code of 1986 to exempt amounts paid for aircraft management services from the excise taxes imposed on transportation by air; H.R. 5320, the ''Social Security Must Avert Identity Loss (MAIL) Act of 2016''; H.R. 711, the ''Equal Treatment of Public Servants Act of 2015'', 2 p.m., 1100 Longworth.

July 14, Subcommittee on Social Security, hearing entitled ''Modernizing Social Security's Information Technology Infrastructure'', 10 a.m., B–318 Rayburn.

Joint Meetings

Joint Economic Committee: July 12, to hold hearings to examine encouraging entrepreneurship, focusing on growing business, not bureaucracy, 2 p.m., SH–216.

Next Meeting of the SENATE

10 a.m., Tuesday, July 12

Senate Chamber

Program for Tuesday: Senate will continue consideration of the conference report to accompany S. 524, Comprehensive Addiction and Recovery Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, July 12

House Chamber

Program for Tuesday: Begin consideration of H.R. 5538—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2017 (Subject to a Rule). Consideration of motions to suspend the rules.

Extensions of Remarks, as inserted in this issue

HOUSE

Becerra, Xavier, Calif., E1081
Buchanan, Vern, Fla., E1079
Coffman, Mike, Colo., E1081
Collins, Chris, N.Y., E1083, E1083
Denham, Jeff, Calif., E1081
Guinta, Frank C., N.H., E1079, E1081
Huizenga, Bill, Mich., E1083
Jolly, David W., Fla., E1081, E1081, E1081, E1082, E1082, E1083, E1083
Kaptur, Marcy, Ohio, E1079
Mulvany, Mick, S.C., E1081, E1082
Olson, Pete, Tex., E1083
Sessions, Pete, Tex., E1082

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Publishing Office, at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Publishing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.